

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 25-08

AN ORDINANCE TO AMEND GREENWOOD MUNICIPAL CODE CHAPTER 4, SECTION 4-66, "THE OFFICIAL FEE SCHEDULE", TO INCREASE FEES; TO AMEND CHAPTER 6, SECTION 6-339, "OBSTRUCTION OF STREETS AND SIDEWALKS", TO ESTABLISH FEES; TO AMEND CHAPTER 6, SECTION 6-115, "FALSE ALARMS", TO PRESCRIBE FINES, AND TO AMEND CHAPTER 7, SECTION 7-45, "RIGHT-OF-WAY EXCAVATIONS, CUTS, AND DISTURBANCES", TO INCREASE PERMIT FEES

WHEREAS, Indiana's home rule statute (Ind. Code § 36-1-3 *et.al*) grants statutory powers to the governing body of the City;

WHEREAS, pursuant to Ind. Code § 36-1-3-8 municipalities are authorized to establish license fees, user fees, and service charges that are reasonably related to administrative costs, reasonable just rates and charges for services, and to prescribe the penalty of fines for ordinance violations;

WHEREAS, pursuant to Ind. Code § 5-14-3-8, municipalities are authorized to establish fees for copies of documents and electronic maps;

WHEREAS, pursuant to Ind. Code § 36-7-4-411, a municipality may establish a schedule of reasonable fees to defray administrative costs connected with the processing and hearing of administrative appeals and petitions for rezoning, special exceptions, special uses, contingent uses, and variances; costs associated with reviewing and issuing permits; and costs associated with other official actions taken under local planning and zoning law;

WHEREAS, the Greenwood Advisory Plan Commission has recommended that the City of Greenwood Official Fee Schedule be amended to reasonably increase copy fees, permit fees, and other fees for administrative costs to bring them in line with the actual costs to the City of Greenwood to provide the services, to provide the copies, and to issue the permits;

WHEREAS, it has been determined that the City of Greenwood Fire Code regarding response to false alarms should be amended to establish a progressive schedule of fines for offenses;

WHEREAS, it has been determined that the regulation of streets and sidewalks should be amended to allow the Board of Public Works and Safety the discretion to allow use of public streets and sidewalks for events and activities, and that reasonable fees for use of City road closure assets for such events and activities should be established; and

WHEREAS, it has further been determined that the permit fees regarding excavations, cuts, and other disturbances within the City's rights-of-way should be reasonably increased to reflect the actual costs to the City to review and issue the permits,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, AS FOLLOWS:

Section 1. The Greenwood Municipal Code (1993), as Amended, Chapter 4, Article 2, Division VI, Section 4-66 "Official Fee Schedule" is hereby amended by deleting its current text in its entirety and replacing it with text to read as follows:

Sec. 4-66 Official Fee Schedule.

The Common Council adopts the Official Fee Schedule which shall read as follows:

<i>Official Fee Schedule</i>	<i>Fees:</i>
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(a) Board of Zoning Appeals:

1. Variance petitions;

- a. Dimensional Variance
 - 1) single-family ¹ \$300.00 plus \$100.00 each additional
 - 2) others ¹ \$600.00 plus \$200.00 each additional
- b. Use Variance ¹ \$800.00

- 2. Special Use Exceptions ¹ \$500.00
- 3. Administrative Appeal ¹ \$350.00

(b) Plan Commission:

- 1. Annexation petition (may include zoning) ² \$400.00
- 2. Zoning petitions ² \$1,000.00
- 3. Waiver ¹ \$250.00
- 4. Subdivision plats:
 - a. Primary Plat (whole subdivision) ² \$1,000.00 plus \$50.00 per lot
 - b. Secondary Plat (whole subdivision or sections thereof) ²
 - 1) residential (includes site development plans) \$700.00 plus \$50.00 per lot
 - 2) others (does not include site development plans) \$1000.00 plus \$50.00 per lot
 - c. Change in previously approved final plat or change in development plan ² \$350.00
- 5. Planned Unit Development:
 - a. Concept Plan ² \$1000.00 plus \$50.00 per lot
 - b. Master Plan and Zoning ² \$1500.00 plus \$50.00 per lot
- 6. Site Development Plan ² \$1200.00 plus \$50.00 per lot
- 7. Zoning Verification Letter ¹ \$50.00
- 8. Change in Previously Approved Commitments ¹ \$350.00
- 9. Street Cut ^{a b}
 - Utilities or Government Agencies ¹ \$25.00
 - Others ¹ \$50.00

^a Public or private utility companies may post an annual performance bond in the amount of \$15,000 (minimum). The City reserves the right to increase the amount of bond for large projects.

^b Applicants other than public or private utilities shall pay the regular permit fee and post a \$1,000 bond (bond, cash, cashier check) for each permit issued. Said bond shall be for a term of twelve (12) months from the date of issuance of the permit.

- 10. Residential Building Permits:
 - a. Single-family dwelling ¹ \$400.00 + \$0.05/sq. ft. = total fees
 - b. Two-family dwelling ³ \$500.00 + \$0.05/sq. ft. = total fees
 - c. Multi-family ³ \$150.00/unit + \$0.05/sq. ft. per building + \$100.00 per acre of entire project
 - d. Residential (1-2 family) addition ¹ \$225.00 + \$0.05/sq. ft.
 - e. Residential (1-2 family) remodeling:
 - 1) Structural ¹ \$ 75.00

Official Fee Schedule**Fees:**

2) Electrical ¹	\$ 75.00
3) Plumbing ¹	\$ 75.00
4) Mechanical ¹	\$ 75.00

Combination of any of the above maximum ¹ \$225.00

Only one permit shall be required for any particular remodeling project. The total fee for said permit shall be based upon how many of the four components are included in the permit application. *Each permit shall be valid for 365 days.

f. Detached Garages and carports ¹	\$0.10/sq. ft. with minimum fee of \$150.00
g. Accessory Structures ¹	\$0.10/sq. ft. with minimum fee of \$50.00
h. Certificate of occupancy	No additional charge
i. Structures other than buildings ¹	\$ 50.00
j. Model Homes – annual renewal (Initial fee covered in building permit fee, renewal shall be paid no later than anniversary date of building permit issuance)	\$ 25.00
k. Mobile Sales Office	\$50.00 initial \$25.00 annual renewal
11. Mobile Homes:	
a. New - including pad ¹	\$150.00
b. Location only - onto existing pad ¹	\$100.00
c. Individually sited mobile homes ¹ (Special Exception in A-1 Zoning District)	\$200.00
12. Commercial/Industrial Permits:	
a. New Buildings ²	\$750.00 + \$0.05/sq. ft. per building + \$50.00 per acre of entire project
b. Structures other than buildings:	
1) General ²	\$150.00
2) TV, Radio, Phone, Other ² communication towers	\$150.00 + \$1.00 per lineal feet of height
c. Commercially operated parking lot ¹	\$ 10.00 per parking space
d. Additions to Building:	
1) Additions less than 10,000 sq. ft. ²	\$750.00 plus \$0.05/sq. ft.
2) Additions 10,000 sq. ft. or more ²	\$750.00 plus \$0.05/sq. ft. per building + \$50.00 per acre of affected area
e. Accessory Buildings ¹	\$150.00 + \$0.05 /sq. ft. with \$200.00 minimum fee
f. Commercial Remodeling	
1. Structural ²	\$500.00 + \$0.05/sq. ft.
2. Electrical ²	\$500.00 + \$0.05/sq. ft.
3. Plumbing ²	\$500.00 + \$0.05/sq. ft.
4. Mechanical ²	\$500.00 + \$0.05/sq. ft.
5. General Misc. Permit- Commercial or Residential ²	\$150.00
Combination of any above – maximum ²	\$750.00 + \$0.05/sq. ft.

Official Fee Schedule**Fees:**

Only one permit shall be required for any particular remodeling project. The total fee for said permit shall be based upon how many of the four components are included in the permit application. *Each permit shall be valid for 365 days.

13. Demolition Permits:
 - a. First Building on premises ¹ \$ 75.00
 - b. Additional Buildings (excluding portable buildings) ¹ \$ 25.00
 - c. Interior demolition¹ \$ 75.00
 14. Moving or Changing Building Location:
 - a. Principal building ¹ \$ 50.00
 - b. Accessory building ¹ \$ 20.00
 15. Swimming Pools^c:
 - a. Residential pools (in-ground or above-ground) ¹ \$ 150.00
 - b. Commercial or public - less than 700 sq. ft. ¹ \$ 200.00
 - c. Commercial or public - 700 sq. ft. to 1,500 sq. ft. ¹ \$ 300.00
 - d. Commercial or public greater than 1,500 sq. ft. ¹ \$ 400.00
- ^c Swimming pools that are less than 2 ft. deep and less than 250 sq. ft. in surface area are exempted from being classified as a swimming pool for the purposes of this fee schedule.
16. Sign Permits:
 - a. Temporary signs (32 sq. ft. maximum face size) ¹ \$ 40.00
 - b. Other Signs:
 1. Pole Sign ¹ \$3.00/sq.ft.with \$300.00 minimum
 2. Ground ¹ \$3.00/sq. ft. with \$150.00 minimum
 3. Wall ¹ \$3.00/sq. ft. with \$60.00 minimum
 4. Portable (temporary) ¹ \$40.00
 5. Billboard ¹ \$3.00/sq. ft. with \$750.00 minimum
 6. Interstate Hi-Rise ¹ \$3.00/sq. ft. with \$750.00 minimum
 7. Construction ¹ \$ 100.00
 8. On-Site Public Notification Sign \$ 17.00
 17. Tents and Awnings Permits:
 - a. 30 day tent or awning permit¹ \$ 50.00
 - b. 30 day tent or awning renewal¹ \$ 25.00
 18. Official Documents:
 - a. Unified Development Ordinance (UDO) \$ 10.00
 - b. Building Code/Unsafe Building Code \$ 3.00
 - c. Zoning Maps
 - 1) Color (36"x48") \$ 12.00
 - 2) Color (11"x 17") \$ 3.00
 - d. Policies and Procedures \$ 1.00
 - e. Comprehensive Plan \$ 60.00

Official Fee Schedule**Fees:**

19. Vacations:

Petitions to vacate ² \$ 250.00

20. Outside Consultant Review:

The City of Greenwood may from time to time elect to use the services of a private consultant in the review process for primary plats, secondary plats and plans, and site development plans, as well as significant changes or amendments to any of these. In such cases the applicant shall be required to pay additional fees for the cost of review by a private consultant. The Plan Commission and Board of Public Works and Safety are hereby authorized to jointly establish both a minimum fee for such review and an hourly rate for review time beyond the minimum. The minimum fee shall be set at an amount equal to three (3) hours review time. The hourly rate shall apply to review time beyond the first three (3) hours and shall be computed to the nearest one-half hour.

21. Other:

- a. Starting work without required permit(s) \$ 2.00 times permit base fee
- b. Permit Reinspection fee¹ \$ 75.00
- c. Temporary Certificate of Occupancy ¹ \$ 100.00
- d. Occupying a structure without a Certificate of Occupancy
 - 1) Residential ¹ \$ 500.00
 - 2) Non-residential ² \$1,000.00
- e. Building Violation Fee (general) ¹ \$ 150.00
- f. Permit Renewal/Extension (1 year) ¹ \$1/2 original permit base fee
- g. Expedited Permit Review Fee ¹ \$ 250.00

¹ Indicates a Technology Fee in the amount of \$10.00 is included in this permit fee.

² Indicates a Technology Fee in the amount of \$15.00 is included in this permit fee.

³ Indicates a Technology Fee in the amount of \$25.00 is included in this permit fee.

(c) Stormwater:

- 1. Post-Construction Stormwater Inspection (annual) *Reserved*
- 2. Post-Construction Stormwater Inspection (re-inspection) \$ 40.00
- 3. Stormwater Management Permit \$ 450.00
- 4. Erosion and Sediment Control Permit \$ 100.00
- 5. Easement Use Permit *Reserved*
- 6. Permit Reinstatement \$ 150.00

(d) Fee Payment Policies and Procedures:

1. Time of Payment:

A. At time of Filing - All fees shall be paid by the applicant or petitioner at the time a petition or permit application is filed with the Department of Community Development Services. Until all applicable fees have been paid in full, no permit shall be granted.

B. Exceptions - fees for a building permit that requires Plan Commission approval shall not have to be paid until the Commission has actually approved the plans and authorized the staff to issue said permit. Such fee shall be paid in full at the time permit is issued.

- C. Technology Fees – Each fee may include a Technology Fee component which shall be utilized to purchase, maintain, and update computer software, hardware, and training for Community Development Services staff, and to pay annual hosting fees that may be necessary. The Technology Fees collected shall be accounted for at collection and shall be deposited into a Special Non-Reverting Fund established by the Controller. The fees shall be utilized by the Director of Community Development Services to procure goods and services in accordance with those procedures established by the City of Greenwood. Such goods and services may include, but are not limited to, computer software and hardware, staff training, data hosting fees, and consulting services for the purpose of establishing an online permitting and inspection program.

2. Fees not Refundable:

Once an application or petition has been filed and the applicable fee paid, no portion of the fee shall be refundable to the applicant or the petitioner.

3. Exemptions:

The Plan Commission may, at its discretion, waive the fee for any plans, permits, or documents when such waiver will result in a direct savings of tax funds by the applicant agency.

Section 2. Greenwood Municipal Code (1993), as amended, Chapter 6, Article 4, Fire Code, Division VI, Section 6-115 “False Alarms”, subsection (b) is hereby amended, by deleting the language of the subsection in its entirety and replacing with the following:

“(b) Whenever a false alarm issues, the alarm issuer may be assessed a Fifty Dollars (\$50.00) fine for each false/and or faulty alarm recorded within the calendar year after the occurrence of the second false and/or faulty alarm requiring Fire Department response; the alarm issuer may be assessed a fine of \$150.00 for a third false/faulty alarm offense in the calendar year, a fine of \$250.00 for the fourth false/faulty alarm offense in the calendar year, and a fine of \$500.00 for each false/faulty alarm offense after a fourth offense in the remaining calendar year. Said penalty shall be paid by the alarm user to the City of Greenwood Controller who shall deposit the funds in the Non-Reverting Fire Safety Fund.”

Section 3. The Greenwood Municipal Code (1993), Chapter 6, Article 10, Specific Activities regulated for the Public’s Health and Safety, Section 6-339 “Obstructions of Streets and Sidewalks Prohibited”, subsection (a), is hereby amended by deleting the language of the subsection in its entirety and replacing it with the following language:

“(a) No person shall obstruct or cause to be obstructed any street, alley or sidewalk within the City. This does not prohibit the reasonable and necessary use of parts of the streets or sidewalks, for the following purposes:

- (1) For depositing building materials in front of or in the rear of buildings in process;
- (2) For events or activities to be conducted on a street, alley or sidewalk as authorized by the Board of Public Works and Safety, in its discretion. When such events or activities are authorized, the person(s) conducting such event or activity shall be subject to the following fees for the use of City of Greenwood street closure assets during the event or activity:
 - (i) \$75.00 per piece of equipment per hour
 - (ii) \$50.00 per person per hour
 - (iii) \$10.00 per type 3 barricade per day
 - (iv) \$ 2.00 per sign per day
 - (v) \$ 5.00 per barrel per day
 - (vi) \$ 1.00 per cone per day
 - (vii) \$ 1.00 per sandbag per day (if needed)
 - (viii) \$ 1.00 per sign post with base per day

Any specialty signs and non-regulatory signs must be provided by the event organizer.”

Section 4. The text of Greenwood Municipal Code (1993), as amended, Chapter 7, Building and Construction Regulation, Article 3, Miscellaneous Regulations, Section 7-45 “Excavations, Cuts, and Other Disturbances Within the City’s Rights-of-Way; Permit Required”, subsection (d) is hereby amended to read as follows:

“(d) *Permit Fees.* Prior to permit issuance, an applicant shall pay the following nonrefundable permit/review fee depending on the type of right-of-way disturbance:

Public roadway excavation/cut:	\$200.00 per cut
Non-roadway excavation/cut:	\$100.00 per cut
Push or bore under public roadway:	\$200.00 per bore
Push/bore under public roadway with three lanes or more:	\$200.00 per lane
Public sidewalk disturbance:	\$ 50.00 per cut
Placement/removal of poles/overhead lines:	\$ 50.00 per pole
Open linear cut/bore	\$ 1.00 per linear foot
All other disturbances:	\$ 25.00 “

Section 5. The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

Section 6. This Ordinance shall have no effect as to changing any other provision of the Greenwood Municipal Code (1993), as amended, except to the extent necessary to give this Ordinance full force and effect.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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Passed by the Common Council of the City of Greenwood, Indiana, this 17th day of March, 2025.


Michael Campbell, President
Greenwood Common Council

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 17th day of March, 2025 by the following vote:

AYE: NAY:

Erin Betron	<u>Absent</u>	☐	☐
Michael Campbell		☒	☐
Linda S. Gibson		☒	☐
Ezra J. Hill		☒	☐
J. David Hopper		☒	☐
David Lekse		☒	☐
Teri Manship		☒	☐
Steve Moan		☒	☐
Michael Williams	<u>Absent</u>	☐	☐

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 17th day of March, 2025, is presented by me this 18th day of March, 2025, at 8:00 o'clock AM.m., to the Mayor of the City of Greenwood, Indiana.


Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 17th day of March, 2025, is approved by me this 18th day of March, 2025, at 3:00 o'clock P.m.


MARK W. MYERS, Mayor of
the City of Greenwood, Indiana