

ORDINANCE NO. 47-09

AN ORDINANCE TO AMEND CHAPTER 6.08
OF THE ST. JOSEPH CODE
ENTITLED "PERMIT FEES"
(Driveway & Utility Permits and adding Section 6.08.076 Stop Work Order)

Petitioner: Dept. 023 - County Engineer

STATEMENT OF PURPOSE
AND INTENT

The purpose of intent of this Ordinance is to amend Title 6, chapter 6.08, Permit Fees, so as to revise sections 6.08.071, 6.08.072, 6.08.073, and 6.08.074 to increase the permit fees and add Section 6.08.076 Stop Work Order.

NOW, THEREFORE, IT IS ORDAINED BY THE ST. JOSEPH COUNTY COUNCIL THAT:

Section 1. Title 6, Chapter 6.08.071, 6.08.072, 6.08.073 and 6.08.074 are hereby amended and adding Section 6.08.076 as follows:

6.08.071 Driveway Permits A driveway permit issued and obtained prior to commencement of work for which such permit is required shall require a fee of Thirty-five Dollars (\$35.00) for residential and/or agricultural applications and Two Hundred Dollars (\$200.00) for all other zoning applications, such as commercial, business, and/or industrial. In addition, the following fee shall be levied when applicable:

a. For depressed curb work, more commonly referred to as "curb cut" an additional Three Hundred Dollars (\$300.00). This fee includes all inspections required for depressed curb work.

6.08.072 Utility Permits For utility permits issues and obtained prior to commencement of work for which such permit is required, the following fees shall be levied:

a. For one (1) road bore and work of the initial one-fourth (1/4) mile right of way (easement work), Fifty Dollars (\$50.00)

b. For each additional road bore, Fifty Dollars (\$50.00)

c. For each additional one-fourth (1/4) mile of right of way (easement) work, Fifteen Dollars (\$15.00).

d. For each permit involving open excavation, Two Hundred Dollars (\$200.00)

(Ord. No. 37-98,S1)

6.08.073 Re-inspections The County Department of Public Works shall have the authority to assess a Four Hundred Fifty Dollar (\$450.00) re-inspection fee for each and every instance where enforcement of the provisions of the St. Joseph County Design Guide and Construction Standards as adopted on March 6, 1995 and as amended from time to time thereafter or where the County Department of Public Works, or other authorized representative on behalf of St. Joseph County and the County Department of Public Works, is required to re-inspect the work site.

6.08.074 Additional Fees In addition to the above, the County Department of Public Works, or other authorized representative on behalf of St. Joseph County and the County Department of Public Works, shall have the authority to assess the following fees:

a. Performing excavation or any work on, below, or above a right-of-way without a Driveway or Utility Permit as required in Section 6.08.071 and 6.08.072 of this Ordinance

1. First Offense: Five Hundred Dollars (\$500.00)
2. Second Offense: Seven Hundred Dollars (\$700.00)
3. Third Offense: One Thousand Dollars (\$1,000.00)

b. Failure to activate a permit – Four Hundred Fifty Dollars (\$450.00)
The work must be uncovered in the presence of a County Inspector.

c. Improper backfill (type of fill or compacting) – One Thousand Dollars (\$1,000.00). The improper backfill must be removed and the area must be properly backfilled and compacted.

d. Improper permanent surface restoration – Four Hundred Fifty Dollars (\$450.00). The permittee shall remove the pavement patch and also six inches (6") around the pavement patch in all directions and make proper repair. This includes but is not limited to concrete, asphalt, gravel, shoulder, ditches and landscape.

e. Improper Maintenance of Traffic- (type of temporary traffic control devices) – Five Hundred Dollars (\$500.00). The permittee shall provide proper work zone traffic control per the basic requirements of Part VI of the Manual on Uniform Traffic Control Devices (MUTCD).

(Or : No. 59-99,S1)

6.08.076 Stop Work Order In addition to the above, the County Department of Public Works shall have the authority to issue a Stop Work Order requiring the suspension of all driveway or utility work of any kind when any of the following circumstances exist:

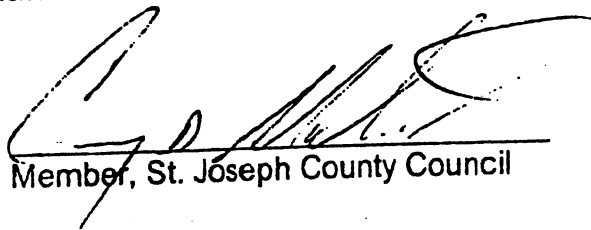
a. Performing excavation or any work on, below, or above a right-of-way in a manner that endangers the safety, health, and general welfare of the public.

b. Performing excavation or any work on, below, or above a right-of-way without a Driveway or Utility Permit as required in Section 6.08.071 and 6.08.072 of this Ordinance.

c. In the event the permittee's work is unsatisfactory and refuses to repair any damage to the County Right-of-Way according to the provisions stated above, the County Department of Public Works shall have the authority to suspend approval on all active permits the permittee holds and the County Department of Public Works shall have the authority to withhold approving future permits until the permittee corrects any and all violations enforced through this ordinance.

d. Stop Work Orders may be issued verbally. In addition, the County Department of Public Works shall provide written notification within three (3) working days of the verbal notice to the permittee documenting the provisions of this ordinance violated.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.



Member, St. Joseph County Council

FILED
MAY 06 2009
AUDITOR
ST. JOSEPH COUNTY INDIANA

1st READING MAY 12 2009
PUBLIC HEARING JUN 09 2009
2nd READING JUN 09 2009
NOT APPROVED
REFERRED *EJQ & TRAWS*
PASSED JUN 09 2009, 8-0

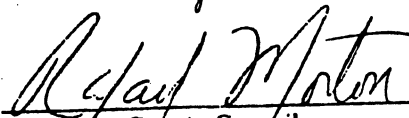
FILED
MAY 06 2009
COUNTY COUNCIL
ST. JOSEPH COUNTY INDIANA

AMENDMENT NO. _____

ORDINANCE NO. 47-09

AN ORDINANCE TO AMEND CHAPTER 6.08 OF THE ST. JOSEPH CODE ENTITLED
"PERMIT FEES" (Driveway & Utility Permits and adding
Section 6.08.076 Stop Work Order).
(Petitioner: Dept. 023 - County Engineer)

This bill came before the St. Joseph County Council the 9 th day of June, 2009, and was
voted to duly pass/~~not to pass~~, this Ordinance.



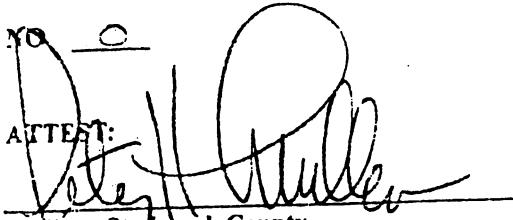
President, County Council

VOTES

YES 8

NO 0

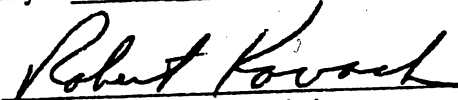
ATTEST:



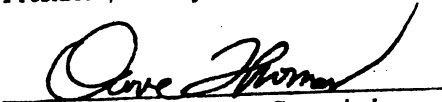
Auditor, St. Joseph County

Presented by me to the Board of Commissioners of the County of St. Joseph, Indiana,
this 11 th day of June, 2009, at the hour of 9:00 o'clock A. M.

This Ordinance approved and signed by the Board of County Commissioners of St. Joseph County,
Indiana, on the 16 th day of June, 2009, at the hour of 10:00 o'clock A. M.



President, County Commissioners



Vice President, County Commissioners



Member, County Commissioners