

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF
CLINTON AMENDING CHAPTER 32 OF THE CLINTON COUNTY CODE TO
PROVIDE A SCHEDULE OF FEES AND CHARGES FOR ENGINEERING SERVICES
FOR INSPECTIONS, PERMITS AND PLAN REVIEWS BY THE OFFICE OF THE
SURVEYOR OF CLINTON COUNTY**

The Surveyor of Clinton County has presented a proposed schedule of user fees for various inspections and reviews. The schedule is based upon the Surveyor's study of similar schedules in other counties and upon the experience of the office of the Surveyor with regard to the costs of these services, some of which the statutes of Indiana require to be performed for the Surveyor by a professional engineer. The Board of Commissioners, as the legislative body of Clinton County, is empowered by Indiana statute to adopt user fees for services so long as those fees reasonably reflect the costs of providing those services. Hearing on the proposed fees was duly advertised and continued to May 21, 2012. After review of the proposed fees and the information presented by the Surveyor, and opportunity for public comment having been given, and there being no additional revisions to the fees proposed, the Board of Commissioners finds that the fees and charges contained in the attached Exhibit A are fair and reasonable and do not exceed the cost of performing the services herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE COUNTY OF CLINTON, OF THE STATE OF INDIANA
AS FOLLOWS:**

Section 1. Chapter 32 of the Clinton County Code is hereby amended by the addition of a new section, Section 32.32, as follows:

"SECTION 32.32 SURVEYOR'S FEES AND ENGINEERING CHARGES.

A. Definitions. For the purposes of this Section, the following definitions shall apply:

Direct Outlet

Any surface drain, subsurface drain or combination thereof which discharges into a regulated drain.

Indirect Outlet

Any surface drain, subsurface drain or combination thereof which has as its outlet another existing tile, open drain or watercourse which discharges into a regulated drain.

Crossing

Any type of structure or bridge for the conveyance of pedestrians, vehicles or equipment over a tile or open regulated drain..

Fill

Any type of fill material placed or deposited on or within the right of way of a regulated drain

Building Permit Review

An in office drainage review of an application to the office of the Area Plan Commission for an improvement location permit.

Encroachment

Any type of vegetative planting (including trees and other woody vegetation, but excepting grain crops) or any temporary, permanent, movable or immovable structure, fixture or device which has been constructed, moved or installed above or below grade within the right of way of a regulated drain and for which no written permit is on file in the office of the Surveyor.

Utility Encroachment

The construction, location or relocation of any utility line or structure, including, but not limited to, natural gas, oil pipeline, aerial or buried telephone lines or cables, television cable, fiber optic cable, electric power line or cable, sanitary sewer, water line or septic system component within the right of way of a tile or open regulated drain.

Site Plan Review

The review of drainage for any proposed industrial, commercial or residential subdivision development.

Terms Defined or Described By Indiana Statute

“Regulated drain”, “tile” and “open” drains, “right of way”, and “Surveyor” shall have the same meanings as those terms are defined or referred to in the Drainage Code of Indiana, IC 36-9-27.

B. Findings. The Board of Commissioners of the County of Clinton does hereby find that the owners of property in Clinton County who are assessed for the maintenance of the regulated drains of Clinton County support the services of the office of the Surveyor

of Clinton County. The maintenance of good drainage requires diligence in the review and inspection of activities of owners, developers and others which impact the regulated drains. While drainage assessments are intended to pay for maintenance, inspections and reviews are supported by ad valorem property taxes of all taxpayers in the county, whether or not their property is served by regulated drains. It is therefore necessary and fair that the users of these services pay the reasonable costs of their provision. The Board of Commissioners finds that the schedule of rates appended hereto and marked "Exhibit A" to be reasonable for the services for which they are to be charged.

C. Adoption of Fees. The schedule of fees appended hereto and marked "Exhibit A" is hereby adopted for the services described for the office of the Surveyor of Clinton County.

D. Effective Date and Notice to Users. The fees adopted herein shall become effective on June 12, 2012. Notice of the fees shall be given by posting in the office of the Surveyor and on the Clinton County website.

ADOPTED by the Board of Commissioners this 4th day of June , 2012.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF CLINTON

Michael A. Beard, President

William J. Beard

George F. Evans

ATTEST:

Cathy J. Hamilton, Auditor

EXHIBIT A

Outlets:

The County Surveyor's Office shall charge the following application/permit fees to any person, partnership, corporation, or any other entity filing an application to discharge private or mutual drains into a regulated drain under the jurisdiction of the County Drainage Board.

Direct Outlets

Individual Residences and Agricultural uses	\$ 25.00
Subdivision, Multi-family, or Commercial uses	\$150.00
Industrial uses	\$250.00

Indirect Outlets

Subdivision, Multi-family, Commercial or Industrial uses	\$150.00
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No fee shall be required to those discharges to be made indirectly to a regulated drain for individual residential lots and agricultural drains. However, any such indirect discharge within the drainage shed of a regulated drain shall be required to file an application.

Crossings

Individual Residences and Agricultural uses	\$75.00
Subdivisions, Multi-family, or commercial uses	\$150.00
Industrial uses	\$250.00

These rates shall be for both permanent crossings and temporary crossings.

Fill Permit Fees

The fee for individual fill permit reviews shall be: \$75.00

Building permit reviews

The fee for Building permit reviews shall be: \$25.00

Encroachments:

The County Surveyor's Office shall charge the following application fees to any person, partnership, corporation, entity or association filing an Encroachment Agreement pursuant to Indiana Code 36-9-27-33;

Subdivision: Per each secondary plat	\$100.00
Individual: agricultural and single unit residential	\$75.00
Commercial, multi-family and industrial	\$150.00

In addition to the above fees for each type of request there shall be collected an additional fee equal to the amount charged by the County Recorder for recording the Encroachment Agreement.

Utility Encroachments:

Underground construction, grading, trenching, boring or excavation parallel and /or perpendicular to the drain for up to 400 feet of continuous construction;	\$150.00
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For each 400 feet or part thereof of continuous construction parallel and /or perpendicular to the drain thereafter;	\$75.00
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The above fees shall apply to all overhead Utility Encroachments.

In addition to the above fees for each type of request there shall be collected an additional fee equal to the amount charged by the County Recorder for recording the Encroachment Agreement.

Individual Site Plan Reviews

The fee for review of each individual site plan for sites disturbing one (1) acre or more, or for individual site plan reviews authorized by the Drainage Board shall be: \$75.00

Obstruction Petitions

The filing fee for Obstruction Petitions filed in accordance with Indiana Code 36-9-27.4 shall be: \$250.00

Ponds

5000 sq. ft. to 20,000 sq. ft. surface area disturbed	\$100.00
20,001 sq. ft. to 40,000 sq. ft. surface area disturbed	\$300.00
40,001 sq. ft. or more surface area disturbed	\$400.00

Alcoholic Beverage Verification Permits

The fee for certification of Alcoholic Beverage Permit locations, for new locations	\$100.00
for renewals at the same location	\$ 25.00

Stop Work Orders

Permit Re-instatement Fee	\$100.00 Minimum
Or two (2) times the filing fee, whichever is greater	
Fine for Continued Construction after Stop Work Order	\$1000.00 first day
Up to \$500.00 each additional day	

Early Bird Fee (start of construction prior to issuance) Two (2) times the filing fee

Engineering Review Fees

All engineering projects will require a review fee above and beyond the application fee(s). The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$150.00/hour. This fee shall be paid to the Clinton County Drainage Board and shall be paid in full before any project approval is given.