

## GENERAL ORDINANCE #85-4

AN ORDINANCE TO AMEND AND RESTATE ZONING ORDINANCE  
NUMBER 68-5 INCLUDING ZONING MAP  
AND COMPREHENSIVE PLAN OF  
THE CITY OF GAS CITY, GRANT COUNTY, INDIANA  
And PROVIDING FOR THE EFFECTIVE DATES THEREOF.

BE IT ORDAINED, by the Common Council of the City of Gas City, Indiana:

SECTION 1. General Ordinance Number 68-5, commonly known as the Zoning Ordinance of the City of Gas City, Indiana passed by the Common Council on the 6<sup>th</sup> day of August, 1968, and presented and approved by the Mayor of said City on the 6<sup>th</sup> day of August, 1968, together with the Zoning Map therein included, shall be and the same is hereby amended and restated as shown at the attached Exhibit A.

SECTION 2. Resolution 1967-2, adopting the Gas City Comprehensive Plan, is amended to read as follows:

- A. I.C. 36-7-4-500. Comprehensive Plan: The City Comprehensive Plan is hereby adopted and incorporated by reference into this Code Section. Two (2) copies of the Comprehensive Plan are on file in the office of the City Clerk-Treasurer and are available for public inspection.
- B. The map entitled "Land Use Plan", found on page 5 of the Plan, is amended to depict the land use planned for areas annexed into Gas City, but not presently shown on the map. The Land Use Plan for these parcels is indicated on the map attached to this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect by and after its approval by the Mayor, as provided by law.





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ORDINANCE No. 85-4 AMENDED AND  
RESTATED ZONING ORDINANCE No.  
68-5  
Of GAS CITY, INDIANA

AN ORDINANCE regulating the location and the use of structures and land for residences, business, industry, and other purposes; regulating the location and height of structures, the size of yards and other open space, automobile parking and the density of population; providing a method of administration by establishing an Advisory Board of Zoning Appeals and prescribing duties and powers of officials; and prescribing penalties for violations.

THIS ORDINANCE is in accordance with a Comprehensive Plan and is adopted so that adequate light, air, convenience of access, and safety from fires, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted. This Ordinance is made with reasonable regard to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted and the conservation of property values throughout the territory under the jurisdiction of the Gas City, Indiana Advisory Plan Commission.

BE IT HEREBY ORDAINED by the Common Council of the City of Gas City, Indiana:

ARTICLE 1 - BASIC PROVISIONS

101 TITLE: The official title of this Ordinance is: “Zoning Ordinance of Gas City, Indiana.”

102 EFFECTIVE DATE: This Ordinance shall take effect August 6, 1968.

103 - AUTHORITY: This Ordinance is adopted pursuant to I.C. 36-7-4, and all acts supplemental and amendatory thereto.

104 - COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all provisions of this Ordinance and after the lawful issuance of the permits required by this Ordinance.

105 - SEVERABILITY: If any provision of this Ordinance, or the application of any provision to particular circumstances is held invalid, the remainder of the Ordinance, or the application of such provision to other circumstances, shall not be affected.

106 - JURISDICTIONAL AREA: This Ordinance shall apply to all incorporated land within the City of Gas City, Indiana.

107 - APPLICATION: It is not intended, by this Ordinance, to interfere with, abrogate or amend any existing easements, covenants, or other agreements, between parties, nor is it intended by this Ordinance, to repeal, abrogate, annul or in any way, interfere with any existing provisions of laws or ordinances, or any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of buildings or premises provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than is imposed, or required, by such existing provisions of law or by such rules, regulations, agreements, covenants, or permits, the provisions of this Ordinance shall control; but where such private covenants, permits, agreements, rules or regulations imposed by this Ordinance, the greater restriction shall control.

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## ARTICLE 2 - DISTRICT REGULATIONS

201 - ZONE MAP: A map, entitled "Gas City Zone Map", is hereby adopted as part of this Ordinance. The Map shall be kept on file, available for examination, at the office of the City Clerk in the Gas City City Hall.

202 - ZONING DISTRICTS: The City is divided into the Zoning Districts stated in this Ordinance as shown by the district boundaries on the Zone Map. The districts are:

"R-1"	Residential
"R-2"	Residential
"R-3"	Residential
"B-1"	Business
"B-2"	Business
"I-1"	Industrial
"C-1"	Conservation

203 - DISTRICT BOUNDARIES: District boundaries shown within the lines of streets, streams, and transportation rights-of-way shall be deemed to follow the centerlines. The vacation of streets shall not affect the location of such district boundaries. When the Administrative Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale or dimensions stated on the Zone Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Advisory Board of Zoning Appeals, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zone Map and the purpose set forth in all relevant provisions of this Ordinance.

204 - RESIDENTIAL DISTRICTS: Districts designated for residential use, R-1, R-2 and R-3, are limited to dwellings and public or semi-public uses which are normally associated with residential neighborhoods. The only uses permitted in the residential districts are those which would not detract from the residential character of the neighborhood. The purpose of these districts is to create an attractive, stable, and orderly residential environment. However, the families per dwelling and the lot and yard requirements are different in the three districts to provide for the various housing needs and desires of the citizens.

205 - BUSINESS DISTRICTS: The districts designated for business "B-1", and B-2", are limited to business, public and certain residential uses. By establishing compact districts for such uses, more efficient traffic movement, parking facilities, fire and police protection may be provided. Industrial uses are excluded in order to reduce the hazards caused by extensive truck and rail movements normally associated with such uses. The purpose is to provide unified shopping districts conveniently located

206- INDUSTRIAL DISTRICT: The district designated for industry, "I-1", provides for suitable space for existing industries and their expansion as well as for future industrial development. Performance standards, parking specifications, and yard regulations are set forth in this Ordinance in order to insure safe industrial development that is compatible with adjacent uses.



207 - CONSERVATION DISTRICT: The district designated for conservation, "C-1", is limited to recreational and certain other open land use. Residential and related uses are permitted if approved by the Advisory Board of Zoning Appeals. The purpose of this district is to prevent intensive development of land that is unsuitable for development because of topography, soil conditions or periodic flooding.

208 - PERMITTED USES: The permitted uses and special exceptions for each district are shown on the following table. Uses given in the following categories shall be according to the common meaning of the term or according to definitions given in Article 7. Uses not specifically listed or defined to be included in the categories under this Article, shall not be permitted.

**PERMITTED USES**

**SPECIAL EXCEPTIONS (Section 505)**

**R-1 -RESIDENTIAL DISTRICT**

<ol style="list-style-type: none"> <li>1. Single-Family Dwelling</li> <li>2. Public &amp; Parochial Schools</li> <li>3. Parks &amp; Playgrounds</li> <li>4. Churches</li> <li>5. Essential Services</li> <li>6. Accessory Uses</li> </ol>	<ol style="list-style-type: none"> <li>1. Nursery Schools</li> <li>2. Hospitals, Clinics, Nursing Homes</li> <li>3. Public Utility Buildings</li> <li>4. Swimming Pools</li> <li>5. Fire Stations</li> <li>6. Municipal Buildings &amp; Libraries</li> <li>7. Planned Unit Residential Projects</li> <li>8. Cemeteries</li> <li>9. Private Clubs</li> <li>10. Parking Lots</li> <li>11. Golf Courses</li> <li>12. Home Occupations</li> <li>13. Funeral Homes</li> <li>14. Manufactured Houses, Mobile Homes</li> </ol>
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**R-2 -RESIDENTIAL DISTRICT**

<ol style="list-style-type: none"> <li>1. Single-Family Dwelling</li> <li>2. Two-Family Dwelling</li> <li>3. Public &amp; Parochial Schools</li> <li>4. Public Parks &amp; Playgrounds</li> <li>5. Churches</li> <li>6. Essential Services</li> <li>7. Accessory Uses</li> </ol>	<ol style="list-style-type: none"> <li>1. Nursery Schools</li> <li>2. Hospitals, Clinics, Nursing Homes</li> <li>3. Public Utility Buildings</li> <li>4. Swimming Pools</li> <li>5. Fire Stations</li> <li>6. Municipal Buildings, Libraries</li> <li>7. Planned Unit Residential Projects</li> <li>8. Private Clubs</li> <li>9. Parking Lots</li> <li>10. Home Occupations</li> <li>11. Funeral Homes</li> <li>12. Manufactured Homes, Mobile Homes</li> <li>13. Condominiums</li> <li>14. Cooperatives</li> </ol>
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PERMITTED USES

SPECIAL EXCEPTIONS (Section 505)

**R-3 – RESIDENTIAL DISTRICT**

<ol style="list-style-type: none"> <li>1. Single-Family Dwelling</li> <li>2. Two-Family Dwelling</li> <li>3. Multiple-Family Dwelling</li> <li>4. Public &amp; Parochial Schools</li> <li>5. Churches</li> <li>6. Public Parks &amp; Playgrounds</li> <li>7. Essential Services</li> <li>8. Accessory Uses</li> </ol>	<ol style="list-style-type: none"> <li>1. Nursery Schools</li> <li>2. Hospitals, Clinics, Nursing Homes</li> <li>3. Public Utility Buildings</li> <li>4. Swimming Pools</li> <li>5. Fire Stations</li> <li>6. Municipal Buildings &amp; Libraries</li> <li>7. Planned Unit Residential Projects</li> <li>8. Private Clubs</li> <li>9. Parking Lots</li> <li>10. Home Occupations</li> <li>11. Funeral Homes</li> <li>12. Manufactured Houses, Mobile Homes</li> <li>13. Condominiums</li> <li>14. Cooperatives</li> </ol>
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**B-1 – BUSINESS DISTRICT**

<ol style="list-style-type: none"> <li>1. Retail Business</li> <li>2. Eating Establishments</li> <li>3. Offices &amp; Banks</li> <li>4. Personal &amp; Professional Services</li> <li>5. Public Utility Buildings</li> <li>6. Parking Lots</li> <li>7. Public Parks</li> <li>8. Parking Lots</li> <li>9. Essential Services</li> <li>10. Accessory Uses</li> </ol>	<ol style="list-style-type: none"> <li>1. Theaters</li> <li>2. Planned Unit, Business Projects</li> <li>3. Auto Sales, Services &amp; Repair</li> <li>4. Wholesale Business</li> <li>5. Hotels &amp; Motels</li> <li>6. Commercial Schools</li> <li>7. Commercial Recreation</li> <li>8. Public Utility Buildings</li> <li>9. Printing Shops</li> <li>10. Churches</li> <li>11. Schools, Public &amp; Parochial</li> <li>12. Cleaners &amp; Laundries</li> <li>13. Funeral Homes</li> <li>14. Any Eating or Drinking Establishment selling any alcoholic beverage.</li> <li>15. Manufactured Housing, Mobile Homes</li> </ol>
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**B-2 – BUSINESS DISTRICT**

<ol style="list-style-type: none"> <li>1. Retail Business</li> <li>2. Eating Establishments</li> <li>3. Offices &amp; Banks</li> <li>4. Personal &amp; Professional Services</li> <li>5. Public Utility Buildings</li> <li>6. Parking Lots</li> <li>7. Public Parks</li> <li>8. Accessory Uses</li> <li>9. Essential Uses</li> <li>10. Auto Sales, Service &amp; Repair</li> <li>11. Hotels &amp; Motels</li> <li>12. Cleaners &amp; Laundries</li> <li>13. Printing Shops</li> </ol>	<ol style="list-style-type: none"> <li>1. Theaters</li> <li>2. Supply Yards</li> <li>3. Commercial Recreation</li> <li>4. Planned Unit Business Projects</li> <li>5. Diaries</li> <li>6. Wholesale Business</li> <li>7. Warehouses</li> <li>8. Commercial Schools</li> <li>9. Churches</li> <li>10. Schools, Public &amp; Parochial</li> <li>11. Hospitals, Clinics, Nursing Homes</li> <li>12. Mobile Home Parks</li> <li>13. Funeral Homes</li> <li>14. Any Eating or Drinking Establishment selling any alcoholic beverage.</li> </ol>
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	15. Manufactured Housing, Mobile Homes
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PERMITTED USES	SPECIAL EXCEPTIONS (Section 505)
<b>I-1 INDUSTRIAL DISTRICT</b>	
1. Research & Testing Laboratories 2. Offices 3. Warehouses 4. Parking Lots 5. Light Industrial 6. Essential Services 7. Accessory Uses 8. Wholesale Businesses 9. Public Parks	1. Motels 2. Planned Unit Industrial Projects 3. Restaurants 4. Truck & Railroad Terminals 5. Supply Yards 6. Fire Stations, Municipal Buildings 7. Water & Sewage Treatment Plants 8. Manufactured Housing, Mobile Homes
<b>C-1 – CONSERVATION DISTRICT</b>	
1. Public Parks & Playgrounds 2. Game Preserves 3. Essential Services 4. Accessory Uses	1. Single-Family Dwellings 2. Riding Stables 3. Parking Lots 4. Swimming Pools 5. Cemeteries 6. Golf Courses 7. Water & Sewage Treatment Plants 8. Public & Parochial Schools 9. Manufactured Housing, Mobile Homes

209 - LOT AND YARD REQUIREMENTS: The minimum lot area, minimum width of lot, minimum depth of front yard, minimum width of each side yard and minimum depth of rear yard for each district shall be as shown on the following table:

District	Minimum Lot Area	Minimum Lot Area Per Family	Minimum Lot Width	Minimum Depth Front Yard	Minimum Width Side Yard	Minimum Depth Rear Yard
	Sq. Ft.	Sq. Ft.	Feet	Feet	Feet	Feet
C-1	40,000	40,000	150	40	20	4
R-1	7,200	7,200	60	30	5	4
R-2	7,200	3,600	50	30	5	4
R-3	7,200	3,500	45	30	5	4
B-1	3,000	3,000	30	0	0	0
B-2	5,000	5,000	50	20	10	0
I-1	20,000	N/A	100	30	20	0

- 209.1 - Lots which abut more than one street shall provide the required front yards along every street.
- 209.2 - All structures, whether attached to the principal structure or not, and whether open or closed, including garages, porches, carports, balconies, roofs, or platforms above normal grade level, shall not project into any minimum front, side or rear yard.
- 209.3 - Any lot of record existing at the effective date of this Ordinance and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this Ordinance.
- 209.4 - FENCES: Any fence located in a front yard shall not exceed four (4) feet in height and any fence in a side yard or back yard shall not exceed seven (7) feet in height and such fencing shall be located entirely within property of the owner of the real estate and shall not extend into any dedicated easement for street, alley and sidewalk purposes. In addition, any front or side yard fence shall be subject to the vision clearance on corner lots as set forth in Section 701.30.

210- HEIGHT REGULATIONS: No principal structure shall exceed thirty-five (35) feet in height above average ground level and no accessory building shall exceed sixteen (16) feet in height above average ground level unless approved by the Advisory Board of Zoning Appeals. The Advisory Board of Zoning Appeals may authorize a variance to this height regulation in any district if:

- 210.1- All front yard and any side yard depths are increased one foot for each additional foot of height; or:
- 210.2- The structure is any of the following and does not constitute a hazard to an established airport; television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers and scenery lofts, cooling towers, ornamental towers and spires, chimneys, silos, elevator bulkheads, smokestacks, conveyors and flagpoles.

211.1 - STANDARDS FOR MANUFACTURED HOMES: Permitted Placement: The establishment, location and use of manufactured homes, as scattered-site residences, shall be permitted in any zone permitting installation of a dwelling unit subject to requirements and limitations applying generally to such residential use in the district and provided such homes shall meet the following requirements and limitations:

- A. The manufactured home shall meet all requirements applicable to single-family dwellings and possess all necessary improvement location, building and occupancy permits and other certificates required by IC 22-11-1 et.seq .

- B. The manufactured home shall be larger than nine hundred and fifty (950) square feet of occupied space;
- C. The manufactured home shall be attached and anchored to a permanent perimeter foundation in conformance with regulations in the Indiana One and Two-Family Dwelling Code and with manufacturer's installation specifications;
- D. The manufactured home shall be covered with an exterior material customarily used on on-site built residential dwellings;
- E. The manufactured home shall have a roof composed of a material customarily used on on-site built residential dwellings, such as asbestos, fiberglass, shake, asphalt or tile, which shall be installed onto a surface appropriately pitched for the materials used;
- F. The manufactured home shall have been constructed after January 1, 1981.

211.2- Placement with Permit: Manufactured homes not meeting the terms of Section 211.1, paragraph A through F, and mobile homes, shall be permitted within the City of Gas City, Indiana, only after receiving a special exception from the Advisory Board of Zoning Appeals, pursuant to Section 505 Special Exceptions.

211.3- Structural Alterations: Due to manufactured or mobile homes integral design, any structural alteration or modification of a manufactured or mobile home after it is placed on the site, must be approved by the Administrative Officer of Gas City, Indiana.

### ARTICLE 3 - GENERAL REGULATIONS

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301 - NON-CONFORMING USES: The following provisions shall apply to all non-conforming uses:

301.1 - A non-conforming use may be continued, but may not be extended, expanded, or changed unless to a conforming use, except as permitted by the Advisory Board of Zoning Appeals, in accordance with the provisions of this Ordinance.

301.2 - Any non-conforming structure damaged by fire, flood, explosion, or other casualty may be reconstructed and used as before if such reconstruction is performed within 12 months of such casualty, and if the restored structure has no greater coverage and contains no greater cubic content than before such casualty.

301.3 - In the event that any non-conforming use, conducted in a structure or otherwise

ceases, for whatever reason, for a period of one (1) year, or is abandoned for any period, such non-conforming use shall not be resumed.

302 - PRIVATE SWIMMING POOLS: A private swimming pool shall be permitted as an accessory use to any permitted residential use provided:

302.1 The pool is intended for private accessory use only, and not for commercial or club purposes.

302.2 For an in-ground or surface swimming pool, the pool or the property upon which said pool is located shall be enclosed by a fence of a type which effectively controls the entrance by children to the pool area. The fence must be at least five (5') feet in height. Wooden fences with boards placed vertically shall not have any opening wider than four (4") inches per opening and wooden fences with boards placed horizontally shall not have any opening wider than one (1") inch per opening. For an in-ground pool, a mechanically controlled cover can be used in lieu of fencing requirements.

302.3 For an above ground pool with a surrounding deck structure, the fence and deck shall not exceed a total height of nine (9') feet from finish grade. Pursuant to Section 209.4 - Fences

302.4 It shall not be located in any front yard and shall not be closer than ten (10') feet to any side or rear property line of the property on which it is located.

302.5 Gates installed for access to the property or pool area shall be equipped with a self-closing and latching device to protect against uncontrolled access to the property.

302.6 For an above ground swimming pool, the pool shall be equipped with a retractable type ladder, a retractable ladder, a removable ladder or shall be fenced in accordance with Section 302.2 The ladder must be removed or retracted when the pool is not being attended.

302.7 If access to the pool is via a deck or porch, then no access from the ground is permitted to the deck area unless the property or the ground access to the deck is fenced in accordance with Section 302.2

302.8 It shall be the responsibility of the property owner where said pool is located to maintain all pool covers, fences, gates and closure devices in good operating condition.

302.9 Failure to maintain pool covers, fences, failure to have gates closed or failure to remove or retract the ladder access to the pool shall constitute a violation of the Zoning Ordinance and is subject to the penalties provided therefore.

302.10 Enclosed pools shall be considered as structures for purposes of regulations limiting lot coverage.

302.11 Pool placement shall not be constructed underneath overhead power lines.

303 OFF-STREET PARKING: Off-street parking spaces shall be provided in accordance with the specifications in this section in all districts, except the B-1, Business District, whenever any new use is established or existing use is enlarged.

<u>USE</u>	<u>PARKING SPACE REQUIRED</u>
Residential	2 per dwelling
Church	1 per 6 seats in principal assembly room
Hotel and Motel	1 per each rentable room
Private Club or Lodge	1 per 4 members
Theater	1 per 4 seats
Hospitals & Rest Homes	1 per 3 beds & 1 for each 2 employees on the maximum working shift
Professional offices, wholesale houses & medical clinics	1 for every 250 sq. ft. of floor space
Retail businesses, eating or drinking established selling any type of alcoholic beverage	1 for every 100 sq. ft. of floor space
Bowling Alleys	5 for each alley
Recreational or assembly places; e.g., dance halls, night clubs, funeral homes	1 for every 100 sq. ft. of floor space
Industrial	1 for each 2 employees on the maximum working shift

303.1 - Parking spaces may be located on a lot other than containing the principal use with the approval of the Advisory Board of Zoning Appeals.

303.2 - Any off-street parking lot for more than five (5) vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.

303.3 - Any lighting used to illuminate any off-street parking lot shall be so arranged as to reflect light away from adjoining premises in any "R" district.

304 - MANUFACTURED HOUSES and MOBILE HOMES: Manufactured homes not meeting the terms of Section 211.1, paragraph A through F, and mobile homes, shall be

permitted only in developments which meet the requirements of this Section 304. Occupied recreational vehicles, as defined by this Ordinance, shall meet all requirements specified for manufactured housing not meeting the terms of Section 211.1, paragraph A through F, and mobile homes.

304.1 - No development shall have an area of less than five (5) acres.

304.2 . - Each home site within the development shall have a minimum area of three thousand (3,000) square feet.

304.3 - No manufactured home not meeting the terms of Section 211.1, paragraph A through F, and mobile homes, shall be closer than thirty-five (35) feet to any adjacent property.

304.4 - Not less than ten (10) percent of the gross area of the development shall be improved for recreational activities for the residents of the development

304.5 - The development shall be appropriately landscaped and screened from adjacent properties.

304.6 - The development shall meet all applicable requirements of the City's Subdivision Control Ordinance and the Indiana State Board of Health.

**305 – PLANNED UNIT RESIDENTIAL, BUSINESS AND INDUSTRIAL PROJECTS:**  
The District Regulations of this Ordinance may be modified by the Advisory Board of Zoning Appeals in the case of a plan utilizing an unusual concept of development which meets the requirements of this section. The planned unit projects provision is intended to encourage original and imaginative development and subdivision design which preserves the natural amenities of the site and provides for the general welfare of the City. After the unit plan is approved, all development, construction and use shall be in accordance with that plan, unless a new planned unit project plan is submitted and approved by the Advisory Board of Zoning Appeals, as required by this Ordinance. Any development contrary to the approved unit plan shall constitute a violation of this Ordinance.

305.1 -The area of land to be developed shall not be less than five (5) acres.

305.2- Properties adjacent to the unit plan shall not be adversely affected.

305.3- In planned unit residential projects, the minimum lot and yard requirements may be reduced, however, the average density of dwelling units in the total unit plan shall not be higher than that permitted in the district in which the plan is located.

305.4- In planned unit business and industrial projects, the minimum lot and yard requirements may be reduced, however, the total land area of the unit plan shall equal the accumulative lot area requirements of each use or structure contained within the



unit plan.

305.5- The unit plan shall permanently reserve land suitable for the common use of the public or the owners in a particular development. This may be accomplished by dedication, covenant or easement. This land may be for future public facilities, for recreational or scenic open space, or for a landscaped buffer zone as approved by the Advisory Plan Commission. Provisions for permanent control and maintenance of this land shall be outlined in a form acceptable to the Advisory Plan Commission, Advisory Board, and City Attorney.

305.6- The use of the land shall not differ substantially from the uses permitted in the district in which the plan is located, except that limited business facilities, intended to serve only the planned unit residential area and fully integrated into the design of the project, may be considered and multiple-family dwellings may be considered in single-family residential district if they are so designed and sited that they do not detract from the character of the neighborhood in which they occur.

305.7-The unit plan shall be consistent with the purpose of this Ordinance.

305.8- The unit plan shall be revised, and recommendations made, by the Advisory Plan Commission to determine if the proposed project is consistent with the Gas City Comprehensive Plan and in the best interest of the City.

306 - TEMPORARY STRUCTURES: Temporary structures used in conjunction with construction work, seasonal sales or emergencies, may be permitted by the Advisory Board of Zoning Appeals, if the proposed site is acceptable and the neighborhood uses are not adversely affected. They shall be removed promptly when their function has been fulfilled. Permits for temporary structures may be issued for a period not to exceed six (6) months. Residing in basements, foundations or temporary structures shall not be permitted.

307 - SIGNS: No sign, billboard, or exterior graphic display, shall be permitted in any district, except as herein provided.

307.1 - In any district a sign, not exceeding two (2) square feet in surface size, is permitted which announces the name, address, or professional activity of the occupant of the premises on which the sign is located.

307.2 - A bulletin board, not exceeding twenty-four (24) square feet, is permitted in conjunction with any church, school or similar public building.

307.3 - A temporary real estate or construction sign, not exceeding eight (8) square feet, is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.

307.4 - Business signs shall be permitted in conjunction with any legal business or industry when located on the same premises, and if they meet the following requirements:

307.4 (a) Signs shall not contain information or advertising for any product not sold or produced on the premises.

307.4 (b) Signs shall not have an aggregate surface size greater than five (5) square feet for each foot of width of the principal structure on the premises. However, such signs shall not exceed an area of fifty (50) square feet.

307.4 (c) Signs shall not project over the curb line onto the vehicle right-of-way.

307.4 (d) Signs shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.

307.4 (e) Movable signs, on wheels or on legs, shall be permitted within the City of Gas City, Indiana, only after receiving a variance pursuant to Section 503.

308- HOME OCCUPATIONS: A home occupation may be permitted as a Special Exception if it complies with the requirements of this section.

308.1 - The home occupation shall be carried on by a member of the family residing in the dwelling unit with not more than one (1) employee who is not part of the family.

308.2 - The home occupation shall be carried on wholly within the principal or accessory structure.

308.3 - Exterior displays, or signs, other than those permitted under Section 307.1, exterior storage of materials, and exterior indications of the home occupation or variation from the residential character of the principal structure, shall not be permitted

308.4 - Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare, shall not be permitted.

308.5 - The home occupation shall not create any traffic or parking problems.

## 309 - SANITARY CLEANOUTS

### 309.1 Scope.

This section shall govern the size, location, installation and maintenance of drainage pipe cleanouts.

### 309.2 Cleanout plugs.

Cleanout plugs shall be brass or plastic, or other approved materials. Brass cleanout plugs shall be utilized with metallic drain, waste and vent piping only and shall conform to ASTM A 74, ASME A112.3.1 or ASME A112.36.2M. Cleanouts with plate-style access covers shall be fitted with corrosion-resisting fasteners. Plastic cleanout plugs shall conform to the requirements of Section 702.4. Plugs shall have raised square or countersunk square heads. Countersunk heads shall be installed where raised heads are a trip hazard. Cleanout plugs with borosilicate glass systems shall be of borosilicate glass. All sanitary cleanouts shall be of the type and size approved by the Planning & Zoning director.

### 309.3 Where required.

Cleanouts shall be located in accordance with Sections 708.3.1 through 708.3.5.

#### 309.3.1 Horizontal drains within buildings.

All horizontal drains shall be provided with cleanouts located not more than 100 feet (30 480 mm) apart.

#### 309.3.2 Building sewers.

Building sewers shall be provided with cleanouts located not more than 100 feet (30 480 mm) apart, measured from the upstream entrance of the cleanout. For building sewers 8 inches (203 mm) and larger, manholes shall be provided and located not more than 200 feet (60 960 mm) from the junction of the building drain and building sewer, at each change in direction and at intervals of not more than 400 feet (122 m) apart. Manholes and manhole covers shall be of an approved type.

### 309.3.3 Changes of direction.

Cleanouts shall be installed at each change of direction greater than 45 degrees (0.79 rad) in the building sewer, building drain and horizontal waste or soil lines. Where more than one change of direction occurs in a run of piping, only one cleanout shall be required for each 40 feet (12 192 mm) of developed length of the drainage piping.

### 309.3.4 Base of stack.

A cleanout shall be provided at the base of each waste or soil stack.

### 309.3.5 Building storm drain.

There shall be a cleanout near the building storm drain. The cleanout shall be either inside or outside the building wall and shall be brought up to the finished ground level or to the basement floor level. An approved cleanout is allowed to be used at this location to serve as a required cleanout for building storm drain. The cleanout at the junction of the building storm drain shall not be required if the cleanout on a 3-inch (76 mm) or larger diameter soil stack is located within a developed length of 10 feet (3048 mm) of the building storm drain connection. The minimum size of the cleanout at the junction of the building storm drain and building shall comply with Section 708.7. All building storm drains and clean-outs shall be of the type and size approved by the Planning & Zoning director.

### 309.4 Concealed piping.

Cleanouts on concealed piping or piping under a floor slab or in a crawl space of less than 24 inches (610 mm) in height or a plenum shall be extended through and terminate flush with the finished wall, floor or ground surface or shall be extended to the outside of the building. Cleanout plugs shall not be covered with cement, plaster or any other permanent finish material. Where it is necessary to conceal a cleanout or to terminate a clean-out in an area subject to vehicular traffic, the covering plate, access door or cleanout shall be of an approved type designed and installed for this purpose. All sanitary piping shall be of the type and size approved by the Planning & Zoning director.

### 309.5 Opening direction.

Every cleanout shall be installed to open to allow cleaning in the direction of the flow of the drainage pipe or at right angles thereto.

### 309.6 Minimum size.

Cleanouts shall be the same nominal size as the pipe they serve up to 4 inches (102 mm). For

pipes larger than 4 inches (102 mm) nominal size, the size of the cleanout shall be not less than 4 inches (102 mm).

### 309.7 Clearances.

Cleanouts on 6-inch (153 mm) and smaller pipes shall be provided with a clearance of not less than 18 inches (457 mm) for rodding. Cleanouts on 8-inch (203 mm) and larger pipes shall be provided with a clearance of not less than 36 inches (914 mm) for rodding.

### 310.0 Cleanouts.

310.1 Each cleanout fitting for cast-iron pipe shall consist of a cast-iron or brass body and an approved plug. Each cleanout for galvanized wrought-iron, galvanized steel, copper, or brass pipe shall consist of a Brass plug as specified in Table 7-6, or a standard weight brass cap, or an approved ABS or PVC plastic plug, or an approved stainless steel cleanout or plug. Plugs shall have raised square heads or approved countersunk rectangular slots.

310.2 Each cleanout fitting and each cleanout plug or cap shall be of an approved type. All sanitary fittings and cleanouts shall be of the type and size approved by the Planning & Zoning director.

310.3 Cleanouts shall be designed to be gas and water-tight.

310.4 Each horizontal drainage pipe shall be provided with a clean-out at its upper terminal, and each run of piping, that is more than one-hundred (100) feet (30,480 mm) in total developed length, shall be provided with a clean-out for each one-hundred (100) feet (30,480 mm), or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees (2.36 rad).

310.5 Each cleanout shall be installed so that it opens to allow cleaning in the direction of flow of the soil or waste or at right angles thereto and, except in the case of wye branch and end-of-line cleanouts, shall be installed vertically above the flow line of the pipe.

310.6 Each cleanout extension shall be considered as drainage piping and each 90 degree (1.6 rad) cleanout extension shall be extended from a wye type fitting or other approved fitting of equivalent sweep.

310.7 Each cleanout for an interceptor shall be outside of such interceptor.

310.8 Each clean-out, unless installed under an approved cover plate, shall be above grade, readily accessible, and so located as to serve the purpose for which it is intended. Clean-outs located under cover plates shall be so installed as to provide the clearances and accessibility required by this section. All cover plates shall be of the type and size approved by the Planning & Zoning director.

310.9 Each cleanout in piping two (2) inches (50 mm) or less in size shall be so installed that there is a clearance of not less than twelve (12) inches (305 mm) in front of the cleanout. Cleanouts in piping exceeding two (2) inches (50 mm) shall have a clearance of not less than eighteen (18) inches (457 mm) in front of the cleanout. Cleanouts in under-floor piping shall be extended to or above the finished floor or shall be extended outside the building when there is less than eighteen (18) inches (457 mm) vertical overall, allowing for obstructions such as ducts, beams, and piping, and thirty (30) inches of (762 mm) horizontal clearance from the means of access to such cleanout. No under-floor cleanout shall be located exceeding twenty (20) feet (6,096 mm) from an access door, trap door, or crawl hole.

### 311 - WASTEWATER GREASE TRAP REQUIREMENTS:

311.01 NEW FOOD SERVICE ESTABLISHMENTS - All proposed FSEs that discharge wastewater into the city sanitary sewer system shall be required to install an approved, properly operated, and maintained grease interceptor. All interceptor units shall be of the type and capacity approved by the city. Grease interceptors shall be located so as to provide easy access to the manhole covers for maintenance and inspection activities.

311.02 NEWLY REMODELED FOOD SERVICE ESTABLISHMENTS - Newly remodeled FSEs are required to install an approved, properly operated, and maintained grease interceptor. Grease interceptors shall be located so as to provide easy access to the manhole covers for maintenance and inspection activities. All interceptor units shall be installed outdoors of the FSE's building unless the user can demonstrate to the Planning & Zoning director that an outdoor interceptor would not be feasible.

311.03 EXISTING FOOD SERVICE ESTABLISHMENTS - All existing FSEs that discharge wastewater into the city's sanitary sewer system are required to install an approved, properly

maintained grease trap unless specifically exempted by the Planning & Zoning director. All grease traps units shall be of the type and capacity approved by the Planning & Zoning director.

- a.) In the event the City has to clean sewer laterals or mains, A service fee of 150% of the standard going rate shall apply to cover all City equipment and labor costs.
- b.) All food service establishments shall maintain the grease traps at their own expense.

#### DESIGN CRITERIA:

- (a) Domestic wastewater shall not be discharged into a grease retention device.
- (b) Wastewater from dishwashing sinks, mop sinks, hand sinks, and floor drains shall be discharged into a grease retention device.
- (c) Interior plumbing plans shall be submitted to the director depicting all fixtures proposed to be connected to a grease retention device.
- (d) Grease retention device proposals shall be submitted to the Planning & Zoning director. Grease retention devices shall not be installed without the prior approval of the Planning & Zoning director.
- (e) Grease interceptors shall be constructed in accordance with the City of Gas City Utilities Standards and shall have a minimum of two compartments with fittings designed for grease retention. The minimum size for a grease interceptor is seven hundred fifty gallons. Garbage disposals and dishwashers shall not be connected to a properly sized grease interceptor.
- (f) All grease interceptors shall be designed to allow for complete access for inspection and maintenance of inner chambers as well as viewing and sampling of wastewater discharged to the sanitary sewer.
- (g) Grease traps shall be designed to allow for complete access for inspection and maintenance activities. Newly installed grease traps shall include a filter that is designed to prevent the discharge of grease from the unit. Dishwashers and garbage disposals shall not be connected to grease traps.

- (h) Alternative grease retention devices or technologies shall be subject to the approval of the Planning & Zoning director. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

311.04 BEST MANAGEMENT PRACTICES:

The following Best Management Practices or BMPs shall be implemented and adhered to by all FSEs:

- (a) Installation. All new and existing FSEs are required to install a grease retention device.
- (b) Pumping. All grease interceptors and traps shall be maintained by the user at the user's expense. Maintenance shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludges and solids.
- (c) Pumping Prohibitions. Decanting or discharging of removed waste liquid back into the interceptor or trap from which the waste was removed or any other grease interceptor or trap, for the purpose of reducing the volume to be disposed, is strictly prohibited.
- (d) Grease Interceptor Maintenance Frequency. Grease interceptors must be pumped out completely a minimum of once every ninety (90) days or more frequently if the unit has accumulated waste, both floatable and settleable, accounting for twenty-five percent of its wetted depth, as measured from the static water level to the interior tank bottom.
- (e) Grease Interceptor Reporting Requirements. Grease hauler pumping receipts must be mailed, faxed, or electronically submitted to the director within fourteen days of the date of grease interceptor maintenance.
- (f) Grease Trap Maintenance Frequency. Grease traps must be pumped/cleaned out completely a minimum of once every thirty days or more frequently if the unit has accumulated waste, both floatable and settleable, accounting for twenty-five percent of its wetted depth, as measured from the static water level to the interior tank bottom.
- (g) Grease Trap Reporting Requirements. Each time the grease trap is cleaned out by the FSE, the FSE is required to fill out the Grease Trap Maintenance



Verification Log. The log shall include the date, time, volume of waste removed, disposal site, and signature. The logs must be kept on file at the facility for a minimum of two (2) years and must also be made available to the Planning & Zoning director during inspections.

If the FSE hires a grease hauler to pump out the grease trap, the FSE is required to submit the grease hauler's receipts to the Planning & Zoning director. The receipts must be mailed, faxed, or electronically submitted to the director within fourteen (14) days of the date of grease trap maintenance.

- (h) Chemical Treatment. The use of chemical treatments such as bacterial additives, emulsifiers, drain cleaners, enzymes, acids, and other chemicals designed to dissolve, purge, or remove grease from grease traps or grease interceptors is strictly prohibited.
- (i) Dishwashing Requirements. FSEs are required to scrape food into the trash and "dry wipe" grease from pots, pans, and dishware prior to dishwashing. Food waste is required to be disposed of in the trash.

#### 311.05 INSPECTIONS:

Authorized personnel of the city, bearing proper credentials and identification, shall have the right to enter upon all properties subject to this program, at any time and without prior notification, for the purpose of inspection, observation, measurement, sampling, testing or record review, as part of this program.

### 312 - REGISTRATION OF VACANT OR DISTRESSED PROPERTIES

#### 312.01 Purpose.

It is the purpose and intent of the City of Gas City, through the adoption of this chapter, to establish a vacant property registration program as a mechanism to protect residential and commercial neighborhoods from becoming blighted through the lack of adequate maintenance and for the security of distressed properties and vacant properties.

#### 312.02 Scope.

The provisions of this chapter shall apply to all existing, residential, commercial, multi-family, industrial, and institutional properties and structures. This chapter does not relieve an owner from compliance with all applicable City ordinances and regulations or all applicable State of Indiana laws and regulations.

### 312.03 Definitions.

“Beneficiary” means a lender or other entity under a note secured by a deed of trust or mortgage lien.

“Building” means a structure with a roof supported by columns or walls to serve as a shelter or enclosure.

“Default” means the failure to perform a contractual obligation, monetary or conditional.

“Distressed property” means a property that is under a current (1) pending foreclosure or tax lien sale; (2) properties that have been the subject of foreclosure sale where the title was retained by the lender or beneficiary of a deed of trust involved in the foreclosure; and/or (3) any properties transferred under a deed in lieu of foreclosure. “Distressed property” also can include property that is vacant as a result of probate or the death of the owner of record.

“Evidence of vacancy” means any condition that, on its own or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to: overgrown and/or dead vegetation; accumulation of newspapers, circulars, flyers and/or mail; past due utility notices and/or disconnected utilities; accumulation of trash, junk and/or debris; broken or boarded windows; abandoned vehicles and/or auto parts or materials; the absence of window coverings such as curtains, blinds and/or shutters; the absence of furnishings and/or personal items consistent with habitation; and/or statements by neighbors, passersby, delivery agents, or government employees that the property is vacant.

“Foreclosure” means the process by which a property, placed as security for a real estate loan, is sold through the courts at auction to satisfy the debt if the owner/borrower/mortgagor defaults.

“Lender/mortgagee” means the person or entity who is the secured party under any mortgage or deed of trust instrument, or who has a fiduciary interest in the property, which can include the mortgage servicer.

“Notice of default” means a notice that a default has occurred under a mortgage or deed of trust and that the beneficiary intends to proceed with a trustee’s or foreclosure sale.

“Owner” means any person, partnership, corporation, unincorporated association, limited liability entity, trust, personal representative of an estate, or fiduciary having legal or equitable title to or interest in any real property.

“Owner of record” means the person having record title to the property as shown in the land records of Montgomery County, Maryland.

“Property” means any unimproved or improved real property, or portion thereof, situated in the City and includes the buildings or structures located on the property regardless of condition.

“Responsible party” means the beneficiary that is pursuing foreclosure of a property subject to this chapter secured by a mortgage, deed of trust or similar instrument or a property that has been acquired by the lender or beneficiary of a deed of trust involved in the foreclosure. “Responsible

party” may also include a mortgage servicer or the property preservation company or property management company instructed with the security and maintenance of the property.

“Securing” means such measures as may be directed by the City Manager, or his or her designee, that assist in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining/padlocking of gates, the repair or boarding of door, window and/or other openings at the time the boarding is completed or required. Locking includes measures that require a key, keycard, tool or special knowledge to open or gain access.

“Vacant” means no person or persons currently conduct a lawful business or lawfully reside or live in any part of the building or structure as the legal or equitable owner(s) or tenant-occupant(s) on a permanent, non-transient basis. A property is vacant when there is no habitual presence of persons who have a legal right to be on the premises, or all lawful business or construction activity or residential occupancy has substantially ceased, or which is substantially devoid of contents. In the case of mixed-use buildings, a separate tenanted portion of the building which meets these criteria may also be deemed vacant.

“Vacant property” means a lot or parcel of real property with at least one building, structure, or portion that is not currently used or occupied for a period in excess of 30 days. A building or structure that remains furnished, has utilities connected or in use, and on property that is maintained while the owner is absent shall not be considered vacant unless the building or structure is vacant for a period greater than one year. A building or structure that is under active construction or undergoing active rehabilitation, renovation or repair, and there is a building permit to make the building fit for occupancy that was issued, renewed or extended within six months of the date of vacancy shall not be subject to the vacant property registration requirement of this chapter; provided, however, that the cessation of active construction, rehabilitation, repair or demolition activity for more than 30 days, unless good cause is shown for the cessation, will result in the property being deemed a vacant property and subject to the registration, security, and maintenance requirements of this chapter.

A building that the owner or owner’s agent is actively trying to sell or rent (as evidenced by a sign posted on the property advertising the property for sale or rent with contact information and current telephone number, listing agreement with realty contact information, MRIS or MLS electronic listing, or other advertisement of sale or rent) shall not be considered a vacant property; provided, that the time period for sale or rent shall not exceed six months from the initial listing, offer or advertisement of sale or rent. The exemption from the vacant property registration requirement for a building for sale or rent may be extended for one additional period upon a showing that the building is still actively for sale or rent; and provided, that the building is in compliance with the vacant property maintenance requirements of this chapter.

“Vacant property registry” means the official record of vacant distressed property and vacant property registered with the City in accordance with the requirements of this chapter.

312.04 Inspections of distressed property.

A. Prior to filing a complaint of foreclosure or notice of default or accepting a deed in lieu of foreclosure, the responsible party, or their designee, shall inspect a distressed property to determine whether the property is vacant. If the distressed property is found to be vacant or shows evidence of vacancy, the responsible party shall, within 30 days, register the property as a vacant distressed property with the Planning & Zoning director for the purpose of minimizing hazards to persons and property as a result of the vacancy.

B. If a distressed property is occupied, but remains in default, it shall be inspected by the responsible party, or their designee, monthly until: (1) the default is remedied; or (2) the property is found to be vacant or shows evidence of vacancy. The responsible party or their designee shall, within 30 days after obtaining knowledge of vacancy, register the property as a vacant distressed property with the City for the purpose of minimizing hazards to persons and property as a result of the vacancy.

#### 312.05 Registration of vacant distressed property.

A. The responsible party or their designee shall register a vacant distressed property by completing and submitting the vacant distressed property registration form and submitting the registration form to the Planning & Zoning director, along with the required fee.

B. The vacant distressed property registration form shall include the following:

1. The address of the vacant distressed property.
2. The name, current street/office mailing address (no post office boxes), telephone number, and email of all owners of the vacant distressed property.
3. The name of the responsible party, the street/office mailing address of the responsible party (no post office boxes), a responsible party direct contact name, telephone number and email, and the name, address, telephone number, and email of the property management company, field service provider, property preservation or real estate owned (REO) section or department responsible for inspecting, securing, and maintaining the property.
4. An explanation as to the reason for the vacancy of the property.

C. If a vacant distressed property is not registered, then the City may give the responsible party or their designee a written notice of vacancy and the responsible party or their designee shall register the vacant distressed property with the City within 30 days of receipt of a notice of vacancy from the City.

D. Registration of a vacant distressed property shall be valid and effective for a period not to exceed one year, beginning July 1st and ending the next June 30th, and shall be renewed annually thereafter until the property is no longer a vacant distressed property.

E. Vacant distressed property shall remain under the registration requirement, security and maintenance standards of this chapter so long as the property is distressed property.

F. The responsible party shall inform the City of any pending action, such as bankruptcy,

probate or other court or administrative action, that would prohibit the responsible party from taking any of the actions required by this chapter. The responsible party shall provide the City with complete information about any pending action that it alleges prevents the responsible party from complying with this chapter, including the security and maintenance standards set forth herein.

G. Failure to register a vacant distressed property is an ordinance violation.

#### 312.06 Owner registration of vacant property.

A. An owner of vacant property located in the City shall register the vacant property with the Planning & Zoning director within 30 days of the vacancy. For good cause, the director may grant an owner of vacant property a reasonable extension of time to register the vacant property.

B. If a vacant property is not registered, then the Planning & Zoning director may give the owner of record a written notice of vacancy and the owner shall register the vacant property with the City within 30 days of receipt of the notice of vacancy from the City.

C. Owners who are required to register their vacant properties pursuant to this chapter shall do so by completing and submitting the vacant property registration form to the Planning & Zoning director, along with the required fee. The vacant property registration form may be signed by an agent for an owner provided the agent's written authorization from the owner is also provided. The vacant property registration form shall include the following:

1. The name, current street/office mailing address (no post office boxes), telephone number, and email of all owners of the vacant property. If any owner of the vacant property is not the same as the owner of record, then an explanation of the reasons for the difference in ownership shall be provided.
2. The name of an individual or legal entity responsible for the care and control of the vacant property. Such individual may be the owner, if the owner is an individual, or may be someone other than the owner; provided, that the owner has contracted with such a person or entity to act as his or her agent for purposes of this chapter.
3. A current street/office mailing address (no post office boxes), telephone number and email of the owner's agent, along with a direct contact name, telephone number, and email for the direct contact of the owner's agent.
4. A certificate of property insurance in an amount equal to or greater than the tax assessed value of the property.
5. An explanation as to the reason for the vacancy of the property.

D. Registration of a vacant property shall be valid and effective for a period not to exceed one year, beginning July 1st and ending the next June 30th, and shall be renewed annually thereafter until the property is no longer a vacant property.

E. Vacant property shall remain under the registration requirement, security and maintenance

standards of this chapter so long as the property is vacant.

F. The owner or owner's agent shall inform the Planning & Zoning director of any pending action, such as bankruptcy, probate or other court or administrative action, that would prohibit the owner or owner's agent from taking any of the actions required by this chapter. The owner or owner's agent shall provide the director with complete information about any pending action that it alleges prevents the owner or owner's agent from complying with this chapter, including the security and maintenance standards set forth herein.

G. Failure to register a vacant property is an ordinance violation.

#### 312.07 Fire damaged property.

If a building or structure is damaged in a fire or other casualty, the owner has 90 days from the date of the fire or other casualty to apply for a permit to start construction, rehabilitation, repair or demolition and 30 days after the date of permit issuance to commence construction, rehabilitation, repair or demolition of the fire damaged building or structure. Failure to do or the cessation of active construction, rehabilitation, repair or demolition activity for more than 30 days, unless good cause is shown, will result in the property being deemed a vacant property and subject to the registration, security, and maintenance requirements of this chapter.

#### 312.08 Registration fee.

The annual fee for registering a vacant distressed property or a vacant property shall be \$200.00 payable to the City of Gas City and submitted to the Planning & Zoning director, along with the required registration form and all supporting information and documentation. Registration of a vacant distressed property or a vacant property is for the fiscal year beginning July 1st and ending the next June 30th. Unpaid registration fees shall be charged a late fee of 2% for each month or portion of a month that the registration fee remains unpaid. Registration fees are nonrefundable and are not prorated in the event a registration fee is paid for a partial year. Unpaid registration fees are a lien on the property and may be collected in the same manner as taxes are collected. (Ord. 2016-13 § 1, 2016)

#### 312.09 Requirement to keep information current—Removal from the vacant property registry.

A. If at any time the information contained in the responsible party's vacant distressed property registration or the owner's vacant property registration form is no longer valid, then the responsible party or owner, as applicable, has 15 days to file a new form containing valid, current information. There shall be no fee to update an existing registered responsible party's or owner's current information.

B. Should a vacant building become occupied at any time after registration of a vacant distressed property or a vacant property, then the responsible party or owner, as applicable, shall file an amended registration form within 15 days of occupancy notifying the City of such occupancy along with corroborating documentation and requesting that the building be removed from the vacant property registry. The City shall remove such building from the registry within 30 days of the filing of the amended registration form, unless the City determines that there is evidence of vacancy and reason to believe that the building is vacant and subject to registration.

### 312.10 Vacant property maintenance and security requirements.

A. Maintenance Requirements. The responsible party of a vacant distressed property and the owner or owner's agent of a vacant property shall comply with the following maintenance requirements:

1. The exterior of the property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by Federal, State or local law, discarded personal items including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is vacant and abandoned.
2. The property shall be maintained free of graffiti, tagging or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior of the structure.
3. All visible front and side yards shall be landscaped and properly maintained during the vacancy of the property. Landscaping includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings. Maintenance includes, but is not limited to, cutting, pruning and mowing of required landscape and removal of all trimmings.
4. Pools, spas, and other water features shall be kept in working order so the water remains clear and free of pollutants and debris or drained and kept dry. Properties with pools and/or spas must comply with applicable security fencing requirements.
5. Adherence to the maintenance requirements of this section does not relieve the responsible party, owner or owner's agent of any obligations set forth in any covenants, conditions, and restrictions and/or homeowners association rules and regulations which may apply to the property.

B. Security Requirements. The responsible party of a vacant distressed property and the owner or owner's agent of a vacant property shall maintain the property in a secure manner so as not to be accessible to unauthorized persons. All vacant property shall be deemed adequately protected from intrusion by trespassers and from deterioration by the weather if:

1. Building Openings. Doors, windows, areaways and other openings are weather tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows and opening coverings are covered with at least one-half inch of CDX plywood completely painted in accordance with the predominant tone of the building, weather protected, tightly fitted to the opening and secured by screws or bolts.
2. Roofs. The roof and flashings are sound, tight, will not admit moisture, and drained to prevent dampness or deterioration in the walls or interior.
3. Drainage. The building gutters and downspouts are watertight and entire storm drainage system is adequately sized, installed in an approved manner, functional and discharged in an

approved manner. All downspout and gutters shall be of the type, size, and discharge locations approved by the Planning & Zoning director.

4. Exterior Building Structure. The building is maintained in good repair, structurally sound, free from debris, rubbish and garbage, and sanitary, walking surfaces and stairs are structurally sound, so as not to pose a threat to the public health or safety.

5. Structural Members. The structural members are free of deterioration and capable of safely bearing imposed dead and live loads.

6. Foundation Walls. The foundation walls are plumb, free from open cracks and breaks, and rat-proof.

7. Exterior Walls. The exterior walls are free of holes, breaks, and loose or rotting materials. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

8. Structure Extensions. All balconies, porches, canopies, marquees, signs, metal awnings, cornices, stairways, fire escapes, standpipes, exhaust ducts and similar features are in good repair, anchored, safe and sound. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

9. Chimneys and Towers. Chimneys, cooling towers, smokestacks, and similar appurtenances are structurally safe. Exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

10. Sidewalk Openings. Yard, walks, steps, and openings in sidewalks are safe for pedestrian travel and snow and ice are removed from sidewalks adjoining the property.

11. Accessory and Appurtenant Structures. Accessory and appurtenant structures such as garages, sheds, and fences are free from safety and health hazards.

12. Premises. The premises on which a structure is located is clean, safe and sanitary, maintained free of weeds, junk vehicles, and litter, and does not pose a threat to the public health or safety.

C. Inspections. Vacant property and vacant distressed property required to be registered in accordance with this chapter shall be inspected by the owner or owner's agent or by the responsible party on a monthly basis to determine if the property is in compliance with the requirements of this chapter.



### 312.11 Posting of notices.

Vacant property and vacant distressed property required to be registered in accordance with this chapter shall be posted with the name and a 24-hour contact telephone number of the owner/owner's agent or responsible party, including any local property management company. The posting shall contain along with the contact name and contact telephone number, words substantially similar to "THIS PROPERTY PRESERVED BY \_\_\_\_\_" and "TO REPORT PROBLEMS OR CONCERNS CALL \_\_\_\_\_". The notice shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or secured to the exterior of the front door or the building/structure facing the street to the front of the property so it is visible from the street. If no such area exists, then the notice may be posted in a location that is visible from the street to the front of the property but not readily accessible to vandals. Notices shall not be illuminated or exceed eight and one-half by 14 inches in size. Exterior postings must be constructed of and printed with weather resistant materials. The owner or owner's agent or the responsible party, property preservation company or property management company shall inspect the vacant or distressed property on at least a monthly basis to determine if the property remains in compliance with the notice posting requirements of this section.

### 312.12 Additional authority.

In addition to the enforcement remedies established in this chapter, the Planning & Zoning director or his or her designee shall have the authority to require the lender/mortgagee and/or owner or owner's agent of any property affected by this chapter to implement additional maintenance and/or security measures including but not limited to securing any and all doors, windows or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of on-site security guard or other measures as may be reasonably required to arrest the decline of the vacant property.

### 312.13 Violations and enforcement.

A. If the Planning & Zoning director or his or her designee determines that the vacant property or vacant distressed property is in violation of any provision this chapter, then he designee shall notify the owner/owner's agent or the lender/mortgagee/responsible party of the violation by providing notice of the violation to the person identified in the registration application, and shall require the owner/owner's agent or the lender/mortgagee/responsible party to correct the violation.

B. A notice of violation shall include a description of the violation and, except for severe conditions where immediate action is needed to protect the public health and safety or failure to secure the vacant property, shall provide a period of not less than 20 days from the mailing or delivery of the notice for the owner/owner's agent or the lender/mortgagee/responsible party to remedy the violation. If the responsible party fails to remedy the violation within the stated period, the City may issue a citation for an ordinance violation and impose penalties against the owner/owner's agent or the lender/mortgagee/responsible party for the violation.

## ARTICLE 4 - ADMINISTRATION and ENFORCEMENT

401 - ADMINISTRATIVE OFFICER: The Administrative Officer, who shall be

appointed by the Advisory Plan Commission, upon recommendation of the Mayor, shall:

401.1 - Administer the provisions of this Ordinance.

401.2 - Issue Zoning-Building Permits.

401.3 - Maintain a permanent file of all Zoning-Building Permits and applications as public record.

401.4 - The Administrative Officer shall have the following powers and duties:

A. The exclusive right to hear and approve, or deny, all specifications for mobile homes and manufactured housing special exceptions only. A special exception may only be approved by the Administrative Officer upon determination, in writing, that the provisions of Section 505 have been met. In addition, the Administrative Officer may impose conditions pursuant to Section 508.

B. The exclusive right to hear and approve, or deny, variances from development standards of the Zoning Ordinance. A variance from development standards may be approved by the Administrative Officer only upon a determination, in writing, that the provisions of Section 503 have been met. In addition, the Administrative Officer may impose conditions pursuant to Section 508.

C. The rules of procedure adopted by the Advisory Board of Zoning Appeals, under Section 501, shall apply to the Administrative Officer, and any appeal of the decision made by the Administrative Officer, shall be done in accordance with Section 404.

402 - ZONING-BUILDING PERMITS:

402.1 - A zoning-building permit shall be obtained before any person may:

- A. Occupy or use any vacant land or
- B. Occupy or use any structure hereafter constructed, reconstructed, moved, enlarged, or
- C. Change the use of a structure or land to a different use; or
- D. Change a non-conforming use.
- E. Erect a fence.
- F. Erect a satellite dish.

402.2 - Application for a Zoning-Building Permit shall be accomplished by a plot plan, showing clearly and completely, the location, dimensions and nature of any structure involved and such other information as the Administrative Officer may require of this Ordinance. Any Zoning-Building Permits shall expire six (6) months from date of issuance.

403 - VIOLATIONS and PENALTIES: It shall be unlawful to locate, construct, reconstruct, enlarge, change, maintain or use any structure or land, in violation of any regulation in or provisions of this Ordinance, or any regulation enacted hereunder by the Advisory Board of Zoning Appeals. The Advisory Plan Commission may institute a suit for mandatory injunction directing the removal of a structure erected in violation of this Ordinance. Any structure or use that violates this Ordinance shall be deemed a common nuisance and the owner of the structure or land, shall be liable for maintaining a common nuisance. Any person who violates any provision of this Ordinance, shall be subject to a penalty of not less than Ten Dollars (\$10.00) and not more than Three Hundred Dollars (\$300.00). Each day the violation continues shall constitute a separate offense.

404 - METHOD OF APPEAL : Any person aggrieved or affected by any provision of this Ordinance, or by any decision of the Administrative Officer, may appeal to the Advisory Board of Zoning Appeals, within a reasonable time, as provided by the rules of the Advisory Board, by filing a notice of appeal specifying the grounds thereof Every decision of the Advisory Board of Zoning Appeals shall be subject to review by the Circuit Court or Superior Court of Grant County, Indiana.

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## ARTICLE 5 - ADVISORY BOARD OF ZONING APPEALS

501 GENERAL: In accordance with State law, the Mayor, Common Council and Advisory Plan Commission, shall appoint and organize, an Advisory Board of Zoning Appeals, which Advisory Board of Zoning Appeals, may adopt rules to govern its procedures. The Advisory Board of Zoning Appeals shall hold meetings, keep minutes and, pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony, and render decisions, in writing, all as required by law. The cost of any legal advertisement and certified letters, shall be borne by the applicant.

502 - APPEALS: The Advisory Board of Zoning Appeals shall have the power to hear and decide appeals from any order, requirement, decision, grant or refusal made by the Administrative Officer in the administration of this Ordinance.

503 - VAIRANCE FROM DEVELOPMENT STANDARDS: The Advisory Board of Zoning Appeals, upon appeal, shall have the power to authorize variances from development standard requirements of this Ordinance, and to attach such conditions to such variances as it deems necessary to assure compliance with the purpose of this Ordinance. A variance from development standards may be approved, by the Advisory Board of Zoning Appeals, only upon a determination, in writing, that:

503.1 - The approval will not be injurious to the public health, safety, morals and general welfare of the community in that the variance observes a spirit of this Ordinance, produces substantial justice, and is not contrary to the public interest; and

503.2 - The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

503.3 - The strict application of the terms of the Zoning Ordinance will result in the unnecessary hardship in the use of the property in that the property has a unique characteristic.

504 - USE VARIANCE: The Advisory Board of Zoning Appeals, upon appeal, shall have the power to authorize variances of use from the requirements of this Ordinance, and to attach such conditions to the variance of use as it deems necessary to assure compliance for the purpose of this Ordinance. A use variance may be approved by the Advisory Board of Zoning Appeals only upon the determination, in writing, that:

504.1 - The approval will not be injurious to the public health, safety, morals and general welfare of the community in that the variance observes a spirit of this Ordinance, produces substantial justice, and is not contrary to the public interest; and

504.2 - The use and value of the area adjacent to the property included in the variance, will not be affected in a substantially adverse manner, not be inconsistent with adjacent development, and shall comply with the performance standards of Section 506; and

504.3 - The need for the variance arises from some condition peculiar to the property involved; and

504.4 - The strict application of the terms of the Zoning Ordinance will result in the unnecessary hardship in the use of the property in that the property has a unique characteristic; and

504.5 - The approval does not interfere substantially with the comprehensive plan adopted pursuant to I.C. 18-7-5 and all Acts supplemental and amendatory thereto, including LC . 36-7-4.

505 - SPECIAL EXCEPTIONS: The Advisory Board of Zoning Appeals shall have the power to authorize Special Exceptions as specified in the Ordinance. A Special Exception may be approved under this section only upon determination, in writing, that:

505.1 - The Special Exception shall be listed as such in Section 208 for the district requested.

505.2 - The Special Exception shall not involve any elements or cause any condition that may be dangerous, injurious, or noxious to any other persons, and shall comply with the performance standards of Section 506.

505.3 - The Special Exception shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

505.4 - The Special Exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.

505.5 - The Special Exception shall require organized vehicular access and parking to minimize traffic congestion in the neighborhood.

505.6 - The Special Exception shall be consistent with the spirit, purpose and intent of the Ordinance, and the Special Exception will substantially serve the public convenience and welfare.

505.7 - The Special Exception of the Sale of Alcoholic Beverages, in an Eating and/or Drinking Establishment, must be passed upon, and approved, by the Advisory Board of Zoning Appeals.

506- PERFORMANCE STANDARDS: All Special Exceptions and Use Variances shall comply with the requirements of this section. In order to determine whether the proposed use will conform to the requirements of this Ordinance, the Advisory Board of Zoning Appeals may also obtain a qualified consultant to testify, whose costs for services, shall be borne by the applicant.

506.1 - FIRE PROTECTION: Fire prevention and fighting equipment acceptable to the Gas City Fire Department, shall be available when any activity involving the handling or storage of flammable or explosive materials is carried on.

506.2 - ELECTRICAL DISTURBANCE: No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.

506.3- NOISE: Noise which is determined to be objectionable because of volume, frequency, or beat, shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes, shall be exempt from this requirement.

506.4- VIBRATIONS: - Vibrations detectable without instruments on neighboring property in any district shall be prohibited.

506.5- ODORS: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

506.6- AIR POLLUTION: No pollution of air, by flyash, dust, smoke, vapors or other substance shall be permitted which is harmful to health, animals, vegetation or property.

506.7- GLARE: Lighting devices, which produce objectionable direct or reflected glare on adjoining properties or thoroughfares, shall not be permitted.

506.8- EROSION: No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

506.9- WATER POLLUTION: Water pollution shall be subject to the standards established by the State Stream Pollution Control Board.

507 - NON-CONFORMING USES: The Advisory Board of Zoning Appeals shall have the power to authorize changes of the lawful non-conforming uses as follows:

507.1 - A non-conforming use, which occupies a portion of a structure or premises, may be extended within such structure or premises, as they existed when the prohibitory provision took effect, but not in violation of the area and yard requirements of the district in which such structures or premises are located. No change of a non-conforming use shall entail structural alterations or any additions other than required by law for the purpose of safety and health.

507.2 -The Advisory Board of Zoning Appeals may impose such conditions as it deems necessary for the protection of adjacent property and the public interest.

508 - COMMITMENTS: In the case of a petition for a special exception, development variance or use variance, from the terms of the Ordinance, the Advisory Board of Zoning Appeals may permit, or require, the owner of a parcel of property to make a written commitment concerning use or development of that parcel. Said commitment shall be recorded in the office of the Grant County Recorder and take effect upon the granting of the special exception, development variance or use variance. A recorded commitment shall be binding on the owner of the parcel, each subsequent owner, and each other person acquiring an interest in the parcel. A commitment may be modified or terminated only by a decision of the Advisory Board of Zoning Appeals made at a public hearing after notice as provided by its rules.

## ARTICLE 6 - AMENDMENTS

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601 - GENERAL: The City Council may introduce and consider amendment Ordinance and to the Zone Map, as proposed by the City Council, by the Advisory Plan Commission or by a petition by the owners of fifty per centum (50%) or more of the area involved in the petition.

602 - PETITIONS: Petitions for amendments shall be filed with the Advisory Plan Commission, and the petitioner, upon such filing, shall, whether or not the proposed amendment is enacted, pay all costs and expenses connected with the petition including the drafting, advertising and recording of the Ordinance.

603 - REFERAL: Any proposed amendments not originating from the Advisory Plan Commission shall be referred to the Advisory Plan Commission for consideration and report before any final action is taken by City Council. The Advisory Plan Commission shall hold a public hearing, as prescribed by law, and report its findings and recommendations, in writing, to the City Council, as prescribed by law, after the public hearing.

604 - ACTION: After receiving the Advisory Plan Commission's report, City Council may proceed to take action on the proposed amendment as prescribed by law.

## ARTICLE 7 - DEFINATIONS

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701 - GENERAL: Certain words used in this Ordinance are defined below. Words in the present tense shall include the future; the singular number shall include the plural; and the plural the singular; and the word "shall" is mandatory and not permissive

701.1 - Accessory Use: A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.

701.2 - Area: Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

701.3 - Basement: A story having more than fifty (50) percent of its clear height below finished grade.

701.4 - Board: The Advisory Board of Zoning Appeals established by this Ordinance.

701.5 - Clinic: Any establishment where human patients are examined and treated by doctors or dentists, but not hospitalized overnight.

701.6 - Clubs: (Private): An establishment operated for social, recreational, or educational purposes but open only to members and not the general public.

701.7- Coverage: That percentage of the lot area covered by principal and accessory use structures.

701.8- Dwelling Unit: Any structure, or part of a structure, designed or used as the living quarters for one family. The structure, whether site-built or manufactured, shall be at least twenty-four (24) feet in width in the smallest dimension; and this structure, whether site-built or manufactured, shall contain a minimum of nine hundred fifty (950) square feet of occupied space.

701.9- Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, of underground or overhead, gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, traffic signals, hydrants, street signs, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

701.10- Family: One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

701.11- Home Occupations: An occupation carried on in a dwelling unit which is clearly incidental and secondary to the use of the building for dwelling purposes, and which does not change the character thereof

701.12- Light Industrial: The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emissions which will disturb or endanger neighboring properties.

701.13- Lot: A parcel of land occupied, or capable of being occupied, by one or more structures.

701.14- Lot of Record: Any lot which individually, or as part of a subdivision, has been recorded in the office of Recorder of Deeds of Grant County.

701.15- Lot, Depth of A mean horizontal distance between the front and rear of lot lines.

701.16- Lot, Minimum Area of The horizontally projected area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.



701.17- Lot, Width of: The mean width measured at right angles to its depth.

701.18- Mobile Home: A transportation structure built prior to June 15, 1976, effective date for the Federal Mobile Home Construction Safety Act of 1974, larger than three hundred twenty (320) square feet, and designed to be used as a year-round residential dwelling. A recreational vehicle, as defined herein, shall be considered a mobile home if occupied.

701.19- Non-Conforming Structure: A structure designed, converted, or adapted for a use prior to the adoption of provisions prohibiting such use in such location.

701.20-Non-Conforming Use: Non-conforming use or arrangement of land or structures legally existing at the time of enactment of this Ordinance or any of its amendments, which does not conform to the provisions of this Ordinance.

701.21- Structures: Anything constructed or erected, the use of which requires a fixed location on the ground, including buildings, carports, billboards, porches, decks, patios and other building features, but not including sidewalks and drives.

701.22- Supply Yards: A commercial establishment storing, or offering for sale, building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

701.23- Recreational vehicles: A portable vehicular structure not built to Federal Manufactured Housing Construction Safety Standards Code (or the obsolete ANSI 119.1 mobile home designed in construction standards) designed for travel, recreational camping or vacation purposes, either having its own motor power or mounted on or to be drawn by another vehicle, and including, but not limited to, travel and camping trailers, truck campers and motor homes.

701.24- Manufactured Homes: A dwelling unit, fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction Safety Standards Codes or Indiana Code 22-11-1 et seq., as promulgated by the Indiana Department of Fire Prevention and Building Safety.

701.25- Manufactured Housing Construction Safety Standards Code: Title IV of the 1974 Housing and Community Development Act (42 U.S.C. 5401, et seq.), as amended (previously known as the Federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder, which include H.U.D. approved information supplied by the home manufacturer, and regulations and interpretations of said code by the Indiana Department of Fire Prevention and Building Safety.

701.26-One and Two-Family Dwelling Code, Indiana: The nationally recognized model building code prepared by the Council of American Building Officials, adopted by the Indiana Department of Fire Prevention and Building Safety, as mandated through Indiana Code 22-11-1 et seq., and which includes those supplements and amendments promulgated by the Indiana Department of Fire Prevention and Building Safety.

701.27- Indiana Code 22-11-1 et seq.: Enabling legislation requiring the Indiana Department of Fire Prevention and Building Safety to adopt rules and regulations for the construction, repair or maintenance of factory-constructed one or two-family dwellings.

701.28- Condominium: Ownership in common with others of a parcel of land and certain parts of a building drawn which would normally be used by all occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular unit or portion of such building.

701.29- Cooperative: A building or land in which an individual owns stock in a corporation with a right through a proprietary lease to occupy a portion of the land of a part of the building.

701.30- Vision Clearance On Corner Lots: Triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of zero (0) and twelve (12) feet above established grade of the street, determined by a diagonal line connecting two points measured fifteen (15) feet equal distance from the street corner along each property line.

## ARTICLE 8 - FEES

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801 GENERAL: The Advisory Plan Commission will propose and recommend to the City Council, from time to time, the fees to be charged for applications for zoning variance and application for special exception and building permits. The schedule of fees are attached as an index hereto.

(See next Page for Fee Schedule)

## COMMERCIAL BUILDING PERMIT FEES

(Including Industrial Buildings, Commercial building and three or more family dwellings and duplex units)

<u>PERMIT TYPE</u>	<u>FEE</u>
New construction-industrial & institutional	\$300.00 +\$.02 per sq./ft.
New construction-Commercial & Multi Family	\$300.00 +\$.03 per sq./ft.
Remodel (includes roof)	\$150.00 +\$.03 per sq./ft.
Additions	\$150.00 +\$.03 per sq./ft.
Electric/Plumbing/HVAC	\$150.00
Accessory Structure (Antenna, Wireless tower, gas station canopies, etc.)	\$150.00
Signs	\$100.00
Demolition (Fill out notification for utilities to be disconnected)	\$150.00
Permit Renewal	\$25.00
<u>Other Fees:</u>	
Special Exception	\$25.00
Developmental Variance	\$25.00
Use Variance	\$25.00
Excepting Certain Divisions of Real Estate	\$25.00

## RESIDENTIAL BUILDING PERMIT FEES

(Including Single & Multi Family Dwellings, Modular Homes, & Duplex Condo Units)

PERMIT TYPE	FEE
New Construction (sq./ft. refers to living area only)	\$100.00 + \$.05 per sq. ft.
Accessory Buildings (detached garages, pole barns, sheds, or carports)	\$50.00
Additions (Covered Porches, Garage, or Room Additions)	\$50.00
Accessory Additions (Patio, Decks, or Fences)	\$50.00
Exterior Remodel (Roofing)	\$50.00
Swimming Pool (above and in-ground)	\$50.00
House Relocation	\$150.00
Demolition (Fill out notification for utilities to be disconnected)	\$100.00
Permit Renewal (Time extension beyond the 6-month time limit)	\$25.00