

ORDINANCE NO. 2-8-10-A

AN ORDINANCE OF THE HAMILTON COUNTY COMMISSIONERS
CONCERNING FEES CHARGED BY THE
HAMILTON COUNTY SURVEYOR

WHEREAS, Section 36-9-27-2 of the Hamilton County Code provides for the granting of permits and collection of fees from owners, lessees, and/or developers of land who construct outlets into regulated drains, construct improvements crossing regulated drainage easements; and, construct or install structures, landscaping, or other improvements within or connected to regulated drainage easements, all of which activities are referred to as "Permitted Activities"; and,

WHEREAS, the Hamilton County Surveyor and the Hamilton County Drainage Board are responsible for reviewing the plans and specifications for all Permitted Activities; and,

WHEREAS, from time to time, certain landowners, lessees, or developers fail to obtain a permit prior to performing Permitted Activities described above; and,

WHEREAS, the Office of the Hamilton County Surveyor incurs substantial costs in enforcing compliance by developers, lessees, or land owners who fail to obtain permits for Permitted Activities within, or connected to, regulated drainage easements.

IT IS THEREBY ORDAINED by the Board of Commissioners of Hamilton County as follows:

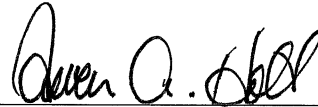
1. In the event any person, lessee, or landowner performs any Permitted Activity without obtaining a permit, as required by Hamilton County Code 36-9-27-2, shall be assessed a fee of Three Hundred Dollars (\$300) (“the Additional Fee”), in addition to the standard fee imposed for said permit pursuant to Hamilton County Code 36-9-27-2.
2. Payment of the Additional Fee and the standard permit fee shall be made within thirty (30) days of written notice to the landowner, lessee, or developer.
3. In the event landowner, lessee, or developer fails to apply for a permit, pay the standard permit fee, and pay the Additional Fee within thirty (30) days of the date of the Surveyor’s Office mailing written notice of a violation, the landowner, lessee, or developer responsible for the Permitted Activity, shall be guilty of an infraction, and may be fined up to Two Thousand Five Hundred Dollars (\$2,500) by a Court of competent jurisdiction.
4. For purposes of this Ordinance, each and every day of a violation after the thirty (30) day notice to the landowner, lessee, or developer shall be deemed a separate offense.
5. The Hamilton County Drainage Board, may, upon the showing of extreme hardship, waive all or part of the Additional Fee imposed herein

6. This Ordinance shall be in full force and effect on April 1, 2010.
7. The provisions of this Ordinance shall be codified at 36-9-27-18.


ALL OF WHICH IS ORDAINED by the Board of Commissioners of Hamilton County this 8th day of February, 2010.

BOARD OF COMMISSIONERS OF
HAMILTON COUNTY

Steven C. Dillinger, President



Steven A. Holt



Christine Altman

ATTEST:



Dawn Coverdale, Auditor