

TITLE I: GENERAL PROVISIONS

Chapter

10. GENERAL PROVISIONS

11. FEE SCHEDULE

CHAPTER 10: GENERAL PROVISIONS

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§ 10.01 TITLE OF CODE.

This codification of ordinances by and for the Town of Lowell shall be designated as the Code of Lowell and may be so cited.

§ 10.02 INTERPRETATION.

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this code as those governing the interpretation of state law.

§ 10.03 APPLICATION TO FUTURE ORDINANCES.

All provisions of Title I compatible with future legislation, shall apply to ordinances hereafter adopted amending or supplementing this code unless otherwise specifically provided.

§ 10.04 CAPTIONS.

Headings and captions used in this code other than the title, chapter, and section numbers are employed for reference purposes only and shall not be deemed a part of the text of any section.

§ 10.05 DEFINITIONS.

(A) *General rule.* Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) For the purpose of this code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE, THIS CODE or **THIS CODE OF ORDINANCES.** This town code as modified by amendment, revision, and adoption of new titles, chapters, or sections.

COMPUTATION OF TIME. The time within which an act is to be done. It shall be computed by excluding the first day and including the last day, and if the last day is a Sunday or a legal holiday, that day shall be excluded. ('80 Code, § 1.04.010 A.2.) (Ord. 6-1975, passed - -75)

COUNCIL. The Town Council of Lowell,

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Indiana. **ALL ITS MEMBERS** or **ALL COUNCILMEMBERS** means the total number of trustees provided by the general laws of the state. ('80 Code, § 1.04.010 A.1.) (Ord. 6-1975, passed - - 75)

COUNTY. Lake County, Indiana.

LAW. Applicable federal law, the constitution and statutes of the State of Indiana, the ordinances of the Town of Lowell, and, when appropriate, any and all rules and regulations which may be promulgated thereunder. ('80 Code, § 1.04.010 A.4.) (Ord. 6-1975, passed - -75)

MAY. The act referred to is permissive. ('80 Code, § 1.04.010 A.5.) (Ord. 6-1975, passed - -75)

MONTH. A calendar month. ('80 Code, § 1.04.010 A.6.) (Ord. 6-1975, passed - -75)

MUST or **SHALL.** The act referred to is mandatory. ('80 Code, § 1.04.010 A.7.) (Ord. 6-1975, passed - -75)

OATH. An affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words **SWEAR** and **SWORN** shall be equivalent to the words **AFFIRM** and **AFFIRMED**.

OFFICER, OFFICE, EMPLOYEE, COMMISSION, or DEPARTMENT. An officer, office, employee, commission, or department of this town unless the context clearly requires otherwise.

ORDINANCE. A law of the town, provided that a temporary or special law, administrative action, order or directive may be in the form of a resolution. ('80 Code, § 1.04.010 A.9.) (Ord. 6-1975, passed - - 75)

OWNER. When applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land. ('80 Code, § 1.04.010 A.10.) (Ord. 6-1975, passed - -75)

PERSON. Extends to and includes person, persons, firm, corporation, copartnership, trustee, 1998 S-3 Repl.

lessee, or receiver. Whenever used in any clause prescribing and imposing a penalty, the terms **PERSON** or **WHOEVER** as applied to any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof.

PERSONAL PROPERTY. Includes money, goods, chattels, things in action and evidences of debt. ('80 Code, § 1.04.010 A.12.) (Ord. 6-1975, passed - -75)

PRECEDING or **FOLLOWING.** Next before or next after, respectively. ('80 Code, § 1.04.010 A.13.) (Ord. 6-1975, passed - -75)

PROPERTY. Includes real and personal property.

REAL PROPERTY. Includes lands, tenements and inherited property. ('80 Code, § 1.04.010 A.15.) (Ord. 6-1975, passed - -75)

SIDEWALK. That portion of a street between the curblin and the adjacent property line intended for the use of pedestrians. ('80 Code, § 1.04.010 A.16.) (Ord. 6-1975, passed - -75)

SIGNATURE or **SUBSCRIPTION.** Includes a mark when the person cannot write.

STATE. The State of Indiana.

STREET. Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs or other public ways in this town which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state. ('80 Code, § 1.04.010 A.18.) (Ord. 6-1975, passed - -75)

SUBCHAPTER. A division of a chapter, designated in this code by a heading in the chapter analysis and a capitalized heading in the body of the chapter, setting apart a group of sections related by the subject matter of the heading. Not all chapters have subchapters.

TENANT and **OCCUPANT.** When applied to a building or land, include any person who occupies

whole or a part of such building or land, whether alone or with others. ('80 Code, § 1.04.010 A.19.) (Ord. 6-1975, passed - -75)

TITLE OF OFFICE. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the town. ('80 Code, § 1.04.010 A.20.) (Ord. 6-1975, passed - -75)

TOWN, MUNICIPAL CORPORATION, or MUNICIPALITY. The Town of Lowell, Indiana, or the area within the territorial limits of the Town of Lowell and such territory outside the town over which the town has jurisdiction or control by virtue of any constitutional or statutory provision. ('80 Code, § 1.04.010 A.21.) (Ord. 6-1975, passed - -75)

WRITTEN. Any representation of words, letters, or figures, whether by printing or otherwise.

YEAR. A calendar year, unless otherwise expressed; equivalent to the words **YEAR OF OUR LORD.**

§ 10.06 RULES OF INTERPRETATION.

The construction of all ordinances of this town shall be by the following rules, unless such construction is plainly repugnant to the intent of the Town Council or of the context of the same ordinance:

(A) **AND** or **OR.** Either conjunction shall include the other as if written “and/or,” if the sense requires it.

(B) *Acts by assistants.* When a statute or ordinance requires an act to be done which, by law, an agent or deputy as well may do as the principal, such requisition shall be satisfied by the performance of such act by an authorized agent or deputy.

(C) *Gender; singular and plural; tenses.* Words denoting the masculine gender shall be deemed to include the feminine and neuter genders; words in the singular shall include the plural, and words in the plural shall include the singular; the use of a verb in

the present tense shall include the future, if applicable.

(D) *General term.* A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

(E) *Use of words and phrases.* Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. ('80 Code, § 1.04.020 D.) (Ord. 6-1975, passed - -75)

§ 10.07 SEVERABILITY.

If any provision of this code as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

§ 10.08 REFERENCE TO OTHER SECTIONS.

Whenever in one section reference is made to another section hereof, such reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision.

§ 10.09 REFERENCE TO OFFICES.

Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of this town exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

§ 10.10 ERRORS AND OMISSIONS.

If a manifest error is discovered, consisting of the misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a

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word or words when another word or words was clearly intended to express such intent, such spelling shall be corrected and such word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of such error.

§ 10.11 OFFICIAL TIME.

The official time, as established by applicable state/federal laws, shall be the official time within this town for the transaction of all town business.

§ 10.12 REASONABLE TIME.

(A) In all cases where an ordinance requires an act to be done in a reasonable time or requires reasonable notice to be given, reasonable time or notice shall be deemed to mean the time which is necessary for a prompt performance of such act or the giving of such notice.

(B) The time within which an act is to be done, as herein provided, shall be computed by excluding the first day and including the last. If the last day be Sunday, it shall be excluded.

§ 10.13 ORDINANCES REPEALED.

This code, from and after its effective date, shall contain all of the provisions of a general nature pertaining to the subjects herein enumerated and embraced. All prior ordinances pertaining to the subjects treated by this code shall be deemed repealed from and after the effective date of this code.

§ 10.14 ORDINANCES UNAFFECTED.

All ordinances of a temporary or special nature and all other ordinances pertaining to subjects not embraced in this code shall remain in full force and effect unless herein repealed expressly or by necessary implication.

1998 S-3 Repl.

§ 10.15 EFFECTIVE DATE OF ORDINANCES.

All ordinances passed by the Town Council requiring publication shall take effect from and after the due publication thereof, unless otherwise expressly provided. Ordinances not requiring publication shall take effect from their passage, unless otherwise expressly provided.

§ 10.16 REPEAL OR MODIFICATION OF ORDINANCE.

(A) Whenever any ordinance or part of an ordinance shall be repealed or modified by a subsequent ordinance, the ordinance or part of an ordinance thus repealed or modified shall continue in force until the due publication of the ordinance repealing or modifying it when publication is required to give effect thereto, unless otherwise expressly provided.

(B) No suit, proceedings, right, fine, forfeiture, or penalty instituted, created, given, secured, or accrued under any ordinance previous to its repeal shall in any way be affected, released, or discharged, but may be prosecuted, enjoyed, and recovered as fully as if the ordinance had continued in force unless it is otherwise expressly provided.

(C) When any ordinance repealing a former ordinance, clause, or provision shall be itself repealed, the repeal shall not be construed to revive the former ordinance, clause, or provision, unless it is expressly provided.

§ 10.17 ORDINANCES WHICH AMEND OR SUPPLEMENT CODE.

(A) If the Town Council shall desire to amend any existing chapter or section of this code, the chapter or section shall be specifically repealed and a new chapter or section, containing the desired amendment, substituted in its place.

(B) Any ordinance which is proposed to add to the existing code a new chapter or section shall indicate, with reference to the arrangement of this code, the proper number of such chapter or section.

In addition to such indication thereof as may appear in the text of the proposed ordinance, a caption or title shall be shown in concise form above the ordinance.

§ 10.18 SECTION HISTORIES; STATUTORY REFERENCES.

(A) As histories for the code sections, the specific number and passage date of the original ordinance, and the most recent three amending ordinances, if any, are listed following the text of the code section. Example: (Ord. 10, passed 5-13-60; Am. Ord. 15, passed 1-1-70; Am. Ord. 20, passed 1-1-80; Am. Ord. 25, passed 1-1-85)

(B) (1) If a statutory cite is included in the history, this indicates that the text of the section reads substantially the same as the statute. Example: (IC 1-1-4-1) (Ord. 10, passed 1-17-80; Am. Ord. 20, passed 1-1-85).

(2) If a statutory cite is set forth as a “statutory reference” following the text of the section, this indicates that the reader should refer to that statute for further information. Example:

§ 39.10 PUBLIC RECORDS AVAILABLE.

This town shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.

Statutory reference:

For provisions concerning the inspection of public records, see IC 5-14-3-1 et seq.

§ 10.19 CONSTRUCTION.

The provisions of this code and any other ordinance of the town and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

(’80 Code, § 1.04.040) (Ord. 6-1975, passed - -75)

§ 10.98 VIOLATIONS — PROHIBITED ACTS INCLUDE CAUSING AND PERMITTING.

Whenever, in this code or in any other ordinance of the town, any act or omission is made unlawful, it includes causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

(’80 Code, § 1.04.030) (Ord. 6-1975, passed - -75)

§ 10.99 GENERAL PENALTY.

Any person found guilty of violating any provision of this code shall, upon conviction thereof, and in addition to any other penalty that may be provided, be subject to a fine of not less than \$100 nor more than \$2,500 for each violation. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of a provision of this code is committed, continued or permitted by the person.

(’80 Code, § 1.16.010) (Ord. 1988-12, passed 4-25-88; Am. Ord. 2001-16, passed 11-12-01; Am. Ord. 2002-13, passed 9-4-02; Am. Ord. 2005-33, passed 12-12-05)

Cross-reference:

Ordinance Violation Bureau, schedule of fines, see §§ 33.15 et seq.

Statutory reference:

Authority of town to prescribe a penalty of a fine of not more than \$2500, see IC 36-1-3-8(a)(10)

CHAPTER 11: FEE SCHEDULE

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TOWN ADMINISTRATION

§ 11.001 BAD CHECK FEE.

DESCRIPTION	FEE	ORD.	CODE SECTION
bad check fee	\$25	1997-15	§ 32.01

§ 11.002 APPLICANT FEE.

DESCRIPTION	FEE	ORD.	CODE SECTION
applicant fee for Police Department	\$40	1997-14A; 2000-28	§ 37.129

§ 11.003 AUTHORIZED EXPENDITURES.

DESCRIPTION	FEE	ORD.	CODE SECTION
per diem expenses to confidential informants	max. \$25 / day	1986-22	§ 36.077
purchase of evidence	max. \$200	1986-22	§ 36.077

Fee Schedule 11

§ 11.004 LONGEVITY PAY INCREASES.

DESCRIPTION - Years of Service	AMOUNT	ORD.	CODE SECTION
after 2 continuous years	\$0.07 per hour/\$5.60 bi-weekly	1992-14 2000-30	§ 37.010
after 3 years	\$0.14 per hour/\$11.20 bi-weekly	1992-14 2000-30	§ 37.010
after 4 years	\$0.21 per hour/\$16.80 bi-weekly	1992-14 2000-30	§ 37.010
after 5 years	\$0.28 per hour/\$22.40 bi-weekly	1992-14 2000-30	§ 37.010
after 6 years	\$0.35 per hour/\$28.00 bi-weekly	1992-14 2000-30	§ 37.010
after 10 years	\$0.70 per hour/\$56.00 bi-weekly	2000-30	§ 37.010
after 15 years	\$1.05 per hour/\$84.00 bi-weekly	2000-30	§ 37.010
after 20 years	\$1.40 per hour/\$112.00 bi-weekly	2000-30	§ 37.010
Calculation to begin the pay period after said anniversary date.			

§ 11.005 TRAVEL EXPENSES.

DESCRIPTION	AMOUNT	ORD.	CODE SECTION
reimbursement for mileage	IRS rate	2008-10	§ 37.085
meal allowance			
full travel day	\$40	2008-10	§ 37.085
less than full travel day	breakfast \$10 lunch \$15 dinner \$15		

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§ 11.006 INSURANCE.

DESCRIPTION	AMOUNT	ORD.	CODE SECTION
employee contribution - medical insurance	\$0.10 / month	1992-24	§ 37.087
employee contribution - life insurance	\$0.10 / month		§ 37.088

§ 11.007 LICENSE REINSTATEMENT FEE.

DESCRIPTION	FEE	ORD.	CODE SECTION
driver's license reinstatement from driver's license suspension	\$5	2000-8; 2004-13	§ 31.12

PUBLIC WORKS

§ 11.051 GARBAGE COLLECTION.

DESCRIPTION	FEE	ORD.	CODE SECTION
administrative surcharge	\$.60 per month	1998-15	§ 50.11
late charge	10% of first \$3, 3% in excess of \$3	1998-15	§ 50.11

§ 11.052 RECYCLING COLLECTION.

DESCRIPTION	FEE	ORD.	CODE SECTION
annual registration fee for collection companies	\$50	1996-5	§ 50.061

Fee Schedule 12A

§ 11.053 SEWER CHARGES.

(A) *Sewage rates for metered customers.*

QUANTITY OF WATER USED PER MONTH	CHARGE PER 1,000 GAL.	ORD.	CODE SECTION
first 5000 gal.	\$8.16	1987-21; 2000-6; 2008-26	§ 51.075
next 10,000 gal.	\$7.03	1987-21; 2000-6; 2008-26	§ 51.075
next 20,000 gal.	\$5.84	1987-21; 2000-6; 2008-26	§ 51.075
next 40,000 gal.	\$4.82	1987-21; 2000-6; 2008-26	§ 51.075
all over 75,000 gal.	\$3.55	1987-21; 2000-6; 2008-26	§ 51.075

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Fee Schedule 13

(B) *Minimum charge for metered water customer.*

METER SIZE	MONTHLY MIN. CHARGE	ORD.	CODE SECTION
5/8" - 3/4"	\$ 20.40	1987-21; 2000-6; 2008-26	§ 51.075
1"	\$ 58.38	1987-21; 2000-6; 2008-26	§ 51.075
1 1/4"	\$ 86.50	1987-21; 2000-6; 2008-26	§ 51.075
1 1/2"	\$ 131.54	1987-21; 2000-6; 2008-26	§ 51.075
2"	\$ 204.54	1987-21; 2000-6; 2008-26	§ 51.075
3"	\$ 396.60	1987-21; 2000-6; 2008-26	§ 51.075
4"	\$ 756.18	1987-21; 2000-6; 2008-26	§ 51.075
6"	\$1,434.23	1987-21; 2000-6; 2008-26	§ 51.075

(C) *Minimum charge for non-metered water customer. \$20/month (§ 51.075)*

(D) *Charges based on strength and character of sewage.*

DESCRIPTION	ADDITIONAL CHARGE	ORD.	CODE SECTION
five-day BOD in excess of 2.10 pounds for each 1000 gallons	\$.07 / pound		§ 51.077
suspended solids in excess of 2.10 pounds for each 1000 gallons	\$.07 / pound		§ 51.077

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(E) *Tap fee.*

DESCRIPTION	FEE	ORD.	CODE SECTION
tap fee for connection to municipal sewer	\$2,015 per base unit	1995-10 1998-22 2003-03	§ 51.080

(F) *Service charge for delinquent accounts.* \$5 (§ 51.098)

(G) *Taxes.*

DESCRIPTION	FEE	ORD.	CODE SECTION
ad valorem property tax - Cumulative Building Fund	\$1 on each \$100 assessed valuation	1997-21	§ 36.150

(H) *Deposit.*

DESCRIPTION	FEE	ORD.	CODE SECTION
deposit for use of sanitary sewage system	\$25		§ 51.083

§ 11.054 WATERWORKS CHARGES.

(A) *Deposit.*

METER SIZE	AMOUNT	ORD.	CODE SECTION
5/8"	\$ 25		§ 52.004
1"	\$ 36		§ 52.004
1 1/4" - 1 1/2"	\$ 38		§ 52.004
2"	\$ 50		§ 52.004
4"	\$ 75		§ 52.004
6" or more	\$100		§ 52.004

Fee Schedule 15

(B) *Turn-on fee.*

DESCRIPTION	FEE	ORD.	CODE SECTION
during normal working hours	\$15	1981-30	§ 52.009
after normal working hours	\$30	1981-30	§ 52.009

(C) *Service charge for resealing water meter or meter register.* \$15 (§ 52.027)

(D) *Water rates.*

(1) *Metered rates.*

GALLONS SUPPLIED	RATE	ORD.	CODE SECTION
first 5,000	\$7.64	1993-23; 2000-1; 2008-25	§ 52.075
next 10,000	\$7.32	1993-23; 2000-1; 2008-25	§ 52.075
next 20,000	\$6.96	1993-23; 2000-1; 2008-25	§ 52.075
over 35,000	\$6.10	1993-23; 2000-1; 2008-25	§ 52.075

(2) *Minimum charge.*

METER SIZE	RATE	ORD.	CODE SECTION
5/8"	\$ 19.10	1993-23; 2000-1; 2008-25	§ 52.075
1"	\$ 30.56	1993-23; 2000-1; 2008-25	§ 52.075

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METER SIZE	RATE	ORD.	CODE SECTION
1 1/4"	\$ 38.20	1993-23; 2000-1; 2008-25	§ 52.075
1 1/2"	\$ 49.18	1993-23; 2000-1; 2008-25	§ 52.075
2"	\$ 65.28	1993-23; 2000-1; 2008-25	§ 52.075
3"	\$ 104.81	1993-23; 2000-1; 2008-25	§ 52.075
4"	\$ 143.42	1993-23; 2000-1; 2008-25	§ 52.075
6"	\$ 454.95	1993-23; 2000-1; 2008-25	§ 52.075

(E) *Fire protection services.*

(1) *Annual hydrant rates.*

DESCRIPTION	RATE	ORD.	CODE SECTION
municipal / per hydrant	\$393.09	1993-23; 2000-1	§ 52.076
private / per hydrant	\$393.09	1993-23; 2000-1	§ 52.076

(2) *Annual rates for private sprinklers.*

DESCRIPTION	RATE	ORD.	CODE SECTION
4" line	\$ 172.96	1993-23; 2000-1	§ 52.076
6" line	\$ 393.09	1993-23; 2000-1	§ 52.076

Fee Schedule 16A

DESCRIPTION	RATE	ORD.	CODE SECTION
8" line	\$ 699.70	1993-23; 2000-1	§ 52.076
10" line	\$1,092.79	1993-23; 2000-1	§ 52.076
12" line	\$1,572.36	2000-1	§ 52.076

(F) *Municipal fountains.*

DESCRIPTION	FEE	ORD.	CODE SECTION
annual rate per fountain	\$206.36	1993-23; 2000-1	§ 52.077

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Fee Schedule 17

(G) Connection charges, tapping charges and other fees.

DESCRIPTION	FEE	ORD. NO.	CODE SECTION
connection charges: less than 1" meter 1" meter 1½" meter 2" meter 4" meter 6" meter 8" meter	\$500 \$570 \$660 \$805 \$925 \$1,100 \$1,250	1999-15	§ 52.078
taps by town Water Utility: ¾" meter/short run ¾" meter/long run 1" meter/short run 1" meter/long run 1½" meter/short run 1½" meter/long run 2" meter/short run 2" meter/long run	\$900 \$1,375 \$1,025 \$1,535 \$1,300 \$1,800 \$1,500 \$2,025	1999-15	§ 52.079
taps by developers: ½" meter 1" meter 1½" meter 2" meter	\$250 \$355 \$525 \$660	1999-15	§ 52.079
taps for large meters: 2" meter 4" meter 6" meter 8" meter	\$600 actual costs incurred by utility actual costs incurred by utility actual costs incurred by utility	1999-15	§ 52.079
service fee for each additional water inspection	\$50	1999-15	§ 52.079
service fee for water shut-off or disconnection due to non-payment or resealing	\$20	1999-15	§ 52.079
service fee for water reconnection due to non-payment or resealing	\$50	1999-15	§ 52.079

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(H) *Deferred payment charge.* 10% on first \$3, 3% on excess over \$3 (§ 52.080).

(I) *Temporary users*

DESCRIPTION	FEE	ORD.	CODE SECTION
water use for residential contractors	\$30 non-refundable fee	1993-23	§ 52.081

TRAFFIC CODE

§ 11.071 PARKING PERMITS.

Annual fee for downtown parking permits: \$10 (§ 72.01)

GENERAL REGULATIONS

§ 11.091 ALARM SYSTEMS.

DESCRIPTION	FEE	ORD.	CODE SECTION
application fee for installation, maintenance, operation for single family residential use	\$25	1998-30	§ 91.05
application fee for installation, maintenance, operation for multi-family, commercial, or industrial use	\$50	1998-30	§ 91.05
renewal fee for each permit	\$20	1998-30	§ 91.05

§ 11.092 KENNEL LICENSE FEES.

DESCRIPTION	FEE	ORD.	CODE SECTION
annual fee	\$25	1982-28	§ 92.03

Fee Schedule 18A

§ 11.093 SIDEWALK OBSTRUCTIONS.

DESCRIPTION	FEE	ORD.	CODE SECTION
temporary permit application subject to provisions of § 97.04	\$15	2001-3	§ 97.04

§ 11.094 PARADE PERMIT FEE.

DESCRIPTION	FEE	ORD.	CODE SECTION
application fee	\$25	2000-5	§ 98.03

§ 11.095 INSPECTION FEES.

The following fees are hereby established to defer the administrative costs incurred for conducting fire inspections.

(A) *New construction and remodeling.* The following fees include the first two fire inspections on all new construction and remodeling, all other inspections shall be subject to the following reinspection fee.

TOTAL SQUARE FEET	FEE	ORD.	CODE SECTION
0 to 2,499	\$150	2006-02	§ 93.077
2,500 to 4,999	\$300	2006-02	§ 93.077
5,000 to 9,999	\$450	2006-02	§ 93.077
10,000 to 14,999	\$600	2006-02	§ 93.077
15,000 to 19,999	\$750	2006-02	§ 93.077
20,000 and over	\$900	2006-02	§ 93.077
reinspection	\$40 each	2006-02	§ 93.077

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(B) *Change of occupancy.* The following fees include the first inspection for any change of occupancy, all other inspections shall be subject to the following reinspection fee.

CHANGE OF OCCUPANCY	FEE	ORD.	CODE SECTION
first inspection	\$100	2006-02	§ 93.077
reinspection	\$40 each	2006-02	§ 93.077

BUSINESS REGULATIONS

§ 11.101 LIABILITY INSURANCE.

(A) *Cable television.*

DESCRIPTION	MIN. COVERAGE	ORD.	CODE SECTION
single limit: any one incident	\$500,000	(12-28-80)	§ 110.091
umbrella or excess liability coverage	\$1,000,000	(12-28-80)	§ 110.091

(B) *Taxicabs.*

DESCRIPTION	MIN. COVERAGE	ORD.	CODE SECTION
comprehensive general liability insurance		7-1978	§ 112.20
bodily injury to any one person	\$100,000		
injuries to more than one person	\$300,000		
property damage	\$ 50,000		

Fee Schedule 18C

§ 11.102 TRANSIENT MERCHANTS.

DESCRIPTION	FEE	ORD.	CODE SECTION
applicant fee	\$15		§ 113.07
license fee			
per year	\$200		
every 6 months	120		§ 113.07
per month	50		
per day	25		
processing fee for appeal of denied application (non-refundable)	\$50		§ 113.09

ZONING

§ 11.151 BUILDING AND CONSTRUCTION.

DESCRIPTION	FEE	ORD.	CODE SECTION
initial registration application	\$ 100	2000-4	§ 150.20
annual registration / renewal fee (contractors)	\$ 50	1992-7	
bond	\$5000	1992-7	§ 150.21
minimum insurance coverage			
liability, property and personal injury		1992-7	§ 150.22
per occurrence	\$ 500,000		
in the aggregate	\$1,000,000		

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Fee Schedule 19

§ 11.152 SUBDIVISIONS.

DESCRIPTION	FEE	ORD.	CODE SECTION
petition fee	\$35	(3-28-92)	§ 154.105
preliminary plat fee	\$50, plus \$1 per lot	(3-28-92)	§ 154.120
final fee	\$10 per lot (max. \$500)	(3-28-92)	§ 154.121
attorney's fees per contract prepared by town at developer's request	min. \$100		Ch. 154 App.

§ 11.153 SPECIAL EXCEPTIONS.

DESCRIPTION	FEE	ORD.	CODE SECTION
application fee	\$35	1978-35 1995-16	§ 155.055

§ 11.154 SIGNS.

DESCRIPTION	FEE	ORD.	CODE SECTION
permit fee	\$10	1978-35 24	§ 155.094
first inspection	\$15	1978-35 24	§ 155.094
electrical inspection	\$15	1978-35 24	§ 155.094
footing inspection	\$15	1978-35 24	§ 155.094
final inspection	\$15	1978-35 24	§ 155.094
additional fees for recall inspections	\$15	1978-35 24	§ 155.094

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§ 11.155 PLANNED UNIT DEVELOPMENTS.

DESCRIPTION	FEE	ORD.	CODE SECTION
filing fee for application	\$100 plus \$10 for each acre over 10	1978-35	§ 155.106
filing fee for application for final approval	\$25	1978-35	§ 155.106

§ 11.156 DISTRICT FEES.

(A) *MH-1, mobile home district.*

DESCRIPTION	FEE	ORD.	CODE SECTION
preliminary fee	\$100 up to 10 acres plus \$10 per acre over 10 acres	1978-35	§ 155.170
final plat	\$25	1978-35	§ 155.170

(B) *PB-1, planned business district.*

DESCRIPTION	FEE	ORD.	CODE SECTION
preliminary fee	\$100 up to 10 acres plus \$10 per acre over 10 acres	1978-35	§ 155.170
final plat	\$25	1978-35	§ 155.170

Fee Schedule 21

§ 11.157 BUILDING AND SIGN PERMIT FEE.

(A) *Improvement / building fees.*

<i>CONSTRUCTION TYPE</i>	<i>COST</i>	<i>MINIMUM</i>	<i>ORD.</i>	<i>CODE SECTION</i>
<i>1 & 2 Family</i>				
New Construction	\$.03 per square foot + \$75	\$75	1997-25	§ 155.171
Basement / Lower Level	\$.01 per square foot + \$15	\$15	1997-25	§ 155.171
Garage	\$.01 per square foot + \$15	\$15	1997-25	§ 155.171
Addition	\$.06 per square foot + \$50	\$50	1997-25	§ 155.171
Remodeling	\$.06 per square foot + \$25	\$25	1997-25	§ 155.171
<i>Multi-Family</i>				
New Construction	\$.04 per square foot + \$100	\$100	1997-25	§ 155.171
Basement / Lower Level	\$.01 per square foot + \$15	\$15	1997-25	§ 155.171
Garage	\$.01 per square foot + \$15	\$15	1997-25	§ 155.171
Addition	\$.06 per square foot + \$75	\$75	1997-25	§ 155.171
Remodeling	\$.06 per square foot + \$75	\$75	1997-25	§ 155.171
<i>Non-residential</i>				
New Construction	\$.04 per square foot + \$100	\$100	1997-25	§ 155.171
Basement / Lower Level	\$.02 per square foot + \$100	\$100	1997-25	§ 155.171
Garage	\$.02 per square foot + \$100	\$100	1997-25	§ 155.171
Addition	\$.06 per square foot + \$75	\$75	1997-25	§ 155.171
Remodeling	\$.06 per square foot + \$75	\$75	1997-25	§ 155.171
<i>Required Inspections</i>				
Footing	\$25		1997-25	§ 155.171
Foundation/Backfill	\$25		1997-25	§ 155.171
Framing	\$25		1997-25	§ 155.171
Insulation	\$25		1997-25	§ 155.171
Final	\$25		1997-25	§ 155.171
Other Inspections	\$25		1997-25	§ 155.171

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(B) *Electrical fees.*

CONSTRUCTION TYPE	COST	MINIMUM	ORD.	CODE SECTION
<i>1 & 2 Family</i>				
New Construction	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Upgrade / COS	\$.65 per amp + \$25	\$25	1997-25	§ 155.171
Misc. Wiring	\$25		1997-25	§ 155.171
Temp. Service	\$50		1997-25	§ 155.171
<i>Multi-Family</i>				
New Construction	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Upgrade / COS	\$.65 per amp + \$25	\$25	1997-25	§ 155.171
Misc. Wiring	\$25		1997-25	§ 155.171
Temp. Service	\$50		1997-25	§ 155.171
<i>Non-residential</i>				
New Construction	\$.02 per square foot + \$75	\$75	1997-25	§ 155.171
Addition	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
Upgrade / COS	\$.65 per amp + \$35	\$35	1997-25	§ 155.171
Misc. Wiring	\$35		1997-25	§ 155.171
Temp. Service	\$50		1997-25	§ 155.171
<i>Required Inspections</i>				
Electrical Service	\$25		1997-25	§ 155.171
Rough Inspection	\$25		1997-25	§ 155.171
Final Inspection	\$25		1997-25	§ 155.171
Other Inspection	\$25		1997-25	§ 155.171

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Fee Schedule 23

(C) *Plumbing fees.*

CONSTRUCTION TYPE	COST	MINIMUM	ORD.	CODE SECTION
<i>1 & 2 Family</i>				
New Construction	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
<i>Multi-Family</i>				
New Construction	\$.02 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$25	\$25	1997-25	§ 155.171
<i>Non-residential</i>				
New Construction	\$.02 per square foot + \$75	\$75	1997-25	§ 155.171
Addition	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
<i>Required Inspection</i>				
Underground Plumbing	\$25		1997-25	§ 155.171
Rough Plumbing	\$25		1997-25	§ 155.171
Final Plumbing	\$25		1997-25	§ 155.171
Other Inspections	\$25		1997-25	§ 155.171

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(D) Heating/mechanical fees.

CONSTRUCTION TYPE	COST	MINIMUM	ORD.	CODE SECTION
<i>1 & 2 Family</i>				
New Construction (includes basement/lower)	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.01 per square foot + \$25	\$25	1997-25	§ 155.171
<i>Multi-Family</i>				
New Construction (includes basement/lower)	\$.02 per square foot + \$25	\$25	1997-25	§ 155.171
Addition	\$.02 per square foot + \$25	\$25	1997-25	§ 155.171
Remodeling	\$.02 per square foot + \$25	\$25	1997-25	§ 155.171
<i>Non-residential</i>				
New Construction	\$.02 per square foot + \$75	\$75	1997-25	§ 155.171
Addition	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
Remodeling	\$.05 per square foot + \$50	\$50	1997-25	§ 155.171
<i>Required Inspections</i>				
Rough Mechanical	\$25		1997-25	§ 155.171
Final Mechanical	\$25		1997-25	§ 155.171
Other Inspections	\$25		1997-25	§ 155.171

Fee Schedule 25

(E) *Miscellaneous / other fees.*

CONSTRUCTION TYPE	COST	ORD.	CODE SECTION
Fences	\$15	1997-25	§ 155.171
Decks	\$25	1997-25	§ 155.171
Sheds	\$25	1997-25	§ 155.171
Demo / Relocate Structure	\$50	1997-25	§ 155.171
Re-inspection Fee	\$35	1997-25	§ 155.171
Occupancy Permit	\$30	1997-25	§ 155.171
Signs	\$10 - flat fee, plus required inspections that are deemed necessary by Building Department. If illuminated, Electrical Permit is required.	1997-25	§ 155.171
Swimming Pools	\$25 - plus required Electrical Permit and inspection	1997-25	§ 155.171
Lawn Sprinkling Systems	\$25	1997-25	§ 155.171
Fire Sprinkling Systems	\$25	1997-25	§ 155.171
Grade Alteration Fill Permit	\$25	1997-25	§ 155.171
Curb/Street Cut	\$50	1997-25	§ 155.171

§ 11.158 CERTAIN APPLICATION FEES.

Application fee for variances, special exceptions, special use and rulings: \$35 (§ 155.172)

§ 11.159 CERTAIN PETITION FEES.

Petition fees: \$35 (§ 155.173)

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§ 11.160 PLANNING COMMISSION - PETITION FILING FEES.

DESCRIPTION	FEE	ORD.	CODE SECTION
Comprehensive plan		2005-30	§ 155.174
Text amendment	\$25		
Map amendment	\$75		
Rezoning amendment		2005-30	§ 155.174
Text amendment	\$100		
Map amendment	\$100		
Subdivision, special use and variance petitions		2005-30	§ 155.174
Each petition	\$75		
Subdivision - preliminary plat approval		2005-30	§ 155.174
Residential/single-family	\$100 plus \$5/unit		
Residential/multi-family	\$200 plus \$2/unit		
Non-residential	\$200 plus \$5/acre		
Subdivision - final plat approval		2005-30	§ 155.174
Residential/single-family	\$100 plus \$5/unit		
Residential/multi-family	\$200 plus \$2/unit		
Non-residential	\$200 plus \$5/acre		
Subdivision fee - engineering. To defray part of the costs incurred by the town for engineering inspection and review of subdivision development and improvement, each petitioner shall pay the following fees:			
Engineering inspection	.625% of the total value of all site improvements; and	2005-30	§ 155.174
Engineering review	.625% of the total value of all site improvements		