Lake County Council

April 11, 2023
Regular Meeting – 10:00 AM
Agenda

2293 N. Main St.
Commissioners Court Room/Council Chambers, 3rd Floor, Building A
Crown Point, IN 46307

1: Opening

Moment of Reflection
Pledge of Allegiance
Roll Call of County Council Members — County Council Secretary – Auditor's Office

2: Minutes

March 14, 2023 — Regular Meeting

3: Awards/Resolutions

A. Honoring Crown Point High School Senior Sam Goin, IHSAA State Wrestling Champion – 160 Pound Weight Division. (NIEMEYER, BILSKI & LINDEMULDER)

B. Honoring Crown Point High School Senior Cody Goodwin, IHSAA State Wrestling Champion – 170 Pound Weight Division. (NIEMEYER, BILSKI & LINDEMULDER)

C. Honoring Crown Point High School Senior Orlando Cruz, IHSAA State Wrestling Champion – 182 Pound Weight Division. (NIEMEYER, BILSKI & LINDEMULDER)

D. Honoring Crown Point High School Junior Will Clark, IHSAA State Wrestling Champion – 220 Pound Weight Division. (NIEMEYER, BILSKI & LINDEMULDER)

E. Honoring Crown Point High School Boys Wrestling Team-IHSAA State Wrestling Champions. (NIEMEYER, BILSKI & LINDEMULDER)

F. Honoring Youth Wrestling Champions Indiana State Wrestling Association (ISWA) Folkstyle Tournament. (NIEMEYER, BILSKI, LINDEMULDER, BROWN & LAY)

G. Recognizing May as Lyme Disease Awareness Month.

4: Acknowledgments

5: Calumet Township Assessor – 2002 (HAMM)

A. Appropriation – Reassessment 2015 Fund – 1337 **Deferred March** **Withdrawn**

61100 Overtime	($ 15,000.00)
61190 Part-Time	($ 30,000.00)
62110 Office Supplies	($ 9,000.00)
62230 Clothing	($ 2,134.00)
63190 Other Professional Service	$ 455,000.00
Total:	**$ 398,866.00**

B. Ordinance

Amending the Lake County 2023 Salary Ordinance No. 1476F, Reorganization Positions in the Calumet Township Assessor's Office (County General Fund – 1001).
Deferred March **Withdrawn**

6: IV-D Court – 4007 (HAMM)

Create New Line Item – Child Support IV-D/FSSA Fund – 8297

63995 Other Services & Charges

Appropriation – Child Support IV-D/FSSA Fund – 8297

63995 Other Services & Charges	$ 2,000.00
64420 Office Machines	$ 2,000.00
64490 Other Equipment	$ 2,000.00
Total:	**$ 6,000.00**

7: Juvenile Court/C.A.S.A. – 4006 (HAMM)

Create New Line Item – LC CASA Capacity Building Grant Fund – 9377

62120 Literature, Education, Information & Reference Material

Appropriation – LC CASA Capacity Building Grant Fund – 9377

62120 Literature, Education, Info & Reference Material $ 2,687.00

8: Combined Election & Registration – 5001 (LINDEMULDER)

Rev. 144 – County General Fund – 1001

Effective 03-27-2023	Present	Proposed	Difference
16107-001 Election Clerk I/GIS/CFA	$ 41,305.00	$ 0.00	($ 41,305.00)
16106-Xxx Election Clerk I/CFA	$ 0.00	$ 40,158.00	$ 40,158.00
16131-002 Registration Clerk II	$ 36,715.00	$ 0.00	($ 36,715.00)
161Xx-Xxx Registration Clerk II/GIS	$ 0.00	$ 37,862.00	$ 37,862.00
Totals:	**$ 78,020.00**	**$ 78,020.00**	**$ 0.00**

9: Cooperative Extension Service – 5002 (LINDEMULDER)

Resolution

Permitting the Purdue Lake County Extension to Pay an Outstanding 2022 Invoice/Debt in the Amount of $320.00 from the 2023 Budget.

10: County Highway – 7002 (NIEMEYER)

A. Ordinance

Amending the Lake County 2023 Salary Ordinance No. 1476F, Reorganizing Positions in the Lake County Highway Department (County General Fund – 1001).

B. Appropriation – County Highway Fund – 1102

62110 Office Supplies	$ 3,500.00
63120 Medical & Hospital Services	$ 5,000.00
63190 Other Professional Service	$ 55,000.00
63240 Telephone	$ 10,000.00
63610 Building & Structures	$ 50,000.00
Total:	**$ 123,500.00**

11: Highway Fund – 7003 (NIEMEYER)

Appropriation – County Highway Fund – 1102

63640 Local Roads & Streets Projects	$ 250,000.00
64500 Construction & Reconstruction	$1,600,000.00
Total:	**$1,850,000.00**

12: Gen Undistributed Motor Expense – 7004 (NIEMEYER)

Appropriation – County Highway Fund – 1102

62220 Garage & Motors	$ 110,000.00
62310 Equipment Repair Parts	$ 120,000.00
63620 Equipment Repair	$ 100,000.00
63715 Equipment Lease	$1,500,000.00
63720 Laundry & Cleaning	$ 10,000.00
Total:	**$1,840,000.00**

13: Motor Vehicle – 7005 (NIEMEYER)

Rev. 144 – County Highway Fund – 1102

	Present	Proposed	Difference
11220-001 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11220-002 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11220-003 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11719-001 Bridge Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
Totals:	**$252,256.00**	**$264,000.00**	**$ 11,744.00**

Appropriation – County Highway Fund – 1102

61110 Official & Administrators	$ 11,750.00

14: Day Reporting/Electronic Monitoring – 9102 (LINDEMULDER)

Resolution

Permitting the Lake County Community Corrections to Pay an Outstanding 2022 Invoice/Debt in the Amount of $13,068.85 from the 2023 Budget.

15: Hobart Township Assessor – 2004 (HAMM)

Appropriation – Reassessment 2015 Fund – 1337

63190 Other Professional Service	$ 196,549.00

16: Recorder – 1004 (CID)

Rev. 144 – Co. Recorder's Perpetuation Fund – 1179

Effective 04-03-2023	Present	Proposed	Difference
39002-001 Supplemental Pay - NGenFnd	$ 8,791.00	$ 6,381.00	($ 2,410.00)
39002-002 Supplemental Pay - NGenFnd	$ 16,413.00	$ 6,353.00	($ 10,060.00)
Totals:	**$ 25,204.00**	**$ 12,734.00**	**($ 12,470.00)**

17: Emergency Management – 9304 (BROWN)

Appropriation – County General Fund – 1001

62110 Office Supplies		$ 2,396.00
62210 Petroleum Products		$ 2,808.00
62220 Garage & Motors		$ 4,580.00
62230 Clothing		$ 5,438.00
62310 Equipment Repair Parts		$ 7,499.00
62410 Other Supplies		$ 13,392.00
63231 Travel – Registration		$ 741.00
63232 Travel – Meals		$ 2,591.00
63233 Travel – Lodging		$ 2,178.00
63234 Travel – Trans/Other		$ 1,999.00
63235 Travel – Mileage		$ 2,546.00
63240 Telephone		$ 1,324.00
63630 Maintenance & Service Contracts		$ 4,099.00
63910 Dues & Subscriptions		$ 1,245.00
63995 Other Services & Charges		$ 1,094.00
	Total:	**$ 53,930.00**

18: Criminal Courts – 3002 (HAMM)

A. Rev. 144 – County General Fund – 1001

Effective 04-24-2023	Present	Proposed	Difference
12428-020 Probation Officer	$ 61,986.00	$ 38,107.00	($ 23,879.00)

B. Rev. 144 – County General Fund – 1001

Retroactive 01-30-2023	Present	Proposed	Difference
12428-017 Probation Officer	$ 63,724.00	$ 70,094.00	$ 6,370.00

19: Sheriff – 8001 (CID)

Create New Line Item – LC Sheriff's Homeland Security 2022 Port Security Grant Fund – 8447

64490 Other Equipment

Appropriation – LC Sheriff's Homeland Security 2022 Port Security Grant Fund – 8447

64490 Other Equipment	$ 777,557.00

20: JAG 2022 Grant – 8011 (CID)

Create New Line Items – Justice Assistance Grant Fund – 8262

61100 Overtime
62410 Other Supplies
63236 Travel – Training
63995 Other Services & Charges
64490 Other Equipment

Appropriation – Justice Assistance Grant Fund – 8262

61100 Overtime	$ 5,000.00
62410 Other Supplies	$ 6,194.00
63236 Travel – Training	$ 13,120.00
63995 Other Services & Charges	$ 14,514.00
64490 Other Equipment	$ 55,494.00
Total:	**$ 94,322.00**

21: Criminal Div. Public Defender – 9002 (CID)

Appropriation – Supplemental Public Defender Fund – 1405

64420 Office Machines	$ 15,000.00

22: Lake Sup. Ct. County Div. Rm. 2 – 4003 (HAMM)

A. Ordinance

Amending the Lake County Part-Time Employees Pay Rate Ordinance for 2023, Ordinance No. 1478C.

B. Transfer – County General Fund – 1001

From:	61120 Professionals	$ 28,500.00	
To:	63190 Other Professional Service		$ 28,500.00

23: Lake County Commissioners – 6002 (BILSKI)

A. Grant Application & Grant Approval – Grant Oversight Committee

US Treasury – American Rescue Plan Act – Local and Tribal Consistency Fund (ARP-LATCF) Grant Application.

B. Ordinance

Establishing the Commissioners' American Rescue Plan Act – Local and Tribal Consistency Fund Grant Fund, a Non-Reverting Fund.

24: Auditor – 1002 (HAMM)

Resolution

Permitting the Lake County Auditor to Pay an Outstanding 2022 Invoice/Debt in the amount of $11,965.00 from the 2023 Budget.

25: Planning Commission – 5004 (LINDEMULDER)

Ordinance

Adopting the Lake County Plan Commission's Unified Development Ordinance, Ordinance No. 2560 and Repealing and Rescinding the Unincorporated Lake County Zoning Ordinance and Lake County Subdivision Ordinance Regulations No. 1670.
Effective October 1, 2023

26: Parks & Recreation – 9226 (NIEMEYER)

Ordinance

Approving the action by the Lake County Parks & Recreation Board of Lake County, Indiana to establish the Cumulative Park Building Fund, a Non-Revering Fund, Pursuant to I.C. 36-10-3-21.
2nd Reading

27: County Council – 6001

A. Notice to Taxpayers of Public Hearing on Proposed Additional Appropriations for the Crown Point Community Library. (NIEMEYER)

B. Ordinances

1. Approving an Additional Appropriation by the Crown Point Community Library from its Rainy Day Fund, Fund 201-1006, Pursuant to I.C. 6-1.1-18-5, in the Sum of $223,590.00. (NIEMEYER)

2. Amending Ordinance No. 1430A, the Ordinance Establishing the Procedure to Approve Transfers within Major Budget Classifications or Series during the Calendar Year. (HAMM)

C. Resolution

Of the Lake County Council Opposing Cuts to Social Safety Net Programs Including but Not Limited to Social Security, Medicare or Medicaid. (LAY)

D. Citizen Appointment

County Domestic Violence Fatality Review Team

Protective Service Employee (Shall)

E. Interlocal Governmental Agreement with the City of Crown Point. (NIEMEYER)

Public Comments:

RESOLUTION NO._____

RESOLUTION HONORING CROWN POINT HIGH SCHOOL SENIOR SAM GOIN, IHSAA STATE WRESTLING CHAMPION - 160 POUND WEIGHT DIVISION

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, SAM GOIN, a Crown Point High School Senior, captured the Indiana State Wrestling Championship - 160 Pound Weight Division, on February 18, 2023 at Gainbridge Fieldhouse in Indianapolis, claiming his second consecutive title.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to SAM GOIN for capturing first place in the IHSAA State Wrestling Meet - 160 Pound Weight Division; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to SAM GOIN.

DULY ADOPTED by the Lake County Council, this 11th day of April, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	**CHRISTINE CID**
RANDELL C. NIEMEYER	**CLORIUS L. LAY**
PETE LINDEMULDER	**TED F. BILSKI**

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION HONORING CROWN POINT HIGH SCHOOL SENIOR CODY GOODWIN,
IHSAA STATE WRESTLING CHAMPION - 170 POUND WEIGHT DIVISION

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, CODY GOODWIN, a Crown Point High School Senior, captured the Indiana State Wrestling Championship - 170 Pound Weight Division, on February 18, 2023 at Gainbridge Fieldhouse in Indianapolis.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to CODY GOODWIN for capturing first place in the IHSAA State Wrestling Meet - 170 Pound Weight Division; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to CODY GOODWIN.

DULY ADOPTED by the Lake County Council, this 11th day of April, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	**CHRISTINE CID**
RANDELL C. NIEMEYER	**CLORIUS L. LAY**
PETE LINDEMULDER	**TED F. BILSKI**

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION HONORING CROWN POINT HIGH SCHOOL SENIOR ORLANDO CRUZ,
IHSAA STATE WRESTLING CHAMPION - 182 POUND WEIGHT DIVISION

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, ORLANDO CRUZ, a Crown Point High School Senior, captured the Indiana State Wrestling Championship - 182 Pound Weight Division, on February 18, 2023 at Gainbridge Fieldhouse in Indianapolis.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to ORLANDO CRUZ for capturing first place in the IHSAA State Wrestling Meet - 182 Pound Weight Division; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to ORLANDO CRUZ.

DULY ADOPTED by the Lake County Council, this 11th day of April, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	**CHRISTINE CID**
_____	_____
RANDELL C. NIEMEYER	**CLORIUS L. LAY**
_____	_____
PETE LINDEMULDER	**TED F. BILSKI**

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION HONORING CROWN POINT HIGH SCHOOL JUNIOR WILL CLARK,
IHSAA STATE WRESTLING CHAMPION - 220 POUND WEIGHT DIVISION

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, WILL CLARK, a Crown Point High School Junior, captured the Indiana State Wrestling Championship - 220 Pound Weight Division, on February 18, 2023 at Gainbridge Fieldhouse in Indianapolis.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to WILL CLARK for capturing first place in the IHSAA State Wrestling Meet - 220 Pound Weight Division; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to WILL CLARK.

DULY ADOPTED by the Lake County Council, this 11th day of April, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	**CHRISTINE CID**
RANDELL C. NIEMEYER	**CLORIUS L. LAY**
PETE LINDEMULDER	**TED F. BILSKI**

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION HONORING CROWN POINT HIGH SCHOOL
BOYS WRESTLING TEAM-IHSAA STATE WRESTLING CHAMPIONS

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, Crown Point High School Boys Wrestling Team captured the IHSAA Wrestling Championship at Gainbridge Fieldhouse in Indianapolis on February 18, 2023, winning the State title for a second year in a row, and the School's third State title, the first coming in 2009.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the students, teachers, coaches and trainers but most particularly to the young men of the Crown Point High School Boys Wrestling Team, the IHSAA Wrestling State Champions and champions always for Lake County; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to the Crown Point High School Boys Wrestling Team.

DATED THIS 11th day of April, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	**CHRISTINE CID**
_____	_____
RANDELL C. NIEMEYER	**CLORIUS L. LAY**
_____	_____
PETE LINDEMULDER	**TED F. BILSKI**

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION HONORING YOUTH WRESTLER CHAMPIONS
INDIANA STATE WRESTLING ASSOCIATION FOLKSTYLE TOURNAMENT

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, the following youth wrestlers captured first place at the Indiana State Wrestling Association Folkstyle Tournament in Indianapolis on March 11-12, 2023:

Parker Stanisz	Bulldog Premier Wrestling Club	10u - 67 lbs.
Jack Besse	Bulldog Premier Wrestling Club	8u - 45 lbs.
Evan Stanley	Lowell Wrestling Club	16u - 132 lbs.
Carson Planer	Region Wrestling Academy	12u - 92 lbs.
Anthony Quiroz	Region Wrestling Academy	8u - 62 lbs.
Austin Reading	Bulldog Premier Wrestling Club	16u - 195 lbs.
Gavin Lewis	Peacock Wrestling Club LLC	16u - 120 lbs.
Landon Hawkins	Bulldog Premier Wrestling Club	USA Junior - 138 lbs.
Sontonio Sessa	Bulldog Premier Wrestling Club	16u - 126 lbs.
Teigan Newell	Bulldog Premier Wrestling Club	16u - 113 lbs.
Ceasar Salas	Merrillville Pirates Wrestling Club	14u - 187 lbs.
Anthony Rinehart	Bulldog Premier Wrestling Club	USA Junior - 170 lbs.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to Parker Stanisz, Jack Besse, Evan Stanley, Carson Planer, Anthony Quiroz, Austin Reading, Gavin Lewis, Landon Hawkins, Sontonio Sessa, Teigan Newell, Ceasar Salas and Anthony Rinehart for capturing first place in the Indiana State Wrestling Association Folkstyle Tournament; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to each wrestler.

DULY ADOPTED by the Lake County Council, this 11th day of April, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION RECOGNIZING MAY
AS LYME DISEASE AWARENESS MONTH

WHEREAS, Lyme disease is a bacterial illness transmitted by the bite of an infected tick, commonly known as the blacklegged or deer tick, which may be no larger than a poppy seed; and

WHEREAS, while people of all ages can get Lyme disease, children who are under the age of 16, adults who are 40 years of age or older and individuals who spend time outdoors in tick-infested environments, especially during the warmer months of May to August, appear to be at greater risk; and

WHEREAS, the early stages of Lyme disease can appear within 3 to 30 days after a tick bite and may include a red bull's eye rash, fatigue, chills, fever, headache, stiff neck, muscle or joint pain, or swollen lymph nodes; and

WHEREAS, the later stages of Lyme disease, which may include arthritis, neurologic complications, an irregular heart rhythm, or memory impairment, may not appear until weeks or years after a tick bite; and

WHEREAS, diagnosing Lyme disease is difficult because the signs and symptoms commonly mimic other illnesses and the tests used to diagnose Lyme disease can result in both false negatives and false positives; and

WHEREAS, the best ways to prevent Lyme disease are tick avoidance, personal protection, checking skin for ticks and properly removing them, learning the early signs of tick-borne illnesses, consulting your doctor after tick bites, and controlling ticks in residential yards.

NOW, THEREFORE, LET IT BE RESOLVED:

That the Lake County Council does hereby recognize May as Lyme Disease Awareness Month and, be it further resolved that the Lake County Council calls upon all residents to learn about the importance of tick avoidance and personal protection, tick detection and removal, the signs and symptoms of tick-borne illnesses, and the need for prompt diagnosis and treatment of Lyme disease.

SO RESOLVED THIS 11th DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

Deferred March 5.A

Withdrawn

Office of the Calumet Township Assessor

Cozey E. Weatherspoon, Jr.

April 4, 2023

Lake County Council

2293 N Main Street

Crown Point, IN 46307

Dear Council:

The Calumet Township Assessor would like to rescind the request to be on the agenda for the April 11, 2023 Lake County Council meeting.

If further information is needed, please contact our office.

Cozey Weatherspoon Jr.

Calumet Township Assessor

501 EAST 5TH AVENUE ~ GARY, INDIANA 46402
OFFICE (219) 885-0555 ~ FAX (219) 881-2625
Email: weathce@lakecountyin.org

Cozey Weatherspoon
Calumet Township Assessor

Phone (219) 885-0555
Fax (219) 881-2625

Revision

March 17, 2023

Mr. Charlie Brown
President
Lake County Council
2293 North Main Street
Crown Point, Indiana 46307

okg

Mr. Brown:

I would like to reduce appropriations for the 1337 Reassessment Fund in the amount of $56,134.00. In addition, we are requesting additional funding in the amount of $455,000.00. I have attached the Budget Revision Request Form #3. If you have any questions or concerns, please don't hesitate to contact me.

Respectfully,

Cozey Weatherspoon/gt

Cozey Weatherspoon
Assessor

Attachment:

LAKE COUNTY AUDITOR

2023 MAR 17 PM 4:20

RECEIVED

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
			Total:	$0.00

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Calumet Township Assessor 2007 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	1337 - 61100 Overtime	($15,000.00)
2.	1337 - 61190 Part Time	($30,000.00)
3.	1337 - 62110 Office Supplies	($9,000.00)
4.	1337 - 62230 Clothing	($2,134.00)
5.	1337 - 63190 Other Professional Service	$455,000.00
6.		
	Total:	$398,866.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County _____ as follows along with evidence of the obligation for which the encumbrance shall be used. Copy to the Lake County council.
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

Calumet Township Assessor
Name of Department

Signature & Date March 13, 2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Budget Analysis Report

* Year 2023 * Fund 1337 Reassessment 2015 * Department 2002 Calumet Twp. Assessor Account All Apply

Budget_Balance_Report_2...

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1337-2002-61100	Reassessment 2015-Calumet Twp. Assessor-Overtime		15,000.00	0.00	0.00	0.00	0.00	15,000.00
1337-2002-61190	Reassessment 2015-Calumet Twp. Assessor-Part\-Time		161,000.00	0.00	0.00	13,536.00	13,536.00	147,464.00
1337-2002-61251	Reassessment 2015-Calumet Twp. Assessor-Assessor Per Diem		12,350.00	0.00	0.00	0.00	0.00	12,350.00
1337-2002-61280	Reassessment 2015-Calumet Twp. Assessor-Seasonal Employees		0.00	0.00	0.00	0.00	0.00	0.00
1337-2002-61320	Reassessment 2015-Calumet Twp. Assessor-FICA \- Deduction		12,369.00	0.00	0.00	1,035.50	1,035.50	11,333.50
1337-2002-61330	Reassessment 2015-Calumet Twp. Assessor-PERF \- Deduction		2,960.00	0.00	0.00	0.00	0.00	2,960.00
1337-2002-61360	Reassessment 2015-Calumet Twp. Assessor-Workman's Comp \- Ded		5,400.00	0.00	0.00	400.00	400.00	5,000.00
1337-2002-62110	Reassessment 2015-Calumet Twp. Assessor-Office Supplies		15,500.00	0.00	0.00	1,937.81	1,937.81	13,562.19
1337-2002-62230	Reassessment 2015-Calumet Twp. Assessor-Clothing		2,134.00	0.00	0.00	0.00	0.00	2,134.00
1337-2002-63188	Reassessment 2015-Calumet Twp. Assessor-Employment Testing		1.00	0.00	0.00	0.00	0.00	1.00
1337-2002-63190	Reassessment 2015-Calumet Twp. Assessor-Other Professional Servic		22,509.00	0.00	2,990.00	0.00	2,990.00	19,519.00
1337-2002-63232	Reassessment 2015-Calumet Twp. Assessor-Travel \- Meals		1,538.70	0.00	0.00	0.00	0.00	1,538.70
1337-2002-63233	Reassessment 2015-Calumet Twp. Assessor-Travel \- Lodging		1.00	0.00	0.00	0.00	0.00	1.00
1337-2002-63235	Reassessment 2015-Calumet Twp. Assessor-Travel \- Mileage		12,338.00	0.00	0.00	1,342.67	1,342.67	10,995.33
1337-2002-64420	Reassessment 2015-Calumet		3,207.00	0.00	0.00	0.00	0.00	3,207.00

Deferred March 5.B

Withdrawn

Office of the Calumet Township Assessor

Cozey E. Weatherspoon, Jr.

April 4, 2023

Lake County Council

2293 N Main Street

Crown Point, IN 46307

Dear Council:

The Calumet Township Assessor would like to rescind the request to be on the agenda for the April 11, 2023 Lake County Council meeting.

If further information is needed, please contact our office.

Cozey Weatherspoon Jr.

Calumet Township Assessor

501 EAST 5TH AVENUE ~ GARY, INDIANA 46402
OFFICE (219) 885-0555 ~ FAX (219) 881-2625
Email: weathce@lakecountyin.org

ORDINANCE NO._____

ORDINANCE AMENDING THE LAKE COUNTY
2023 SALARY ORDINANCE, ORDINANCE NO. 1476F,
REORGANIZING POSITIONS IN THE
CALUMET TOWNSHIP ASSESSOR'S OFFICE (1001-2002)

WHEREAS, on October 11, 2022, the Lake County Council adopted the Lake County 2023 Salary Ordinance, Ordinance No. 1476F; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1476F to establish a revised Form No. 144 to reorganize positions in the Calumet Township Assessor's Office (1001-2002), effective upon adoption.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That it be ordained by the Lake County Council that the attached Form No. 144, Exhibit "A", reorganizing positions in the Calumet Township Assessor's Office (1001-2002), is hereby approved, effective upon adoption.

SO ORDAINED THIS_____DAY OF_____, 2023.

_____
CHARLIE BROWN - President

_____ _____
DAVID HAMM CHRISTINE CID

_____ _____
RANDELL C. NIEMEYER CLORIUS L. LAY

_____ _____
PETE LINDEMULDER TED F. BILSKI

Members of the Lake County Council

Office of the Calumet Township Assessor

Cozey E. Weatherspoon, Jr.

Revision

March 13, 2023

Dear County Council:

We are requesting a restructure within our current budget 1001-2002

Please eliminate the following job code /position 13251-001 Commercial Supervisor

13062-004 Assessment Specialist

13011-003 Assessment Coordinator

13153-003 Deputy

13153-008 Deputy

Job Code	Position #	Fund	Description	Salary
13xxx	001	1001-61130	Office Manager	$ 50,686.00
11101	001	1001- 61110	Chief Deputy	$ 61,064.00
13011	005	1001-61130	Assessment Coordinator	$ 45,982.00
13062	008	1001-61130	Assessment Specialist	$ 45,982.00

We are not asking for additional funding we want to reallocate in our current budget.

If further information is needed, please contact our office.

Lynn Carter – Chief Finance Officer
Level III Indiana Certified Assessor-Appraiser
Calumet Township Assessor's Office
501 East 5th Avenue
Gary, Indiana 46402
☎ (219)885-0555 Ext. 152
✉carteln@lakecountyin.org

LAKE COUNTY AUDITOR
2023 MAR 16 AM 11:31
RECEIVED

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

CALUMET TOWNSHIP ASSESSOR 1001 GENERAL FUND , LAKE County, Indiana

(Name of Office, Department, Board Agency)

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023 (Calendar Year)

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification

JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
COMMERCIAL SUPERVISOR 13251-001	$50,686.00	$0.00	($50,686.00)
OFFICE MANAGER 13xxx-001	$0.00	$50,686.00	$50,686.00
CHIEF DEPUTY 200211101001	$56,423.00	$61,064.00	$4,641.00
ASSESSMENT SPECIALIST 13062-008	$44,420.00	$0.00	($44,420.00)
ASSESSMMENT COORDINATOR 13011-005	$0.00	$45,982.00	$45,982.00
ASSESSMENT COORDINATOR 13011-003	$45,982.00	$0.00	($45,982.00)
ASSESSMENT SPECIALIST 13062-008	$0.00	$45,982.00	$45,982.00
DEPUTY 13153-003	$41,212.00	$0.00	($41,212.00)
DEPUTY 13153-008	$41,212.00	$0.00	($41,212.00)
Total(s):	$279,935.00	$203,714.00	($76,221.00)

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification	Amount	Rate of Pay*	Hour, day, week, month, etc.
		Per	
		Per	
		Per	
		Per	
		Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: (Signature)

Date March 13, 2023

Calumet Township Assessor (Title)

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Exhibit "A"

Payroll Budget

Entity: 2002.Calumet Twp. Assessor
Fund: 1001.County General

				Baseline	Department Request	Custom Version	Working Budget	Council Approved
20023900202.Supplemental Pay -NGenFnd 1710	24306 [redacted]	No_Unioncode	61130.Technicians	2,530.944	2,530.94		2,530.94	2,530.94
20023900201.Supplemental Pay -NGenFnd 1710	17456 [redacted]	No_Unioncode	61130.Technicians	2,530.94	2,530.94		2,530.94	2,530.94
20021662201.Chief Clerk	06254 [redacted]	No_Unioncode	61160.Office & Clerical	50,039.81	50,039.81		50,039.81	50,039.81
20021325101.Commercial Supervisor	04829 [redacted]	No_Unioncode	61130.Technicians	50,685.86	50,685.86		50,685.86	50,685.86
20021315301.Deputy	19689 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315301.Deputy	24658 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315300.Deputy	09463 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315300.Deputy	24306 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315300.Deputy	20355 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315300.Deputy	17456 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021315300.Deputy	24913 [redacted]	No_Unioncode	61130.Technicians	41,211.87	41,211.87		41,211.87	41,211.87
20021306200.Assessment Specialist	18528 [redacted]	No_Unioncode	61130.Technicians	44,419.86	44,419.86		44,419.86	44,419.86
20021110100.Chief Deputy	No_Employee	No_Unioncode	61110.Official & Administrators	56,423	56,423		56,423	56,423
20013900202.Supplemental Pay -NGenFnd 1710	19768 [redacted]	No_Unioncode	61130.Technicians	1,590.99	1,590.99		1,590.99	1,590.99
20021301100.Assessment Coordinator	21642 [redacted]	No_Unioncode	61130.Technicians	47,270.91	47,270.91		47,270.91	47,270.91
20021301100.Assessment Coordinator	No_Employee	No_Unioncode	61130.Technicians	45,982	45,982		45,982	45,982
20021301100.Assessment Coordinator	19490 [redacted]	No_Unioncode	61130.Technicians	45,981.94	45,981.94		45,981.94	45,981.94
20021301100.Assessment Coordinator	19450 [redacted]	No_Unioncode	61130.Technicians	45,981.94	45,981.94		45,981.94	45,981.94
20021306200.Assessment Specialist	19086 [redacted]	No_Unioncode	61130.Technicians	44,419.86	44,419.86		44,419.86	44,419.86
20021306200.Assessment Specialist	17542 [redacted]	No_Unioncode	61130.Technicians	44,419.86	44,419.86		44,419.86	44,419.86
			Total	[redacted]	[redacted]		[redacted]	[redacted]

Superior Court of Lake County

JUVENILE DIVISION

Judge Thomas P. Stefaniak, Jr.

LAKE COUNTY JUVENILE JUSTICE COMPLEX
3000 WEST 93RD AVENUE
CROWN POINT, IN 46307

PHONE: 219-660-6900
FAX: 219-736-6209

February 22, 2023

Lake County Council
2293 North Main Street
Crown Point, IN 46307

ATTN: Ted Bilski, President and Council Members

We respectfully request to be added to the April 2023 agenda. We are requesting your consideration and approval to create line items and appropriate additional funds in our IV-D Court Incentive Fund (8297-4007).

Create Line Item/Appropriate Funds:

8297-4007-63995	Other Services & Charges	$2,000.00

Appropriate Funds:

8297-4007-64420	Office Machines	$2,000.00
8297-4007-64490	Other Equipment	$2,000.00

If you have any questions, please feel free to contact me.

Sincerely,

Timothy Gericke/las

Timothy Gericke, Chief Deputy
Lake County Superior Court, Juvenile Division
219-660-6950

TG/las
Enclosure: Form 3

LAKE COUNTY AUDITOR
2023 FEB 22 PM 2:40
RECEIVED

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
		$ -		$ -

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County IV-D Court - 4007 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	8297-4007-63995 - Other Services & Charges CNL	$ 2,000.00
2.	8297-4007-64420 - Office Machines	$ 2,000.00
3.	8297-4007-64490 - Other Equipment	$ 2,000.00
4.		
5.		
6.		
		6,000.00

OK

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County _____ as follows along with evidence of the obligation for which the encumbrance shall be used.
Dept. Name & No. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

4007 - IV-D Court
Name of Department

Signature & Date 2-22-23 Chief Deputy

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

* Ledger LakeCounty US
* From Year 2023 * To Year 2023
* From Period Jan-22 * To Period Dec-22
* From Fund 8297 Child Support IV-D/FSS
* From Department All Apply

Dept Summary Fund Summary Fund YTD AC473 Detailed

Profit and Loss Statement

AC473 Date: 03/03/2023 JOB SUBMISSION PARAMETERS
Time: 09:28

Username: johnsim@lakecountyi n.org
Job Name: AC473

Activity

Activity List: 9999 to Department Activity, 8297 to Funds

Report Options

Ledger: LakeCounty US
Year: 2023 to 2023
Period: Jan-23 to Dec-23

Processing AC473 - Activity Profit and Loss Statement

Fund	Description	Life to Date as of 1/1/2022	Total Revenue	Total Expenses	Balance
8297	Child Support IV-D/FSSA	259,566.96	40,172.00	-12,052.22	287,686.74

* Year 2023 * Fund 8297 Child Support IV-D/FSS * Department 4007 IV-D Court Account All Apply

Budget_Balance_Report_2...

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
8297-4007-61160	Child Support IV\-D/FSSA-IV\-D Court-Office & Clerical		38,521.00	0.00	0.00	5,532.91	5,532.91	32,988.09
8297-4007-61190	Child Support IV\-D/FSSA-IV\-D Court-Part\-Time		20,000.00	0.00	0.00	0.00	0.00	20,000.00
8297-4007-61290	Child Support IV\-D/FSSA-IV\-D Court-Supplemental Pay		5,000.00	0.00	0.00	769.20	769.20	4,230.80
8297-4007-61320	Child Support IV\-D/FSSA-IV\-D Court-FICA \- Deduction		3,329.00	0.00	0.00	495.77	495.77	2,833.23
8297-4007-61330	Child Support IV\-D/FSSA-IV\-D Court-PERF \- Deduction		6,180.00	0.00	0.00	850.84	850.84	5,329.16
8297-4007-61340	Child Support IV\-D/FSSA-IV\-D Court-Group Insurance \- Deductio		48,100.00	0.00	0.00	4,020.28	4,020.28	44,079.72
8297-4007-61360	Child Support IV\-D/FSSA-IV\-D Court-Workman's Comp \- Ded		1,300.00	0.00	0.00	86.92	86.92	1,213.08
8297-4007-63231	Child Support IV\-D/FSSA-IV\-D Court-Travel \- Registration		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-63232	Child Support IV\-D/FSSA-IV\-D Court-Travel \- Meals		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-63233	Child Support IV\-D/FSSA-IV\-D Court-Travel \- Lodging		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-63234	Child Support IV\-D/FSSA-IV\-D Court-Travel \- Trans/Other		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-63235	Child Support IV\-D/FSSA-IV\-D Court-Travel \- Mileage		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-63240	Child Support IV\-D/FSSA-IV\-D Court-Telephone		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-64410	Child Support IV\-D/FSSA-IV\-D Court-Furniture & Fixtures		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-64420	Child Support IV\-D/FSSA-IV\-D Court-Office Machines		1.00	0.00	0.00	0.00	0.00	1.00
8297-4007-64490	Child Support IV\-D/FSSA-IV\-D Court-Other Equipment		1.00	0.00	0.00	0.00	0.00	1.00

Detail Expenses

CASA
Court Appointed Special Advocates
FOR CHILDREN
LAKE COUNTY, INDIANA

March 20, 2023

Lake County Council
2293 N. Main Street
Crown Point, IN 46307

Re: New Line Item Creation
Fund Appropriation
Capacity Building Grant #9377

Dear Council Members:

We respectfully request to be added to the April 2023 Agenda. We ask for an appropriation in the amount of $2,687.00 to a new line item, "Literature, Education, Information and Reference Material," #62120, to our Capacity Building Grant Fund #9377.

Thank you for your consideration.

Sincerely,

Joann M. Price
CASA Director

LAKE COUNTY AUDITOR
2023 MAR 21 AM 9:16
RECEIVED

LAKE COUNTY JUVENILE JUSTICE COMPLEX
3000 West 93rd Avenue • Crown Point, IN 46307 • (219) 738-CASA (2272) • fax (219) 769-7325

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
			Total:	$0.00

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Lake County CASA Department #4006 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	6177, Legislative, Education, Information, and Reference Material CNR 62120	$2,687.00
2.		
3.		
4.		
5.		
6.		
	Total:	$2,687.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County _____ as follows along with evidence of the obligation for which the encumbrance shall be used. Copy to the Lake County council.
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

Lake County CASA Department
Name of Department

Signature & Date 3/20/23

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Budget Analysis Report

* Year 2023 * Fund 9377 LC CASA Capacity Buil * Department 4006 Juvenile Court/C.A.S.A. Account All

Budget_Balance_Report_2...

		(Carried over as of 01/01)	(Prior Year Encumbrance + CY Budget)	Commitments	Obligations	Expenditure		
9377-4006-61120	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Professionals		4.00	0.00	0.00	0.00	0.00	4.00
9377-4006-61130	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Technicians		1.00	0.00	0.00	0.00	0.00	1.00
9377-4006-61190	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Part\-Time		60,114.00	0.00	0.00	16,760.74	16,760.74	43,353.26
9377-4006-61235	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Juvenile Per Diem		1.00	0.00	0.00	0.00	0.00	1.00
9377-4006-61290	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Supplemental Pay		18,800.00	0.00	0.00	3,569.05	3,569.05	15,230.95
9377-4006-61320	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-FICA \-Deduction		4,933.00	0.00	0.00	1,524.91	1,524.91	3,408.09
9377-4006-61330	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-PERF \-Deduction		5,490.00	0.00	0.00	101.35	101.35	5,388.65
9377-4006-61340	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Group Insurance \-Deductio		1.00	0.00	0.00	2,143.96	2,143.96	-2,142.96
9377-4006-61360	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Workman's Comp \- Ded		1,570.00	0.00	0.00	646.52	646.52	923.48
9377-4006-62110	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Office Supplies		3,000.00	0.00	0.00	59.06	59.06	2,940.94
9377-4006-63235	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Travel \- Mileage		3,000.00	0.00	0.00	1,614.58	1,614.58	1,385.42
9377-4006-63320	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Advertising		4,820.00	0.00	0.00	0.00	0.00	4,820.00
9377-4006-63920	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Food & Lodging		3,823.06	0.00	0.00	877.81	877.81	2,945.25
9377-4006-63995	LC CASA Capacity Building-Juvenile Court/C.A.S.A.-Other Services & Charges		2,574.70	0.00	0.00	975.70	975.70	1,599.00
9377-4006-64420	LC CASA Capacity Building-		3,000.00	0.00	0.00	0.00	0.00	3,000.00

Fund Report (AC473)

Ledger LakeCounty US

From Period Jan-23 To Period Mar-23

Fund 9377 LC CASA Capacity Buil

Department All Apply

AC473

AC473 Date: 03/21/2023
Time: 09:14

Parameters **Period:** Jan-23 To Mar-23
Fund: 9377
Department: 9999

Acct Cat	Description	Revenue	Cost	Profit/Loss	Pct of Revenue
Activity	9377-4006 LC CASA Capacity Building Grt- Juvenile Court/C.A.S.A.	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42270	Grant Income-Other	56010.00	0.00		
61190	Part-Time	0.00	-6753.61		
61190	Part-Time	0.00	-10007.13		
61290	Supplemental Pay	0.00	-3569.05		
61320	FICA - Deduction	0.00	-759.36		
61320	FICA - Deduction	0.00	-765.55		
61330	PERF - Deduction	0.00	-101.35		
61340	Group Insurance -Deduction	0.00	-2143.96		
61360	Workman's Comp - Ded	0.00	-286.52		
61360	Workman's Comp - Ded	0.00	-360.00		
Fund Total	9377	**56010.00**	**-24746.53**	**80756.53**	**-144.18**

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
9377	LC CASA Capacity Building Grt	44,640.05	56,010.00	-24,746.53	75,903.52
				Total	75,903.52

LAKE COUNTY BOARD OF ELECTIONS AND REGISTRATION

3/3/2023

Charlie Brown, President
Lake County Council Members
2293 N. Main St.
Crown Point, IN 46307

Fr: Lake County Board of Elections and Registration

Re: Two Employee Title Change /County Form 144

04

President Brown,

The Lake County Board of Elections and Registration respectfully requests to change of two job titles for our employees which will include an adjustment to the salaries starting on 3/27/2023 retroactively. I have attached a County Form 144 for your review and consideration. No additional monies for this year will be needed for the new job description change.

If you have any questions, please feel free to give me a call.

Sincerely,

Michelle R. Fajman

RECEIVED
2023 MAR -7 AM 9:55
LAKE COUNTY AUDITOR

Government Center • 2293 North Main Street • Crown Point, IN 46307-1854
Phone (219) 755-3795 • Fax (219) 755-3801

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

Combined Election & Registration – 5001 (Name of Office, Department, Board Agency), LAKE County, Indiana

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 23 (Calendar Year)

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification

JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
1001-16107-001 Election Clerk I/GIS/CFA	$41,305.00	$0.00	($41,305.00)
1001-16106-Xxx Election Clerk I/CFA	$0.00	$40,158.00	$40,158.00
1001-16131-002 Registration II	$36,715.00	$0.00	($36,715.00)
1001-161Xx-Xxx Registration Clerk II/GIS	$0.00	$37,862.00	$37,862.00
Effective 03-27-2023			
Total(s):	$78,020.00	$78,020.00	

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification	Amount	Rate of Pay*	Hour, day, week, month, etc.
		Per	
		Per	
		Per	
		Per	
		Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: _____ (Signature)

Director (Title)

Date 3/16/2023

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Payroll Budget

Entity: 5001.Combined Elect & Registration
Fund: 1001.County General

				Baseline	Department Request	Custom Version	Working Budget	Council Approved
500118751001.Assistant Chief Mechanic	10695 [redacted]	No_Unioncode	61180.Service/Maintenance	37,862.864	37,862.86		37,882.86	37,862
500118750001.Chief Mechanic	19489 [redacted]	No_Unioncode	61180.Service/Maintenance	37,862.86	37,862.86		37,862.86	37,862
500116698002.Payroll Clerk	22311 [redacted]	No_Unioncode	61160.Office & Clerical	39,583.86	39,583.86		39,583.86	39,583
500116698001.Payroll Clerk	22255 [redacted]	No_Unioncode	61160.Office & Clerical	39,583.86	39,583.86		39,583.86	39,583
500116132002.Registration Clerk III	No_Employee	No_Unioncode	61160.Office & Clerical	34,421	34,421		34,421	34,
500116132001.Registration Clerk III	22975 [redacted]	No_Unioncode	61160.Office & Clerical	34,420.88	34,420.88		34,420.88	34,420
500116131002.Registration Clerk II	07562 [redacted]	No_Unioncode	61160.Office & Clerical	36,714.91	36,714.91		36,714.91	36,714
500116131001.Registration Clerk II	17098 [redacted]	No_Unioncode	61160.Office & Clerical	36,714.91	36,714.91		36,714.91	36,714
500116130002.Registration Clerk I	22810 [redacted]	No_Unioncode	61160.Office & Clerical	39,010.82	39,010.82		39,010.82	39,010
500116130001.Registration Clerk I	14659 [redacted]	No_Unioncode	61160.Office & Clerical	39,010.82	39,010.82		39,010.82	39,010
500116107001.Election Clerk I/GIS/CFA	13985 [redacted]	No_Unioncode	61160.Office & Clerical	41,304.85	41,304.85		41,304.85	41,304
500116106001.Election Clerk I/CFA	23362 [redacted]	No_Unioncode	61160.Office & Clerical	40,157.94	40,157.94		40,157.94	40,157
500116104001.Election Clerk IV	18381 [redacted]	No_Unioncode	61160.Office & Clerical	33,417.90	33,417.90		33,417.90	33,417
500116103002.Election Clerk III	23540 [redacted]	No_Unioncode	61160.Office & Clerical	34,420.88	34,420.88		34,420.88	34,420
500116103001.Election Clerk III	19166 [redacted]	No_Unioncode	61160.Office & Clerical	34,420.88	34,420.88		34,420.88	34,420
500116101001.Election Clerk II	20298 [redacted]	No_Unioncode	61160.Office & Clerical	36,714.91	36,714.91		36,714.91	36,714
500116100001.Election Clerk II/GIS	17530 [redacted]	No_Unioncode	61160.Office & Clerical	37,862.86	37,862.86		37,862.86	37,862

RESOLUTION NO._____

RESOLUTION PERMITTING PURDUE LAKE COUNTY EXTENSION TO PAY AN OUTSTANDING 2022 INVOICE/DEBT FROM THE 2023 BUDGET

WHEREAS, Purdue Lake County Extension is currently operating in the 2023 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2022, has not been paid:

1001-5002-63235	Travel-Mileage
Purdue University	$320.00; and

WHEREAS, Purdue Lake County Extension desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2022 expense shall be paid from the Purdue Lake County Extension's 2023 Budget:

1001-5002-63235	Travel-Mileage
Purdue University	$320.00

SO RESOLVED THIS 11th DAY OF APRIL, 2023.

_____
CHARLIE BROWN, President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

PURDUE UNIVERSITY | Extension - Lake County

March 8, 2023

Lake County Council
2293 North Main Street
Crown Point, IN 46307

RE: Resolution

Dear Lake County Council Members,

This letter serves as our official request to be placed on the next council agenda for the purpose of requesting a resolution to pay 2022 debt with 2023 funds. No additional appropriations or fund transfers are being requested. Funds are available within our current budget.

Vendor	Fund Name	Fund #	Line-Item Name	Line Item #	Invoice Amount
Purdue University	General Fund	#1001	Travel - Mileage	#63235	$320.00
	Dept. Name - Dept. #				
	Cooperative Extension Service - 5002				

Thank you in advance for your consideration,
Respectfully

Rita Gillis
County Extension Director
Purdue Extension, Lake County

PURDUE UNIVERSITY

Accounts Receivable
2550 Northwestern Ave, Suite 1900
West Lafayette, IN 47906-1394

Federal ID: 35-6002041

INVOICE NO: 400135457
Page 1 of 1

Mail Check or Certified Funds to:
Purdue University
24025 Network Place
Chicago, IL 60673-1240

Online Payment Option:
https://purdue.university/onlinepay

Contact us:
Telephone: 765-494-9459
Email: ar@purdue.edu

Lake County Extension
2293 N Main Street
Crown Point IN 46307

Invoice Date:	02/28/2023
Due Date:	03/30/2023
Customer No:	6000432
Amount Due:	$320.00
Purchase Order:	

Line item	Description	Amount
002	L Curley mileage - 512 miles @ 0.625 mile	$320.00
	Total	**$320.00**

Please see reverse side of this notice for important information. Detach and return lower portion with payment.

PURDUE UNIVERSITY	**ACCOUNTS RECEIVABLE INVOICE**	Net Amount Due: $320.00

Customer No: 6000432
Invoice No: 400135457
Due Date: 03/30/2023

Please make check payable to Purdue University. Payable in U.S. funds and drawn on a U.S. bank. Post-dated checks will not be accepted. DO NOT SEND CASH. Please include the Invoice No. on all payments.

☐ Please check this box if your address has changed and update your address on the back of this remittance.

Mail payment to:
Purdue University
24025 Network Place
Chicago, Il 60673-1240

AR000000600043200040013545720230330000003200097

ORDINANCE NO._____

ORDINANCE AMENDING THE LAKE COUNTY
2023 SALARY ORDINANCE, ORDINANCE NO. 1476F,
REORGANIZING POSITIONS IN THE
LAKE COUNTY HIGHWAY DEPARTMENT (1001-7002)

WHEREAS, on October 11, 2022, the Lake County Council adopted the Lake County 2023 Salary Ordinance, Ordinance No. 1476F; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1476F to establish a revised Form No. 144 to reorganize positions in the Lake County Highway Department (1001-7002), effective upon adoption.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That it be ordained by the Lake County Council that the attached Form No. 144, Exhibit "A", reorganizing positions in the Lake County Highway Department (1001-7002), is hereby approved, effective upon adoption.

SO ORDAINED THIS_____DAY OF_____, 2023.

_____
CHARLIE BROWN - President

_____ _____
DAVID HAMM CHRISTINE CID

_____ _____
RANDELL C. NIEMEYER CLORIUS L. LAY

_____ _____
PETE LINDEMULDER TED F. BILSKI

Members of the Lake County Council

Lake County Highway Department

Jan Smoljan
Superintendent

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
219-374-5608
Fax: 219-662-0497

March 10, 2023

Lake County Council
Charlie Brown, President
Christine Cid, Vice President
2293 N. Main Street
Crown Point, Indiana 46307

Re: April County Council Agenda- Highway Restructuring

Dear Mr. President and Madame Vice President,

The Lake County Highway Department respectfully requests, that the Lake County Council add to their April 2023 agenda, the attached forms 144 and form 3, which represent a restructuring of the Highway Department. One assistant supervisor position is being eliminated, within fund 1001-7002. The position has been vacant, since June of 2022 and the remaining staff has been performing additional work since that time. Raises for the remaining workers are covered by the elimination of the supervisor position.

Within fund 1102, Department 7005, we are asking for raises for the Foremen, to keep the gaps in line with our Assistant Supervisors raises. The raise increases the budget by $11,750.00, which is more than covered by the surplus within fund 1102. A form 3 for an additional appropriation is attached.

New job descriptions, for the remaining employees, are attached.

Thank you in advance for your consideration in this matter.

Respectfully submitted,

Jan Smoljan, Superintendent

Cc: Randy Niemeyer, Chairman
T. Barczak, Admin. Ass't/Council office
Larry Blanchard, Council Consultant

LAKE COUNTY AUDITOR
2023 MAR 14 AM 11:49
RECEIVED

Form Prescribed by State Board of Accounts — County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES
PROPOSED TO BE PAID OFFICERS AND EMPLOYEES
CALENDAR YEAR 2023

Highway Department 1001-7002 (If of ...Or... Board Agency), LAKE County, Indiana

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification

JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
11219006 Assistant Supervisor	$ 69,150.00	$ -	$ (69,150.00)
11219007 Assistant Suprvisor	$ 69,150.00	$ 72,150.00	$ 3,000.00
11219005 Assistant Superevisor	$ 69,150.00	$ 72,150.00	$ 3,000.00
11219008 Assistant Superevisor	$ 69,150.00	$ 72,150.00	$ 3,000.00
11709002 Superintendent	$ 110,692.00	$ 121,192.00	$ 10,500.00
11717002 Assistant Superintendent	$ 92,982.00	$ 102,482.00	$ 9,500.00
1253002 Construction Surveyor	$ 61,864.00	$ 64,864.00	$ 3,000.00
12545002 Highway Engineer	$ 120,771.00	$ 126,700.00	$ 5,929.00
12549002 Assistant Engineer	$ 75,000.00	$ 80,000.00	$ 5,000.00
12548004 Engineering Tech	$ 54,935.00	$ 57,935.00	$ 3,000.00
16614001 Finance Manger	$ 55,000.00	$ 60,500.00	$ 5,500.00
16755001 Fleet Service Coordinator	$ 44,408.00	$ 51,200.00	$ 6,792.00
16756001 Personnel specialist	$ 41,378.00	$ 46,400.00	$ 5,022.00
16615002 Engineering Clerk	$ 45,423.00	$ 51,330.00	$ 5,907.00
			$ -
Totals	$ 979,053.00		$ -

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification		Rate of Pay*	
	$	Per	
	$	Per	
	$	Per	
	$	Per	
	$	Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: Jan Smolik, IV
Jan Smolik Jan
SUPERINTENDENT
(Title)

Date March 10 2023

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuing year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Ex. A.

Payroll Budget

Entity: 7002.County Highway
Fund: 1001.County General

				Baseline	Department Request	Custom Version	Working Budget	Council Approved
700218931002.Senior Clerk	01435 [redacted]	No_Unioncode	61160.Office & Clerical	54,999.984	54,999.98		54,999.98	54,999.98
700216675004.Clerk	18532 [redacted]	No_Unioncode	61160.Office & Clerical	41,377.86	41,377.88		41,377.88	41,377.86
700216875003.Clerk	20203 [redacted]	No_Unioncode	61160.Office & Clerical	44,408	44,408		44,408	44,408
700216815002.Engineer Clerk	02428 [redacted]	No_Unioncode	61160.Office & Clerical	45,422.83	45,422.83		45,422.83	45,422.83
700212549002.Assistant Engineer	05737 [redacted]	No_Unioncode	61120.Professionals	74,999.81	74,999.81		74,999.81	74,999.81
700212548004.Engineer Technician	20851 [redacted]	No_Unioncode	61120.Professionals	54,934.88	54,934.88		54,934.88	54,934.88
700212548003.Engineer Technician	11074 [redacted]	Lake County Highway Public Works	61120.Professionals	50,440	50,440		50,440	50,440
700212545002.Highway Engineer	08482 [redacted]	No_Unioncode	61120.Professionals	120,770.83	120,770.83		120,770.83	120,770.83
700212530002.Construction Surveyor	19645 [redacted]	No_Unioncode	61120.Professionals	61,863.98	61,863.98		61,863.98	61,863.98
700211717002.Assistant Superintendent	02530 [redacted]	No_Unioncode	61110.Official & Administrators	92,981.82	92,981.82		92,981.82	92,981.82
700211709002.Superintendent	07433 [redacted]	No_Unioncode	61110.Official & Administrators	110,691.98	110,691.98		110,691.98	110,691.98
700211219008.Assistant Supervisor	04425 [redacted]	No_Unioncode	61110.Official & Administrators	69,149.81	69,149.81		69,149.81	69,149.81
700211219007.Assistant Supervisor	03772 [redacted]	No_Unioncode	61110.Official & Administrators	69,149.81	69,149.81		69,149.81	69,149.81
700211219006.Assistant Supervisor	No_Employee	No_Unioncode	61110.Official & Administrators	89,150	69,150		69,150	89,150
700211219005.Assistant Supervisor	03945 [redacted]	No_Unioncode	61110.Official & Administrators	69,149.81	69,149.81		69,149.81	69,149.81
700212587001.Senior Engineer	No_Employee	No_Unioncode	61120.Professionals	95,000	95,000		95,000	95,000
700216614001.Finance Manager	No_Employee	No_Unioncode	61160.Office & Clerical	55,000	55,000		55,000	55,000
700216755001.Fleet Service Coordinator	No_Employee	No_Unioncode	61160.Office & Clerical	44,408	44,408		44,408	44,408
700216756001.Personnel Specialist	No_Employee	No_Unioncode	61160.Office & Clerical	41,378	41,378		41,378	41,378
			Total	[redacted]	[redacted]		[redacted]	

Draft Job Description Assistant Engineer
Revised 2-22-23

Aid the County Highway Engineer, the County Highway Superintendent and the Assistant superintendent as out lined below;

Provide direct supervision to the following job titles: Engineer Tech, Construction Surveyor, Bridge Foreman, and oversee the Engineering Department, Sign Department, Bridge Crew, and Public Works. Including preparing daily work assignments maintaining payroll, and enforcing union work rules and regulation of the assigned units.

Work with District Supervisors and Foremen to ensure projects are completed to County Standards.

Assist the Engineer with design and plan production for highway construction, bridge construction/maintenance, roadway approaches, culverts and miscellaneous engineering related projects.

Review new subdivisions and related record keeping, including estimating bonds, for construction of new subdivisions and the construction inspection of new subdivision roadways. Keep up with the subdivisions as they are being constructed to ensure work is being done according to plan. Ensure that performance bonds do not expire prior to the completion.

Review utility agreements, road cut permits, permits to move equipment, subdivisions wavers, variances, zone changes, and special exceptions. Work with both the public and the Plan Commission to execute these items, in the best interest to the County and the general public.

Assist in acquiring rights-of-way adjacent to construction projects as needed, including researching property records, mailing notices to property owners, executing temporary right-of-way agreements, or obtaining the land.

May perform various duties of the Highway Engineer in his absence.

Track new City/Town annexations and report annual roadway mileage to Indiana Department of Transportation. Also keep up with INDOT's roadway inventory viewer to ensure all roads are recorded with the state and we are receiving funding for them. Also keep up with the Functional Class of the road so we can receive different funding for construction on roads.

Maintain current inventory of all existing roads, bridges, culverts, guard rail and sidewalks, such as size, location, along with right of way, and general condition.

Rate all County roads under the County's jurisdiction (over 500 miles) using Paser rating system and report this to LTAP on bi-annual basis to make Lake County eligible for extra funding. While doing this I drive all the roads and look for drainage issues, signage, and other safety issues that can be addressed.

Compile the paving program for the current year, by using the Paser rating system to decide what would be the appropriate action to address the road conditions, such as, a total reconstruction, mill and overlay, or other preventative maintenance option.

Work with the successful bidders to schedule all the work that will be needed to successfully complete each project with the best interest of the County and its citizens in mind.

Work with the successful bidder for paving, seal coat, and crack seal to schedule work.

Work with the concrete contractor as we continue to upgrade our sidewalks to be ADA compliant and try to address some sidewalks, that would put us in a position to pay a law suit, within our budget.

Review and approve all paving the bills, in order to make sure we are only billed for what is complete and at an agreed amount.

Knowledge of rules and regulations regarding Uniform Traffic control regulations, federal regulations, stated codes, and County ordinances. Use the MUTCD (Manual of Uniform Traffic control Devices) to keep up with the required signage on all roads and the changing requirements as they come out. Work with LTAP in cases where it is not clear what we can do to make it safer for motorists, by asking an expert for additional recommendations. Work to ensure that the proper signage is ordered and installed to meet those requirements.

Work with the successful bidder for pavement markings. Inspect all roads, every year, and schedule the painters to paint the road markings. Determine which type of paint will be used on each road, rail road crossings, school crossings, stop bars, arrows, and buzz strips.

Assist with inspecting County highway and bridge construction projects, ensuring quality control and specification compliance.

On call, for signs and bridge emergencies and during the summer, when paving and road projects are under constructions. Ensure a two-hour window to get a stop sign back up from the time we are notified. When we are notified on a bridge of damage it is always in need of immediate response.

Inspect all road construction and coordinate all road construction as it pertains to Contractors.

Responsible in ordering signs, culverts, catch basins, frame and lids for structures, grass seed, matting for erosion control, marking paint, any surveying needs, chain saws, weed eaters, hedge trimmers, safety equipment such as vests and hard hats, mailboxes, wood, and nails and screws, guard rail, timber for bridge repair, concrete, and anything else that is used in road construction and bridge repair.

Assist in preparing engineering estimates and making recommendations for materials and equipment within annual budget request.

Maintain communication with engineering consultant firms, and state and local government agencies. Work with local government agencies to set intergovernmental agreements for snow removal, road maintenance, and public relations. Draw maps to show which roads are ours and

which roads are maintained by other communities and how we can work together to save money on snow removal.

Work with all the school districts' transportation heads, in order to ensure road safety. Place signs for bus stops, turn arounds, address road condition issues such as tree limbs, pot holes, tight corners. Draw maps showing each school district and which roads are maintained by the County to help the district and the County create a safer environment for our children

Keep the public informed of weight limits, on roads and bridges and inform them on road closures.

Receive and investigate complaints regarding roads, drainage, bridges and related areas, and initiate action to resolve valid complaints. Determine if our own crews or outside contractors are required to get the problems solved.

Preform computer-aided drafting/design using AutoCAD/Carlson design software on engineering related projects. Mapping snow routes, weight limits, rail road crossings, speed limits, paving programs, functional Class, drainage issues, County maps for See Click Fix and other related maps.

Perform computer work to compile spread sheets for bridge work, paving, signage, paint, to keep track of projects past and present. Use large format printers and scanner to print and file and save files in areas that are easily retrieved. Use ArcMap GIS mapping programs also but not limited to Outlook, Word, Excel and Adobe.

Set traffic counters to evaluate traffic speed and numbers on our roadways: and decipher the data as needed to make safety reconditions.

Work with the rail roads to coordinate closures for maintenance of their projects and our needs.

The County maintains over 180 bridges, inspect all bridges to determine what, if any work is required, to keep them in good condition.

Direct all Public Works projects, such as mowing retention areas owned by the County and drainage repair, in County right of way and outside of the road right of way. Work with the Surveyor's office to pick up debris pulled from regulated drains. We work together in areas with flooding problems to repair drainage structures.

Keep up with the newest, most up to date programs and requirements. Attend, "Road School", drainage conferences, bridge conferences, and follow up with zoom meetings.

Job Requirements:

At a minimum, a Bachelor degree in Construction Management, with a Minor in Civil Engineering and Architecture.

Paser training and continued education are required to compile a safety program for Lake County for road safety.

Ability to effectively communicate orally and in writing with co-workers, other County departments, and the public including being sensitive to professional ethics, gender, cultural diversity and disabilities.

Ability to comply with all employer and department policies and work rules, including but not limited, to attendance, safety, drug-free workplace, and personal conduct.

Ability to provide public access to or maintain confidentiality of department information records according to state requirement

Ability to competently serve the public with diplomacy and respect, including occasional encounters with irate or disgruntled persons

Ability to understand, memorize, retain, and carry out oral and written instructions and resent finding in oral or written form.

Ability to operate standard office, engineering and surveying equipment, including computer, printer, scanner, plotter, calculator, telephone, surveying level, engineering scale, GPS equipment, and digital camera.

Ability to compare or observe similarities and differences between data, compile, correlate, or classified data, and make determination based on data analyses.

Ability to work alone or with others in a team environment.

Ability to work on several tasks at the same time and work rapidly for long periods, occasionally under time pressure.

Ability to apply knowledge of people and locations, and plan and layout assigned work projects.

Ability to make both simple and entailed arithmetic calculations, and read/interpret detailed prints, sketches, layouts, specifications, and maps.

Ability to attend staff meetings and Sketch plan meetings of the Lake County Plan Commission and/or various meeting as needed or required.

Draft

Assistant Superintendent
Job Description
revised 2-17-23

Position: Assistant Superintendent

Reports to: Superintendent

This position is responsible for assisting the Superintendent of the highway department, with road maintenance in planning, directing and implementing the road maintenance and repair activities on the county's highways, bridges and the necessary motorized equipment. This responsibility includes overseeing the maintenance and repair of the County's road system, including snow removal, drainage, traffic signing and pavement markings for over 550 miles of roads and 185 bridges. The Assistant Superintendent is responsible for all personnel matters. He/she shall mediate disputes between employees, and shall attempt to resolve all labor/management issues. The Assistant Superintendent provides direction and supervision to the following job titles: the supervisors, foremen and office personnel. He/she assists in the direction of personnel and equipment assigned to a road crew, exercising immediate supervision over personnel and equipment assigned to maintenance projects and acting for the Highway Superintendent in the latter's absence. Work also entails coordinating work activities with municipal officials and private contractors, scheduling personnel and equipment, and using independent judgment in implementing Indiana State Department of Transportation laws and County policies.

The position of Assistant Superintendent consists of the following major performance dimensions:

1. Supervises personnel and equipment performing maintenance projects on roads, culverts and related structures. Assists with and plans, directs and supervises the maintenance and repair of County roads to ensure compliance with highway laws, design safety and to maintain acceptable levels of service;
2. Is responsible for resolving all personnel issues between supervision and labor.

3. Consults with and assists the Superintendent in planning and coordinating designated activities and projects; assists in determining size of work crew, equipment and materials needed for each project; assists in daily work assignments; assigns work and equipment to crew leaders and individual workers.

4. Continuously enforces proper work procedures and safety practices; demonstrates and instructs others in safe and effective methods and techniques for performing work, and use and operation of tools, equipment and vehicles.

5. Assists in the preparation of performance evaluations; recommends disciplinary action, may counsel employees; may assist in employment interviews and make recommendations for selection.

6. Assists in investigations of, and responds to public complaints regarding, poor or hazardous road conditions; determines any necessary corrective action.

7. Inspects maintenance work, in progress, on a regular, or unscheduled basis; inspects existing roads and related structures and systems to determine maintenance and repair needs and improvements; estimates type and amount of materials needed for projects; assists and participates in patrolling roads for storm damage.

8. Acts for the Road Superintendent in the latter's absence and represents the Road Superintendent as required.

9. Confers with supervisors to determine project priorities and assigns work to effectively and efficiently allocate resources of staff and material.

10. Participates in the selection and development of division employees by assisting in recruitment efforts, and in directing the training of division employees.

11. Assists with and plans and prepares the annual budget for the Road Maintenance division, including the equipment budget.

12. Assists with and coordinates the snow removal program.

13. Maintains budgetary control, by approving all claims and purchase orders.

14. May perform other incidental tasks, as needed

Public Customer Service

1. Provides service to members of the public whom enter the department.
2. Provides service to members of the public who call on the telephone.
3. Answers public questions or makes appropriate referrals.
4. Solves customer problems or makes appropriate referrals.

QUALIFICATIONS

A combination of experience, education, and/or training which substantially demonstrates the following knowledge, skills and abilities:

Knowledge and Skills:

Thorough knowledge of:

1. Methods, materials, tools, procedures and protocols of road maintenance work.
2. Safe and effective operation of light, medium and heavy maintenance and construction equipment and vehicles.
3. Preventative maintenance requirements and standards for vehicles, light and heavy equipment, machines and power and hand tools.

Working knowledge of:

1. Topographic maps, road plans, profiles and construction specifications.
2. The function of streets and highways, including the movements of people and goods, providing access to property, and related area drainage systems.
3. Basic arithmetic and methods of estimating hours, equipment, materials and costs for maintenance projects.
4. Basic principles and methods of supervision including training, development, performance appraisal, documentation and discipline; and problem solving and conflict resolution.
5. OSHA and other health and safety regulations, requirements and practices as they relate to road construction and maintenance.
6. The California Vehicle Code, Caltrans Manual of Uniform Traffic Control Devices, Departmental Code of Safe Practices, Incident Command System and other related Federal, State and County laws, regulations, rules and ordinances related to the operation of vehicles, traffic control devices and equipment employed in road maintenance.

Some knowledge of:

Operation of personal computers and other standard office equipment sufficient to complete required administrative duties.

Required Knowledge (familiarity with a body of information)

1. County and departmental policies and operating procedures. (T)
2. Math (adding, subtracting, multiplying, dividing, geometry, and trigonometry). (S)
3. Basic English grammar, punctuation, and spelling. (S)
4. Fundamentals of financial management. (S)
5. County management policies. (S)
6. Motor vehicle license. (S)
7. Basic accounting. (S)
8. OSHA regulations. (S)
9. Indiana State highway laws. (S)
10. CDL license regulatory laws. (S)

Required Skills (proficiency in performing specific tasks)

1. Operation of office equipment (typewriter, telephone, fax, copy machine, and adding machine). (S)
2. Operation of IBM-compatible PC. (S)
3. Keyboarding/typing. (S)
4. Use of Microsoft Office, Excel, and Lotus software. (S)
5. Budget preparation. (S)
6. Preparation of routine correspondence in a standard format. (S)
7. Proofreading. (S)
8. Face-to-Face customer service. (S)
9. Telephone customer service. (S)
10. Dealing with irate customers. (S)
11. Organize and coordinate safety programs. (S)
12. Analyze State regulatory handbooks. (S)
13. Operation of a motor vehicle. (S)

Required Abilities (general mental or physical capabilities)

1. Reading at the 13th grade level. (S)
2. Verbal communication. (S)

Draft
Job description
Construction Surveyor
Revised 2-21-2023

The construction surveyor must have, at a minimum, an Associate's Degree in Civil/ Construction Technology, or 10 years work related experience in the Civil Engineering/ Construction Engineering Industry and must have a valid Indiana driver's License

Job requires proficiency in;

1. Construction related surveying and staking for;
   Roadway, bridge, and drainage related projects. Including operating surveying equipment for layout: not limited to GPS units, total stations, and survey levels.
2. Ability to use said survey equipment to preform topographic surveys to establish proper drainage courses, topo roads and ditches to establish proper road elevations, locate existing structures for future development.
3. Calculation and layout for drainage projects and culvert replacement, to work in conjunction with existing roadway ditch elevations.
4. Establish elevations, and work with crews for ditch cleaning
5. Basic computer knowledge with ability to use programs not limited to Outlook, Word, Excel, and Adobe.
6. Computer aided drawing and design
7. ArcMap GIS programs
8. Operation of large format printers and scanners.
9. Road-soft road inventory program
10. LTAP PASER rating system for road condition rating
11. Attend classes or training in person or virtual to keep up to date on state and county policies and procedures.
12. Working with utility locate companies (Indiana 811, Illinois JULIE) to request locates on site for construction projects. With ability to identify utilities in the field and work/ design projects around them.
13. Ability to research original county recorded documents to determine original road right of way grants, deeds, and easements.
14. Proficiency in reading and interpreting;
    Engineering plans for roads, bridges, and drainage projects,
    Legal land descriptions, deeds, easements, and annexations.
15. Ability to read historical maps to interpret information needed for projects.
16. Familiarity with county ordinances and policies.
17. Knowledge to spot potential roadway/ drainage issues in the field and address the solution before the issue became a public safety problem.
18. Able to traverse steep inclines to access pipe/ structure information.

19. Ability to work outside in all types of weather, for example heat, cold, rain, snow.
20. Knowledge of compass with ability to give navigable directions.
21. Performing field inspections for new construction to insure conformance with County ordinances and regulations. Including progress inspections, and subgrade proof roll inspections. Development initial and completion inspections and form completion. Meeting with developers and contractors to discuss plans and issues as they arise.
22. Ability to stand for long periods while performing listed tasks.
23. Ability to walk long distances while carrying survey equipment.
24. Site inspection for driveway permits and form completion.
25. Small structure inventory and upkeep of records. Including verifying pipe material, size and condition.
26. Working with the public to address their concerns and possible solution, while determining if in the county's jurisdiction.
27. Basic construction knowledge to foresee issues before they arise.
28. Working knowledge of and ability to make practical application of Department safety policies and procedure and applicable OSHA safety policies and procedures.
29. Ability to effectively communicate orally and in writing with co-workers, other county departments, and the public, including being sensitive to professional ethics, gender, cultural diversities and disabilities.
30. Ability to comply with all employer and department policies and work rules, including but not limited to, attendance, safety, drug-free workplace, and personal conduct.
31. Ability to provide public access to or maintain confidentiality of department information and records according to state requirements.
32. Ability to competently serve the public with diplomacy and respect, including occasional encounters with irate/ disgruntled persons.
33. Ability to understand, memorize, retain, and carry out oral and written instructions and present findings in oral or written form.
34. Ability to work alone with minimum supervision and with others in a team environment, often amidst frequent distractions, interruptions and time constraints.
35. Ability to apply knowledge of people/ local geography, plan/ coordinate work projects, and complete required paperwork.
36. Other duties as the job may require, including taking instructions from all engineers, the Superintendent and Assistant Superintendent.

I. JOB REQUIREMENTS

Experience in Construction and Maintenance of Roads and Bridges. Must be at least 21 years of age. Must have experience as a surveyor.

Thorough knowledge of County infrastructure and civil engineering design principles, practices, and techniques, and ability to oversee progress of ongoing projects to ensure quality and maintain complete financial records.

Complete knowledge of County Road system and physical and political geography of Lake County.

Working knowledge of standard office procedures and specialized computer software programs, and ability to apply such knowledge to a variety of interrelated processes tasks and operations.

Working knowledge of Standard English grammar, spelling, and punctuation, and ability to compose correspondence and news releases and prepare proposals, grant applications and detailed written reports.

Working knowledge of personnel management and conflict resolution, and ability to direct operations, provide leadership and supervise staff accordingly.

Knowledge of filing systems and ability to create and maintain Department files.

Ability to operate standard office equipment, including computer, calculator, copier, fax machine, telephone/cell phone, plotter, survey instruments, and specialized software.

Ability to effectively communicate orally and in writing with co-workers, other County Departments, County Commissioners, County Council, elected state and federal officials, Indiana Department of Transportation (INDOT), Federal Highway Administration (FHWA), Local Technical Assistance Program (LTAP), and the public, including being sensitive to professional ethics, gender, cultural diversities and disabilities.

Ability to competently serve the public with diplomacy and respect, including occasional encounters with irrational/hostile persons.

Ability to compile, analyze and evaluate data, make determination, and take action based on data analysis.

Ability to understand, memorize, retain, and carry oral and written instructions and present findings in oral or written form.

Ability to work independently and with others in a team environment, often under pressure from formal schedules and deadlines, and on several tasks at the same time.

Ability to identify steps necessary to reach objectives, define practical courses of action, and put into effect changes in policies and procedures.
Ability to apply knowledge of people and locations, plan/coordinate work projects, and read/interpret detailed blueprints/specifications/layouts/ and maps.

Ability to maintain positive public relations, plan/present public speaking engagements, and serve as Department representative at meetings/events.

Ability to regularly work extended hours and/or evening, occasionally work weekends, and occasionally travel out of town for meetings/conferences, sometimes overnight.

Ability to serve in 24-Hour call and respond swiftly, rationally, and decisively to

emergencies. Possession of a valid Indiana driver's license.

II. DIFFICULTY OF WORK:

The duties are broad in scope involving many variables and considerations with interrelationships often unclear, Incumbent operates with broad, general guidelines, exercising independent judgment and interpreting and administering Department/County policies.

III. REPSONSIBILITY:

This position makes and extensive contribution to development and implementation of Department objectives, policies and procedures, and deals with unprecedented situations with the supervisors, as needed.

The desired results of the incumbents work product are clearly indicated and work is periodically assessed for compliance with legal requirements and appropriate supervision/direction of assigned operations.

The project surveyor makes direct and highly technical decisions in planning, developing, and executing upgrades/improvements to roads, bridges, and drainage systems with the County. Incumbent requires only administrative direction in performing duties, with work reviewed periodically for attainment of objectives.

IV. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Incumbent performs duties in a standard office environment and outdoors, involving sitting/walking, sitting for long periods, driving, lifting objects weighing 25to 50 pounds, bending, reaching, crouching/kneeling, color and depth perception, close and far vision, speaking clearly, hearing sounds/communication, and handling/grasping/fingering objects. Incumbent is frequently exposed to normal hazards associated with road and bridge construction/maintenance, such as heavy equipment, traffic, dirt, dust, vehicle fumes, noise, extreme temperatures, rough terrain, and wet/icy conditions. Safety precautions must be followed and adhered to at all times to avoid injury to self or others and protective gear must be worn according to Department policy. Incumbent maintains frequent contact with the public and may be exposed to irate/hostile persons. Incumbent serves on-call and occasionally responds to emergencies on a 24-hour basis.

Draft

Job Description Engineering Clerk/Secretary revised 2/16/2023

Department: Highway

Reports to: Head Engineer, the two Assistant Engineers, Assistant Superintendent and Superintendent

Duties include, but not limited to:

1. Create and process all purchase orders and vendor contracts relating to bridge and sewer work.
2. Prepare and submit all documents to the Indiana Department of Transportation, concerning federal and state projects, and refunds.
3. Maintains all documents and correspondence pertaining to bridges and bridge inspection, as well as sewer projects.
4. Prepares all routine correspondence and reports pertaining to bridges, sewers, right of way purchases and performance bonds.
5. Proofread all work to ensure accuracy.
6. Prepares all documentation for the Board of Commissioners concerning bridge and sewer work.
7. Answer phones and take messages when the engineering staff is not available.
8. Assist members of the public, direct them to the appropriate place and people.
9. Create memos, reports and agendas as needed.
10. Disseminate memos, reports and other information to the relevant engineers.
11. Coordinate State Crossroads grant projects with INDOT, and the county grant manager, Jean Anne Fickers.
12. Prepare routine correspondence, reports and documents.
13. Retrieves the mail on a daily basis
14. Store and maintain files.
15. Process and maintain documentation pertaining to permits.
16. Process and maintain documents pertaining to utility requests.
17. Provide service to members of the public, who enter the Highway department.
18. Provide service to members of the public, who call on the telephone.
19. Solve problems for members of the public by making appropriate referrals.

Successful job performance in the position of Engineering Clerk requires the following Knowledge, Skills, Abilities, and Personal Characteristics (KSAPC's). Select vs. Train decisions are indicated with either an S or T in parenthesis after each item.

Required Knowledge (familiarity with a body of information)

1. County and departmental policies and operating procedures. (T)
2. Basic math (adding, subtracting, multiplying, and dividing). (S)

3. Basic English grammar, punctuation, and spelling. (S)
4. Vendor contracts. (T)
5. Tax forms (W-9). (T)
6. Bookkeeping (S)

Required Skills (proficiency in performing specific tasks)

1. Operation of office equipment (typewriter, telephone, calculator, fax, and copy machine). (S)
2. Operation of IBM-compatible PC. (T)
3. Keyboarding/typing. (S)
4. Face-to-Face customer service. (S)
5. Telephone customer service. (S)
6. Proofreading. (S)

Required Abilities (general mental or physical capabilities)

1. Reading at the 12th grade level. (S)
2. Verbal communication. (S)
3. Written communication. (S)
4. Problem solving. (S)
5. Teamwork. (S)

Required Persona! Characteristics (specific physical, physiological or psychological attributes)

1. Correctable normal range vision. (S)
2. Correctable normal range hearing. (S)
3. Tolerate continuous periods of sitting, for up to 4 hours. (S)
4. Tolerate continuous periods of repetitive motion activity involving keyboarding, for up to 3 hours. (S)
5. Tolerate continuous periods of computer screen use, for up to 3 hours. (S)

PHYSICAL EFFORT:

The duties involve sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing up to 20 pounds, bending, reaching.

WORKING CONDITIONS:

The engineering Clerk works within an office environment.

Draft Job Description
Revised 2-22-2023

Job Title: Engineering Technician, Il 12584-02
Highway Department GISData Processor-Asset Management/ IT

Under the Supervision of: Engineer and Assistant Engineer

The position of Highway Department GIS/Data Processor/MS4/IT Engineering Technician for the Highway Department consists of the following major performance dimensions, along with percentage importance and a list of specific duties and responsibilities for each dimension.

1. GIS Mapping and Processing

1.Maintains the Lake County Highway Department GIS Maps for Roads, Bridges, Utilities, Small Structures and others as needed.
2.Assist in preparing maps for Road Closures and Detour Route.
3.Map preparation for Highway Projects.
4.Proofreads work products to insure accuracy.

2. Asset Management

l . Maintain the Lake County Road Soft Program for Asset Management of roads, bridges, culverts and signs.
2. Bridge Asset Management programming
3. Assesses highway conditions for PASER Ratings.
4. Submits and updates Annual LTAP Reports for Federal Funding

3. Data Processing

5. Retrieves Accident Report data through Aries for Traffic studies and Insurance purposes
6. Maintains See, Click, Fix platform as well as directing tax payers to appropriate departments to submit requests.
7. Create and maintain filing systems, both electronic and physical
8. Attending and participating in additional training and growth opportunities

4. Utility Locates-811

l . Maintain the Lake County Utility Locates to ensure safe digging
2. Monitors projects and communicates with locaters to ensure Utilities are correctly located.
3. Updating staff on any changes to 811 safe practices.
4. Maintains Contact list for Utilities and Locating companies.

5. Highway Department IT

l . Maintain a Lake County Highway Department Web Page to make public aware of upcoming/on-going projects, road closures, and other public information.
2. Assist in Maintaining Highway Department Computers and Programs.
3. Addresses and resolves glitches and problems with software.
4. Provides technical support to Lake County Highway Departments
5. Trouble shooting systems
6. Providing training and assistance with various software programs.

6. Elevations

l . Assists the Construction Surveyor with Elevations for all Lake County projects.

7. Customer Service

l. Good communication skills to work with citizens, Co-workers, vendors, County Attorneys and other departments affiliated with the Lake County Highway Department
2. Provides service to customers who enter the department.
3. Provides service to customers who call on the telephone.
4. Answers customer questions or make appropriate referrals.
5. Solve customer problems or make appropriate referrals.

Required Personal Characteristics:

1. Correctable normal range vision. (S)
2. Correctable normal range hearing. (S)
3. Correctable color vision; Red - ledger book credits. (S)
4. Tolerate continuous sitting for up to 8 or 10 hours per day. (S)
5. Tolerate continuous standing for up to 2 hours per day. (S)

Draft Job description
revised 2/176/2023
Finance Manager

Reports to: Superintendent and Assistant Superintendent

The position of Finance Manager consists of the following duties:

1. Perform financial management duties, concerning Highway Funds 1102, 1001-7002, 1001-2950, 1112, 1196-7002, 4429-7007, 4350-7006 and fund 445 and all other active crossroads grant funds, including generating financial data, compiling and submitting reports, and assessing the financial health of the Highway Department.
2. Oversee the operation of the various Department's budgets.
3. Supervise and prepare the Annual Report to INDOT and the SBOA.
4. Advise the Superintendent and Assistant Superintendent relating to equipment purchases and the Department's finance.
5. Evaluate current and previous financial data.
6. Is responsible for monitoring all spending and keeping the department within a set budget.
7. Be prepared to defend budget recommendations with data and evidence.
8. Estimate future financial needs.
9. Ensure account balances are correct.
10. IS responsible for the supervision of the Engineering clerk, Fleet service manager, and personnel specialist.
11. Provide direction to the employees under his supervision and smooth out any problems within the work place.
12. Help create and foster a respectful and inclusive team environment.
13. Is responsible for all payroll matter including attendance and absence management.
14. Check the accuracy of all time-sheets and overtime.
15. Resolve all payroll errors.
16. Maintain the service records of all employees.
17. Ensure that payroll goes out in a timely manner.
18. Works as a typist for the Superintendent and Assistant Superintendent.
19. Investigate and prepare all first report of injuries for Workers Compensation claims.
20. Coordinate treatment of employees, whom suffered work related injuries with the Workers compensation department.
21. Type all inventories and reports for the sign department.
22. Maintain and replenish all office supplies, toner, pens, paper and materials.
23. Procure and prepare all purchase orders and invoices for road salt, road bed stone, ice aggregate stone, black dirt, all INDOT stone, Butcher Tech, Menards, Ace, B&K Equipment pavement markings and all paving related expenses.
24. Assist Supervisors and foremen in the preparation of employee incident reports.
25. Investigate and prepare incident reports on all accidents involving Highway Department equipment. Work with Karas adjusters, whenever required.

26. Investigate and respond to complaints from the public concerning potholes and mailbox damage caused by snow plows. Work with Karas whenever necessary.
27. Prepare any and all OSHA reports.
28. Responsible for paying anyone performing work on the building and grounds at the Highway Department including all work on overhead garage doors, garage door card readers, roof patching, all gas pumps and gas pump repairs, all electrical work and any other repairs. Vendors include ATN, B&K Equipment, Credent Quality Electric, and Keough Construction.
29. Responsible for all monthly payments of union health insurance and the resolution of
30. Union related health care issues.
31. Maintain the Highway GPS system
32. Retrieve and distribute the mail
33. Prepare all documents required for and attend all County Council presentations and submission.
34. Answer all inquires form the public, whether in person or on the telephone and make necessary referrals.
35. Prepare union employee vacation schedules.
36. Prepare all Highway Department related insurance claims
37. Prepare for and attend all meetings of the Risk Management Committee.
38. Prepare for an attend all Capital Assets Management meetings
39. Train staff as a payroll back up.
40. Maintain frequent contact with co-workers and workers in other Lake County Departments, including the insurance department, data processing, payroll department, Human resources, Treasurer and Auditor and the public for the purpose of exchanging information and ides and explaining and interpreting policies and procedures.

Successful job performance in the position of the Finance Manager requires the following Knowledge, Skills, Abilities, and personal Characteristics (KSAPC's). Select vs. Train decisions are indicated with either an S or T in parenthesis after each item.

Required Knowledge (familiarity with a body of information)

1. County and departmental policies and operating procedures. (T)
2. Math (adding, subtracting, multiplying, dividing, percentages, trigonometry, geometry, algebra, and calculus). (S)
3. Basic English grammar, punctuation, and spelling. (S)
4. Fundamentals of financial management. (S)
5. County management policies. {T)
6. Motor vehicle license. (S)
7. Basic accounting. (S)
8. OSHA regulations. (S)

Required Skills (proficiency in performing specific tasks)

1. Operation of office equipment (copy machine, fax, calculators, printers). (S)
2. Operation of IBM compatible PC. (S)
3. Budget preparation. (S)
4. Keyboarding/typing. {S)
5. Proofreading. (S)
6. Face-to-face customer service. (S)
7. Telephone customer service. (S)
8. Dealing with irate customers. (S)
9. Organization. (S)
10. Operation of a motor vehicle. (S)

Required Abilities (general mental or physical capabilities)

1. Reading at the 13th grade level. (S)
2. Verbal communication. (S)
3. Written communication. (S)
4. Problem solving. (S)
5. Teamwork. (S)
6. Time management. (S)
7. Organize and prioritize multiple tasks. (S)
8. Climb stairs. (S)

Required Personal Characteristics

1. Correctable normal range vision. (S)
2. Correctable normal range hearing. (S

DRAFT POSITION DESCRIPTION

COUNTY OF LAKE, INDIANA
Fleet Service Coordinator

Revised 2-16-2023

Due to the elimination of the mechanical supervisor position, the fleet service coordinator shall assume the following duties.

DUTIES:

1. Overseeing the daily maintenance of vehicles within the fleet. Coordinate with mechanics to schedule repairs.
2. Consult with mechanics to monitor the status of vehicles undergoing in house repair.
3. Order all necessary parts, and develop a sound cost-effective strategy for the purchasing of parts.
4. Stay on top of the delivery date for repair parts.
5. Seek feedback from the mechanics to evaluate the quality of the parts received from various vendors.
6. Make payments on all leased vehicles and newly purchased vehicles.
7. Assist in the preparation of vehicle specifications, along with the Superintendent and Assistant Super intendent.
8. Schedule regular maintenance on all vehicles.
9. Design and implement an inventory tracking system.
10. Analyze various suppliers to determine both the fastest delivery dates and most cost-efficient vendors.
11. Maintains account receivable and supporting documentation in the Oracle system.
12. Forecast parts need and order parts to maintain optimal inventory levels

13. Customer Service -

    A. Communicates with vendors regarding invoices.
    B. Provides vendors with contracts and W-9 tax forms.
    C. Solves vendor problems or makes appropriate referrals.

The fleet service coordinator shall compile labor and equipment reports for the mechanical

department payroll.

Manages special projects, such as rental equipment, disposal of unwanted items or materials.

Schedules preventive maintenance on department equipment, tools and vehicles according to warranties, mileage and use, such as oil and filter changes, and tune-ups.

Oversees repair of department equipment, such as electrical repair, brake jobs, tune-ups, engine repair, and exhaust work. Explores new procedures or products that may cut costs.

Assist the Superintendent and Assistant Superintendent in the purchasing of equipment and vehicles, including researching available items, specifications, soliciting and reviewing bids.

Successful job performance in the position of Purchasing Clerk requires the following Knowledge, Skills, Abilities, and Personal Characteristics (KSAPC's). Select vs. Train decisions are indicated with either an S or T in parenthesis after each item.

Required Knowledge (familiarity with a body of information)

1. County and departmental policies and operating procedures. (T)
2. Basic math (adding, subtracting, multiplying, and dividing). (S)
3. Basic English grammar, punctuation, and spelling. (S)
4. Vendor contracts. (T)
5. Tax forms (W-9). (T)
6. Bookkeeping (S)

Required Skills (proficiency in performing specific tasks)

1. Operation of office equipment (typewriter, telephone, calculator, fax, and copy machine). (S)
2. Operation of IBM-compatible PC. (T)
3. Keyboarding/typing. (S)
4. Face-to-Face customer service. (S)
5. Telephone customer service. (S)
6. Proofreading. (S)

Required Abilities (general mental or physical capabilities)

1. Reading at the 12th grade level. (S)
2. Verbal communication. (S)
3. Written communication. (S)
4. Problem solving. (S)
5. Teamwork. (S)

Required Persona! Characteristics (specific physical, physiological or psychological attributes)

1. Correctable normal range vision. (S)
2. Correctable normal range hearing. (S)
3. Tolerate continuous periods of sitting, for up to 4 hours. (S)
4. Tolerate continuous periods of repetitive motion activity involving keyboarding, for up to 3 hours. (S)
5. Tolerate continuous periods of computer screen use, for up to 3 hours. (S)

PHYSICAL EFFORT:

duties involve sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing up to 20 pounds, bending, reaching, crouching/kneeling, pushing/pulling objects, close/far vision, and hearing mechanical sounds.

WORKING CONDITIONS:

The fleet service coordinator performs a majority of duties in a garage and in an office environment, involving frequent exposure to noise, dust, grease, fumes, fuels and cleaning chemicals normally associated with auto maintenance and repair. Safety precautions must be followed at all times to prevent injury to self and others.

Draft 2/22/23
Revised job description

Personnel Specialist, D.E.R. Clerk Lake County Highway Department

Job Description

- Provide support to the Superintendent and Asst. Superintendent in areas of the function of this department.
- Assist employees with inquires of benefit information, changes to their tax forms, emergency info, changes to the bank accounts, PERF changes and all personal changes (add-ons and deletions) Assist employees with inquires on allotted time, birthdays, vacations, personal, sick days.
- Facilitate with the interview process, conduct reference checks.
- Assist with the hiring process of new employees. And the exiting of termination/ retiring employees. This includes all paper work submission. Conduct exit interview with departing employees and issues that may have contributed to their decision to leave the company.
- Prepare termination pay worksheet and all termination info.
- Prepare reports for the positions and promotions of employees.
- Prepare job postings, memos, and post ordinances as it pertains to the department.
- Prepare the proper paperwork for reprimands, suspensions, and warnings.
- Referrals to the necessary departments when asked. (EAP, SAP, insurance, Per£,)
- Verify that each employee has a valid driver's license through the state BVM.
- Verify that each CDL holder physical is up-to-date through the state BVM.
- Assist payroll enter the time worked straight and/ or overtime for employees
- Keep update records of hours and weeks of FMLA, Paternal leave using the service records.
- Verify place of employment based on a signed authorization form by the employee only.

- Process Billings/Invoices and create requisitions to generate P.O.'s to pay the Vendors for all my accounts (45). All info is submitted by the cut-off date in our new system of Oracle.
-
- Prepare letters and W-9 and mail them out to new vendors. Keep the Vendor list updated. Typing of letters that are required to be done and requested.

- Answer the phone call. Work with vendors on their accounts and payments. Make copies, fax, and check emails daily for invoices and vendor concerns. Distribute fax info to the correct people and department. Check mail and distribute. Keep accurate filing system for all employee personnel files, driver qualification files, driver license files for all employees. Vendors and work.

- Backup and assist my co-workers in areas where I can.

Position as D.E.R. (Designated Employee Representative) This duty includes not limited to the effective administration of drug testing of all DOT drivers and NON-DOT through our testing site DISA Global Solutions. Maintain accurate (DQ) driver qualification files, which includes test results, injuries, follow-ups, random tests. Oversee all Pre-employment, and after accident testing, and reasonable suspicion testing. Maintain updated training CCDAPP continue education course credits. Oversee the day of testing of each individual employee. Prepare all paperwork for the removal, or suspension of anyone failing drug tests. Refer necessary employees to a Substance Abuse Provider (who will develop a treatment plan). Maintain all information as confidential.

- Prepare Union Local #142 application and dues for all union employees. (intake) Process dues payments monthly. Process union initiation fees. Keep accurate records on each employee's union dues contributions.

- Offer professionalism and excellent communication and written skills to provide an adequate work flow of the operation of the department.

Successful job performance in the position of the Personnel Specialist requires the following Knowledge, Skills, Abilities, and Personal Characteristics (KSAPC's). Select vs. Train decisions are indicated with either an S or T in parenthesis after each item.
Required Knowledge (familiarity with a body of information)

1. County and departmental policies and operating procedures. (T)
2. Basic math (adding, subtracting, multiplying, and dividing). (S)
3. Basic English grammar, punctuation, and spelling. (S)
4. Vendor contracts. (T)
5. Tax forms (W-9). (T)
6. Bookkeeping (S)

Required Skills (proficiency in performing specific tasks)

1. Operation of office equipment (typewriter, telephone, calculator, fax, and copy machine). (S)
2. Operation of IBM-compatible PC. (T)
3. Keyboarding/typing. (S)
4. Face-to-Face customer service. (S)
5. Telephone customer service. (S)
6. Proofreading. (S)

Required Abilities (general mental or physical capabilities)

1. Reading at the 12th grade level. (S)
2. Verbal communication. (S)
3. Written communication. (S)
4. Problem solving. (S)
5. Teamwork. (S)

Required Personal Characteristics

1. Correctable normal range vision. (S)
2. Correctable normal range hearing. (S)
3. Tolerate continuous periods of sitting, for up to 4 hours. (S)
4. Tolerate continuous periods of computer screen use, for up to 3 hours. (S)

PHYSICAL EFFORT:

The duties involve sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing up to 15 pounds, some bending, and reaching.

WORKING CONDITIONS:

The Personnel Specialist works within an office environment.

Draft

POSITION DESCRIPTION

LAKE COUNTY, INDIANA

Revised 2-17-2023

POSITION: **Superintendent**
DEPARTMENT: **Highway**

DATE WRITTEN: **January 14, 2016** **STATUS:** **Full Time**
DATE REVISED: **FSLA STATUS:** **Exempt**

To perform this position successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed in this document are representative of the knowledge, skill, and/or ability required. Lake County provides reasonable accommodations to qualified employees and applicants with known disabilities who require accommodation to complete the application process or perform essential functions of the job, unless the accommodation would cause undue hardship.

Incumbent serves as County Highway Superintendent for the Lake County Highway Department, responsible for administrating department operations supervising personnel, and providing and maintaining public infrastructure and capital improvements to roads, bridges, and drainage systems within Lake County.

DUTIES:

With a reduction of two supervisors the Superintendent shall be more involved in assigning work teams, work schedules and equipment, to the various projects, that are in operation. He/she shall collaborate with the project engineers and other construction management to determine project budgets and timelines. the superintendent shall be responsible for making changes in the daily operation of the department in order to meet construction deadlines, whenever changes are necessary.

The superintendent shall provide support and management for special projects and shall develop Department wide risk management strategies. The Superintendent shall implement management techniques, which are cost-effective and efficient.

The Superintendent shall act as a liaison between the foremen, supervisors, engineers and their crews. He/she shall collaborate with other administrative team members to prioritize the department's goals. He/she shall provide the administrative staff with recommendations to improve teamwork.

The Superintendent shall be responsible for the preparedness of equipment and personnel for changing weather conditions. The superintendent shall take a more active role in the preparation of heavy equipment bids and specifications, due to the removal of the mechanical supervisor.

Supervises and directs assigned personnel, including administering personnel programs and procedures, periodically analyzing workload of department, interviewing and making hiring recommendations, providing orientation and training, planning, delegating work assignments, evaluating performance, assist in determining changes in job responsibilities, reviewing salaries and recommending personnel actions, such as promotion, transfer, or demotion, and maintaining discipline and recommending corrective actions as warranted in accordance with work rules and regulations and personnel policies.

Oversees Department daily operations, including developing, writing, and implementing Department policy.

Plans, develops, and administers capital improvement projects for roads, bridges, drainage systems, and other public infrastructures. Maintains long range work plans/schedules and oversees preparation of construction plans, specifications, and on-site surveys.

Ensures proper maintenance and repair of county roads, bridges, culverts, and right of ways, including regularly driving throughout county, assessing needs.

Receives and responds to inquiries, requests and complaints regarding condition/maintenance of County roads and bridges, rights-of-way, and services, including making on-site-inspections, identifying problems and solutions, discussing with callers/complainants, and initiating appropriate corrective action. Periodically attends neighborhood meetings to discuss problems/solutions as requested.

Serves as liaison between the Board of County Commissioners and engineering consultants, including reviewing submitted proposals, negotiating contracts, and recommendations on consultant selections.

Reviews requests for new equipment and vehicles and determines annual bids for department supplies/materials.

Prepares, submits, and administers various annual department budgets, including, but not limited to projecting costs for Highway Department, Cumulative Bridge, and Local Road and Street Budgets.

Periodically attends conferences and training seminars/workshops.

Performs related duties as assigned.

I. JOB REQUIREMENTS

Experience in Construction and Maintenance of Roads and Bridges. Must be at least 21 years of age.

Thorough knowledge of Federal, State, and Local Codes and Ordinances and ability to apply safety rules and regulations as required.

Thorough knowledge of Federal, State, and Local funding sources and related rules and regulations regarding road and bridge construction and maintenance.

Thorough knowledge of County infrastructure and civil engineering design principles, practices, and techniques, and ability to oversee progress of ongoing projects to ensure quality and maintain complete financial records.

Complete knowledge of County Road system and physical and political geography of Lake County.

Working knowledge of standard office procedures and specialized computer software programs, and ability to apply such knowledge to a variety of interrelated processes tasks and operations.

Working knowledge of Standard English grammar, spelling, and punctuation, and ability to compose correspondence and news releases and prepare proposals, grant applications and detailed written reports.

Working knowledge of personnel management and conflict resolution, and ability to direct operations, provide leadership and supervise staff accordingly.

Knowledge of filing systems and ability to create and maintain Department files.

Ability to operate standard office equipment, including computer, calculator, copier, fax machine, telephone/cell phone, plotter, survey instruments, and specialized software.

Ability to effectively communicate orally and in writing with co-workers, other County Departments, County Commissioners, County Council, elected state and federal officials, Indiana Department of Transportation (INDOT), Federal Highway Administration (FHWA), Local Technical Assistance Program (LTAP), and the public, including being sensitive to professional ethics, gender, cultural diversities and disabilities.

Ability to comply with all employer and Department policies and work rules, including, but not limited to, attendance, safety, drug-free work place, and personal conduct.

Ability to provide public access to or maintain confidentiality of Department information and records according to state requirements.

Ability to competently serve the public with diplomacy and respect, including occasional encounters with irrational/hostile persons.

Ability to compile, analyze and evaluate data, make determination, and act based on data analysis.

Ability to understand, memorize, retain, and carry oral and written instructions and present findings in oral or written form.

Ability to work independently and with others in a team environment, often under pressure from formal schedules and deadlines, and on several tasks at the same time.

Ability to identify steps necessary to reach objectives, define practical courses of action, and put into effect changes in policies and procedures.

Ability to apply knowledge of people and locations, plan/coordinate work projects, and read/interpret detailed blueprints/specifications/layouts/ and maps.

Ability to maintain positive public relations, plan/present public speaking engagements, and serve as Department representative at meetings/events.

Ability to regularly work extended hours and/or evening, occasionally work weekends, and occasionally travel out of town for meetings/conferences, sometimes overnight.

Ability to supervise and direct Department personnel, including interviewing applicants, hiring termination recommendations, training, planning/making work assignments evaluating performance, providing corrective instruction, maintaining discipline, communication/implementing personnel policies.

Working knowledge of ability to ensure safe, proper operation and maintenance of Department equipment, tools and vehicles.

Ability to serve in 24-Hour call and respond swiftly, rationally, and decisively to emergencies.

Possession of a valid Indiana driver's license.

II. DIFFICULTY OF WORK:

incumbent’s duties are broad in scope involving many variables and considerations with interrelationships often unclear, Incumbent operates with broad, general guidelines, exercising independent judgment and interpreting and administering Department/County policies and various legal and funding requirements. Incumbent performs extremely complicated/non-standard duties, spending the majority of his/her time with short-term and long-range planning, policy implementation, and providing quality service/safety to the

public. Incumbent establishes own standards of performance, limited only by governmental regulations and county policies and budgets.

III. REPSONSIBILITY:

Incumbent makes and extensive contribution to development and implementation of Department objectives, policies and procedures, discussing with unprecedented situations with supervisors as needed.

Desired results of incumbents work product are clearly indicated and work is periodically assessed for compliance with legal requirements and appropriate supervision/direction of assigned operations.

Incumbent makes direct and highly technical decisions in planning, developing, and executing upgrades/improvements to roads, bridges, and drainage systems with the County. Incumbent requires only administrative direction in performing duties, with work reviewed periodically for attainment of objectives. Incumbent regularly makes decisions in the absence of policy.

Incumbent' s decisions can be overruled by the Board of Commissioners.

lV. PERSONAL WORK RELATIONSHIPS:

Incumbent maintains frequent contact with co-workers, County Commissioners, other County Departments, County Council, elected State and Federal Officials, INDOT, FHWA, LTAP, Consultants, and the Public for purposes of maintaining cooperative work relationships, exchanging information explaining/interpreting and executing policies and procedures, supervising/directing personnel, resolving problems and complaints, maintaining coordination with Department operations, and negotiating contracts.

Incumbent Reports Directly to the Lake County Board of Commissioners.

V. PHYSICAL EFFORT AND WORK ENVIRONMENT:

Incumbent performs duties in a standard office environment and outdoors, involving sitting/walking, sitting for long periods, driving, lifting objects weighing 25to 50 pounds, bending, reaching, crouching, /kneeling, color and depth perception, close and far vision, speaking clearly, hearing sounds/communication, and handling/grasping/fingering objects. Incumbent is frequently exposed to normal hazards associated with road and bridge construction/maintenance, such as heavy equipment, traffic, dirt, dust, vehicle fumes, noise, extreme temperatures, rough terrain, and wet/icy conditions. Safety precautions must be followed and adhered to at all times to avoid injury to self or others and protective gear must be worn according to Department policy. Incumbent maintains frequent contact with the public and may be exposed to irate/hostile persons.

Incumbent regularly works extended hours and/or evenings, occasionally works weekends, and

occasionally travels out of town for meetings/conferences, sometimes overnight. Incumbent serves on-

ca11 and occasionally responds to emergencies on a 24-hour basis.

DRAFT Supervisor Highway Department

Revised 2-26-2023

RESPONSIBILITY:

Supervisors perform their duties, under indirect supervision from the Highway Superintendent, receiving daily and seasonal work assignments as needed. They exercise their judgment to assist and direct assigned personnel, identify potential and existing road hazards, and notify the Superintendent, or appropriate Department personnel accordingly.

DUTIES:

Since the elimination of two supervisor positions, each of the two remaining supervisors will work, in all geographical areas of the county. They will consult with the superintendent and assistant superintendent, to ensure that, ongoing projects are adequately staffed on a daily basis.

The Supervisors shall delegate some job site responsibilities, to each of the four foremen. They shall work closely, with the foremen, to assign job responsibilities to each of the union employees on a daily basis.

The supervisor shall try to match employee job skills to their assignments to create work crews for specific tasks, such as, guardrail replacement crew, drainage ditching crew, pipe installation crew, paving crew and bridge crew.

The Supervisors shall inspect all job sites in order to monitor employee work out put, maintain job completion time schedules, and job site safety.

The supervisors shall split the work force in half, with each supervisor being responsible for creating the labor and equipment report, used for payroll purposes, for those employees assigned to their crew, and are responsible for maintaining employee records, such as payroll, and recording time, materials, and equipment usage as required.

The supervisors shall keep themselves up to date on the latest federal and state safety regulations. They shall oversee daily and long-term goals and needs of the department.

Supervisors shall inspect the County's roads and rights-of-way for needed maintenance and repairs, and/or schedule repairs, or report issues to the engineering staff and the superintendent and assistant superintendent.

Supervisors shall inspect department heavy equipment for repairs and maintenance

needs and make recommendations for replacement or schedule the equipment and vehicles for maintenance.

Supervisors shall receive and investigate County road complaints from citizens and initiates appropriate action to resolve valid complaints.

Supervisors serve on 24-hour call for emergency situations and perform related duties as assigned.

SKILLS AND KNOWLEDGE:

High school diploma or GED and minimum of three (3) years previous experience in related field.

Must be at *least* 18 years of age.

Thorough knowledge of and ability to make practical application of safety policies and procedures.

Working knowledge of drainage systems, construction and maintenance of County roads and rights-of-way, paving operations, and/or preventative road maintenance.

Working knowledge of and ability to make practical application of methods, materials and equipment used in constructing/maintaining roads and rights-of-way.

Working knowledge of snow removal and ability to maintain roads during inclement weather.

Knowledge of basic bookkeeping practices and principles, and ability to maintain employee records, such as payroll, and record time, materials, and equipment usage as required.

Ability to oversee daily and long-term goals and needs of assigned district, and supervise and direct assigned personnel, including making work assignments, and coordinating job responsibilities.

Ability to comply with all employer and department policies and work rules, including, but not limited to, attendance, safety, drug-free workplace, and personal conduct.

Ability to provide public access to or maintain confidentiality of Department information and records according to state requirements.

Ability to effectively communicate orally and in writing with co-workers, other County departments, suppliers, and the public, including being sensitive to professional ethics, gender, cultural diversities and disabilities.

Ability to operate standard office equipment, including computer, calculator, and telephone.

Ability to understand, memorize, retain, and carry out written or oral instructions and present findings in oral or written form.

Ability to work alone with minimum supervision and with others in a team environment.

Ability to work on several tasks at the same time and work rapidly for long periods, occasionally under time pressure.

Ability to physically perform duties, such as sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing 25-50 pounds, bending, reaching, crouching/kneeling, pushing/pulling objects, and close/far vision.

Ability to compare or observe similarities and differences in data, compile, collate, or classify data, and make determinations based on data analyses.

Ability to apply knowledge of people and/or locations, and plan and layout assigned work projects.

Ability to make arithmetic calculations, and read/interpret detailed prints, sketches, layouts, specifications, and maps.

Ability to serve on 24-hour call.

PHYSICAL EFFORT:

Supervisor's duties involve sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing 25-50 pounds, bending, reaching, crouching/kneeling, pushing/pulling objects, close/far vision. and hearing mechanical sounds.

WORKING CONDITIONS:

A Supervisor performs duties in a standard office environment and/or outdoors, involving frequent exposure to normal hazards associated with maintaining roads and rights-of-way, including excessive noise, moving parts, toxic chemicals, fumes, slippery surfaces, extreme weather conditions, and a variety of related hazards. Safety precautions must be followed at all times to avoid injury to self and others. Incumbent serves on 24-hour call for emergency situations.

Lake County Highway Department

Jan Smoljan
Superintendent

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
219-374-5608
Fax: 219-662-0497

March 14, 2023

Lake County Council
Mr. Charlie Brown, President
2293 N. Main Street
Crown Point, Indiana 46307

Re: April County Council Agenda- additional appropriations fund 1102

Dear Mr. President,

The Lake County Highway Department respectfully requests, that the Lake County Council add to their April 2023 Council's agenda, numerous requests for additional appropriations within fund 1102. The additional appropriations are for departments 7002, 7004 and 7003. The additional appropriations total $1,963,500.00 from the non-restricted side of fund 1102 (departments 7002&7004), and $1,850,000.00 from the restricted side, of the fund (department 7003). We have spoken with Scott Schmal and a sufficient surplus exists, within both sides of the fund, to cover this request.

The non-restricted funds, in departments 7002 and 7004, will mostly be used for the payment of utility bills, the purchase of repair parts and the purchase of new heavy equipment. The restricted side funds, department 7003, can only be used for new road construction.

Thank you in advance for your consideration in this matter.

Respectfully submitted,

Jan Smoljan, Superintendent

Cc: Randy Niemeyer, Chairman
C. Brown, Committee Member
T. Barczak, Admin. Ass't/Council office
Larry Blanchard, Council Consultant

RECEIVED
2023 MAR 14 PM 12:09
LAKE COUNTY AUDITOR

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. 1102
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
				$ -

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Highway Department - 7002 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	62110 Office Supplies	$3,500.00
2.	63120 Medical & hospital Services	$5,000.00
3.	63190 Other Professional Services	$55,000.00
4.	63240 Telephone	$10,000.00
5.	63610 Buildings and Structures	$50,000.00
6.		
		$123,500.00

Lake County Highway Department
Name of Department

Jan Smoljan Superintendent 3/10/2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Acct Cat	Description	Revenue	Cost	Profit/Loss	Pct of Revenue
Activity	1102-7002 County Highway- County Highway	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	24426.29	0.00		
42271	Aud of St-Highway & Streets	797548.20	0.00		
63240	Telephone	0.00	-4530.64		
63510	Utilities	0.00	-3183.33		
63610	Building & Structures	0.00	-7975.00		
63630	Mainten & Service Cont	0.00	-834.72		
Fund Total	1102	**821974.49**	**-16523.69**	**838498.18**	**-102.01**
Activity	1102-7003 County Highway-Highway Fund	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	4595.84	0.00		
42271	Aud of St-Highway & Streets	797548.19	0.00		
Fund Total	1102	**802144.03**	**0.00**	**802144.03**	**-100.00**
Activity	1102-7004 County Highway- Gen Undistributed Motor Expens	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-9988.31		
61130	Technicians	0.00	-8067.68		
61170	Skilled Craft Workers	0.00	-51624.00		
61270	holiday pay	0.00	-2499.52		
61320	FICA - Deduction	0.00	-5522.29		
61330	PERF - Deduction	0.00	-10249.53		
61360	Workman's Comp - Ded	0.00	-600.00		
61381	Group Life IRS Reportable	0.00	-7.25		
62210	Petroleum Products	0.00	-12508.34		
62310	Equipment Repair Parts	0.00	-2293.22		
63620	Equipment Repair	0.00	-5199.00		
Fund Total	1102	**0.00**	**-108559.14**	**108559.14**	**0.00**
Activity	1102-7005 County Highway- Motor Vehicle	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-50489.43		
61110	Official & Administrators	0.00	-46108.24		
61170	Skilled Craft Workers	0.00	-121193.44		
61180	Service/Maintenance	0.00	-221844.82		
61270	holiday pay	0.00	-16529.84		
61320	FICA - Deduction	0.00	-34108.10		
61330	PERF - Deduction	0.00	-64775.54		
61340	Group Insurance -Deduction	0.00	-18500.00		
61360	Workman's Comp - Ded	0.00	-4300.96		
61381	Group Life IRS Reportable	0.00	-79.37		
63510	Utilities	0.00	-575.96		
Fund Total	1102	**0.00**	**-578505.70**	**578505.70**	**0.00**
Activity	1102-7007 County Highway- Local Roads & Streets	Cur USD	Dates: 01/01/95 - 12/31/25		

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund Contract and Estimated Cost

42055	Refunds and Reimbursement	75.00	0.00		
Fund Total	1102	**75.00**	**0.00**	**75.00**	**-100.00**

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
1102	County Highway	8,413,474.53	1,624,193.52	-703,588.53	9,334,079.52
				Total	9,334,079.52

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1102-7002-62110	County Highway-County Highway-Office Supplies		5,000.00	0.00	396.28	1,830.17	2,226.45	2,773.55
1102-7002-63120	County Highway-County Highway-Medical & Hospital Servic		17,612.50	0.00	6,861.00	2,260.50	9,121.50	8,491.00
1102-7002-63190	County Highway-County Highway-Other Professional Servic		57,670.00	0.00	3,119.00	2,450.00	5,569.00	52,101.00
1102-7002-63220	County Highway-County Highway-Postage		1,000.00	0.00	0.00	0.00	0.00	1,000.00
1102-7002-63231	County Highway-County Highway-Travel \- Registration		1,250.00	0.00	0.00	0.00	0.00	1,250.00
1102-7002-63232	County Highway-County Highway-Travel \- Meals		500.00	0.00	0.00	0.00	0.00	500.00
1102-7002-63233	County Highway-County Highway-Travel \- Lodging		1,500.00	0.00	0.00	0.00	0.00	1,500.00
1102-7002-63234	County Highway-County Highway-Travel \- Trans/Other		0.00	0.00	0.00	0.00	0.00	0.00
1102-7002-63240	County Highway-County Highway-Telephone		51,725.08	0.00	6,217.30	10,414.60	16,631.90	35,093.18
1102-7002-63310	County Highway-County Highway-Printing		0.00	0.00	0.00	0.00	0.00	0.00
1102-7002-63510	County Highway-County Highway-Utilities		162,862.21	9.02	62,330.73	33,328.00	95,667.75	67,194.46
1102-7002-63610	County Highway-County Highway-Building & Structures		284,730.00	0.00	207,898.40	11,261.85	219,160.25	65,569.75
1102-7002-63620	County Highway-County Highway-Equipment Repair		1,000.00	0.00	0.00	233.00	233.00	767.00

Lake County Highway Department

Jan Smoljan
Superintendent

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
219-374-5608
Fax: 219-662-0497

March 14, 2023

Lake County Council
Mr. Charlie Brown, President
2293 N. Main Street
Crown Point, Indiana 46307

Re: April County Council Agenda- additional appropriations fund 1102

Dear Mr. President,

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Respectfully submitted,

Jan Smoljan, Superintendent

Cc: Randy Niemeyer, Chairman
C. Brown, Committee Member
T. Barczak, Admin. Ass't/Council office
Larry Blanchard, Council Consultant

RECEIVED
2023 MAR 14 PM 12:09
LAKE COUNTY AUDITOR

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

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I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. 1102
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
				$ -

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Highway Department - 7003 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	63640 Local Roads and streets projects	$250,000.00
2.	64500 Construction & Reconstruction	$1,600,000.00
3.		
4.		
5.		
6.		
		$1,850,000.00

okg

Lake County Highway Department
Name of Department

Jan Smoljo
Signature & Date Jan Smoljan Superintendent 3/10/2023

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2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)
3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Acct Cat	Description	Revenue	Cost	Profit/Loss	Pct of Revenue
Activity	1102-7002 County Highway- County Highway	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	24426.29	0.00		
42271	Aud of St-Highway & Streets	797548.20	0.00		
63240	Telephone	0.00	-4530.64		
63510	Utilities	0.00	-3183.33		
63610	Building & Structures	0.00	-7975.00		
63630	Mainten & Service Cont	0.00	-834.72		
Fund Total	1102	**821974.49**	**-16523.69**	**838498.18**	**-102.01**
Activity	1102-7003 County Highway- Highway Fund	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	4595.84	0.00		
42271	Aud of St-Highway & Streets	797548.19	0.00		
Fund Total	1102	**802144.03**	**0.00**	**802144.03**	**-100.00**
Activity	1102-7004 County Highway- Gen Undistributed Motor Expens	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-9988.31		
61130	Technicians	0.00	-8067.68		
61170	Skilled Craft Workers	0.00	-51624.00		
61270	holiday pay	0.00	-2499.52		
61320	FICA - Deduction	0.00	-5522.29		
61330	PERF - Deduction	0.00	-10249.53		
61360	Workman's Comp - Ded	0.00	-600.00		
61381	Group Life IRS Reportable	0.00	-7.25		
62210	Petroleum Products	0.00	-12508.34		
62310	Equipment Repair Parts	0.00	-2293.22		
63620	Equipment Repair	0.00	-5199.00		
Fund Total	1102	**0.00**	**-108559.14**	**108559.14**	**0.00**
Activity	1102-7005 County Highway- Motor Vehicle	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-50489.43		
61110	Official & Administrators	0.00	-46108.24		
61170	Skilled Craft Workers	0.00	-121193.44		
61180	Service/Maintenance	0.00	-221844.82		
61270	holiday pay	0.00	-16529.84		
61320	FICA - Deduction	0.00	-34108.10		
61330	PERF - Deduction	0.00	-64775.54		
61340	Group Insurance -Deduction	0.00	-18500.00		
61360	Workman's Comp - Ded	0.00	-4300.96		
61381	Group Life IRS Reportable	0.00	-79.37		
63510	Utilities	0.00	-575.96		
Fund Total	1102	**0.00**	**-578505.70**	**578505.70**	**0.00**
Activity	1102-7007 County Highway- Local Roads & Streets	Cur USD	Dates: 01/01/95 - 12/31/25		

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund Contract and Estimated Cost

42055	Refunds and Reimbursement	75.00	0.00		
Fund Total	1102	**75.00**	**0.00**	**75.00**	**-100.00**

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
1102	County Highway	8,413,474.53	1,624,193.52	-703,588.53	9,334,079.52
				Total	9,334,079.52

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1102-7002-63630	County Highway-County Highway-Mainten & Service Cont		102,012.38	0.00	13,483.16	12,687.59	26,170.75	75,841.63
1102-7002-63910	County Highway-County Highway-Dues & Subscriptions		200.00	0.00	0.00	0.00	0.00	200.00
1102-7002-64410	County Highway-County Highway-Furniture & Fixtures		12,000.00	0.00	0.00	379.99	379.99	11,620.01
1102-7002-64420	County Highway-County Highway-Office Machines		9,500.00	0.00	602.95	4,897.81	5,500.76	3,999.24
1102-7003-61100	County Highway-Highway Fund-Overtime		1.00	0.00	0.00	0.00	0.00	1.00
1102-7003-61170	County Highway-Highway Fund-Skilled Craft Workers		1.00	0.00	0.00	0.00	0.00	1.00
1102-7003-61180	County Highway-Highway Fund-Service/Maintenance		1.00	0.00	0.00	0.00	0.00	1.00
1102-7003-63640	County Highway-Highway Fund-Local Roads & Streets Pro		1.00	0.00	0.00	0.00	0.00	1.00
1102-7003-64500	County Highway-Highway Fund-Construction & Reconstruc		4,757,535.36	0.00	3,233.56	294,082.08	297,315.64	4,460,219.72
1102-7004-61100	County Highway-Gen Undistributed Motor E-Overtime		40,000.00	0.00	0.00	9,988.31	9,988.31	30,011.69
1102-7004-61130	County Highway-Gen Undistributed Motor E-Technicians		44,137.60	0.00	0.00	8,067.68	8,067.68	36,069.92
1102-7004-61170	County Highway-Gen Undistributed Motor E-Skilled Craft Workers		336,960.00	0.00	0.00	51,624.00	51,624.00	285,336.00

Lake County Highway Department

Jan Smoljan
Superintendent

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
219-374-5608
Fax: 219-662-0497

March 14, 2023

Lake County Council
Mr. Charlie Brown, President
2293 N. Main Street
Crown Point, Indiana 46307

Re: April County Council Agenda- additional appropriations fund 1102

Dear Mr. President,

The Lake County Highway Department respectfully requests, that the Lake County Council add to their April 2023 Council's agenda, numerous requests for additional appropriations within fund 1102. The additional appropriations are for departments 7002, 7004 and 7003. The additional appropriations total $1,963,500.00 from the non-restricted side of fund 1102 (departments 7002&7004), and $1,850,000.00 from the restricted side, of the fund (department 7003). We have spoken with Scott Schmal and a sufficient surplus exists, within both sides of the fund, to cover this request.

The non-restricted funds, in departments 7002 and 7004, will mostly be used for the payment of utility bills, the purchase of repair parts and the purchase of new heavy equipment. The restricted side funds, department 7003, can only be used for new road construction.

Thank you in advance for your consideration in this matter.

Respectfully submitted,

Jan Smoljan, Superintendent

Cc: Randy Niemeyer, Chairman
C. Brown, Committee Member
T. Barczak, Admin. Ass't/Council office
Larry Blanchard, Council Consultant

RECEIVED
2023 MAR 14 PM 12:09
LAKE COUNTY AUDITOR

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. 1102
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
				$ -

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Highway Department - 7004 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	62220 Garage and Mortors	$110,000.00
2.	62310 Equipment Repair parts	$120,000.00
3.	63620 Equipment Repairs	$100,000.00
4.	63715 Equipment lease	$1,500,000.00
5.	63720 Laundry & cleaning	$10,000.00
6.		
		$1,840,000.00

Lake County Highway Department
Name of Department

Jan Smoljo
Signature & Date Jan Smoljan Superintendent 2/16/2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).
2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)
3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Acct Cat	Description	Revenue	Cost	Profit/Loss	Pct of Revenue
Activity	1102-7002 County Highway- County Highway	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	24426.29	0.00		
42271	Aud of St-Highway & Streets	797548.20	0.00		
63240	Telephone	0.00	-4530.64		
63510	Utilities	0.00	-3183.33		
63610	Building & Structures	0.00	-7975.00		
63630	Mainten & Service Cont	0.00	-834.72		
Fund Total	1102	**821974.49**	**-16523.69**	**838498.18**	**-102.01**
Activity	1102-7003 County Highway- Highway Fund	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
42055	Refunds and Reimbursement	4595.84	0.00		
42271	Aud of St-Highway & Streets	797548.19	0.00		
Fund Total	1102	**802144.03**	**0.00**	**802144.03**	**-100.00**
Activity	1102-7004 County Highway- Gen Undistributed Motor Expens	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-9988.31		
61130	Technicians	0.00	-8067.68		
61170	Skilled Craft Workers	0.00	-51624.00		
61270	holiday pay	0.00	-2499.52		
61320	FICA - Deduction	0.00	-5522.29		
61330	PERF - Deduction	0.00	-10249.53		
61360	Workman's Comp - Ded	0.00	-600.00		
61381	Group Life IRS Reportable	0.00	-7.25		
62210	Petroleum Products	0.00	-12508.34		
62310	Equipment Repair Parts	0.00	-2293.22		
63620	Equipment Repair	0.00	-5199.00		
Fund Total	1102	**0.00**	**-108559.14**	**108559.14**	**0.00**
Activity	1102-7005 County Highway- Motor Vehicle	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-50489.43		
61110	Official & Administrators	0.00	-46108.24		
61170	Skilled Craft Workers	0.00	-121193.44		
61180	Service/Maintenance	0.00	-221844.82		
61270	holiday pay	0.00	-16529.84		
61320	FICA - Deduction	0.00	-34108.10		
61330	PERF - Deduction	0.00	-64775.54		
61340	Group Insurance -Deduction	0.00	-18500.00		
61360	Workman's Comp - Ded	0.00	-4300.96		
61381	Group Life IRS Reportable	0.00	-79.37		
63510	Utilities	0.00	-575.96		
Fund Total	1102	**0.00**	**-578505.70**	**578505.70**	**0.00**
Activity	1102-7007 County Highway- Local Roads & Streets	Cur USD	Dates: 01/01/95 - 12/31/25		

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund Contract and Estimated Cost

42055	Refunds and Reimbursement	75.00	0.00		
Fund Total	1102	**75.00**	**0.00**	**75.00**	**-100.00**

Profit and Loss Statement

AC473 Date: 03/17/2023
Time: 03:33

Parameters **Period:** Jan-23 To Mar-23
Fund: 1102
Department: 9999

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
1102	County Highway	8,413,474.53	1,624,193.52	-703,588.53	9,334,079.52
				Total	9,334,079.52

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1102-7004-61320	County Highway-Gen Undistributed Motor E-FICA \- Deduction		0.00	0.00	0.00	5,522.29	5,522.29	-5,522.29
1102-7004-62210	County Highway-Gen Undistributed Motor E-Petroleum Products		522,965.54	0.00	90,457.21	91,809.34	182,266.55	340,698.99
1102-7004-62220	County Highway-Gen Undistributed Motor E-Garage & Motors		100,517.72	0.00	1,884.40	23,843.73	25,728.13	74,789.59
1102-7004-62310	County Highway-Gen Undistributed Motor E-Equipment Repair Parts		263,009.92	0.00	26,353.31	80,206.01	106,559.32	156,450.60
1102-7004-62390	County Highway-Gen Undistributed Motor E-Other Repair & Mainten Su		9,640.78	0.00	640.78	1,551.48	2,192.26	7,448.52
1102-7004-62410	County Highway-Gen Undistributed Motor E-Other Supplies		76,286.00	0.00	13,213.00	9,686.75	22,899.75	53,386.25
1102-7004-63290	County Highway-Gen Undistributed Motor E-Other Comm & Trans		9,000.00	0.00	5,000.00	0.00	5,000.00	4,000.00
1102-7004-63620	County Highway-Gen Undistributed Motor E-Equipment Repair		167,546.38	0.00	79,602.07	31,112.94	110,715.01	56,831.37
1102-7004-63710	County Highway-Gen Undistributed Motor E-Equipment Rentals		40,000.00	0.00	0.00	0.00	0.00	40,000.00
1102-7004-63715	County Highway-Gen Undistributed Motor E-Equipment Lease		2,005,953.55	0.00	1,428,620.00	542,163.97	1,970,783.97	35,169.58
1102-7004-63720	County Highway-Gen Undistributed Motor E-Laundry & Cleaning		17,165.91	0.00	3,708.43	2,084.77	5,793.20	11,372.71

Lake County Highway Department

Jan Smoljan
Superintendent

1100 E. Monitor Street
Crown Point, Indiana 46307
Phones: 219-663-0525
219-374-5608
Fax: 219-662-0497

March 10, 2023

Lake County Council
Charlie Brown, President
Christine Cid, Vice President
2293 N. Main Street
Crown Point, Indiana 46307

Re: April County Council Agenda- Highway Restructuring

Dear Mr. President and Madame Vice President,

The Lake County Highway Department respectfully requests, that the Lake County Council add to their April 2023 agenda, the attached forms 144 and form 3, which represent a restructuring of the Highway Department. One assistant supervisor position is being eliminated, within fund 1001-7002. The position has been vacant, since June of 2022 and the remaining staff has been performing additional work since that time. Raises for the remaining workers are covered by the elimination of the supervisor position.

Within fund 1102, Department 7005, we are asking for raises for the Foremen, to keep the gaps in line with our Assistant Supervisors raises. The raise increases the budget by $11,750.00, which is more than covered by the surplus within fund 1102. A form 3 for an additional appropriation is attached.

New job descriptions, for the remaining employees, are attached.

Thank you in advance for your consideration in this matter.

Respectfully submitted,

Jan Smoljan, Superintendent

Cc: Randy Niemeyer, Chairman
T. Barczak, Admin. Ass't/Council office
Larry Blanchard, Council Consultant

LAKE COUNTY AUDITOR
2023 MAR 14 AM 11:49
RECEIVED

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

Highway Department 1102-7005 (Name of Office, Department, Board Agency), LAKE County, Indiana

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 20:

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification

JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
11220001 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11220002 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11220003 Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
11719001 Bridge Foreman	$ 63,064.00	$ 66,000.00	$ 2,936.00
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
Totals	$ 252,256.00		$ 11,744.00

org

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification		Rate of Pay*	
		Per	
	$	Per	
	$	Per	
	$	Per	
	$	Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: Jan Smoljan

Jan Smoljan
Superintendent
(Title)

Date March 10, 2023

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County
_____ as Follows: FUND NO. 1102
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
				$ -

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County Highway Department - 7005 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	1102 61110 Officals and Administrators	$11,750.00
2.		
3.		
4.		
5.		
6.		
		$11,750.00

Lake County Highway Department
Name of Department

Jan Smolian
Signature & Date Jan Smolian Superintendent 3/10/2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Payroll Budget

Entity: 7005.Motor Vehicle | Fund: 1102.County Highway

					Baseline	Department Request	Custom Version	Working Budget	Council Approved
P_700211219018.Perf Server	24174	[redacted]	Lake County Highway Public Works	61180.Service/Maintenance	48,131.2	48,131.2		48,131.2	48,131.2
700518842003.6 WH Truck Driver	23066	[redacted]	Lake County Highway Public Works	61180.Service/Maintenance	48,131.2	48,131.2		48,131.2	48,131.2
700518842002.6 WH Truck Driver	21670	[redacted]	Lake County Highway Public Works	61180.Service/Maintenance	48,131.2	48,131.2		48,131.2	48,131.2
700518842001.6 WH Truck Driver	19979	[redacted]	Lake County Highway Public Works	61180.Service/Maintenance	48,131.2	48,131.2		48,131.2	48,131.2
700517718013.Heavy Equipment Optr I	21668	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718012.Heavy Equipment Optr I	23487	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718011.Heavy Equipment Optr I	21591	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718010.Heavy Equipment Optr I	14222	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718009.Heavy Equipment Optr I	24385	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718008.Heavy Equipment Optr I	17886	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718007.Heavy Equipment Optr I	16127	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718006.Heavy Equipment Optr I	17882	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718005.Heavy Equipment Optr I	05056	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718004.Heavy Equipment Optr I	21200	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718003.Heavy Equipment Optr I	23531	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718002.Heavy Equipment Optr I	19584	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700517718001.Heavy Equipment Optr I	20354	[redacted]	Lake County Highway Public Works	61170.Skilled Craft Workers	53,996.8	53,996.8		53,996.8	53,996.8
700511722001.Paving Inspector	No_Employee		Lake County Highway Public Works	61110.Official & Administrators	50,191	50,191		50,191	50,191
700511719001.Bridge Foreman	02993	[redacted]	No_Unioncode	61110.Official & Administrators	63,063.94	63,063.94		63,063.94	63,063.94
700511220003.Foremen	05703	[redacted]	No_Unioncode	61110.Official & Administrators	63,063.94	63,063.94		63,063.94	63,063.94
700511220002.Foremen	07091	[redacted]	No_Unioncode	61110.Official & Administrators	63,063.94	63,063.94		63,063.94	63,063.94
700511220001.Foremen	15369	[redacted]	No_Unioncode	61110.Official & Administrators	63,063.94	63,063.94		63,063.94	63,063.94
				Total	[redacted]	[redacted]		[redacted]	[redacted]

DRAFT

POSITION DESCRIPTION
LAKE COUNTY INDIANA
updated 2/16/2023

POSITION:	District Foreman
DEPARTMENT:	Highway
WORK SCHEDULE:	As assigned
JOB CATEGORY:	LTC (Labor, Trades, Crafts)

DATE WRITTEN: DATE
REVISED:

STATUS: Full-time
FLSA STATUS: Exempt

To perform this position successfully, an individual must be able to perform each essential duty satisfactorily. **The requirements *listed* in this document are representative of the knowledge, skill, and/or ability required. Lake County provides reasonable accommodation to qualified employees and applicants with known disabilities who require accommodation to complete the application process or perform essential functions of the job, unless the accommodation would cause an undue hardship.**

As the Highway Department is restructuring the administrative staff, by the reduction of two Supervisor positions, the foremen will be required to take on additional duties, as follows:

DUTIES:

The Foremen will float between the two remaining supervisors and the mechanical department. The Foreman shall supervise and direct assigned personnel, including making work assignments, coordinating job responsibilities, and maintaining employee records, such as payroll, and recording time, materials, and equipment usage as required.

Foremen will assist assists in the direction of all construction projects, including planning, assigning, and dispatching work crews and equipment on a daily basis according to plans, and monitoring project sites to complete scheduled work assignments. They shall coordinate their job responsibilities with the supervisors and engineers.

They shall monitor and ensure the safety of all employees, and the proper use, care and maintenance of all department equipment and vehicles, on a daily basis ensuring safety of Department employees.

They shall assist in inspecting the department's roads and rights-of-way for needed maintenance and repairs, and/or schedule repairs, or reports to appropriate personnel as necessary.

The Foremen shall supervise and troubleshoot routine issues that may occur, at a job site. They must ensure that safety regulations are enforced at all times and personal protective equipment is worn by employees.

Foremen are also responsible for coordinating daily tasks, according to priorities, engineering plans, and shall make necessary changes whenever required, such as by inclement weather, or other issues.

Foremen shall delegate duties to each of their employees and maintain adequate staffing on the job sites.

Foremen shall always emphasize the safe use of tools, machinery and equipment and shall provide training to the employees on how to properly use their equipment.

Foremen shall resolve all conflicts, or miscommunication on the job site, and shall regularly report their progress to the Supervisors, engineers, Assistant Superintendent and Superintendent.

Foremen shall perform administrative duties, such as delegating employee assignments, evaluating employee performance, and the documentation of any overtime.

They shall assist the department by making recommendations for equipment repairs and maintenance; and make recommendations for replacement schedules for heavy equipment and other equipment and vehicles.

Transports personnel to/from various job sites and picks up parts for vehicles/equipment as needed.

Receives and investigates County road complaints from citizens and initiates appropriate action to resolve valid complaints.

Assists with maintaining inventory of department equipment and supplies and requisitions supplies as needed.

May be required *to* perform duties of the supervisor in his/her absence.

Serves on 24-hour *call* for emergency situations.

Performs related duties as assigned.

I. **SKILLS AND KNOWLEDGE:**

High school diploma or GED and minimum of one (I) year previous experience in related field.

Must be at least 18 years of age.

Thorough knowledge of and ability to make practical application of safety policies and procedures.

Working knowledge of drainage systems, construction and maintenance of County roads and right-of-way, paving operations, and/or preventative road maintenance.

Working knowledge of and ability to make practical application of methods, materials and equipment used in constructing/maintaining roads and rights-of-way.

Working knowledge of snow removal and ability to maintain roads during inclement weather.

Knowledge of basic bookkeeping practices and principles, and ability to maintain employee records, such as payroll, and record time, materials, and equipment usage as required.

Ability to oversee daily and long-term goals and needs of assigned district, and supervise and direct assigned personnel, including making work assignments, and coordinating job responsibilities.

Ability to comply with all employer and department policies and work rules, including, but not limited to, attendance, safety, drug-free workplace, and personal conduct.

Ability to provide public access to or maintain confidentiality of Department information and records according to state requirements.

Ability to effectively communicate orally and in writing with co-workers, other County departments, suppliers, and the public, including being sensitive to professional ethics, gender, cultural diversities and disabilities.

Ability to operate standard office equipment, including computer, calculator, and telephone.

Ability to understand, memorize, retain, and carry out written or oral instructions and present findings in oral or written form.

Ability to work alone with minimum supervision and with others in a team environment.

Ability to work on several tasks at the same time and work rapidly for long periods, occasionally under time pressure.

Ability to physically perform duties, such as sitting/walking at will, sitting/standing/walking for *long* periods, lifting/carrying objects weighing 25-50 pounds, bending, reaching, crouching/kneeling, pushing/pulling objects, and close/far vision.

Ability to compare or observe similarities and differences in data, compile, collate, or *classify* data, and make determinations based on data analyses.

Ability to apply knowledge of people and/or locations, and plan and layout assigned work projects.

Ability to make arithmetic calculations, and read/interpret detailed prints, sketches, layouts, specifications, and maps.

Ability to serve on 24-hour call.

Possession of a valid driver's license and a demonstrated safe driving record.

Il. **RESPONSIBILITY:**

Incumbent performs duties under direct supervision, receiving work assignments as needed. Incumbent serves as foreman in assigned district in accordance with standard operating practices and procedures, exercising judgment to assist and direct assigned staff, identifying potential and existing road hazards, and notifying supervisor or appropriate Department personnel accordingly. Care and safety precautions must be exercised at all times to protect self, others, and assigned equipment.

Incumbent reports directly to the Supervisor and acts in place of the supervisor, whenever the supervisor is unavailable.

ID. **PHYSICAL EFFORT:**

Incumbent's duties involve sitting/walking at will, sitting/standing/walking for long periods, lifting/carrying objects weighing 25-50 pounds, bending, reaching, crouching/kneeling, pushing/pulling objects, close/far vision, and hearing mechanical sounds.

IV. **WORKING CONDITIONS:**

Incumbent performs duties in a standard office environment and/or outdoors, involving frequent exposure to normal hazards associated with maintaining roads and rights-of-way, including excessive noise, moving parts, toxic chemicals, fumes, slippery surfaces, extreme weather conditions, and a variety of related hazards. Safety precautions must be followed at all times to avoid injury to self and others. Incumbent serves on 24-hour call for emergency situations.

RESOLUTION NO._____

RESOLUTION PERMITTING THE LAKE COUNTY COMMUNITY CORRECTIONS TO PAY AN OUTSTANDING 2022 INVOICE/DEBT FROM THE 2023 BUDGET

WHEREAS, the Lake County Community Corrections is currently operating in the 2023 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2022, has not been paid:

1244-9102-63710	Equipment Rental
Sentinel Offender Services	$13,068.85; and

WHEREAS, the Lake County Community Corrections desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2022 expense shall be paid from the Lake County Community Corrections 2023 Budget:

1244-9102-63710	Equipment Rental
Sentinel Offender Services	$13,068.85

SO RESOLVED THIS 11th day of April, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

Sentinel Offender Services
1290 North Hancock Street Suite 103
Anaheim, CA 92807

SENTINEL

Invoice 200689

September 30, 2022
Page 1 / 1

LAKE CO COMMUNITY CORRECTIONS
Kellie Bittorf
2600 W. 93rd Avenue
Crown Point, IN 46307

1244-9102-63710

Your Reference	Bill-to Customer No.	Due Date	Payment Terms
	0146120	October 30, 2022	NET 30

Service Days: September 1 2022 – September 30 2022

Item Number	Description	Quantity	Unit Price Excl. Tax	Tax %	Extended Price Excl. Tax
GOMM5	GPS - OM500 Monitoring	1,033	4.95	0	5,113.35
GOMM5	GPS - OM500 Monitoring	1,395	4.68	0	6,528.60
SCRAM	SCRAM Bracelet	76	7.75	0	589.00
SCRAM ETH	SCRAM ETHERNET MONITORING	98	8.55	0	837.90

Subtotal	13,068.85
Total Tax	0.00
Total $ Incl. Tax	**13,068.85**

This invoice is final unless discrepancies are reported within 15 days.
If you have any questions concerning this invoice, please contact billing@sentineladvantage.com.

Payment Options:

- For EFT/ACH/Wire Transfer or Credit Card payments, please email AR@sentineladvantage.com for instructions.
- For CHECK payments only, please remit to:

SENTINEL OFFENDER SERVICES LLC
PO BOX 8436
PASADENA CA 91109-8436

Please include the invoice number on all forms of payment.

1461 S. Lake Park Ave.
Hobart, Indiana 46342

Lino Maggio
Hobart Township Assessor

Office: (219) 942-7878

March 14, 2023

Lake County Council
2293 S. Main Street
Crown Point, IN 46307

Dear Honorable Council Members,

At this time, the office of the Hobart Township Assessor, would like to request an additional appropriations within Fund 1337 per attached Form 3. Our department number is 2004. We want to hire Nexus LTD for cyclical reassessment and annual trending/ratio study for Hobart Township. Hobart Township had Nexus LTD in the past. Please feel free to contact me if you have any questions.

Thank you,

Lino Maggio
Hobart Township Assessor

LAKE COUNTY AUDITOR
2023 MAR 15 AM 8:58
RECEIVED

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County
2004 Hobart Twp Assessor as Follows: FUND NO. 1337
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
6.				

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County 2004 Hobart Township Assessor as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	1337 63190 Other Professional Services	$ 196,549.00
2.		
3.		
4.		
5.		
6.		
	TOTAL:	196,549.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County
_____ as follows along with evidence of the obligation for which the encumbrance shall be used.
Dept. Name & No. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

HOBART TOWNSHIP ASSESSOR
Name of Department

Signature & Date March 13, 2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).
2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)
3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

LAKE COUNTY AUDITOR
2023 MAR 14 AM 11:30
RECEIVED

Budget Analysis Report

* Year 2023 * Fund 1337 Reassessment 2015 * Department 2004 Hobart Twp. Assessor Account All

Budget_Balance_Report_2...

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1337-2004-61100	Reassessment 2015-Hobart Twp. Assessor-Overtime		26,000.00	0.00	0.00	0.00	0.00	26,000.00
1337-2004-61190	Reassessment 2015-Hobart Twp. Assessor-Part\-Time		24,582.00	0.00	0.00	6,361.00	6,361.00	18,221.00
1337-2004-61251	Reassessment 2015-Hobart Twp. Assessor-Assessor Per Diem		11,250.00	0.00	0.00	0.00	0.00	11,250.00
1337-2004-61280	Reassessment 2015-Hobart Twp. Assessor-Seasonal Employees		22,500.00	0.00	0.00	0.00	0.00	22,500.00
1337-2004-61320	Reassessment 2015-Hobart Twp. Assessor-FICA \- Deduction		7,562.00	0.00	0.00	486.63	486.63	7,075.37
1337-2004-61330	Reassessment 2015-Hobart Twp. Assessor-PERF \- Deduction		3,952.00	0.00	0.00	0.00	0.00	3,952.00
1337-2004-61360	Reassessment 2015-Hobart Twp. Assessor-Workman's Comp \- Ded		2,120.00	0.00	0.00	200.00	200.00	1,920.00
1337-2004-62110	Reassessment 2015-Hobart Twp. Assessor-Office Supplies		955.00	0.00	0.00	0.00	0.00	955.00
1337-2004-63190	Reassessment 2015-Hobart Twp. Assessor-Other Professional Servic		8,546.00	0.00	0.00	0.00	0.00	8,546.00
1337-2004-63235	Reassessment 2015-Hobart Twp. Assessor-Travel \- Mileage		3,634.60	0.00	0.00	0.00	0.00	3,634.60
1337-2004-63310	Reassessment 2015-Hobart Twp. Assessor-Printing		1.00	0.00	0.00	0.00	0.00	1.00
1337-2004-64420	Reassessment 2015-Hobart Twp. Assessor-Office Machines		2,737.00	0.00	0.00	186.00	186.00	2,551.00
1337-2004-64490	Reassessment 2015-Hobart Twp. Assessor-Other Equipment		538.00	0.00	0.00	0.00	0.00	538.00

OFFICE OF THE LAKE COUNTY RECORDER

LAKE COUNTY GOVERNMENT CENTER
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307

GINA PIMENTEL
Recorder

PHONE (219) 755-3730
FAX (219) 648-6094

March 14, 2023

Mr. Charlie Brown, President
Lake County Council
2293 North Main Street
Crown Point, IN 46307

RE: Revised 144

Dear President Brown and Council Members,

This letter serves as our official request to be placed on the next Council Agenda. Please find attached a revised Form-144 requesting a decrease in two supplemental positions effective April 3, 2023

Thank you in advance for your consideration.

Respectfully,

Regina M. Pimentel
Lake County Recorder

LAKE COUNTY AUDITOR
2023 MAR 16 PM 1:43
RECEIVED

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

Lake County Recorder - 1004 , LAKE County, Indiana

(Name of Office, Department, Board Agency)

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023:

FULL TIME SALARIED OFFICERS AND EMPLOYEES

only

Title of Position or Employee Classification.

JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
1179-39002-001 Supplemental Pay - NGenFnd	$ 8,791.00	$ 6,381.00	$ (2,410.00)
1179-39002-002 Supplemental Pay - NGenFnd	$ 16,413.00	$ 6,353.00	$ (10,060.00)
Effective 4-3-23			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
Totals	$ 25,204.00	$ 12,734.00	$ (12,470.00)

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification.	Rate of Pay*:	
	$	Per
	$	Per

*Show rate of pay per month, week, day, hour, etc.

Submitted by: Regina M. Pimentel (Signature)

Recorder (Title)

Date March 16, 2023

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly emplovees need not be included in this statement

(3) The County Auditor shall complete the reverse side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

				Baseline
			2304[redacted]	27,040
			2357[redacted]	27,040
			2438[redacted]	27,040
61290.Supplemental Pay	No_Unioncode	100439002018.Supplemental Pay -NGenFnd 1179	No_Employee	3,386
		100439002017.Supplemental Pay -NGenFnd 1179	No_Employee	12,681
		100439002016.Supplemental Pay -NGenFnd 1179	No_Employee	6,372
		100439002015.Supplemental Pay -NGenFnd 1179	No_Employee	8,825
		100439002014.Supplemental Pay -NGenFnd 1179	No_Employee	5,372
		100439002013.Supplemental Pay -NGenFnd 1179	No_Employee	12,795
		100439002012.Supplemental Pay -NGenFnd 1179	No_Employee	7,681
		100439002011.Supplemental Pay -NGenFnd 1179	No_Employee	13,554
		100439002010.Supplemental Pay -NGenFnd 1179	No_Employee	9,531
		100439002009.Supplemental Pay -NGenFnd 1179	No_Employee	11,707
		100439002008.Supplemental Pay -NGenFnd 1179	No_Employee	11,505
		100439002007.Supplemental Pay -NGenFnd 1179	No_Employee	12,317
		100439002006.Supplemental Pay -NGenFnd 1179	No_Employee	14,763
		100439002005.Supplemental Pay -NGenFnd 1179	No_Employee	22,615
		100439002004.Supplemental Pay -NGenFnd 1179	No_Employee	10,463
		100439002003.Supplemental Pay -NGenFnd 1179	No_Employee	14,791
		100439002002.Supplemental Pay -NGenFnd 1179	No_Employee	16,413
		100439002001.Supplemental Pay -NGenFnd 1179	No_Employee	8,791

Lake County
Homeland Security & Emergency Management
2900 West 93rd Avenue
Crown Point, IN 46307

Robert D. Walker
Executive Director

Paul A. Petrie
Deputy Director

March 20, 2023

The Honorable Charlie Brown, President, Lake County Council

Honorable members of the Lake County Homeland Security Budget Committee

Honorable members of the Lake County Council

Our department respectfully requests to be added to the April 11th County Council meeting agenda.

Please see the attached form 3 and the appropriations request justifications. We contacted our budget committee in February and will follow up with them again before the study session.

Respectfully submitted,

Paul Petrie
Deputy Director

LAKE COUNTY AUDITOR

2023 MAR 20 PM 3:53

RECEIVED

Office: 219-755-3549 • Fax: 219-755-3559 • Email: PPetrie@LakeCountyIN.org

Lake County
Homeland Security & Emergency Management
2900 West 93rd Avenue
Crown Point, IN 46307

Robert D. Walker
Executive Director

Paul A. Petrie
Deputy Director

LAKE COUNTY HOMELAND SECURITY

Appropriation request justifications

Lake County Homeland Security & EMA assumed the responsibility for Lake County Hazmat. The Lake County Fire Chiefs Association relinquished responsibility and the $130,000 per year the County allocated them to manage Lake County Hazardous Materials.

$100,000 was merged into Lake County EMA for as follows:

$ 42,000 salary for the Hazardous Materials Coordinator

$ 36,000 salary for the Secretary (New EMA Position)

$ 34,000 for operating expenses

$ 18,000 for part-time Deputy Haz-Mat Director

When we assumed responsibility for the hazardous material response unit, we took responsibility for all monitoring, radiological, breathing apparatus, and personal protective equipment (PPE). We cannot maintain these expenditures with a $21,000 budget.

Budget:

Our operating budget for 2022: $ 82,700

Our operating budget for 2023: is $ 21,656 this is a reduction of $61,044 or -74%

Staffing:

If we are basing our budget on 2021 personnel staffing levels in 2021 were 3; 2023 is 7

Equipment:

If we are establishing the budget for equipment:

In 2022 we had: 2 Tahoes and a pickup truck.

In 2023 we have 3 Tahoes, a pickup truck, a Hazmat Truck, a bus, a command vehicle, seven trailers that must be maintained, fueled, and serviced, and two light towers run by diesel fuel.

Monthly Expenses:

Our monthly phone bill is $450 or $5400 annually

Education:

Continuing Education is VITAL in emergency preparedness. Not only do we need to maintain standards of training to achieve the National Preparedness Goal of the Federal Emergency Management Agency (FEMA), but training is also required, so the State of Indiana will continue to pay $75,000 towards salaries through the Emergency Management Performance Grant (EMPG) for three positions in our department: the Director, Deputy Director, and Administrative Assistant. This grant encourages the development of Emergency Management capabilities for all hazard preparedness activities. New employees must complete the Federal Emergency Management Agency (FEMA) Emergency Management Basic Academy Training.

Travel expenses

Travel expenses were substantially reduced. When classes are not offered in Indiana, we must travel to the nearest site where the accredited courses are held. FEMA and the Emergency Management Institute (EMI) serve as the national focal point for developing and delivering emergency management training to enhance the capabilities of State, local, and Tribal government officials. Emergency Management Institute (EMI) curricula are structured to meet the needs of this diverse audience with an emphasis on separate organizations working together in all-hazards emergencies to save lives and protect property.

Other:

Our expenditures in the 4th quarter of 2022 increased due to our highly anticipated move to the 4th Floor. We were waiting for construction to be completed so that we could order furniture and equipment for our office and emergency operations center (EOC).

We are rebuilding the Lake County Community Emergency Response Team (CERT) one volunteer at a time. These volunteers must be trained and certified to become part of our team.

Emergency preparedness is crucial, and we must continue to be proactive. Natural disasters, manmade disasters, catastrophic accidents, terrorist attacks, and active shooters happen every day. We have over 500,000 residents in this county. Our department follows the National Preparedness Goal daily and builds capabilities to maintain the Continuity of Operations.

The National Preparedness goal:

A secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.

Lake County Homeland Security ● Emergency Management
2900 W. 93rd Ave. ● Crown Point, IN 46307
Office: 219-755-3549 ● Fax: 219-755-3559 ● Email: LCHSEMA@LakeCountyIN.org

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: Fund _____

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
	Total			

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County 9304 Emergency Management (Dept. Name & No.) as follows:

	FUND, Line Item No. & Title		Amount
1.	1001-62110 -Office Supplies		$2,396.00
2.	1001-62210 - Petroleium Products		$2,808.00
3.	1001-62220 - Garage & Motors		$4,580.00
4.	1001-62230 - Clothing		$5,438.00
5.	1001 - 62310 - Equipment Repair Parts		$7,499.00
6.	1001 - 62410 - Other Supplies		$13,392.00
7	1001 - ~~62324~~ 63231 - Travel Registration		$741.00
8	1001 - 63232 - Travel Meals		$2,591.00
9	1001 - 63233 - Travel Lodging		$2,178.00
10	1001 - 63234 - Travel Trans/Other		$1,999.00
11	1001 - 63235 - Travel Mileage		$2,546.00
12	1001 - 63240 - Telephone		$1,324.00
13	1001 - 63630 - Maint & Service Cont		$4,099.00
14	1001 - 63910 - Dues & Subscriptions		$1,245.00
15	1001 - 63995 - Other Services & Charges		$1,094.00
16		TOTAL	53,930.00

Emergency Management
Name of Department

Signature & Date 3/15/2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

Budget Analysis Report

* Year 2023 * Fund 1001 County General * Department 9304 Emergency Mgmt Account All

Budget_Balance_Report_2...

	Ded							
1001-9304-61360	County General-Emergency Mgmt-Workman's Comp \- Ded		0.00	0.00	0.00	720.00	720.00	-720.00
1001-9304-62110	County General-Emergency Mgmt-Office Supplies		916.00	0.00	0.00	619.70	619.70	296.30
1001-9304-62120	County General-Emergency Mgmt-Lit, Edu., Info & Ref Mat		16.00	0.00	0.00	0.00	0.00	16.00
1001-9304-62210	County General-Emergency Mgmt-Petroleum Products		5,266.84	438.63	-266.84	266.84	438.63	4,828.21
1001-9304-62220	County General-Emergency Mgmt-Garage & Motors		420.00	0.00	0.00	0.00	0.00	420.00
1001-9304-62230	County General-Emergency Mgmt-Clothing		3,351.00	0.00	0.00	2,289.00	2,289.00	1,062.00
1001-9304-62310	County General-Emergency Mgmt-Equipment Repair Parts		1.00	0.00	0.00	0.00	0.00	1.00
1001-9304-62410	County General-Emergency Mgmt-Other Supplies		6,799.26	0.00	24.47	6,404.87	6,429.34	369.92
1001-9304-63231	County General-Emergency Mgmt-Travel \- Registration		509.00	0.00	0.00	0.00	0.00	509.00
1001-9304-63232	County General-Emergency Mgmt-Travel \- Meals		2,409.00	0.00	0.00	825.00	825.00	1,584.00
1001-9304-63233	County General-Emergency Mgmt-Travel \- Lodging		1,822.20	0.00	0.00	1,100.12	1,100.12	722.08
1001-9304-63234	County General-Emergency Mgmt-Travel \- Trans/Other		251.90	0.00	0.00	133.35	133.35	118.55
1001-9304-63235	County General-Emergency Mgmt-Travel \- Mileage		2,204.90	0.00	0.00	499.81	499.81	1,705.09
1001-9304-63240	County General-Emergency Mgmt-Telephone		5,134.69	312.40	650.00	815.69	1,778.09	3,356.60
1001-9304-63630	County General-Emergency Mgmt-Mainten & Service Cont		251.00	0.00	0.00	6.50	6.50	244.50
1001-9304-63910	County General-Emergency Mgmt-Dues & Subscriptions		744.00	0.00	0.00	547.49	547.49	196.51
1001-9304-63995	County General-Emergency Mgmt-Other Services & Charges		106.00	0.00	0.00	0.00	0.00	106.00
1001-9304-64410	County General-Emergency Mgmt-Furniture & Fixtures		16,924.91	0.00	0.00	16,923.91	16,923.91	1.00
1001-9304-64420	County General-Emergency Mgmt-Office Machines		1.00	0.00	0.00	0.00	0.00	1.00
1001-9304-64512	County General-Emergency Mgmt-Capital Outlay		1.00	0.00	0.00	0.00	0.00	1.00

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307

IDA CHATMAN-SANDERS
COURT MANAGER

chatmix@lakecountyin.org

(219) 755-3504 EXT. *339
FAX: (219) 755-3505

MARCH 21, 2023

LAKE COUNTY COUNCIL

ATTN: **CHARLIE BROWN, PRESIDENT**
DAVID HAMM, COMMITTEE CHAIRMAN
TED BILISKI, COMMITTEE MEMBER
CLORIUS LAY, COMMITTEE MEMBER

RE: **REDUCTION IN PROBATION SALARY**
DEPARTMENT 3002 – APRIL MEETING

Due to resignation of a Probation Officer, a reduction in salary is shown on the submitted Form 144. Salaries are determination based on years which is a part of the Judicial Schedule of salaries. The new Probation Officer will have less time than the Officer who resigned, which requires a reduction in salary. The **EFFECTIVE PAYROLL DATE** is **APRIL 24, 2023**.

Sincerely,

IDA CHATMAN-SANDERS
COURT MANAGER

cc: George Ficker

LAKE COUNTY AUDITOR
2023 MAR 21 AM 11:21
RECEIVED

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

1001

SUPERIOR COURT, CRIMINAL DIVISION (~~2143~~-3002), LAKE County, Indiana

(Name of Office, Department, Board Agency)

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023 (Calendar Year)

FULL TIME SALARIED OFFICERS AND EMPLOYEES

city

Title of Position or Employee Classification JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
12428 Position 020 - Probation Office	$61,986.00	$38,107.00	($23,879.00)
EFFECTIVE PAYROLL DATE - APRIL 24, 2023			$0.00
r			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
Total(s):	$61,986.00	$38,107.00	($23,879.00)

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification	Amount	Rate of Pay*	Hour, day, week, month, etc.
		Per	
		Per	
		Per	
		Per	
		Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: Tisa Chrisman-Sanders

(Signature)

Date 3/21/23

COURT MANAGER

(Title)

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Payroll Budget

Entity: 2002.Criminal Courts | Fund: 1001.County General

Point of View

				Baseline	Department Request	Custom Version	Working Budget	Council Approved
300213608001.Court Reporter	08134 [redacted]	No_Unioncode	61130.Technicians	45,968	45,968		45,968	45,968
300212542002.Magistrate	13536 [redacted]	No_Unioncode	61120.Professionals	3,999.84	3,999.84		3,999.84	3,999.84
300212542001.Magistrate	06316 [redacted]	No_Unioncode	61120.Professionals	3,999.84	3,999.84		3,999.84	3,999.84
300212428023.Probation Officer	19717 [redacted]	No_Unioncode	61120.Professionals	52,661.86	52,661.86		52,661.86	52,661.86
300212428022.Probation Officer	24785 [redacted]	No_Unioncode	61120.Professionals	41,020.93	41,020.93		41,020.93	41,020.93
300212428021.Probation Officer	20514 [redacted]	No_Unioncode	61120.Professionals	52,661.86	52,661.86		52,661.86	52,661.86
300212428020.Probation Officer	18925 [redacted]	No_Unioncode	61120.Professionals	61,985.87	61,985.87		61,985.87	61,985.87
300212428018.Probation Officer	13094 [redacted]	No_Unioncode	61120.Professionals	64,997.92	64,997.92		64,997.92	64,997.92
300212428017.Probation Officer	18473 [redacted]	No_Unioncode	61120.Professionals	63,723.92	63,723.92		63,723.92	63,723.92
300212428016.Probation Officer	23101 [redacted]	No_Unioncode	61120.Professionals	53,714.96	53,714.96		53,714.96	53,714.96
300212428015.Probation Officer	11840 [redacted]	No_Unioncode	61120.Professionals	71,495.84	71,495.84		71,495.84	71,495.84
300212428014.Probation Officer	24274 [redacted]	No_Unioncode	61120.Professionals	45,633.95	45,633.95		45,633.95	45,633.95
300212428013.Probation Officer	14484 [redacted]	No_Unioncode	61120.Professionals	63,723.92	63,723.92		63,723.92	63,723.92
300212428012.Probation Officer	12445 [redacted]	No_Unioncode	61120.Professionals	73,558.99	73,558.99		73,558.99	73,558.99
300212428011.Probation Officer	11791 [redacted]	No_Unioncode	61120.Professionals	71,495.84	71,495.84		71,495.84	71,495.84
300212428010.Probation Officer	18556 [redacted]	No_Unioncode	61120.Professionals	53,714.96	53,714.96		53,714.96	53,714.96
300212428009.Probation Officer	22997 [redacted]	No_Unioncode	61120.Professionals	52,661.86	52,661.86		52,661.86	52,661.86
300212428008.Probation Officer	24273 [redacted]	No_Unioncode	61120.Professionals	40,633.84	40,633.84		40,633.84	40,633.84
300212428007.Probation Officer	15525 [redacted]	No_Unioncode	61120.Professionals	58,723.81	58,723.81		58,723.81	58,723.81
300212428006.Probation Officer	19578 [redacted]	No_Unioncode	61120.Professionals	47,661.95	47,661.95		47,661.95	47,661.95
300212428005.Probation Officer	17532 [redacted]	No_Unioncode	61120.Professionals	52,929.97	52,929.97		52,929.97	52,929.97

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307

IDA CHATMAN-SANDERS
COURT MANAGER

chatmix@lakecountyin.org

(219) 755-3504 EXT. *339
FAX: (219) 755-3505

MARCH 21, 2023

LAKE COUNTY COUNCIL

ATTN: CHARLIE BROWN, PRESIDENT
DAVID HAMM, COMMITTEE CHAIRMAN
TED BILISKI, COMMITTEE MEMBER
CLORIUS LAY, COMMITTEE MEMBER

RE: CHANGE IN PROBATION OFFICER SALARY
DEPARTMENT 3002 – APRIL MEETING

The person filling this position is a current employee and based upon her years of service, the salary has to be increased from **$63,724** to **$70,094.**

During the original budget for **2023**, an oversight was made in her years of service. We are asking for **RECTROACTIVE** to **JANUARY 30, 2023.**

Attached is **FORM 144**, which reflects the above change.

Salary determination is based on years of service, which is a part of the Judicial Schedule of salaries.

Sincerely,

IDA CHATMAN-SANDERS
COURT MANAGER

cc: George Ficker

LAKE COUNTY AUDITOR
2023 MAR 21 AM 11:21
RECEIVED

Form Prescribed by State Board of Accounts

County Form No. 144 (1971)

STATEMENT OF SALARIES AND WAGES PROPOSED TO BE PAID OFFICERS AND EMPLOYEES CALENDAR YEAR 2023

SUPERIOR COURT, CRIMINAL DIVISION (~~2143~~ 1001-3002), LAKE County, Indiana

(Name of Office, Department, Board Agency)

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department, board or agency during the calendar year 2023 (Calendar Year)

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification JOB CODE # AND POSITION #	$ PRESENT	$ PROPOSED	$ DIFFERENCE
12428 Position 017 - Probation Officer	$63,724.00	$70,094.00	$6,370.00
RETROACTIVE - JANUARY 30, 2023			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
Total(s):	$63,724.00	$70,094.00	$6,370.00

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification	Amount	Rate of Pay*	Hour, day, week, month, etc.
		Per	
		Per	
		Per	
		Per	
		Per	

*Show rate of pay per month, week, day, hour, etc.

Submitted by: Ada Chatman-Sanders
(Signature)

Date 3/21/23

COURT MANAGER
(Title)

NOTES:

(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuring year.

(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement

(3) The County Auditor shall complete the reserve side of this of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Payroll Budget

Entity: 3002.Criminal Courts
Fund: 1001.County General

				Baseline	Department Request	Custom Version	Working Budget	Council Approved
300213608001.Court Reporter	08134[redacted]	No_Unioncode	61130.Technicians	45,968	45,968		45,968	45,968
300212542002.Magistrate	13536[redacted]	No_Unioncode	61120.Professionals	3,999.84	3,999.84		3,999.84	3,999.84
300212542001.Magistrate	06316[redacted]	No_Unioncode	61120.Professionals	3,999.84	3,999.84		3,999.84	3,999.84
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300212428022.Probation Officer	24785[redacted]	No_Unioncode	61120.Professionals	41,020.93	41,020.93		41,020.93	41,020.93
300212428021.Probation Officer	20514[redacted]	No_Unioncode	61120.Professionals	52,661.86	52,661.86		52,661.86	52,661.86
300212428020.Probation Officer	18925[redacted]	No_Unioncode	61120.Professionals	61,985.87	61,985.87		61,985.87	61,985.87
300212428018.Probation Officer	13094[redacted]	No_Unioncode	61120.Professionals	64,997.92	64,997.92		64,997.92	64,997.92
300212428017.Probation Officer	18473[redacted]	No_Unioncode	61120.Professionals	63,723.92	63,723.92		63,723.92	63,723.92
300212428016.Probation Officer	23101[redacted]	No_Unioncode	61120.Professionals	53,714.96	53,714.96		53,714.96	53,714.96
300212428015.Probation Officer	11840[redacted]	No_Unioncode	61120.Professionals	71,495.84	71,495.84		71,495.84	71,495.84
300212428014.Probation Officer	24274[redacted]	No_Unioncode	61120.Professionals	45,633.95	45,633.95		45,633.95	45,633.95
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300212428012.Probation Officer	12445[redacted]	No_Unioncode	61120.Professionals	73,558.99	73,558.99		73,558.99	73,558.99
300212428011.Probation Officer	11791[redacted]	No_Unioncode	61120.Professionals	71,495.84	71,495.84		71,495.84	71,495.84
300212428010.Probation Officer	18556[redacted]	No_Unioncode	61120.Professionals	53,714.96	53,714.96		53,714.96	53,714.96
300212428009.Probation Officer	22997[redacted]	No_Unioncode	61120.Professionals	52,661.86	52,661.86		52,661.86	52,661.86
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300212428007.Probation Officer	15525[redacted]	No_Unioncode	61120.Professionals	58,723.81	58,723.81		58,723.81	58,723.81
300212428006.Probation Officer	19578[redacted]	No_Unioncode	61120.Professionals	47,661.95	47,661.95		47,661.95	47,661.95
300212428005.Probation Officer	17532[redacted]	No_Unioncode	61120.Professionals	52,929.97	52,929.97		52,929.97	52,929.97
300212428004.Probation Officer	24799[redacted]	No_Unioncode	61120.Professionals	36,020.82	36,020.82		36,020.82	36,020.82
300212428002.Probation Officer	14402[redacted]	No_Unioncode	61120.Professionals	58,723.81	58,723.81		58,723.81	58,723.81

OSCAR MARTINEZ
LAKE COUNTY SHERIFF
LAKE COUNTY, INDIANA

March 21, 2023

Lake County Council
Attn: Charlie Brown, President
2293 N. Main Street
Crown Point, IN 46307

Re: April 2023 Lake County Council Meeting Agenda Request – Additional Appropriation Form 3 for Sheriff's Department FY 22 Port Authority Grant

ok y

Dear Council President Brown & Members,

Following the Council's application approval of additional appropriations and creating new line items at the April 2023 meeting as submitted on form 3. The Lake County Sheriff's Department was subsequently awarded, cost match of 25% in the amount of $194,389.00 -75% federally funded in the amount of $583,168.00 FY 2022 Port Security Grant in the amount of $777,557.00; the award number is EMW-2022-PU-00030.

Please include the enclosed Form-3 on the April 2023 County Council meeting agenda.

Thank you for your consideration.

Sincerely,

Oscar Martinez
Lake County Sheriff

LAKE COUNTY AUDITOR
2023 MAR 21 PM 2:52
RECEIVED

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County
_____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
			Total:	

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County FY 22 Port Security Grant 8001 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	8447 64490 Other Equipment (Create New)	$777,557.00
2.		
3.		
4.		
5.		
6.		
	Total:	$777,557.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County
Sheriff Department as follows along with evidence of the obligation for which the encumbrance shall be used.
Dept. Name & No. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

Lake C. Sheriff
Name of Department

Isaac Martin Jr. 03/21/2023
Signature & Date

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

OSCAR MARTINEZ
LAKE COUNTY SHERIFF
LAKE COUNTY, INDIANA

Revised

March 7, 2023

Lake County Council
Attn: Charlie Brown, President
2293 N. Main Street
Crown Point, IN 46307

Re: Additional Appropriation Form 3-For Sheriff's Department JAG 2022

Dear Council President Brown & Members,

Following the Council's application approval of additional appropriations and create new line items at the April 2023 meeting as submitted on form 3. The Lake county Drug Task force was subsequently awarded a multi-jurisdictional, no local match federally funded 2022 DOJ Justice Assistance Grant (JAG) in the amount of $94,322.00; the award number is 2022-15PBJA-22-GG-02259-JAGX. The grant's co-recipients are the police departments of East Chicago, Hammond & Gary.

Please include the enclosed Form-3 on the April 2023 County Council meeting agenda.

Thank you for your consideration.

Sincerely,

Oscar Martinez
Lake County Sheriff

LAKE COUNTY AUDITOR
2023 MAR 22 PM 2:36
RECEIVED

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

Revised

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County

_____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
			Total:	

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County 8262 FY 22 Sheriff JAG 8011 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	8262- 61100 Overtime	$5,000.00
2.	8262- 64490 Equipment	$55,494.00
3.	8262- 62410 Other Supplies	$6,194.00
4.	8262-63965 Other Services & Charges	$14,514.00
5.	8262- 63236 Travel/Training	$13,120.00
6.		
	Total:	$94,322.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County

_____ as follows along with evidence of the obligation for which the encumbrance shall be used.
Dept. Name & No. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

Lake Co. Sheriff's Department
Name of Department

Signature & Date

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Ledger LakeCounty US

From Period Jan-23 To Period Mar-23

Fund 8262 Justice Assistance Grar

Department All Apply

AC473

Profit and Loss Statement

AC473 Date: 03/13/2023
Time: 09:24

Parameters Period: Jan-23 To Mar-23
Fund: 8262
Department: 9999

Acct Cat	Description	Revenue	Cost	Profit/Loss	Pct of Revenue
Activity	8262-8009 Justice Assistance Grant- JAG 2020 Grant	Cur USD	Dates: 01/01/95 - 12/31/25		
Fund Contract and Estimated Cost					
61100	Overtime	0.00	-1065.57		
Fund Total	8262	0.00	-1065.57	1065.57	0.00

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
8262	Justice Assistance Grant	46,758.34	0.00	-1,065.57	45,692.77
				Total	45,692.77

OFFICE OF THE PUBLIC DEFENDER
SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
2293 N. MAIN STREET
CROWN POINT, IN 46307
TELEPHONE: (219) 755-3506
FAX: (219) 755-3078
MARCE GONZALEZ JR. CHIEF PUBLIC DEFENDER
THOMAS W. VANES FIRST ASSISTANT CHIEF PUBLIC DEFENDER
MARVIN E. SMITH EXECUTIVE DIRECTOR
WILLIAM A. PADULA SUPERVISOR CONFLICTS DIVISION
MARK A. BATES SUPERVISOR APPELLATE DIVISION

To: Christine Cid, Lake County Council

From: Marce Gonzalez, Chief Public Defender
Department #9002

Re: Request for Emergency Additional Appropriations
Fund 1405-9002-64420 Office Machines Amount $15,000.00

Date: March 7, 2023

Our office respectfully requests emergency additional appropriations in the amount of $15,000 in Fund 1405-line item #64420 Office Machines. This request is being made due to the fact we have (2) color copiers, approximately 12 years old that are both in very poor working condition.

Thank you for your assistance in this matter. If you should have any questions or concerns, please feel free to contact me at ext. 3550.

Sincerely,

Marce Gonzalez
Chief Public Defender

LAKE COUNTY AUDITOR

2023 MAR 10 AM 11:19

RECEIVED

LAKE COUNTY COUNCIL FORM #3

BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County _____ as Follows: FUND NO. _____
Dept. Name & No.

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.				
2.				
3.				
4.				
5.				
			Total:	

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County PUBLIC DEFENDER #9002 as follows:
Dept. Name & No.

	FUND, Line Item No. & Title	Amount
1.	1405-64420 OFFICE MACHINES	$15,000.00
2.		
3.		
4.		
5.		
6.		
	Total:	$15,000.00

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County _____ as follows along with evidence of the obligation for which the encumbrance shall be used.
Dept. Name & No. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

PUBLIC DEFENDER #9002
Name of Department

Signature & Date 3/9/23

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Fund Report (AC473)

Ledger LakeCounty US

From Period Jan-23 To Period Mar-23

Fund 1405 Supplemental Public De

Department All Apply

AC473

Activity 1405-4004 Supplemental Public Defender- Lake Sup Crt-County Div Rm 3 Cur USD Dates: 01/01/95 - 12/31/25

Fund Contract and Estimated Cost

41570	Fines and Fees	535.00	0.00		
61120	Professionals	0.00	-1973.08		
61190	Part-Time	0.00	-2000.00		
61270	holiday pay	0.00	-219.24		
61320	FICA - Deduction	0.00	-320.71		
61330	PERF - Deduction	0.00	-311.30		
61360	Workman's Comp - Ded	0.00	-120.00		
Fund Total	1405	535.00	-4944.33	5479.33	-1024.17

Activity 1405-9002 Supplemental Public Defender- Criminal Div Public Defender Cur USD Dates: 01/01/95 - 12/31/25

Fund Contract and Estimated Cost

41570	Fines and Fees	26050.49	0.00		
Fund Total	1405	26050.49	0.00	26050.49	-100.00

Fund	Description	Beginning Balance	Total Revenue	Total Expenses	Balance
1405	Supplemental Public Defender	362,943.38	26,685.49	-4,944.33	384,684.54
				Total	384,684.54

Budget Analysis Report

Home

* Year 2023 * Fund 1405 Supplemental Public De * Department 9002 Criminal Div Public Defe Account All Apply

Budget_Balance_Report_2...

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1405-9002-61190	Supplemental Public Defen-Criminal Div Public Defen-Part\-Time		2,000.00	0.00	0.00	0.00	0.00	2,000.00
1405-9002-61231	Supplemental Public Defen-Criminal Div Public Defen-Court Reporter Per Diem		1,000.00	0.00	0.00	0.00	0.00	1,000.00
1405-9002-61320	Supplemental Public Defen-Criminal Div Public Defen-FICA \- Deduction		300.00	0.00	0.00	0.00	0.00	300.00
1405-9002-62130	Supplemental Public Defen-Criminal Div Public Defen-Law Books		12,000.00	0.00	0.00	2,614.04	2,614.04	9,385.96
1405-9002-63190	Supplemental Public Defen-Criminal Div Public Defen-Other Professional Servic		1,000.00	0.00	0.00	0.00	0.00	1,000.00
1405-9002-63231	Supplemental Public Defen-Criminal Div Public Defen-Travel \- Registration		250.00	0.00	0.00	0.00	0.00	250.00
1405-9002-63232	Supplemental Public Defen-Criminal Div Public Defen-Travel \- Meals		250.00	0.00	0.00	0.00	0.00	250.00
1405-9002-63233	Supplemental Public Defen-Criminal Div Public Defen-Travel \- Lodging		250.00	0.00	0.00	0.00	0.00	250.00
1405-9002-63234	Supplemental Public Defen-Criminal Div Public Defen-Travel \- Trans/Other		250.00	0.00	0.00	0.00	0.00	250.00
1405-9002-63235	Supplemental Public Defen-Criminal Div Public Defen-Travel \- Mileage		1,000.00	0.00	0.00	0.00	0.00	1,000.00
1405-9002-64410	Supplemental Public Defen-Criminal Div Public Defen-Furniture & Fixtures		2,500.00	0.00	0.00	0.00	0.00	2,500.00
1405-9002-64420	Supplemental Public Defen-Criminal Div Public Defen-Office Machines		2,500.00	0.00	0.00	0.00	0.00	2,500.00

SUPERIOR COURT OF LAKE COUNTY

COUNTY DIVISION – ROOM NO. 2
2293 N. MAIN STREET
CROWN POINT, IN 46307
(219) 755-3580

SHEILA M. MOSS, JUDGE

March 23, 2023

Lake County Council
2293 North Main Street
Crown Point, IN 46307

Dear Council Members,

I respectfully request the following be scheduled on the County Council Meeting Agenda for April 11, 2023 at 10:00 a.m.

I am requesting this Court's Part-Time Ordinance #1478C be amended to add a Bailiff position that pays an hourly rate of up to a maximum of $20.00. I have attached a copy of the current part-time salaries for your reference. Should you need additional information, please do not hesitate to contact me.

Thank you for this and all past considerations.

Sincerely,

Jessica Broughton
Court Administrator
(219) 755-3580
brougjl@lakecountyin.org

ORDINANCE NO._____

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME EMPLOYEES PAY RATE ORDINANCE FOR 2023, ORDINANCE NO. 1478C

WHEREAS, on December 13, 2022, the Lake County Council adopted the Lake County Part-Time Employees Pay Rate Ordinance for 2023, Ordinance No. 1478C; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

Section IV.

18. Lake Superior Court, County Div. II		
a. Clerk		10.00/hr.
b. Secretary		12.00/hr.
c. Pauper Attorney		13.00/hr.

INSERT:

Section IV.

18. Lake Superior Court, County Div. II		
a. Clerk		10.00/hr.
b. Secretary		12.00/hr.
c. Pauper Attorney		13.00/hr.
d. Bailiff	Up to a maximum of	20.00/hr.

SO ORDAINED THIS_____DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

SUPERIOR COURT OF LAKE COUNTY

COUNTY DIVISION – ROOM NO. 2
2293 N. MAIN STREET
CROWN POINT, IN 46307
(219) 755-3580

SHEILA M. MOSS, JUDGE

March 23, 2023

Lake County Council
2293 North Main Street
Crown Point, IN 46307

Dear Council Members,

I respectfully request the following transfer be scheduled on the County Council Meeting Agenda for April 11, 2023 at 10:00 a.m. The transfer is being requested to cover the substitution for payment to Public Defender, Steven A. Kurowski, which will resume his position as a contract employee for the 2023 year per approval by the Lake County Commissioners.

Fund 1001

Transfer From:	Transfer To:
61120 Professionals $28,500.00	63190 Other Professional Services $28,500.00

This transfer is done yearly to assure the funds are available to pay Mr. Kurowski with a purchase order per his contract agreement even though he is considered a full time public defender in this Court.

Thank you for this and all past considerations.

Sincerely,

Jessica Broughton
Court Administrator
(219) 755-3580
brougjl@lakecountyin.org

LAKE COUNTY AUDITOR
2023 MAR 23 PM 1:27
RECEIVED

LAKE COUNTY COUNCIL FORM #3 BUDGET REVISION REQUEST FORM

I. Request for Transfer of Funds
II. Request for Additional appropriations
III. Request to Encumber Appropriated Funds

All requests (originals) must be directed to the Lake County Auditor and must be accompanied by a letter of explanation signed by the Elected Official or department head. One copy to the County Council office.

I. Honorable Members of the Lake County Council: Please transfer funds within the current budget of the Lake County Lake Superior Court, County Div. Room 2, 4003 (Dept. Name & No.) as Follows: FUND NO. 1001

	FROM: Line Item No. & Title	Amount	To: Line Item No. & Title	Amount
1.	61120 Professionals	$28,500.00	63190 Other Professionals	$28,500.00
2.				
3.				
4.				
5.				
			Total:	$28,500.00

II. Honorable Members of the Lake County Council: Please Allow emergency additional appropriations within the current budget of the Lake County _____ (Dept. Name & No.) as follows:

KD

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		
4.		
5.		
6.		
	Total:	

III. Honorable Lake County Auditor: Please encumber funds within the current budget of the Lake County _____ (Dept. Name & No.) as follows along with evidence of the obligation for which the encumbrance shall be used. Copy to the Lake County council.

	FUND, Line Item No. & Title	Amount
1.		
2.		
3.		

Lake Superior Court, County Division, Room 2 (Name of Department)

(Signature & Date) 3/23/2023

PLEASE NOTE:

1. ALL REQUESTS FOR TRANSFERS MUST BE RECEIVED BY THE AUDITOR 10 DAYS PREVIOUS TO THE COUNCIL'S MEETING DATE (2ND TUESDAY OF EACH MONTH).

2. ALL REQUESTS FOR ADDITIONAL FUNDS MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO REGULAR MEETING DATE (2ND TUESDAY OF EACH MONTH)

3. ALL REQUESTS FOR ENCUMBRANCES MUST BE RECEIVED BY THE AUDITOR 3 WEEKS PREVIOUS TO DECEMBER 31ST OF EACH BUDGET YEAR.

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1001-4003-61120	County General-Lake Sup Crt\-County Div\-R-Professionals		89,500.00	0.00	0.00	13,205.06	13,205.06	76,294.94

Detail Expenses

Budget Account	Period Name	GL Date	Expenditure
1001-4003-61120	Jan-23	01/31/2023	4457.68
1001-4003-61120	Feb-23	02/28/2023	6401.22
1001-4003-61120	Mar-23	03/31/2023	2346.16

Budget Account	Budget Account Description	Prior Year Encumbrance (Carried over as of 01/01)	Total Available Budget (Prior Year Encumbrance + CY Budget)	Requisition Commitments	Purchase Order Obligations	Invoice Expenditure	Total Expenditure	Funds Available
1001-4003-63190	County General-Lake Sup Crt\-County Div\-R-Other Professional Servic		48,099.00	0.00	31,400.00	8,675.00	40,075.00	8,024.00

From: Jeanann Ficker
To: Cid, Christine
Cc: Charlie Brown; Michael C. Repay; Fech, Matthew N
Subject: Board of Commissioners - ARP-LATCF Grant Award Form
Date: Wednesday, April 5, 2023 1:08:59 PM
Attachments: Commissioners - LATCF Grant Form - Final.pdf

External Email
Do not click any links or open attachments unless you know and trust the sender and are expecting this message.

Christine,
As you know, the US Treasury awarded Lake County **American Rescue Plan-Local Assistance and Tribal Consistency Fund (ARP-LATCF)** grant funding. The Board of Commissioners has provided a County Grant Form for Council review. This Form is provided as an attachment.

Consultant Review
Last year the US Treasury announced it would provide ARP-LATCF Program funding to counties receiving federal payments in lieu of taxes. According to the US Treasury's LATCF Program guidelines, recipients "may use [LATCF] funds on any governmental purpose other than a lobbying activity." The ARP-LATCF guidelines require the Board of Commissioners to administer this federal award.

Lake County received the first grant advance payment in the amount of $50,000 in late December 2022. The US Treasury will provide an additional $50,000 during 2023. **No local match is required**. There is no deadline to spend the LATCF grant award.

In compliance with the Indiana State Board of Accounts Directive pursuant to American Rescue Plan grant awards, the Board of Commissioners is asking the Council to create a new Grant Fund to account for this federal award.

Consultant Recommendation
Based on my review of this federal funding program, **I recommend the Council approve the US Treasury's ARP-LATCF Program Grant Award**.

Please feel free to contact me if you have any questions regarding the attachment or this recommendation.

Sincerely,
Jeanann Ficker
(219) 663-8526

Request to Apply for a Grant

IMPORTANT: This form MUST be provided to the Grant Oversight Committee PRIOR to submitting a Grant Application.

To: Ms. Christine Cid, Council Grant Oversight Committee – **copy to: jeanannficker@att.net**

From: Matthew Fech Department: Board of Commissioners

Email: fechmn@lakecountyin.org Phone: (219)755-3058 Date: 03/27/23

Grant Project Name: ARP - LATCF Grant

Grant Application Deadline Date: (mm/dd/yy)

Grant Application is for (check one): ☑ New Grant ☐ Renewal of Existing Grant-funded Program

If Grant Application is for Renewal of an existing grant, please check responses below:

Is the grant-funded program included in the Department's approved budget? ☐ Yes ☐ No

Does the renewal increase County/Department matching funds or responsibilities? ☐ Yes ☐ No

Does the grant giving agency require the County Council to approve the application? ☐ Yes ☐ No

For ALL Grant Applications, please provide responses requested below:

Grant Program Name: American Rescue Plan Act - Local and Tribal Consistency Fund (ALN: 21.032)

Grant-Giving Agency/Department: US Department of the Treasury (US Treasury)

Does the grant application also include Grant Agreement acceptance provisions? ☑ Yes ☐ No

Will the grant-funded project require local cost-share or matching funds? ☐ Yes ☑ No

If yes, what percentage cost-share or match is required? %

Is this grant program funded by the Federal Government? ☑ Yes ☐ No

If yes, provide the following:

Federal Department/Agency providing grant funds: US Treasury

Briefly describe how the grant funds will be used

The US Treasury awarded Lake County $100,000 in ARP-LATCF funding. Lake County received the first tranche ($50,000) in late 2022. Another $50,000 will be advanced in 2023. According to the LATCF Guidance, recipients "may use [LATCF] funds on any governmental purpose other than a lobbying activity." There is no deadline for spending the LATCF grant award.

Grant Project Budget Details (enter amounts in chart below; do not write, "See attached")

Budget Categories	Grant Request	Matching Resources, if required Cash	In-Kind/Donated	Total
Salaries & Wages				
Employee Benefits				
Travel/Mileage				
Supplies				
Equipment				
Construction				
Other				
TOTAL	$100,000.00	$0.00	$0.00	$100,000.00

Grant Payment Method: ☐ **Reimbursement** ☑ **Advance** ☐ **Other**

County Fund Number(s) for Match or Start-up/Seed money: New Grant Fund to be created

Est. Project Start Date: 12/28/22 **Est. Project End Date:**

REQUIRED ATTACHMENTS: **Grant Guidance/RFP and draft Grant Application** **-Rev. 10/17**

ORDINANCE NO._____

ORDINANCE ESTABLISHING THE COMMISSIONERS' AMERICAN RESCUE PLAN ACT - LOCAL AND TRIBAL CONSISTENCY FUND GRANT FUND, A NON-REVERTING FUND

WHEREAS, pursuant to I.C. 36-2-3.5-5, the Lake County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the Lake County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, the purpose of the Federal American Rescue Plan Act - Local and Tribal Consistency Fund (ARPA-LATCF) Program is to serve "as a general revenue enhancement program" to eligible sharing counties who have certain federal owned lands in the county; and

WHEREAS, the Lake County Board of Commissioners has been awarded an ARPA-LATCF grant in the sum of $100,000.00, payable in two payments of Fifty Thousand ($50,000.00) Dollars for FY2022 and another payment for FY2023; this is a federal advance grant program and the CFDA/AL number is 21.032; and

WHEREAS, recipients of Federal ARPA-LATCF grant funds have broad discretion on uses of these funds, specifically, recipients may use these funds on any governmental purposes other than a lobbying activity; the Build America, Buy America Act's domestic content procurement preference requirements apply to expenditures of ARPA-LATCF grant funds; and recipients must submit periodic reports to the U.S. Treasury on their expenditures until the funds are exhausted; and

WHEREAS, the Lake County Council desires to create the Commissioners' American Rescue Plan Act - Local and Tribal Consistency Fund Grant Fund (ARPA-LATCF), a non-reverting Fund, for the deposit of grant funds received from LATCF under the American Rescue Plan Act (ARPA).

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Commissioners' American Rescue Plan Act - Local and Tribal Consistency Fund Grant Fund (ARPA-LATCF), a non-reverting Fund, is established for the deposit of funds received from LATCF under the American Rescue Plan Act (ARPA).

2. That pursuant to I.C. 36-2-5-2(b) the Lake County Council as the fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

3. Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Commissioners' American Rescue Plan Act - Local and Tribal Consistency Fund Grant Fund (ARPA-LATCF), a non-reverting Fund.

4. In the event the Lake County Board of Commissioners receives additional ARPA-LATCF Grant Awards, through CFDA/AL No. 21.032, such grants may be accounted for from the new fund.

SO ORDAINED THIS_____DAY OF_____, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

RESOLUTION NO._____

RESOLUTION PERMITTING THE LAKE COUNTY AUDITOR TO PAY AN OUTSTANDING 2022 INVOICE/DEBT FROM THE 2023 BUDGET

WHEREAS, the Lake County Auditor is currently operating in the 2023 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2022, has not been paid:

1329-1002-63150	Consultant Fees
Policy Analytics, LLC	$11,965.00; and

WHEREAS, the Lake County Auditor desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2022 expense shall be paid from the Lake County Auditor's 2023 Budget:

1329-1002-63150	Consultant Fees
Policy Analytics, LLC	$11,965.00

SO RESOLVED THIS 11th day of April, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	CHRISTINE CID
RANDELL C. NIEMEYER	CLORIUS L. LAY
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

Peggy Holinga Katona
Auditor



2293 North Main Street
Crown Point, IN 46307
219-755-3120
Fax:219-755-3023

Lake County Auditor

March 27, 2023

Lake County Council
2293 N Main Street
Crown Point, IN 46307

Dear Council President Charlie Brown,

Please consider this letter as an official correspondence requesting a resolution to pay one 2022 invoice out of the 2023 Budget.

Policy Analytics, $11,965, From Fund 1329, Department 1002, Account 63150 Consultant Fees.

Please feel free to contact me with any questions or concerns.

Respectfully yours,

Ajaz Mohammed
Director of Financial Services
Lake County Auditor's Office

POLICY ANALYTICS LLC

From **Policy Analytics, LLC**
115 W. Washington St.
Suite 425
Indianapolis, IN 46204

Invoice For **Lake County Auditor**
Ajaz Mohammed, Director of Finance
2239 N Main St.
Crown Point, IN 46307

Invoice ID **18382**
Issue Date 03/22/2023
Due Date 03/22/2023 (upon receipt)

Subject Lake County Auditor Fiscal Analysis (12/1/2022 to 12/31/2022)

Item Type	Description	Amount
Service	[444] Lake County Fiscal Support (12/01/2022 - 12/31/2022)	**$11,965.00**

Amount Due **$11,965.00**

Jason O'Neill
Managing Director

ORDINANCE NO._____

ORDINANCE ADOPTING THE LAKE COUNTY PLAN COMMISSION'S
UNIFIED DEVELOPMENT ORDINANCE, ORDINANCE NO. 2560
AND
REPEALING AND RESCINDING THE
UNINCORPORATED LAKE COUNTY ZONING ORDINANCE
AND LAKE COUNTY SUBDIVISION ORDINANCE REGULATIONS NO. 1670
EFFECTIVE OCTOBER 1, 2023

WHEREAS, pursuant to I.C. 36-2-3.5-3, the Lake County Council is the County legislative body, as well as the County fiscal body; and

WHEREAS, pursuant to I.C. 36-2-3.5-5(b)(3), the Lake County Council may pass ordinances, orders, resolutions, and motions for the government of the County, in the manner prescribed by I.C. 36-2-4, et. seq.; and

WHEREAS, pursuant to I.C. 36-7-4-601(a), the Lake County Council has jurisdiction over the geographic area described in the Lake County Zoning Ordinance and has exclusive authority to adopt a zoning ordinance under I.C. 36-7-4-600, et. seq.; and

WHEREAS, the Lake County Plan Commission made a favorable recommendation on March 15, 2023 of the proposed Unified Development Ordinance, Ordinance No. 2560 (Attached as Exhibit "A"); and

WHEREAS, that the Unified Development Ordinance, Ordinance No. 2560, replaces the Unincorporated Lake County Zoning Ordinance adopted on April 14, 1957 and its amendments and the Lake County Subdivision Ordinance, Ordinance No. 1670 adopted on June 11, 1996 and its amendments; and

WHEREAS, the Lake County Council desires to adopt the proposed Unified Development Ordinance, Ordinance No. 2560 and repeals and rescinds Unincorporated Lake County Zoning Ordinance adopted April 14, 1957 and its amendments and the Lake County Subdivision Ordinance, Ordinance No. 1670 and its amendments with an effective date of October 1, 2023.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Council adopts the proposed Unified Development Ordinance, Ordinance No. 2560 (Exhibit "A") **effective October 1, 2023.**

That the Lake County Council repeals and rescinds Unincorporated Lake County Zoning Ordinance adopted April 14, 1957 and its amendments and the Lake County Subdivision Ordinance, Ordinance No. 1670 and its amendments **effective October 1, 2023.**

SO ORDAINED THIS_____DAY OF_____, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council



Unified Development Ordinance No. 2560

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154-1-010. Title

This chapter (Chapter 154 of the Lake County, Indiana Code of Ordinances) is officially known and may be cited as the "Lake County Unified Development Ordinance." For convenience, it is referred to herein as the "UDO."

154-1-020. Authority

This UDO is adopted pursuant to the powers granted and limitations imposed by Indiana law.

154-1-030. Effective Date

The provisions of this UDO become effective on **EFFECTIVE DATE TO BE INSERTED**, except as otherwise expressly stated.

154-1-040. Jurisdiction

The provisions of this UDO apply within unincorporated Lake County. They do not apply within incorporated cities and towns.

154-1-050. Compliance Required

A. Land may not be used for any purpose other than one that is allowed by the provisions of this UDO.

B. A building or structure may not be erected, located, moved, reconstructed, extended, or structurally altered except as allowed by this UDO.

C. Buildings, structures, and land may be used and occupied only in compliance with the provisions of this UDO.

D. All lots created or modified must comply with all applicable provisions of this UDO.

154-1-060. Minimum Requirements

A. The regulations of this UDO are minimum requirements deemed necessary to carry out the UDO's stated purposes. In addition to the requirements of this UDO, all uses, buildings, and structures must comply with all other applicable ordinances, laws, and regulations.

B. The issuance of any permit, certificate, or approval in accordance with the regulations and requirements of this UDO does not relieve the recipient of the permit, certificate, or approval of the responsibility to comply with all other applicable requirements of any other county, state, or federal agency having jurisdiction over the structures or land uses for which the permit, certificate, or approval was issued.

C. All references in this UDO to other governmental regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the county to enforce regulations imposed by other government authorities.

154-1-070. Purposes

This UDO is adopted for the purposes of:

A. Protecting and promoting the public health, safety, and general welfare; and

B. Implementing the policies and goals of the comprehensive plan and other relevant, officially adopted plans of the county.

154-1-080. Conflicting Provisions

A. Conflict with State or Federal Regulations

If the provisions of this UDO are inconsistent with state or federal law, the more restrictive provision governs, to the extent allowed by law. The more restrictive provision is the one that imposes more stringent controls.

B. Conflict with Other County Regulations

If the provisions of this UDO are inconsistent with one another or if they conflict with provisions found in other adopted ordinances or regulations of the county, the more restrictive provision governs unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.

C. Conflict with Private Agreements, Commitments, and Covenants

This UDO does not interfere with, abrogate, or annul any easement, covenant, commitment, deed restriction or other agreement between parties. If the provisions of this UDO impose a greater restriction than imposed by an agreement or covenant among parties, the provisions of this UDO govern. The county is not responsible for monitoring or enforcing agreements or covenants among private parties.

154-1-090. Zoning Map

A. Establishment

The location and boundaries of the zoning districts defined in this UDO must be established by ordinance and shown on the county's official zoning map, which must be maintained under the direction of the director.

B. Maintenance and Updates

The director is responsible for directing revisions to the official zoning map to reflect its amendment as soon as possible after the effective date of zoning map amendments (rezonings). The zoning map must be published annually as required by law.

C. District Boundaries

Zoning district boundary lines must be described by legal description or by a map that accompanies the ordinance establishing the district or amending the district boundaries. When a legal description is used, the zoning district boundary is deemed to extend to the centerline of abutting streets. When a map is used, district boundary lines must be established by dimensions, property lines, recorded lot lines, or the centerline of abutting streets, alleys, or railroad rights-of-way, as those features were of record at the time of adoption.

D. Map Interpretations

Where any uncertainty exists about a zoning boundary that was established by legal description, the legal description accompanying the amending ordinance governs. In other cases, the director is authorized to make an interpretation in accordance with the following criteria:

1. A boundary shown on the zoning map as approximately following lot lines or other lot boundaries will be construed as following such lot lines or lot boundaries.

2. A boundary shown on the zoning map as approximately following a street or railroad right-of-way line will be construed as following the centerline of the street or railroad right-of-way.

3. A boundary shown on the zoning map as approximately following the boundary of another municipality will be construed as following that boundary.
4. A boundary shown on the zoning map as approximately parallel to, or as an apparent extension of, a feature described above will be construed as being actually parallel to, or an extension of, the feature.

E. Split-Zoned Lots

1. The zoning map may not be amended to classify a single lot into 2 or more base zoning districts.
2. The split zoning of any newly created lot (into more than one base zoning district classification) is prohibited.
3. When an existing lot is classified in 2 or more base zoning classifications, the following rules apply, at the owner's option:
   a. The regulations of the most restrictive zoning district may be applied to the entire lot; or
   b. An application for a zoning map amendment may be filed to rezone the subject property into a single zoning district.

154-1-100. Rules of Language and Construction

A. Meanings and Intent

Words and terms expressly defined in this UDO including those defined in Article 22 have the specific meanings assigned unless the context indicates another meaning. Words that are not expressly defined in this UDO have their ordinary dictionary meaning.

B. Computation of Time

1. References to "days" are to calendar days unless otherwise expressly stated. References to "business days" are references to regular county government working days, excluding Saturdays, Sundays and holidays observed by county government.
2. The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by county government, that day is excluded.
3. A day concludes at the close of business and any materials received after that time will be considered to have been received the following day.

C. Tenses and Usage

1. Words used in the singular include the plural. The reverse is also true.
2. Words used in the present tense include the future tense. The reverse is also true.
3. The words "must," "will," and "shall" are mandatory.
4. The word "may" when used alone is permissive, not mandatory or required. " When used in the form of "may not," the phrase represents a mandatory prohibition on a specific action.
5. When used with numbers, "up to x," "not more than x" and "a maximum of x" all include "x."
6. The word "person" includes a firm, association, organization, partnership, limited liability company, trust, or corporation, as well as an individual.
7. The words "used" and "occupied" include "intended, designed or arranged to be used or occupied."

D. Conjunctions

Unless the context otherwise expressly indicates, conjunctions have the following meanings:

1. "And" indicates that all connected items or provisions apply; and
2. "Or" indicates that the connected items or provisions may apply singularly or in combination.

E. Headings and Illustrations

Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of this UDO. In case of any difference of meaning or implication between the text of this UDO and any heading, drawing, table, figure or illustration, the text governs.

F. Appendices

Any appendix attached to this ordinance is not considered a part of the adopted ordinance. Appendices may be changed from time to time without a formal amendment to this UDO.

G. Versions and Citations

All references in this UDO to other county, state or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other regulations, UDO requirements for compliance are no longer in effect.

H. Lists and Examples

Unless otherwise expressly indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

I. Delegation of Authority

Whenever a provision appears requiring the head of a department or another officer or employee of the county to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when the provisions of this UDO expressly prohibit such delegation.

J. Public Officials and Agencies

1. Unless otherwise expressly stated, all employees, public officials, bodies, and agencies to which references are made are those of the County of Lake, Indiana or individuals or agencies legally authorized to act on behalf of Lake County.
2. References in this UDO to the "county" are references to Lake County, Indiana.
3. References in this UDO to the "county council" are references to the County Council of Lake County.
4. References in this UDO to the "county board" are references to the Lake County Board of Commissioners.
5. References in this UDO to the "plan commission" are references to the Lake County Plan Commission
6. References in this UDO to the "board of zoning appeals" are references to the Lake County Board of Zoning Appeals.
7. References in this UDO to the "director" are references to the Lake County Plan Commission Director.

154-1-110. Transitional Provisions

The provisions of this section address the transition to this UDO from the zoning and subdivision regulations in effect immediately before the effective date specified in 154-1-030.

A. Applications, Permits and Approvals

1. Any building, development or structure for which a building permit was issued or a complete building permit application had been accepted for processing before the effective date specified in 154-1-030 may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, development or structure does not comply with provisions of this UDO. If the building, development or structure is not commenced and completed within the time allowed under the original building permit and any authorized permit extension, the building, development or structure may be constructed, completed and occupied only if it complies with the regulations of this UDO.
2. Complete applications for special exceptions, zoning variances, planned unit developments and other zoning-related approvals that are pending approval on the effective date specified in 154-1-030 must be

reviewed wholly under the terms of the applicable regulations in effect immediately preceding the effective date specified in 154-1-030. Building permits for construction and development approved under such zoning approvals may be issued in accordance with 154-1-110.A.3.

3. The director is authorized to issue building permits for construction or development approved before the effective date specified in 154-1-030 and for developments pending approval under 154-1-110.A.2, even if such building, development or structure does not fully comply with provisions of this UDO. If building is not commenced and completed within the time allowed under the building permit and any authorized permit extension, then the building, development or structure may be constructed, completed and occupied only if it complies with the regulations of this UDO.

4. When a use classified as a special exception under this UDO exists as an approved special exception or permitted use on the effective date specified in 154-1-030, that use will be considered a lawfully established special exception under this UDO. When any amendment to this UDO changes the classification of a permitted use to a special exception, any use lawfully established before such amendment will be considered a lawfully established special exception after the effective date of the amendment. A lawfully established existing use that is not allowed as a special exception or permitted use in the district in which the use is now located will be considered a nonconforming use and will be subject to all applicable regulations of Article 19.

B. Zoning District Name Conversions

The zoning district names in effect before the effective date specified in 154-1-030 are converted in this UDO as indicated in Table 1-1.

Table 1-1: Zoning District Name Conversions

Map Symbol	Previous Zoning District Name	Map Symbol	New Zoning District Name
AGRICULTURAL (See Article 2)			
A-1	Agricultural	A-1	Agricultural
RESIDENTIAL (See Article 2)			
RR	Rural Residential	RR	Rural Residential
R-1	One-Family	R-1	Residential Single-dwelling 1
R-2	One-Family	R-2	Residential Single-dwelling 2
R-3	One to Four-Family	R-3	Residential One to Four-dwelling
R-5	Multiple -Family	R-5	Residential Multi-dwelling
BUSINESS (See Article 3)			
B-1	Neighborhood Business	B-1	Neighborhood Business
B-2	Rural Business	B-2	Rural Business
B-3	General Business	B-3	General Business
HS-1	Highway Service Intensive	HS-1	Highway Service 1
HS-2	Highway Service Extensive	HS-2	Highway Service 2
INDUSTRIAL (See Article 4)			
M-1	Light Industrial	M-1	Light Industrial
M-2	Heavy Industrial	M-2	Heavy Industrial
SPECIAL DISTRICTS (See Article 5			
CDD	Conditional Development	CD	Conditional Development
		MPD	Master Plan District (New)
LEGACY DISTRICTS (See Article 6)			
PO	Professional Office	PO	Professional Office (Legacy)
BP-1	Planned Business Center	PB-1	Planned Business Center (Legacy)
BP-2	Planned Business Center	PB-2	Planned Business Center (Legacy)
BP-3	Planned Business Center	PB-3	Planned Business Center (Legacy)
PIC	Planned Industrial Center	PIC	Planned Industrial Center (Legacy)
PUD-1	Planned Unit Development-1	PUD	Planned Unit Development-1 (Legacy)
PUD-2	Planned Unit Development-2	PUD	Planned Unit Development-2 (Legacy)
C-1	Conservation	C-1	Conservation (Legacy)

C. Violations

The adoption of this UDO does not affect any pending or future prosecution of, or action to abate, violations of the previous zoning ordinance that occurred before the effective date specified in 154-1-030.

154-1-120. Severability

If any portion of this UDO is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion is to be deemed severed from the UDO and in no way affects or diminishes the validity of the remainder of the UDO.

Article 2 | Agricultural and Residential Districts

154-2-010. The Districts 2-1
154-2-020. Principal Uses 2-1
154-2-030. Lot and Building Regulations 2-3
154-2-040. Other Relevant Regulations 2-5

154-2-010. The Districts

A. Agricultural

The A-1 (Agricultural) zoning district is primarily intended to accommodate, promote, and preserve agriculture and farming as economically desirable businesses and a key determinant of the county's rural character.

B. Residential

1. Lake County's residential zoning districts are listed in Table 2-1. When this UDO refers to "residential" zoning districts or "R" districts, it is referring to all these districts.

Table 2-1: Residential (R) Zoning Districts

Map Symbol	District Name
RR	Rural Residential
R-1	Residential Single-dwelling 1
R-2	Residential Single-dwelling 2
R-3	Residential One to Four-dwelling
R-5	Residential Multi-dwelling

2. R zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of residential areas of the county. While the districts primarily accommodate residential uses, some nonresidential uses are also allowed. The various R districts are primarily differentiated based on allowed building types, density and lot and building regulations.

154-2-020. Principal Uses

A. Agricultural and Residential Districts Use Table

Principal uses are allowed in Agricultural and Residential districts in accordance with Table 2-2. Uses are defined in Article 7. Those uses defined in Article 7 but not listed in Table 2-2, are prohibited in A-1 and R zoning districts.

Table 2-2: Agricultural and Residential District Use Regulations

USE CATEGORY	Zoning Districts						Supplemental Regulations
Subcategory (clickable hyperlink to definition) Specific use	**A-1**	**RR**	**R-1**	**R-2**	**R-3**	**R-5**	
P = permitted by-right | S = special exception approval required | – = prohibited							
RESIDENTIAL							
Household Living							
Detached house	P	P	P	P	P	P	
Two-unit house	S	–	–	S	P	P	
Triplex	–	–	–	–	P	P	
Fourplex	–	–	–	–	P	P	
Townhouse	–	–	–	–	P	P	
Apartment (5 or more dwelling units)	–	–	–	–	–	P	154-8-020
Backyard cottage	S	S	S	S	S	S	154-9-030

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts A-1	RR	R-1	R-2	R-3	R-5	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited							
Secondary Suite	P	P	P	P	P	P	154-9-040
Manufactured housing unit	P	P	P	P	P	P	154-8-040
Mobile home (outside of mobile home parks)	–	–	–	–	–	–	
Mobile home (in approved mobile home parks)	P	P	P	P	P	P	
Mobile home park	–	–	–	–	–	–	MPD required
Group Living							
Assisted living facility	–	–	–	–	–	S	
Continuing care retirement facility	–	–	–	–	–	S	
Group care home							
Small	P	P	P	P	P	P	
Large	–	–	–	–	–	S	
Nursing or convalescent home	S	S	S	S	S	S	
Supportive housing							
Small	–	–	–	–	P	P	
Large	–	–	–	–	–	S	
PUBLIC, CIVIC AND INSTITUTIONAL							
Aviation Facility							
Airport	S	S	S	S	S	S	
Airstrip	S	S	S	S	S	S	
Cemetery	S	S	S	S	S	S	
College or University	S	S	S	S	S	S	
Community Center	S	S	S	S	S	S	
Fraternal Organization	S	S	S	S	S	S	
Governmental Service	S	S	S	S	S	S	
Hospital	S	S	S	S	S	S	
Library or Cultural Exhibit	S	S	S	S	S	S	
Natural Resource Preservation	P	P	P	P	P	P	
Parks and Recreation	S	S	S	S	S	S	
Religious Assembly	S	S	S	S	S	S	
Safety Service	S	S	S	S	S	S	
School	S	S	S	S	S	S	
Utilities and Public Service Facility							
Minor	P	P	P	P	P	P	
Major (except as identified below)	S	S	S	S	S	S	
Solar farm	S	–	–	–	–	–	154-8-060
Wind farm	S	–	–	–	–	–	154-8-070
COMMERCIAL							
Animal Service							
Boarding or shelter	S	–	–	–	–	–	
Grooming	S	–	–	–	–	–	
Stable, Commercial	S	–	–	–	–	–	
Veterinary	S	–	–	–	–	–	
Child Care							
Child care home, small	P	P	P	P	P	P	
Child care home, large	S	S	S	S	S	S	
Child care center	–	–	–	–	–	S	
Lodging							
Bed & breakfast	S	S	–	–	–	–	

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts A-1	RR	R-1	R-2	R-3	R-5	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited							
Recreational vehicle park	–	–	–	–	–	–	MPD required
Short-term rental, owner-occupied	P	P	P	P	P	P	
Short-term rental, non-owner-occupied	S	S	S	S	S	S	
Sports and Recreation, Participant							
Shooting Range, Outdoor	S	–	–	–	–	–	
AGRICULTURAL							
Farm, Traditional	P	P	P	P	P	P	154-8-030
Farm, Hobby	P	P	P	P	P	–	154-8-030
Farm, Non-Traditional (Indoor)	P	S	S	S	S	S	
Home Garden	P	P	P	P	P	P	154-8-030
Community Garden	P	P	P	P	P	P	
Farm Stand	P	P	–	–	–	–	
Farmer's Market	P	–	–	–	–	–	
Horticulture Nursery	P	P	P	P	P	P	
Agritourism	S	–	–	–	–	–	
OTHER							
Off-premise Outdoor Advertising Sign	–	–	–	–	–	–	
Wireless Communication Facility							See Article 11

154-2-030. Lot and Building Regulations

A. General

This section establishes basic lot and building regulations for development in A-1 and R districts. The regulations vary based on the zoning classification, building type and development type (conventional vs. cluster).

B. Conventional Development Regulations

The conventional development lot and building regulations of Table 2-3 apply to all uses and development uses in A-1 and R districts, except that property owners in RR and R-1 districts may elect to develop residential uses in accordance with the cluster residential development regulations of 154-2-030.D and the cluster subdivision regulations of 154-12-220. See Article 21 for general exceptions to these lot and building regulations and rules for measuring compliance with the regulations. See Article 9 for regulations governing accessory uses and structures.

Table 2-3: Lot and Building Regulations for Conventional Development in A-1 and R Districts

Lot and Building Regulations Conventional Development	Zoning District A-1	RR	R-1	R-2	R-3	R-5 [2]
(A) **Minimum Lot Area** (square feet)						
With central sewer service	20 Ac	4.5 Ac	21,780	10,000	8,800 for 1st unit plus 2,200 per each add'l unit	8,800 for 1st unit plus 1,200 for each add'l unit
Without central sewer service	20 Ac	4.5 Ac [1]	43,560 [1]	21,780 [1]	43,560 [1]	NA [2]
(W) **Minimum Lot Width** (feet)						
With central sewer service	330	165	100	80	60	60
Without central sewer service	330	165	120	100	100	NA [2]
Building Setbacks						
(S) **Minimum Street Setback** (feet)						

Lot and Building Regulations Conventional Development	Zoning District					
	A-1	RR	R-1	R-2	R-3	R-5 [2]
Major Arterial	60	60	60	60	60	60
Minor Arterial	50	50	50	50	50	50
Other Street	30	30	30	30	30	30
(I) **Minimum Interior Side Setback**						
Combined total both sides (% lot width)	30	30	25	20	20	20
Single side (feet)	10	25	10	6	6 [3]	6 [3]
(R) **Minimum Rear Setback** (% lot depth)	25	20	25	25	25	25
(C) **Maximum Building Coverage** (% of lot)	25	20	35	40	40	35
Maximum Building Height (stories/feet)	2.5/35	2.5/35	2.5/35	2/25	2/25	3/35
Minimum Dwelling Size (sq. ft.)						
Detached house	768	768	1,000 [4]	768	768	768
Two-unit house	768	NA	NA	NA	768	768
Triplex, Fourplex	NA	NA	NA	NA	400	400
Townhouse or Apartment	NA	NA	NA	NA	NA	400

C. Table Notes

The following notes refer to the bracketed numbers (e.g.," [1]") in Table 2-3:

[1] Unless greater minimum lot area required by Lake County Health Department.

[2] Central sewer service is required for all development in the R-5 district.

[3] No interior side setback is required between attached townhouse units.

[4] Minimum dwelling size is 1,350 square feet if house is more than one story.

Figure 2-1: Lot and Building Regulations



D. Cluster Residential Development Option

1. The cluster residential development option allows smaller lots and other flexible lot and building regulations in exchange for the provision of common open space or natural resource preservation areas

not typically provided in a conventional development. Cluster residential development designs allow more compact and less costly networks of streets and utilities. They can also help reduce stormwater runoff and non-point source pollutant loading rates and can be used to preserve an area's rural character.

2. Property owners may elect to use the cluster residential development option only for detached house residential development served by central water and sewer systems in RR and R-1 districts.

3. All cluster residential developments in RR and R-1 districts must comply with the lot and building regulations of Table 2-4. See Article 21 for general exceptions to these lot and building regulations and rules for measuring compliance. See Article 9 for regulations governing accessory uses and structures.

Table 2-4: Lot and Building Regulations for Residential Cluster Development in R Districts

Lot and Building Regulations Cluster Development	RR	R-1
Minimum Open Space and Maximum Density (based on overall site area)		
Minimum Open Space (% site)	60	40
Maximum Density (Dwelling Units per Acre)	0.2	2.0
Minimum Lot Area (sq. ft.)		
Detached house	40,000	10,000
Minimum Lot Width (ft.)		
Detached house	120	80
Building Setbacks (ft.)		
Minimum Street Setback (feet)		
Major Arterial	60	60
Minor Arterial	50	50
Other Street	30	30
Minimum Interior Side Setback		
Combined total both sides (% lot width)	25	20
Single side (feet)	10	6
Minimum Rear Setback (% lot depth)	20	40
Maximum Building Coverage (% of lot)	25	35
Maximum Building Height (stories/feet)	2.5/35	2.5/35

4. Cluster developments are subject to the cluster subdivision design regulations of 154-12-220.

154-2-040. Other Relevant Regulations

Uses and structures in agricultural and residential zoning districts may be subject to other regulations and standards, including the following.

A. Right-to-Farm

All applicants for a zoning permit for a principal residential use in an A-1 or RR zoning district or on any R-zoned lot located within one mile of a traditional farm must sign and record an acknowledgement of Indiana's Right-To-Farm law, in a form established by the director and made available to the public (see Appendix 1: Notice of Agricultural Activity)

B. Accessory Uses and Structures

See Article 9.

C. Temporary Uses

See Article 11.

D. Parking

See Article 13.

E. Landscaping and Screening

See Article 14.

F. Signs
See Article 15.

G. Nonconformities
See Article 19.

Article 3 | Business Districts

154-3-010. The Districts 3-1
154-3-020. Uses 3-1
154-3-030. Lot and Building Regulations 3-4
154-3-040. Other Relevant Regulations 3-4

154-3-010. The Districts

A. The county's business zoning districts are listed in Table 3-1. When this UDO refers to "business" zoning districts, it is referring to all of these districts.

Table 3-1: Business Zoning Districts

Map Symbol	District Name
PO	Professional Office (Legacy District; see 154-6-010)
B-1	Neighborhood Business
B-2	Rural Business
B-3	General Business
HS-1	Highway Service 1
HS-2	~~Highway Service~~ 2

B. The business zoning districts are intended to accommodate and promote neighborhood, community-, and region-serving business and commercial uses.

1. **PO, Professional Office District (Legacy)**
   The PO district is primarily intended to accommodate office buildings and uses.
2. **B-1 District**
   The B-1 district is primarily intended to accommodate neighborhood-serving business uses.
3. **B-2 District**
   The B-2 district is primarily intended to accommodate business uses serving rural areas of the county.
4. **B-3 District**
   The B-3 district is primarily intended to accommodate general business uses serving a large market area.
5. **HS-1 District**
   The HS-1 district is primarily intended to accommodate small-scale, automobile-oriented uses with high traffic generation potential.
6. **HS-2 District**
   The HS-2 district is primarily intended to accommodate large-scale uses with generally low traffic generation potential.

154-3-020. Uses

A. **Business Districts Use Table**
Principal uses are allowed in business zoning districts in accordance with Table 3-2. Uses are defined in Article 7. Those uses defined in Article 7 but not listed in Table 3-2, are prohibited in business zoning districts.

Table 3-2: Business District Use Regulations

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts PO	B-1	B-2	B-3	HS-1	HS-2	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited							
RESIDENTIAL							
Household Living							
Dwelling units located above ground-floor	–	S	S	S	–	–	
Group Living							
Group care home (small or large)	–	S	S	S	–	–	
Supportive housing (small or large)	–	S	S	S	–	–	
PUBLIC, CIVIC AND INSTITUTIONAL							
Aviation Facility							
Airport	S	S	S	S	S	S	
Airstrip	S	S	S	S	S	S	
Cemetery	S	S	S	S	S	S	
College or University	S	S	S	S	S	S	
Community Center	S	S	S	S	S	S	
Detention or Correctional Facility	–	–	–	S	–	–	
Fraternal Organization	S	S	S	S	S	S	
Governmental Service	S	S	S	S	S	S	
Hospital	S	S	S	S	S	S	
Library or Cultural Exhibit	–	P	P	P	–	–	
Natural Resource Preservation	P	P	P	P	P	P	
Parks and Recreation	S	S	S	S	S	S	
Religious Assembly	P	P	P	P	P	P	
Safety Service	S	S	S	S	S	S	
School	S	S	S	S	S	S	
Utilities and Public Service Facility							
Minor	P	P	P	P	P	P	
Major (except as identified below)	S	S	S	S	S	S	
Solar farm	–	–	–	–	–	–	
Wind farm	–	–	–	–	–	–	
COMMERCIAL							
Animal Service							
Grooming	–	P	P	P	–	–	
Veterinary	P	P	P	P	–	–	
Child Care							
Child care home, small	–	P	P	P	–	–	
Child care home, large	–	P	P	P	–	–	
Child care center	–	P	P	P	–	–	
Commercial Service							
Building service	–	–	–	P	–	–	
Business support service	–	–	–	P	–	–	
Consumer maintenance/repair service	–	P	P	P	–	–	
Personal improvement service	–	P	P	P	–	–	
Research service	P	P	P	P	–	–	
Eating and Drinking Places							
Bar or Tavern	–	–	–	–	P	P	
Restaurant	–	P	P	P	P	P	
Entertainment and Spectator Sports							
Indoor, minor	–	P	P	P	–	P	
Indoor, major	–	P	P	P	–	P	

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts						Supplemental Regulations
	PO	B-1	B-2	B-3	HS-1	HS-2	
P = permitted by-right | S = special exception approval required | – = prohibited							
Outdoor, minor	–	–	P	P	–	S	
Outdoor, major	–	–	S	S	–	S	
Financial Service (except as below)	–	P	P	P	P	P	
Personal credit establishment	–	–	–	P	–	–	
Funeral and Mortuary Service	–	–	S	S	–	–	
Lodging							
Bed & breakfast	–	S	S	S	–	–	
Hotel/motel	–	–	P	P	–	P	
Recreational Vehicle Park	–	–	–	–	–	–	MPD required
Office							
Business or professional office	P	P	P	P	–	–	
Medical, dental or health practitioner office	P	P	P	P	–	–	
Parking, Non-Accessory	P	P	P	P	–	–	
Retail Sales							
Building supplies and equipment	–	–	P	P	–	P	
Consumer shopping goods	–	P	P	P	–	–	
Convenience goods	–	P	P	P	–	–	
Self-Service Storage Facility	–	–	–	P	–	–	
Sexually Oriented Business	–	–	–	–	S	–	154-8-050
Sports and Recreation, Participant							
Indoor, minor	–	–	P	P	–	P	
Indoor, major	–	–	P	P	–	P	
Outdoor, minor	–	–	P	P	–	P	
Outdoor, major	–	–	S	S	–	S	
Studio, Artist, or Instructional Service	P	P	P	P	–	–	
Trade School	–	–	–	P	–	–	
Vehicle Sales and Service							
Commercial vehicle repair/maintenance	–	–	P	P	–	–	
Commercial vehicle sales and rentals	–	–	P	P	–	P	
Fueling station	–	S	P	P	P	P	
Personal vehicle repair and maintenance	–	S	P	P	–	–	
Personal vehicle sales and rentals	–	–	S	S	–	–	
Vehicle part and supply sales	–	P	P	P	–	–	
Vehicle body and paint finishing shop	–	–	–	–	–	–	
WHOLESALE, DISTRIBUTION & STORAGE							
Equipment and Materials Storage, Outdoor	–	–	S	P	–	–	
Trucking and Transportation Terminals	–	–	S	P	–	–	
Warehouse	–	–	S	P	–	–	
Wholesale Sales and Distribution	–	–	S	P	–	–	
INDUSTRIAL							
Artisan Manufacturing	–	–	–	P	–	–	
Low-Impact Manufacturing and Industry	–	–	–	S	–	–	
AGRICULTURAL							
Farm, Traditional	P	P	P	P	P	P	
Farm, Hobby	–	–	–	–	–	–	
Farm, Non-Traditional (Indoor)	–	–	S	S	–	S	
Home Garden	–	P	P	P	–	–	
Community Garden	P	P	P	P	P	P	
Farm Stand	–	S	S	S	–	–	

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts PO	B-1	B-2	B-3	HS-1	HS-2	Supplemental Regulations
P = permitted by-right | S = special exception approval required | -- = prohibited							
Farmer's Market	–	S	S	S	–	–	
Horticulture Nursery	–	–	–	–	–	P	
Agritourism	S	S	S	S	S	S	
OTHER							
Drive-in or Drive-through Facility	–	S	S	S	P	S	
Off-premise Outdoor Advertising Sign	–	–	–	–	–	–	
Wireless Communication Facility							See Article 11

154-3-030. Lot and Building Regulations

A. Table of Regulations

The lot and building regulations of Table 3-3 apply to all principal uses and structures in business districts, except as otherwise expressly stated in this UDO. See Article 21 for general exceptions to these lot and building regulations and rules for measuring compliance with the regulations. See Article 9 for regulations governing accessory uses and structures.

Table 3-3: Business District Lot and Building Regulations

Regulations	Zoning Districts PO	B-1	B-2	B-3	HS-1	HS-2
Minimum Lot Area (square feet)	No minimum				10,000	1 acre
Minimum Lot Frontage (feet)	No minimum				80	100
Building Setbacks						
Minimum Street Setback (feet)						
Major Arterial	60	60	60	60	60	60
Minor Arterial	50	50	50	50	50	50
Other Street	30	30	30	30	30	30
Min. Interior Side Setback (feet)	6 abutting R district; otherwise 0 [1]				10	50
Minimum Rear Setback (feet)	20 abutting R district; otherwise 0 [1]				10	50
Max. Building Coverage (% of lot)	25 [2]	No maximum			25	25
Max. Building Height (stories/feet)	2/25	3/45	3/45	NA/45	NA/35	NA/35

B. Table Notes

The following notes refer to the bracketed numbers (e.g.," [1]") in Table 3-3:

[1] If setback is provided, it must be at least 4 feet in depth.

[2] No more than 50% of lot may be covered by parking and drive areas.

154-3-040. Other Relevant Regulations

Uses and development in business zoning districts may be subject to other regulations and standards, including the following.

A. Accessory Uses and Structures

See Article 9.

B. Temporary Uses

See Article 11.

C. Parking

Parking is required in accordance with Article 13.

D. Landscaping and Screening

Screening is required for off-street parking areas, outdoor storage areas, outdoor work areas and dumpsters. See Article 14.

E. Signs

See Article 15.

F. Nonconformities

See Article 19.

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Article 4 | Industrial Districts

154-4-010. The Districts 4-1
154-4-020. Uses 4-1
154-4-030. Lot and Building Regulations 4-3
154-4-040. Other Relevant Regulations 4-4

154-4-010. The Districts

A. The county's industrial zoning districts are listed in Table 4-1. When this UDO refers to "industrial" zoning districts or "M" districts, it is referring to these districts.

Table 4-1: Industrial Zoning Districts

Map Symbol	District Name
M-1	Light Industrial
M-2	Heavy Industrial

B. The industrial zoning districts are primarily intended to accommodate industrial, manufacturing, and employment uses.

154-4-020. Uses

A. Industrial Districts Use Table

Uses are allowed in industrial districts in accordance with Table 4-2. Uses are defined in Article 7. Those uses defined in Article 7 but not listed in Table 4-2, are prohibited in industrial zoning districts.

Table 4-2: Industrial District Use Regulations

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts M-1	Zoning Districts M-2	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited			
RESIDENTIAL			
Household Living	–	–	
Group Living	–	–	
PUBLIC, CIVIC AND INSTITUTIONAL			
Aviation Facility			
Airport	S	S	
Airstrip	S	S	
Cemetery	S	S	
College or University	S	S	
Community Center	–	–	
Detention or Correctional Facility	–	–	
Fraternal Organization	S	S	
Governmental Service	S	S	
Hospital	S	S	
Library or Cultural Exhibit	–	–	
Natural Resource Preservation	P	P	
Parks and Recreation	S	S	
Religious Assembly	–	–	
Safety Service	P	P	
School	S	S	

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts M-1	 M-2	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited			
Utilities and Public Service Facility			
Minor	P	P	
Major (except as identified below)	S	S	
Solar farm	–	S	154-8-060
Wind farm	–	S	154-8-070
COMMERCIAL			
Animal Service			
Boarding or shelter	S	P	
Child Care			
Child care center	S	–	
Commercial Service			
Building service	P	–	
Business support service	P	–	
Consumer maintenance/repair service	P	–	
Personal improvement service	P	–	
Research service	P	–	
Office			
Business or professional office	P	–	
Medical, dental or health practitioner office	P	–	
Parking, Non-Accessory	P	–	
Retail Sales			
Building supplies and equipment	P	–	
Self-Service Storage Facility	P	–	
Studio, Artist, or Instructional Service	P	–	
Trade School	P	–	
Vehicle Sales and Service			
Commercial vehicle repair/maintenance	P	P	
Commercial vehicle sales and rentals	P	–	
Fueling station	P	P	
Personal vehicle repair and maintenance	P	P	
Personal vehicle sales and rentals	P	P	
Vehicle part and supply sales	P	–	
Vehicle body and paint finishing shop	–	P	[1]
WHOLESALE, DISTRIBUTION & STORAGE			
Equipment and Materials Storage, Outdoor	–	–	
Trucking and Transportation Terminals	–	S	
Warehouse	P	P	[1]
Wholesale Sales and Distribution	P	P	[1]
INDUSTRIAL			
Artisan Manufacturing	P	P	[1]
Low-Impact Manufacturing and Industry	P	P	[1]
Moderate-Impact Manufacturing and Industry	S	P	[1]
High-Impact Manufacturing and Industry	–	–	
Mining/Quarrying	–	–	
WASTE AND RECYCLING-RELATED			
Composting	–	–	
Demolition Debris Landfill	–	–	
Solid Waste Separation Facility	–	–	
Transfer Station	–	–	

USE CATEGORY **Subcategory** (clickable hyperlink to definition) Specific use	Zoning Districts M-1	 M-2	Supplemental Regulations
P = permitted by-right | S = special exception approval required | – = prohibited			
Junk or Salvage Yard	–	–	
Recyclable Material Drop-off Facility	S	P	[1]
Recyclable Material Processing	–	P	[1]
AGRICULTURAL			
Farm, Traditional	P	P	
Farm, Hobby	–	–	
Farm, Non-Traditional (Indoor)	P	P	
Home Garden	–	–	
Community Garden	P	P	
Farm Stand	P	P	
Farmer's Market	–	–	
Horticulture Nursery	P	P	
Agritourism	P	P	
OTHER			
Drive-in or Drive-through Facility	–	–	
Off-premise Outdoor Advertising Sign	–	–	
Wireless Communication Facility			See Article 11

B. Industrial Districts Use Table Notes

The following notes refer to the bracketed numbers (e.g.," [1]") in Table 4-2:

[1] Use must be conducted within completely enclosed building if the lot occupied by such use is located within 150 feet of a residential or business zoning district.

154-4-030. Lot and Building Regulations

A. Table of Regulations

The lot and building regulations of Table 4-3 apply to all principal uses and structures in industrial districts, except as otherwise expressly stated in this UDO. See Article 21 for general exceptions to these lot and building regulations and rules for measuring compliance with the regulations. See Article 9 for regulations governing accessory uses and structures.

Table 4-3: Industrial District Lot and Building Regulations

Regulations	Zoning Districts M-1	 M-2
Minimum Lot Area (square feet)	No min.	No min.
Building Setbacks (feet)		
Minimum Street Side		
Major Arterial	60	60
Minor Arterial	50	50
Other Street	30	30
Minimum Interior Side	6 abutting R district; otherwise 0 [1]	
Minimum Rear	20 abutting R district; otherwise 0 [1]	
Maximum Building Coverage (% of lot)	No max.	No max.
~~**Max. Building Height** (stories/feet)~~	NA/60 [2]	NA/60 [2]

B. Table Notes

The following notes refer to the bracketed numbers (e.g.," [1]") in Table 4-3:

[1] If setback is provided, it must be at least 4 feet in depth.

[2] May not exceed 35 feet in height within 150 feet of R district boundary.

154-4-040. Other Relevant Regulations

Uses and development in industrial zoning districts may be subject to other regulations and standards, including the following.

A. Accessory Uses and Structures
See Article 9.

B. Temporary Uses
See Article 11.

C. Parking
Parking is required in accordance with Article 13.

D. Landscaping and Screening
Screening is required for off-street parking areas, outdoor storage areas, outdoor work areas and dumpsters. See Article 14.

E. Signs
See Article 15.

F. Nonconformities
See Article 19.

Article 5 | Special Districts

154-5-010. General 5-1
154-5-020. CD, Conditional Development District 5-1
154-5-030. MPD, Master Plan Development District 5-2

154-5-010. General

A. Purpose

Special purpose zoning districts are tools for dealing with unique uses or areas or accomplishing special planning and zoning goals.

B. Establishment

Except as otherwise expressly stated, special districts may be established, amended or removed only in accordance with the zoning map amendment procedures of 154-17-030.

154-5-020. CD, Conditional Development District

A. Purpose

The CD (Conditional Development) district is intended to accommodate uses that have a high potential to create adverse impacts on surrounding areas.

B. Uses

The following uses require approval of a CD district:

1. Mining and Quarrying
2. Waste and Recycling-Related Uses
3. High-impact Manufacturing and Industry
4. Vehicle Body and Paint Finishing Shop
5. Equipment and Materials Storage, Outdoor

C. CD Rezoning Approval Procedures

1. A property owner request for rezoning to the CD zoning district requires review and approval of a zoning map amendment (see 154-17-030), which is processed concurrently with a rezoning plan (see 154-17-040).
2. In approving a CD rezoning, the plan commission and county council are authorized to recommend and impose conditions necessary for the protection of adjacent property owners or other residents in unincorporated Lake County or reasonably required to protect the general public health and welfare.
3. The required rezoning plan and the ordinance reclassifying property into the CD district must expressly state the specific uses allowed in the subject district. No other use is permitted unless subsequent approval is given in accordance with CD rezoning approval procedures of this section.

D. Lot and Building Regulations

Unless otherwise approved at the time of the CD rezoning, uses and development in the CD district are subject to the lot and building regulations that apply in the B-3 zoning district (see 154-3-030).

154-5-030. MPD, Master Plan Development District

A. Purpose and Intent

The MPD (Master Plan Development) district is established to accommodate development that would be difficult or impossible to carry out under otherwise applicable UDO regulations. Different types of MPDs will promote different planning goals. In general, however, all MPDs are intended to result in development that is consistent with the county's adopted plans and that provides greater public benefits than could be achieved using conventional UDO regulations. MPDs are also generally intended to promote one or more of the following:

1. Variety in housing types and sizes to accommodate households of all ages, sizes, incomes, and lifestyle choices;
2. Compact, mixed-use development patterns where residential, business, employment, civic, and open space areas are located in close proximity to one another;
3. A transportation network designed to accommodate safe and efficient motorized and non-motorized travel;
4. Direct, safe, and convenient non-motorized travel routes within the boundaries of the development site, as well as connections to abutting properties;
5. Buildings and other improvements that by their arrangement, massing, design, character, and site design elements establish a quality, livable environment;
6. Sustainable development practices;
7. Incorporation of open space amenities and natural resource features into the development design;
8. Low-impact development (LID) and best management practices for managing stormwater; and
9. Flexibility and creativity in responding to changing social, economic and market conditions.

B. Central Sewer Service

MPD zoning may be applied only on properties with central sewer service.

C. Initiation of Amendment

1. Applications to establish an MPD district may be initiated only upon the filing of an application signed by all owners of the subject property.
2. Applications to expand the boundaries of an MPD district may be initiated only upon the filing of an application signed by the owner of the property over which the expanded MPD district would apply.
3. Applications to amend the development standards that apply within an approved MPD district may be initiated only upon the filing of an application signed by owners of at least 50% of the land area included in the subject MPD district.

D. Statement of Intent

Each MPD rezoning application must include a written explanation describing how the proposed development meets the purpose and intent described in 154-5-030.A and the supplemental review and approval criteria of 154-5-030.E.2.

E. MPD Approval Procedures

1. Overview of Required Approval Process

a. A property owner request for rezoning to the MPD zoning district requires review and approval of a zoning map amendment (see 154-17-030), which is processed concurrently with a rezoning plan (see 154-17-040).

b. After approval of the zoning map amendment and rezoning plan, site plan review and approval is required in accordance with the procedures of 154-17-090.

c. No building permit may be issued and no building or development may occur in an MPD zoning district until a subdivision plat incorporating the provisions of the approved rezoning plan has been approved and filed of record in the county recorder's office.

2. **Supplemental Review and Approval Criteria**
In making recommendations and decisions on MPD district zoning map amendments, review and decision-making bodies must consider the zoning map amendment criteria of 154-17-030.I and the following factors:

a. Whether the proposed master plan development is consistent with the comprehensive plan and any other adopted plans for the subject area;

b. Whether the rezoning plan complies with the MPD district provisions of 154-5-030;

c. Whether the development will result in public benefits that are equal to or greater than those that would have resulted from development under conventional zoning (non-MPD) regulations; and

d. Whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the MPD and the general public.

3. **Subdivision Plats**

a. The subdivision plat must be filed with the plan commission and processed in accordance with the subdivision regulations.

b. In addition to the information and submittals required pursuant to the subdivision regulations, an MPD district subdivision plat must include all agreements, commitments, or guarantees necessary to reasonably ensure continued compliance with the approved rezoning plan.

4. **Issuance of Building Permits**
Building permits may be issued only after the required subdivision plat is approved and filed of record in the county recorder's office. Any permits issued must be in accordance with the approved plat incorporating the provisions of the approved rezoning plan.

F. Abandonment
Abandonment of an approved MPD requires that the property be rezoned to another zoning district in accordance with the zoning map amendment procedures of 154-17-030 or that a new MPD be approved following the procedures of 154-5-030.E.

G. Use Regulations and Lot and Building Standards
The use regulations and lot and building standards that apply within an MPD zoning district must be established at the time of rezoning plan approval by the county council.

H. Other Development Standards
Unless otherwise expressly provided in the approved rezoning plan, properties within the MPD district are subject to all other applicable provisions of this UDO and the subdivision regulations. The MPD district is expressly intended to accommodate the use of alternative standards for streets and other public improvements based on the approved rezoning plans. The rezoning plan must specify the deviations proposed from otherwise applicable public improvement standards if deviations from otherwise applicable standards are proposed.

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Article 6 | Legacy Districts

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154-6-010. PO, Professional Office District

A. Land classified in a Professional Office (PO) zoning district on the effective date specified in 154-1-030 will continue to be classified in the PO district and be subject to the applicable PO district regulations of Article 2 until such time as the property is rezoned to another zoning classification.

B. No applications to establish new PO zoning districts or to expand the boundaries of existing PO zoning districts may be accepted for processing after the effective date specified in 154-1-030, except that PO rezoning applications that were in process on the effective date specified in 154-1-030 may continue to be processed and may be approved (see the transitional provisions of 154-1-110).

154-6-020. BP-1, BP-2 and BP-3, Planned Business Center Districts

A. Land classified in a Planned Business Center zoning district (BP-1, BP-2 or BP-3) on the effective date specified in 154-1-030 will continue to be classified in the applicable BP district and be subject to the rezoning plan approved for such property until such time as the property is rezoned to another zoning classification.

B. No applications to establish new BP zoning districts or to expand the boundaries of existing BP zoning districts may be accepted for processing after the effective date specified in 154-1-030, except that BP rezoning applications that were in process on the effective date specified in 154-1-030 may continue to be processed and may be approved (see the transitional provisions of 154-1-110). Amendments to existing BP district rezoning plans must be processed in accordance with the zoning map amendment procedures of 154-17-030. Such zoning map amendments must be processed concurrently with a rezoning plan (see 154-17-040).

C. The approved rezoning plan governs the use and development of BP-zoned areas unless and until the subject rezoning plan is abandoned and the property is rezoned.

154-6-030. PIC, Planned Industrial Center District

A. Land classified in the Planned Industrial Center zoning district (PIC) on the effective date specified in 154-1-030 will continue to be classified in the PIC district and be subject to the rezoning plan approved for such property until such time as the property is rezoned to another zoning classification.

B. No applications to establish new PIC zoning districts or to expand the boundaries of existing PIC zoning districts may be accepted for processing after the effective date specified in 154-1-030, except that PIC rezoning applications that were in process on the effective date specified in 154-1-030 may continue to be processed and may be approved (see the transitional provisions of 154-1-110). Amendments to existing PIC district rezoning plans must be processed in accordance with the zoning map amendment procedures of 154-17-030. Such zoning map amendments must be processed concurrently with a rezoning plan (see 154-17-040).

C. The approved rezoning plan governs the use and development of PIC-zoned areas unless and until the subject rezoning plan is abandoned and the property is rezoned.

154-6-040. PUD, Planned Unit Development District

A. Land classified in a PUD zoning district (PUD Class 1 or PUD Class 2) on the effective date specified in 154-1-030 will continue to be classified in the applicable PUD district and be subject to the recorded final rezoning plan applicable to such property until such time as the property is rezoned.

B. No applications to establish new PUD zoning districts or to expand the boundaries of existing PUD zoning districts may be accepted for processing after the effective date specified in 154-1-030, except that PUD rezoning applications that were in process on the effective date specified in 154-1-030 may continue to be processed and may be approved (see the transitional provisions of 154-1-110). Amendments to existing PUD district final rezoning plans must be processed in accordance with the zoning map amendment procedures of 154-17-030. Such zoning map amendments must be processed concurrently with a rezoning plan (see 154-17-040).

C. The PUD final rezoning plan governs the use and development of PUD-zoned areas unless and until the subject PUD is abandoned.

154-6-050. C-1, Conservation District

A. Land classified in the Conservation (C-1) zoning district on the effective date specified in 154-1-030 will continue to be classified in the C-1 district and be subject to the applicable C-1 district regulations of this section until such time as the property is rezoned to another zoning classification.

B. No applications to establish new C-1 zoning districts or to expand the boundaries of existing C-1 zoning districts may be accepted for processing after the effective date specified in 154-1-030.

C. Farms and hobby farms are the only uses permitted by right in the C-1 district. Such uses are subject to compliance with the supplemental regulations of 154-8-030. No new buildings or structures may be erected.

D. Only golf courses and country clubs may be approved as special exception uses in the C-1 district

Article 7 | Use Categories

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154-7-010. Use Categories Generally

This article establishes and describes the use categorization system used to classify principal uses in this UDO.

A. Use Categories

This UDO classifies principal land uses into 8 major groupings (described in 154-7-020 through 154-7-090). These major groupings are referred to as "use categories." The use categories are as follows:

1. Residential. See 154-7-020.
2. Public, Civic and Institutional. See 154-7-030.
3. Commercial. See 154-7-040.
4. Wholesale, Distribution and Storage. See 154-7-050.
5. Industrial. See 154-7-060.
6. Recycling. See 154-7-070.
7. Agricultural. See 154-7-080.
8. Other. See 154-7-090.

B. Use Subcategories

Each use category is further divided into more specific "subcategories." Use subcategories classify principal land uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, the type of customers or residents, and how goods or services are sold or delivered and site conditions.

C. Specific Use Types

Some use subcategories are further broken down to identify specific types of uses that are regulated differently than the subcategory as a whole.

D. Determination of Use Categories and Subcategories

1. The director has the authority to classify uses on the basis of the use category, subcategory, and specific use type descriptions of this article.
2. When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the director is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this article. In making such determinations, the director must consider:
   a. The types of activities that will occur in conjunction with the use;

b. The types of equipment and processes to be used;

c. The existence, number and frequency of residents, customers, or employees;

d. Parking demands associated with the use; and

e. Other factors deemed relevant to a use determination.

3. If a use can reasonably be classified in multiple categories, subcategories or specific use types, the director is authorized to categorize each use in the category, subcategory or specific use type that provides the most exact, narrowest, and appropriate "fit."

154-7-020. Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential use subcategories are as follows.

A. Household Living

Residential occupancy of a dwelling unit by a household. When dwelling units are rented, tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of lodging. Household living uses must occupy a residential building type that is permitted in the subject zoning district. The residential building types are as follows:

1. **Detached House**
   A detached house is a principal residential building, other than a manufactured housing unit (see 154-7-020.A.7) or mobile home (see 154-7-020.A.8), that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units. Detached houses include conventional ("stick-built") construction and construction involving modular or system-built components.

2. **Townhouse**
   A townhouse building is a principal residential building that is occupied by multiple dwelling units, each located on its own lot with a common or abutting wall along the dwelling units' shared lot lines. Each dwelling unit has its own external entrance.

3. **Two-unit House**
   A two-unit house is a principal residential building occupied by 2 dwelling units, both of which are located on a single lot that is not occupied by other principal residential buildings. The 2 dwelling units are attached and may be located on separate floors or side-by-side. Two-unit houses are also known as "duplexes."

4. **Triplex**
   A triplex is a principal residential building occupied by 3 dwelling units, all of which are located on a single lot that is not occupied by other principal residential buildings. The 3 dwelling units are attached and may be located on separate floors or side-by-side.

5. **Fourplex**
   A fourplex is a principal residential building occupied by 4 dwelling units, all of which are located on a single lot that is not occupied by other principal residential buildings. The 4 dwelling units are attached and may be located on separate floors or side-by-side.

6. **Apartment**
   An apartment building is a principal residential building on a single lot that is occupied by 5 or more dwelling units that share common walls and/or common floors/ceilings.

7. **Manufactured Housing Unit**
   A factory-built portable dwelling unit that complies with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401, et seq.).

8. **Mobile Home**
A factory-built portable structure designed to be towed or transported on its own chassis for placement on a temporary or permanent foundation, or on its own structure, without the aid of house moving equipment and that is not a "manufactured housing unit," as that term is defined in 154-7-020.A.7.

9. **Mobile Home Park**
A mobile home park is a lot or multiple lots upon which mobile homes or manufactured housing units are available for lease or upon which spaces for mobile homes or manufactured housing units are available for lease.

B. Group Living

Residential occupancy of a building or any portion of a building by a group other than a household. Group living uses typically provide communal kitchen/dining facilities. Examples of group living uses include group homes, convents, monasteries, nursing homes, assisted living facilities, sheltered care facilities, retirement centers, homeless centers, shelters, and halfway houses:

1. **Assisted Living Facility**
A facility combining housing, supportive services, personalized assistance, and health care, designed to respond to the individual needs of those who need help with activities of daily living, such as dressing, grooming and bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration, but do not require hospitalization. An "assisted living facility" does not contain equipment for surgical care or for treatment of disease or injury and does not include "nursing or convalescent home."

2. **Continuing Care Retirement Facility**
An establishment for care of the elderly that has common facilities and provides licensed intermediate and skilled nursing facilities for its residents, as well as other supportive services. This use generally incudes a variety of housing types and provides a variety of levels of assistance and care so that its residents may obtain higher levels of care and service as they age without having to move to another residential care facility.

3. **Group Care Home**
A residential dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal *Fair Housing Act Amendments of 1988*, as defined in that *Act* and interpreted by the courts, or by any similar legislation of the State of Indiana, including but not limited to facilities providing housing for handicapped, mentally ill, or developmentally disabled persons.

   a. **Group Care Home, Small**
   A group care designed for and occupied by 8 or fewer residents, not including staff.

   b. **Group Care Home, Large**
   A group care designed for and occupied by 9 or more residents.

4. **Nursing Home or Convalescent Home**
An extended or intermediate care establishment licensed by the State of Indiana, that maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. Such home does not contain equipment for surgical care or for the treatment of injury.

5. **Supportive Housing**
A residential dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of persons requiring medical, correctional, or other mandated supervision or a protective environment to avoid past or likely future violence, whose right to live together is not protected by the federal *Fair Housing Amendments Act* and that does not meet the definition of another group living use. Supportive housing expressly includes the following small (8 or fewer residents) and large (9 or more residents) uses:

a. Owner-occupied or non-profit-operated facilities for the exclusive use of persons, who, together with staff, live as a single housekeeping unit but do not require 24-hour medical or nursing care;

b. Shelter for persons experiencing temporary homelessness; and

c. Domestic violence shelters housing residents for the purpose of the rehabilitation or special care for victims of domestic violence or emotional or mental abuse.

154-7-030. Public, Civic and Institutional Use Category

This category includes public, quasi-public and private uses that provide unique services that are of benefit to the public at-large. The public, civic and institutional subcategories are as follows.

A. Aviation Facility

Facilities where fixed-wing aircraft or helicopters take off and land, including customary accessory uses and structures.

1. **Airport**
   An area of land or water, other than an airstrip, that is designed or used on a recurring basis for the landing and take-off of aircraft.

2. **Airstrip**
   An area of land or water, located on private property used for the landing and take-off of not more than 2 aircraft owned or leased by the owner of such property, or aircraft engaged in crop dusting of land owned or leased by the owner of the airstrip. Uses that offer flying lessons or the rental or sale of aircraft, parts or fuel are airports, not airstrips.

B. Cemetery

Land or structures used for burial or permanent storage of the dead or their cremated remains. Typical uses include cemeteries and mausoleums. Also includes pet cemeteries.

C. College or University

Institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees. The college or university use subcategory includes classrooms and instructional spaces, as well as on-campus residence halls, fraternity and sorority houses, administrative buildings, auditoriums, and other on-campus uses and facilities that provide customary accessory and support functions for college or university uses.

D. Community Center

A structure, including its surrounding premises, that is owned, leased or otherwise controlled by a unit of local government or a school district and that contains rooms or other facilities limited to use for purposes of meetings, gatherings or other functions or activities carried on or performed by or under the supervision of a unit of local government, a school district or a civic, educational, religious or charitable organization. The authorization for the establishment of a community center may include authorization for the incidental and accessory sale or resale of food, merchandise or services in connection with and in support of the principal activity or function being carried on or performed by such unit of local government, school district or organization.

E. Detention or Correctional Facility

An institution operated by the county, the state, the federal government, or a private party under contract with the county, the state or the federal government for the confinement and punishment and treatment or rehabilitation of offenders under the jurisdiction of a court.

F. Fraternal Organization

The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests and where the primary activity is a service not carried on as a business enterprise.

G. Governmental Service

Local, state or federal government services or functions that are not otherwise classified.

H. Hospital
Uses providing medical or surgical care to patients and offering inpatient (overnight) care.

I. Library or Cultural Exhibit
Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials for study and reading. Includes aquariums and planetariums.

J. Natural Resource Preservation
Undeveloped land left in a natural state for specific use as visual open space or environmental purposes. Typical uses include wildlife or nature preserves, arboretums, flood management projects and reservoirs.

K. Parks and Recreation
Recreational, social, or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, and other facilities typically associated with public parks and open space areas. Also includes public and private golf courses and tennis clubs. Also includes property owner association recreation facilities for subdivisions or neighborhoods.

L. Religious Assembly
Assembly for focus on religious or spiritual matters, such as customarily occur in churches, synagogues, temples, mosques, and other facilities used for religious worship.

M. Safety Service
Establishments that provide fire, police, or life protection, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations, police stations, ambulance services and storm or civil defense shelters.

N. School
Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory education.

O. Utilities and Public Service Facility

1. **Minor**

   a. Infrastructure services that need to be in or close to the area where the service is provided. Minor utilities and public service facilities generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Typical uses include water and sewer pump stations; gas regulating stations; underground electric distribution substations; electric transformers; water conveyance systems; stormwater facilities and conveyance systems; telephone switching equipment and emergency communication warning/broadcast facilities.

   b. The production, collection or distribution of renewable energy, water, organic waste, or other similar resources at a neighborhood, district or campus scale are classified as minor utilities and public service facilities. This includes distributed energy facilities that produce or distribute energy from renewable sources; neighborhood composting areas and neighborhood stormwater facilities.

   c. District-, neighborhood- or campus-scale systems that produce or distribute energy from the biological breakdown of organic matter produced within the subject neighborhood or campus are also considered minor utilities and public service facilities.

   d. Energy production systems that generate energy from the byproducts of the principal use are considered accessory uses, including net metered installations and installations that generate power to sell back to the power grid at a reasonable rate established by the utility provider.

2. **Major**
   Infrastructure services that typically have substantial visual or operational impacts on nearby areas. Typical uses include but are not limited to water and wastewater treatment facilities, high-voltage electric substations, utility-scale power generation facilities (including wind, solar and other renewable and

nonrenewable energy sources), sanitary landfills and utility-scale water storage facilities, such as water towers and reservoirs.

a. **Solar Farm**
A solar energy system consisting of a group of interconnected solar panels/arrays that covert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity (also known as grid-intertie photovoltaic system). These systems include solar monitoring systems and all equipment and facilities necessary for the proper operation of the facility, such as electrical collection and transmission lines, transformers, substations and operations and maintenance facilities.

b. **Wind Farm**
A system containing one or more wind turbines, towers, associated control or conversion electronics, and any related facilities employed to convert wind energy to electrical energy used primarily for off-site consumption. Wind farms have a maximum rated capacity of more than 100 kilowatts and typically consist of multiple wind turbines. See also 154-9-130.A.

154-7-040. Commercial Use Category

The commercial use category includes uses that provide a business service or involve the selling, leasing, or renting of merchandise to the general public. The commercial use subcategories are as follows.

A. Animal Service

Uses that provide goods and services for care of animals, including the following specific use types:

1. **Grooming**
Grooming of dogs, cats, and similar small animals, including dog bathing and clipping salons and pet grooming shops.

2. **Boarding or Shelter**
Animal shelters, care services and kennel services for dogs, cats, and small animals, including boarding kennels, pet resorts/hotels, pet adoption centers, dog training centers, animal rescue shelters and zoos and animal sanctuaries.

3. **Stable, Commercial**
Horse stables, riding academies, equestrian training facilities and similar uses providing services to the public (other than the residents of the subject property).

4. **Veterinary**
Animal hospitals and veterinary clinics.

B. Commercial Service

Uses that provide for consumer or business services and for the repair and maintenance of a wide variety of products. Examples of commercial service use types include the following:

1. **Building Service**
Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of premises. Typical uses include janitorial, landscape maintenance, carpet cleaning, chimney sweeps, extermination, plumbing, electrical, HVAC, roofing, window cleaning and similar services.

2. **Business Support Service**
Uses that provide personnel services, printing, copying, package (delivery) drop-off, photographic services or communication services to businesses or consumers. Typical uses include employment agencies, day labor hiring services, armored car services, copy and print shops, delivery/courier service drop-off location for consumers, caterers, telephone answering services and photo developing labs.

3. **Consumer Maintenance and Repair Service**
Uses that provide maintenance, cleaning, and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Typical uses include laundry and dry-cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture

framing shops, gunsmiths, locksmiths, vacuum repair shops, electronics repair shops and similar establishments. Business that offer repair and maintenance service for large equipment or technicians who visit customers' homes or places of business are classified as a "building service."

4. **Personal Improvement Service**
Uses that provide personal grooming, cosmetic or health and well-being-related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, body art services and fortune telling services.

5. **Research Service**
Uses engaged in scientific research and testing services leading to the development of new products and processes. Such uses resemble office buildings or campuses and do not involve the mass production, distribution, or sale of products. Research services do not produce odors, dust, noise, vibration, or other external impacts that are detectable beyond the property lines of the subject property.

C. Child Care

Uses providing care, protection, and supervision for children in a child care center or child care home.

1. **Child Care Center**
A nonresidential building in which children receive child care from a provider:

   a. While unattended by a parent, legal guardian, or custodian;

   b. For regular compensation; and

   c. For more than 4 hours but fewer than 24 hours for at least 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

2. **Child Care Home**
A residential building in which children receive child care from a provider.

   a. **Small**
   A residential dwelling unit in which no more than 5 children (not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative or any child who is at least 14 years of age and does not require child care) at any time receive child care from a resident provider as an accessory use to the principal residential use.

   b. **Large**
   A residential dwelling unit in which at least 6 children (not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative or any child who is at least 14 years of age and does not require child care) at any time receive child care from a resident provider as an accessory use to the principal residential use:

   c. While unattended by a parent, legal guardian, or custodian;

   d. For regular compensation; and

   e. For more than 4 hours but fewer than 24 hours for at least 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays.

   f. Child care homes include Class I child care homes and Class II child care homes, as defined in Indiana Code § 12-7-2-33.7 and Indiana Code § 12-7-2-33.8.

D. Eating and Drinking Places

1. **Bar or Tavern**
Uses that cater primarily to adults, 21 years of age and older and that sell and serve intoxicating beverages and/or beer as their principal business. Typical bar uses include bars, taverns, brewpubs, nightclubs, and similar establishments.

2. **Restaurant**
An establishment that serves food or beverages for on- or off-premise consumption as its principal business. Typical examples of restaurant uses include restaurants, cafés, cafeterias, ice cream/yogurt shops, donut shops and coffee shops. A restaurant may include an accessory use bar if the restaurant employs at least one full-time cook, has a menu, a fully equipped kitchen for cooking and preparation of meals and in which dining, kitchen and non-service areas occupy at least 75% of the floor area of the business.

E. Entertainment and Spectator Sports

Provision of cultural, entertainment, athletic and other secular assembly to spectators, such as typically occurs in theaters, amphitheaters, cinemas, auditoriums, fairgrounds, stadiums, and arenas.

1. **Indoor, Minor**
Entertainment and spectator sports venues and events that are conducted entirely within buildings that have a gross floor area of no more than 20,000 square feet.

2. **Indoor, Major**
Entertainment and spectator sports venues and events that are conducted entirely within buildings and that have a gross floor area of more than 20,000 square feet.

3. **Outdoor, Minor**
Entertainment and spectator sports venues and event facilities that are primarily outside of a fully enclosed building and that meet all the following criteria:

   a. Have no more than 50 off-street parking spaces;

   b. Do not have outdoor lights mounted more than 20 feet above grade; and

   c. Do not have speakers for amplified sound.

4. **Outdoor, Major**
Entertainment and spectator sports venues and event facilities that are primarily outside of a fully enclosed building and that do not meet all the criteria established for "minor" outdoor entertainment and spectator sports facilities (see above).

F. Financial Service

Uses related to the exchange, lending, borrowing and safe keeping of money. Automatic teller machines, kiosks and similar facilities that do not have on-site employees or amplified sound are not classified as financial service uses if they meet the criteria for classification as an accessory use (see 154-9-010.B).Typical examples of financial service use types are banks, credit unions, and the following types of personal credit establishments:

1. Pawnshops and pawn brokers;

2. Establishments that provide (vehicle) title-secured loans or payday loans; and

3. Establishments primarily engaged in buying gold or other precious metals (e.g., cash-for-gold businesses).

G. Funeral and Mortuary Service

Uses that provide services related to the death of a human or domestic, household pet, including funeral homes and mortuaries. Funeral and mortuary services may include crematoriums as an accessory use. Other crematoriums and animal rendering uses are classified as moderate-impact manufacturing and industry.

H. Lodging

Uses that provide temporary lodging for less than 30 days where rents are charged by the day or by the week. Lodging uses sometimes provide food or entertainment, primarily to registered guests. Examples of specific lodging use types include:

1. **Bed and Breakfast Inn**
A detached house in which a resident owner-operator offers temporary overnight accommodations and meal service to registered guests for compensation.

2. **Hotel/Motel**
   A commercial establishment in which temporary lodging guest rooms are offered for compensation. A hotel/motel may include an accessory use bar.

3. **Recreational Vehicle Park**
   A site designed and approved for temporary use and occupancy of 2 or more recreational vehicles.

4. **Short-term Rental**
   The rental of a residential dwelling unit for terms of less than 30 days at a time through a short-term rental platform. An "owner occupied" short-term rental is a short-term rental of a dwelling unit that is the dwelling unit owner's primary residence.

I. Office

Uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, professional, or medical services. Examples of specific use types include:

1. **Business and Professional Office**
   Office uses for companies and non-governmental organizations. Examples include corporate office, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses and corporations. Also included are union halls that offer only office and meeting space and insurance claims adjusters/estimators with no more than one vehicle inspection bay and no on-site repair facilities.

2. **Medical, Dental and Health Practitioner Office**
   Office uses related to diagnosis and treatment of human patients' illnesses, injuries and physical maladies that can be performed in an office setting with no overnight care. Typical uses include offices of physicians, dentists, psychiatrists, psychologists, chiropractors, and practitioners of massage therapy. Surgical, rehabilitation and other medical centers that do not involve overnight patient stays are included in this use subcategory, as are medical and dental laboratories, unless otherwise expressly indicated. Ancillary sales of medications and medical products are allowed in association with a medical, dental or health practitioner office.

J. Parking, Non-Accessory

Parking that is not provided to comply with minimum off-street parking requirements or that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A parking facility that provides both accessory and non-accessory parking will be classified as non-accessory parking if it leases 25% or more of its spaces to non-occupants of or persons other than visitors to a particular use.

K. Retail Sales

Uses involving the sale, lease, or rental of new or used goods to the ultimate consumer. Examples of specific retail use types include:

1. **Convenience Goods**
   Retail sales uses that sell or otherwise provide (1) sundry goods; (2) products for personal grooming and for the day-to-day maintenance of personal health or (3) food or beverages for off-premise consumption, including grocery stores, retail bakeries and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. Typical uses include convenience stores, drug stores, grocery and specialty food stores, wine or liquor stores, gift shops, newsstands, florists, and tobacco stores.

2. **Consumer Shopping Goods**
   Retail sales uses that sell or otherwise provide wearing apparel, fashion accessories, furniture, household appliances and similar consumer goods, large and small, functional, and decorative, for use, entertainment, comfort, or aesthetics. Typical uses include clothing stores, department stores, appliance stores, TV and electronics stores, bike shops, book stores, costume rental stores, stationery stores, art galleries, hobby shops, furniture stores, pet stores and pet supply stores, shoe stores, antique shops,

secondhand stores, record stores, toy stores, sporting goods stores, variety stores, video stores, musical instrument stores, medical supplies, office supplies and office furnishing stores and wig shops.

3. **Building Supplies and Equipment**
Retail sales uses that sell or otherwise provide goods to repair, maintain or visually enhance a structure or premises. Typical uses include hardware stores, home improvement stores, paint and wallpaper supply stores and garden supply stores.

L. Self-Service Storage Facility
An enclosed use that provides separate, small-scale, self-service storage facilities leased or rented to individuals or small businesses. Facilities are designed and used to accommodate only interior access to storage lockers or drive-up access only from regular size passenger vehicles and two-axle non-commercial vehicles.

M. Sexually Oriented Business
An Adult Arcade, Adult Bookstore, Adult Novelty Store, Adult Video Store, Adult Cabaret, Adult Motel, Adult Motion Picture Theater, Adult Theater, Escort Agency, Massage Parlor, Nude Model Studio, or a Sexual Encounter Establishment.

1. **Adult Arcade**
Any establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each are regularly used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

2. **Adult Bookstore, Adult Novelty Store or Adult Video Store**
A commercial establishment which has as a significant or substantial portion of its stock and trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising to the sale or rental, for any form of consideration, of any one or more of the following:

   a. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";

   b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others;

   c. An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas," and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is offering for sale or rental, from some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities."

3. **Adult Cabaret**
A nightclub, bar, restaurant, "bottle club," or similar commercial establishment, whether or not alcoholic beverages are served, that features:

   a. Persons who appear nude or in a state of nudity or semi-nude;

   b. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities;" or

c. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

4. **Adult Motel**
A motel, hotel, or similar commercial establishment which:

a. Offers public accommodations, for any form of consideration, which provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including but not limited to, newspapers, magazines, pamphlets, or leaflets, radio or television, or internet mediums; or

b. Offers a sleeping room for rent for a period of time less than 10 hours; or

c. Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than 10 hours.

5. **Adult Motion Picture Theater**
A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

6. **Adult Theater**
A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."

7. **Escort Agency**
A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

8. **Massage Parlor**
Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses does not include the practice of massage in or by any licensed hospital; nor by a licensed physician, surgeon, chiropractor or osteopath; nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath; nor by a massage therapist who has successfully completed a minimum of 500 hours of supervised classroom training on massage therapy at a school or institution accredited by the Indiana Commission on Proprietary Education or program at an institution of higher education that is approved by the State of Indiana, or accredited by another state where the standards for massage therapy education as substantially the same as the standards in Indiana, or who currently holds a license, certification or registration in good standing in another state equal to those standards for massage therapy, and the massage therapist does not conduct or administer massages in the manner described above; nor by trainers for any amateur, semi-professional or professional athlete or athletic team or school athletic program.

9. **Nude Model Studio**
Any place where a person, who regularly appears in a state of nudity or displays "specified anatomical areas" for money or any form of consideration and is to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

10. **Sexual Encounter Establishment**
A business or commercial establishment that, as one of its primary business purposes offers for any form of consideration a place where two or more persons may congregate, associate, or consort for the purpose of engaging in "specified sexual activities" or the exposure of "specified anatomical areas" or activities when one or more of the persons is in a state of nudity or semi-nude. The definition of sexually oriented businesses must not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

N. Sports and Recreation, Participant

Provision of sports or recreation primarily by and for participants. (Any spectators are incidental and present on a nonrecurring basis). Examples include bowling centers, health clubs, skating rinks, billiard centers, golf driving ranges, miniature golf courses, shooting ranges and batting cages. Note: public and private golf courses and tennis clubs are classified in the public and civic use category as park and recreation uses.

1. **Indoor, Minor**
Participant sports and recreation uses that are conducted entirely within buildings that have a gross floor area of no more than 20,000 square feet.

2. **Indoor, Major**
Participant sports and recreation uses that are conducted entirely within buildings and that have a gross floor area of more than 20,000 square feet.

3. **Outdoor, Minor**
Participant sports and recreation uses that are primarily outside of a fully enclosed building and that meet all the following criteria:

   a. Have no more than 50 off-street parking spaces;

   b. Do not have outdoor lights mounted more than 20 feet above grade; and

   c. Do not have speakers for amplified sound.

4. **Outdoor, Major**
Participant sports and recreation uses that are primarily outside of a fully enclosed building and that do not meet all the criteria established for "minor" Participant sports and recreation uses (see above).

5. **Shooting Range, Outdoor**
An outdoor facility, including its component shooting ranges, safety fans, shot fall zones, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. Private outdoor shooting and target practice where no fee is charged or membership is required for the use of the facility and where firing occurs less than 6 times per month by other than the property owner or lessee is considered an accessory use.

O. Studio, Artist, or Instructional Service

Uses in an enclosed building that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language, or similar activities. Also includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, artist studios and photography studios.

P. Trade School

Uses in an enclosed building that focus on teaching the skills needed to perform a particular job. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses. Truck driving schools are classified as "trucking and transportation terminals" (wholesale, distribution, and storage use category).

Q. Vehicle Sales and Service

Uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and vehicular equipment. The vehicle sales and service subcategory includes the following specific use types:

1. **Commercial Vehicle Repair and Maintenance**
   Uses, excluding vehicle paint finishing shops, that repair, install or maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft or similar large vehicles and vehicular equipment. Includes truck stops and fleet vehicle fueling facilities, which may dispense conventional vehicle fuels and/or alternative vehicle fuels.

2. **Commercial Vehicle Sales and Rentals**
   Uses that provide for the sale or rental of large trucks, moving equipment (e.g., U-haul and Ryder) construction or agricultural equipment, aircraft, or similar large vehicles and vehicular equipment.

3. **Fueling Station (for Personal, Consumer Vehicles)**
   Uses engaged in retail sales of vehicle fuels for personal vehicles, other than fleet fueling facilities and truck stops. (Note: Fleet vehicle fueling facilities and truck stops are part of the "Commercial Vehicle Repair and Maintenance" specific use type). Fueling stations may dispense conventional vehicle fuels and/or alternative vehicle fuels.

4. **Personal Vehicle Repair and Maintenance**
   Uses that repair, install, or maintain the mechanical components of automobiles, small trucks or vans, motorcycles, motor homes or recreational vehicles including recreational boats or that wash, clean, or otherwise protect the exterior or interior surfaces of these vehicles.

5. **Personal Vehicle Sales and Rentals**
   Uses that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes or recreational vehicles including recreational watercraft. Typical examples include automobile dealers, auto malls, car rental agencies. Car-share vehicles that are parked or stored when not being used by members of a car-share program are not regulated as personal vehicle sales and rental uses but are instead considered accessory parking.

6. **Vehicle Equipment and Supplies Sales and Rentals**
   Uses related to the sale, lease, or rental of new or used parts, tools or supplies for the purpose of repairing or maintaining motor vehicles.

7. **Vehicle Body and Paint Finishing Shop**
   Uses that primarily conduct motor vehicle body work and repairs or that apply paint to the exterior or interior surfaces of motor vehicles by spraying, dipping, flow-coating or other similar means.

154-7-050. Wholesale, Distribution & Storage Use Category

This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments. Long-term and short-term storage of supplies, equipment, commercial goods, and personal items is included. The wholesale, distribution & storage subcategories are as follows.

A. Equipment and Materials Storage, Outdoor

Uses related to outdoor storage of equipment, products, or materials, whether or not stored in containers. Examples include contractor and construction equipment storage yards.

B. Trucking and Transportation Terminals

Uses engaged in the dispatching and long-term or short-term storage of trucks, buses, and other vehicles, including parcel service delivery vehicles, taxis, and limousines. Minor repair and maintenance of vehicles stored on the premises is also included. Includes uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary on-site storage of those items.

C. Warehouse

Uses conducted within a completely enclosed building that are engaged in long-term and short-term storage of goods and that do not meet the definition of a "self-service storage facility" or a "trucking and transportation terminal."

D. Wholesale Sales and Distribution

Uses engaged in the wholesale sales, bulk storage, and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms. Expressly includes the following uses: bottled gas and fuel oil sales, flea markets, ice distribution centers, monument sales, portable storage building sales, vending machine sales, auctioneers, and frozen food lockers.

154-7-060. Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. The industrial subcategories are:

A. Artisan Manufacturing

On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations or storage. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.

B. Low-Impact Manufacturing and Industry

Manufacturing or refurbishing of finished parts or products, primarily from previously prepared materials. Typical uses include: catering establishments, craft brewing and distilling, printing and related support activities; machinery manufacturing; food processing and manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/ assembly; furniture and related product manufacturing/assembly; and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties. Also includes "artisan industrial" uses that do not comply with the enclosed building or outside operations/storage criteria that apply to such uses.

C. Moderate-Impact Manufacturing and Industry

1. Manufacturing of finished or unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Typical uses include: preparation, grinding, and mixing of animal feed; textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; transportation equipment manufacturing; primary metal manufacturing; and fabricated metal product manufacturing. Also includes medical, scientific, or technology-related research establishments that produce odors, dust, noise, vibration, or other external impacts that are detectable beyond the property lines of the subject property.

2. Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products, or by-products. Typical uses include welding shops; machine shops; industrial tool repair; fuel oil distributors; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photofinishing laboratories.

D. High-Impact Manufacturing and Industry

Manufacturing and industrial uses that regularly use hazardous chemicals or procedures or produce hazardous byproducts, including manufacturing of acetylene, acid, cement, cement blocks, lime, gypsum or Plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. Also includes smelting, stamping mills, drop forges, concentrated animal feeding operations, meat packing, rendering plants, incinerators, foundries, concrete and asphalt mixing, sawmills, and oil refining.

E. Junk or Salvage Yard
An area or building where salvaged or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled for reclamation, disposal or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles.

F. Mining/Quarrying
The extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel, or other aggregate materials. See also Indiana Code § 36-7-4-1103.

154-7-070. Waste and Recycling-Related Use Category

This category includes uses that collect solid or liquid wastes from other users for transfer to another location; collect sanitary wastes, or other approved waste materials for on-site disposal; or that store or process recyclable material for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products. The waste and recycling use subcategories are as follows:

A. Composting
Facilities or sites that engage in windrow composting, in-vessel aerobic composting and anaerobic digestion composting technologies. Residential composting is not classified ore regulated as a waste and recycling-related use (see 154-9-100)

B. Demolition Debris Landfill
A facility or site used for the disposal of demolition waste, construction materials, used building materials, brush, wood waste, soil, rock, concrete and inert solids soluble in water.

C. Solid Waste Separation Facility
A facility where mixed solid waste is separated into recovered materials and other components either manually or mechanically and further processed for transporting to other facilities, including a landfill.

D. Transfer Station
A facility for the transfer and packing of solid waste from smaller collecting vehicles to larger transport vehicles.

E. Recyclable Material Drop-off Facility
An establishment that accepts consumer recyclable commodities directly from the consuming party and stores them temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable material are classified as "recyclable material processing facilities."

F. Recyclable Material Processing
Establishments that receive and process consumer recyclable commodities for subsequent use in the secondary market.

154-7-080. Agricultural Use Category

This category includes farming and uses and activities that are directly related to agriculture and that are necessary to provide service and financial support for farming and agriculture uses.

A. Farm, Traditional
An area managed and maintained by an individual, group or business entity to grow and harvest food crops or non-food crops (e.g., flowers) or for the feeding, housing and care of livestock and farm animals. Private stables, in which horses are kept for the exclusive use of residents of the subject property are considered a permitted accessory use to a traditional farm.

B. Farm, Hobby
An area managed and maintained by an individual as a principal residence and on which some crops may be raised and some animals may be kept for pleasure, rather than commercial gain.

C. Farm, Non-Traditional (Indoor)
Growing, washing, packaging and storage of fruits, vegetables, and other plant products in enclosed buildings. Typical operations include greenhouses, vertical farming, hydroponic systems and aquaponic systems.

D. Home Garden
An area of land managed and maintained by one or more individuals who reside in a dwelling unit located on the subject property to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, sales, or donation.

E. Community Garden
An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, sales, or donation.

F. Farm Stand
An on-site, accessory use to a working or active farm that includes the sale of horticulture or agricultural products the majority of which are produced on-site.

G. Farmer's Market
An establishment that sells or provides fresh agricultural products directly to the consumer in a market setting. Farmer's markets may include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment for retail sale.

H. Horticulture Nursery
A use involving propagation and growth of trees or plants in containers or in the ground for wholesale or retail sales and distribution. Does not include on-site retail sales unless such sales are otherwise allowed in the subject zoning district.

I. Agritourism
Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture. Agritourism uses include those that are for-profit and those that are provided free of charge to the public, including all the following:

1. **Agriculture Cultural Center**
   A facility established for the purpose of educating the public about agricultural activities, or the heritage and culture of agricultural activities. In addition, this use subcategory included museums dedicated solely to agriculture themes and living history farm sites.

2. **Agritainment**
   Events and activities that allow for recreation, entertainment, and tourism in conjunction with agriculture support and services on the site. Examples include the following: use of barns as wedding and special event venues, hay rides, corn mazes, hay mazes, petting zoos (farm animals only) and agricultural festivals.

3. **Eco-Tourism Enterprise**
   Tourism activities and facilities that focus on visitation and observation of or education about natural history, indigenous ecosystems, native plant or animal species, natural scenery, or other features of the natural environment. Eco-tourism enterprises may include cultural activities related to such activities or work projects that help conserve or safeguard the integrity of a natural feature, habitat, or ecosystem.

4. **Restaurant, Farm-based**
   Restaurants on tracts occupied by a working farm that serve food and beverages primarily to customers seated at tables or counters located within a building or designated outdoor seating areas. At a minimum, 50% of the food served at this type of restaurant must be grown on-site, or on tracts that are part of the subject farm.

5. **Participatory Farms**
   Farm-based, tourism-driven enterprises where individuals or groups pay to participate on a working farm.

6. **Rural Retreat**
   An establishment that is part of a working farm that provides temporary overnight accommodations for individuals or groups engaged in supervised training or personal improvement activities. Examples include corporate retreat facilities, educational retreat facilities and working farm learning centers. Restaurants are an allowed accessory use.

7. **Wine Tasting Room**
   A facility in which wine products grown or processed on the owner's property may be tasted and sold. This definition may include the following as ancillary uses: gift/retail sales, assembly areas and meeting rooms.

8. **Winery**
   A manufacturing facility or establishment engaged in the processing of grapes to produce wine or wine-like beverages.

154-7-090. Other Use Category

This category includes uses that do not fit the other use categories.

A. Drive-in or Drive-through Facility

Any use with drive-through windows or drive-through lanes or that otherwise offer service to the occupants of motor vehicles. Typical uses include drive-through restaurants, drive-through pharmacies, drive-in restaurants, and drive-in cinemas. Automatic teller machine kiosks and similar drop-off or pick-up facilities that do not have on-site employees or amplified sound are not classified as drive-in or drive-through facilities if they meet the criteria for classification as an accessory use (see 154-9-010.B).

B. Off-premise Outdoor Advertising Sign

A sign that directs attention to a business, commodity, service, or activity that is conducted, sold, or offered elsewhere than upon the lot where the subject sign is located.

C. Wireless Communication Facility

Towers, antennas, equipment, equipment buildings and other facilities used in the provision of wireless communication services. See the definitions in 154-11-070.

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Article 8 | Supplemental Use Regulations

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154-8-010. General

This article includes supplemental regulations that apply to some uses. These regulations supplement the applicable zoning district regulations. The applicability of these supplemental use regulations is indicated in the use regulations of the respective zoning districts.

154-8-020. Apartments

A. All apartments must be served by a central water system. Evidence must be submitted that fire hydrants with suitable connections for the equipment of the local fire department will be installed.

B. Sewage treatment facilities must be provided by connection to a central sewer system or a sewage treatment plant approved by State Board of Health. Apartments may not be served by septic systems.

154-8-030. Traditional Farms, Hobby Farms, Horses and Farm Animals

A. Traditional Farms

Farms are allowed only on parcels with a minimum contiguous area of at least 20 acres.

B. Hobby Farms

Hobby farms are allowed only on parcels with a minimum contiguous area of at least 2.5 acres. Hobby Farms are prohibited in subdivisions unless at least 80% of the platted lots have an area of 4.5 acres or more.

C. Home Gardens

Food and horticultural products grown in a home garden may be used for personal consumption or donated or sold. Only whole, uncut, fresh food and horticultural products grown in a home garden may be donated or sold on-site. Such sales and donation activities are subject to the home occupation regulations of 154-9-090.

D. Keeping of Horses and Farm Animals

1. **Where Allowed**
   The keeping of horses and farm animals is prohibited except on traditional farms and hobby farms in accordance with the regulations of this section or as permitted for beekeeping and chicken keeping in accordance with 154-9-050 and 154-9-060.

2. **Farms**
   There is no zoning-based limit on the number of horses, chickens, domestic fowl, bees, or farm animals that may be kept on a traditional farm.

3. **Hobby Farms**

   a. Horses, chickens, domestic fowl, bees, and farm animals may be kept, raised, or bred on a hobby farm only for personal enjoyment and not for commercial gain. Commercial stables are prohibited as part of a hobby farm unless approved as a special exception.

   b. Hobby farms are limited to one animal unit for the first 2.5 acres of land area, based on the animal unit equivalencies in Table 8-1. One additional animal unit is allowed per each additional 2 acres of

parcel area. The keeping of more animals than allowed by this subsection is prohibited unless approved as a special exception.

Table 8-1: Animal Units

Animal Type	Number = 1 Animal Unit (AU)
Cattle, Bison	1
Horse, Mule, Donkey, Burro	1
Horse (34 inches or less at withers)	2
Swine, Ostrich	2
Goats, Sheep, Llama, Alpaca	2
Chickens	48
Ducks	24
Geese or Turkeys	16
Rabbits	20
Mink and similar fur-bearing animals	20
Bees	No AU limit

c. Grazing areas are prohibited within 100 feet of dwelling unit located on an abutting parcel.

d. Animal enclosures are prohibited within 250 feet of dwelling unit located on an abutting parcel.

e. Proper sanitation must be maintained for livestock and farm animals. Proper sanitation includes:

(1) Not allowing animal waste to accumulate;

(2) Taking necessary steps to ensure that odors resulting from horses, farm and livestock animals are not detectable beyond property lines; and

(3) Storing all food in metal or other pest-proof containers.

154-8-040. Manufactured Housing Units

A. Manufactured housing units on individual lots are allowed in all zoning districts in which conventional (on-site stick-built) detached houses are allowed, subject to compliance with the supplemental regulations of this section.

B. Manufactured housing units must:

1. Comply with all applicable building codes of the one- and two-family building code;

2. Be anchored to the ground, in accordance with installation standards of the one- and two-family building code;

3. Have wheels, axles and hitch removed;

4. Meet utility connection standards;

5. Be placed on a permanent exterior perimeter wall of mortared walls, concrete block, brick, stone, tile and poured concrete. The perimeter wall may be partially or totally load-bearing; and

6. Be set onto an excavated area with foundation, footings, or basement wall constructed in accordance with the one- and two-family building code and the manufacturers' installation specifications.

154-8-050. Sexually Oriented Businesses

A. Purpose

The provisions of this section regulate sexually oriented businesses and related activities to promote the health, safety, morals, and general welfare of the citizens of Lake County, and to establish reasonable and uniform provisions to prevent the deleterious effects of sexually oriented businesses within Lake County. The

provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Further, it is not the intent or effect of this section to condone or legitimize the distribution of obscene materials. It is not the intent or effect of this section to limit or restrict lawful activities permitted under the Indiana Code.

B. Findings

Based on evidence concerning the adverse secondary effects of sexually oriented businesses on the community presented in hearings and in reports made available to the Lake County Plan Commission and adopted as a 12-page study on May 5, 2004, and Lake County Council, and on findings incorporated in the cases of City of Renton v. Playtime Theatres, Inc., 475 U.S. 41 (1986); Young v. American Mini Theatres, 426 U.S. 50 (1976); Barnes v. Glen Theatre, Inc., 501 U.S. 560 (1991); Arcara v. Cloud Books, Inc., 478 U.S. 697 (1986); California v. LaRue, 409 U.S. 109 (1972); Lacobucci v. City of Newport, KY, 479 U.S. 92 (1986); United States v. O'Brien, 391 U.S. 367 (1968); City of Erie v. Pap's A.M., 120 S. Ct. 1382 (2000); City of Los Angeles v. Alameda Books, Inc., 122 S. Ct. 1728 (2002); Broadway Books, Inc. v. Roberts, 642 F. Supp. 486 (E.D. Term. 1986); DLS, Inc. v. City of Chattanooga, 107 F.3d 403 (6th Cir. 1997); Pleasureland Museum, Inc. v. Beutter, 2002 WL 818791 (7th Cir. 2002); Kev, Inc. v. Kitsap County, 793 F.2d 1053 (9th Cir. 1986); Hang On, Inc. v. City of Arlington, 65 F.3d 1248 (5th Cir. 1995); South Florida Free Beaches, Inc. v. City of Miami, 734 F.2d 608 (11th Cir. 1984); Mitchell et. al. v. Commission on Adult Entertainment Establishments of the State of Delaware et. al., 10 F.3d 123 (3d Cir. 1993); Ellwest Stereo Theatre, Inc. v. Boner, 718 F. Supp. 1553 (M.D. Term. 1989); City of Lincoln Nebraska v. ABC Books, Inc., 470 N.W.2d 760 (Neb. 1991); Berg v. Health & Hosp. Corp. of Marion County, 865 F.2d 797 (7th Cir. 1989); Shultz v. Cumberland, 228 F.3d 831 (7th Cir. 2000), as well as studies conducted in communities including, but not limited to Indianapolis, Indiana; Phoenix, Arizona; Minneapolis, Minnesota; Houston, Texas; Amarillo, Texas; Garden Grove, California; Los Angeles, California; Whittier, California; Austin, Texas; Seattle, Washington; Oklahoma City, Oklahoma; Cleveland, Ohio; and Beaumont, Texas; findings reported in the Final Report of the Attorney General's Commission on Pornography (1986), the Report of the Attorney General's Working Group On the Regulation of Sexually Oriented Businesses (6-6-1989, State of Minnesota); and statistics of the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the Lake County Plan Commission finds:

1. Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are presently insufficiently controlled by the operators of the establishments.
2. Crime statistics show that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually oriented businesses are located.
3. Sexual acts, including masturbation, oral sex, and anal sex, occur at sexually oriented businesses, especially those which provide booths or cubicles for viewing films, videos, or live sex shows.
4. Acts of prostitution commonly occur at or in the area of sexually oriented businesses.
5. Persons frequent certain adult theaters and other sexually oriented businesses for the purpose of engaging in sex within the premises.
6. At least 50 communicable diseases may be spread by activities that occur in adult sexually oriented businesses, including, but not limited to, syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, salmonella infections and shigella infections.
7. Prostitution, sexual assaults, and other criminal activity occur at or in the area of sexually oriented businesses.
8. Prostitution is connected to the spread of sexually transmitted diseases.
9. There is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values.

10. It is recognized that sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are in proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area.

11. It is not the intent of this section to suppress any speech activities protected by the First Amendment, but to enact a content-neutral section that addresses the secondary effects of sexually oriented businesses as well as the health problems associated with such businesses; and it is not the intent of the Lake County Plan Commission to condone or legitimize the distribution of obscene materials, and the Commission recognizes that state and federal law prohibits the distribution of obscene materials and expects and encourages state enforcement officials to enforce state and federal obscenity statutes against any such illegal activities in the County of Lake.

12. Sexually oriented businesses have operational characteristics which should be reasonably regulated in order to protect those substantial governmental concerns.

13. The general welfare, health, morals, and safety of the citizens of Lake County will be promoted by the enactment of this section.

C. Where Allowed

1. Sexually oriented businesses are allowed as indicated in Table 3-2, provided that the establishment, enlargement, reconstruction, resumption or structural alteration of any sexually oriented business is prohibited if such business is within 1,000 feet of another such business or within 1,000 feet of any of the following existing protected uses and areas: religious assembly, school, park, locally designated historic preservation area, licensed day care center, child care home or lots zoned for residential use and occupied by one or more residential dwelling units.

2. The distance between one sexually oriented business and another sexually oriented business must be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of each such business. The distance between a sexually oriented business and any protected use or area (as defined in 154-8-050.C-1, above) must be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of the sexually oriented business to the nearest property line of the protected use or area. If a sexually oriented business is part of or included within a multi-tenant shopping center, only the portion of such center or leased space occupied by such sexually oriented business must be included in determining the closest exterior structural wall of such establishment.

D. Exterior Displays

No sexually oriented business must be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public view.

E. Signs

1. Not more than one wall sign must be permitted for a sexually oriented business and such sign must be permitted only on the front facade. In addition to the one permitted business wall sign, a sexually oriented business not located within a multi-tenant shopping center must be permitted not more than one pole or ground sign structure if it is an entity of commercial development held in either private ownership or long-term lease, and that meets all of the requirements of the zoning district in which it is located. Such requirements must include direct access to a public street from that property and a full amount of required parking on the site with the use. All other sign structures must be prohibited.

2. The sign surface areas of a business wall sign for a sexually oriented business must not exceed an amount equal to 5% of the front building facade of the first-floor elevation (first ten feet) of the premises occupied by the sexually oriented business, or 100 square feet, whichever is the lesser. The maximum sign surface area of a ground or pole sign structure, where permitted, must not exceed one square foot for each lineal foot of frontage of the lot, or 36 square feet, whichever is the lesser.

3. Signs and sign structures may be illuminated, provided, however, such illumination must not be by way of exposed neon, exterior lighting (e.g., spot or floodlights), or any flashing or animated lights (either interior to the sign, on the exterior of the sign, or as a border to the sign).

154-8-060. Solar Farms

Solar Farms may be approved as a Special Exception in the A-1 district, subject to compliance with the regulations of this section and any conditions or commitments imposed at the time of special exception approval.

A. Height

Buildings are subject to the height limitations of the subject zoning district. Ground-mounted solar energy systems may not exceed 25 feet in height when oriented at maximum tilt. Transmission lines, substations and switchyards are not subject to the 25 feet height limit.

B. Setbacks

Buildings are subject to the setback regulations of the subject zoning district. The design of buildings and related structures associated with the solar farm must use materials, colors, textures, screening, and landscaping that, to the greatest extent possible, will blend the facilities to the natural setting and surrounding structures. Ground-mounted solar energy systems must be set back at least 50 feet from all nonparticipating property lines. Since a solar farm may include several properties, setback requirements are inclusive of the entire project rather than an individual property. Ground-mounted solar energy systems must be set back at least 200 feet from all nonparticipating residences. For purposes of this provision, "non-participating" refers to property owners that have not executed a solar access easement or similar agreement with the solar farm owner-operator. The setback regulations of the A-1 zoning district do not apply.

C. Lot Coverage

Solar panels and arrays are not included in lot coverage calculations.

D. Landscape Buffer

1. The solar farm owner-operator must install a landscape buffer in areas of the solar farm adjacent to non-participating properties to the extent that the required landscape buffer area reasonably extend to obstruct the view of any residence and associated accessory structures, such as swimming pools, detached garages, backyard cottages, and parking areas. This landscape buffer requirement is to be determined by the board of zoning appeals as part of their action on the special exception. The required landscaped buffer may be located within required setbacks and must comply with the following or a similar alternative approved at the time of special exception approval:

    a. A landscape strip with at least one shrub per 5 linear feet, plus at least one evergreen tree per 25 linear feet of the landscape strip. Shrubs must be at least 3 feet in height at time of planting. Evergreen trees must be at least 5 feet in height at time of planting; or

    b. A landscape strip at least 10 feet in width that includes a solid wall or privacy fence with a minimum height of 7 feet. At least one evergreen tree must be provided within the landscape area (on the exterior side of the wall or fence) for each 30 linear feet of fence or wall.

2. Landscaping, including weed and grass control, shall be maintained by the owner-operator. In the event that existing landscaping intended to provide screening from nonparticipating properties is disturbed, removed, perishes, or ceases to serve its intended purpose, new plantings must be provided to provide an equivalent level of visual screening as the original intended landscape buffer. Any new plantings must be completed by the owner-operator in a timely, reasonable, and good-faith manner depending on plant availability and time of year.

E. Glare

Solar energy systems must be designed, constructed, and sited to minimize glare or reflections on adjacent properties and roadways and to not interfere with traffic, including air traffic, or otherwise create a safety hazard.

F. Soil and Ground Cover

1. The owner-operator must use reasonable efforts to not remove topsoil from the site during development. Any necessary site grading and soil removal must be identified and approved at the time of approval of the site development plan.

2. Perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage stormwater runoff.

G. Security Barrier

Solar energy systems that are part of a solar farm must be enclosed by perimeter security fencing or other barrier approved by the board of zoning appeals with a minimum height of at least 7 feet. The use of barbed wire or razor wire is prohibited unless required by the National Electric Code or otherwise expressly approved by the board of zoning appeals at the time of special exception approval.

H. Electrical Components

All electrical components must meet all applicable state and national codes, and relevant national and international standards.

I. Lighting

Solar Farms may not be artificially illuminated, unless required by the FAA (Federal Aviation Administration) or other applicable government agency or authority. Substation exterior lighting is permitted as required by the National Electric Code. Any onsite lighting provided for the operational phase of the solar farm must be shielded away from shielded away from nonparticipating adjacent properties and positioned downward to the extent possible to minimize light emission onto adjacent properties.

J. Noise

Upon completion of construction of the solar farm, noise levels measured along property lines adjacent to existing residences on nonparticipating properties may not exceed 50 decibels.

K. Outdoor Storage

Outdoor storage of materials and equipment is prohibited unless otherwise expressly approved by the board of zoning appeals at the time of special exception approval.

L. Underground Utilities

All medium voltage cables between inverter locations and project substations must be placed and maintained underground. Other solar infrastructure, such as module-to-module collection cables, CAB cables, transmission lines, substations, junction boxes, and other typical above-ground infrastructure may be located and maintained above ground.

M. Coordination with Emergency Services

The owner-operator of the solar farm must provide materials, education, and training to local emergency service providers in how to respond safely to onsite emergencies.

N. Environmental Impact

The owner-operator is responsible for retaining a third-party, qualified professional to assess potential impacts on the natural environment, including wetlands and other sensitive ecosystems, and species of concern.

O. Abandonment and Decommissioning

Solar farms that do not produce energy for a continuous period of one year or more are presumed to have been abandoned.

1. **Notice**

   The owner-operator must notify the plan commission by certified mail (return receipt requested) of the proposed date of discontinued operations and plans for removal. Decommissioning and removal must be performed in compliance with the approved decommissioning plan. The board of zoning appeals may approve any appropriate amendments or modifications of the decommissioning plan. Any solar farm that has been abandoned must be decommissioned and removed within one year.

2. **Decommissioning Requirements**
Decommissioning must consist of

   a. Physical removal of all solar photovoltaic installations, structures, equipment, security barriers, and transmission lines from the site;

   b. Recycling or disposal of all solid and hazardous waste in accordance with local, state and federal regulations; and

   c. Stabilization of revegetation of the site is necessary to minimize erosion. The director is authorized to allow the owner-operator to leave landscaping or any designated below-grade foundations in-place in order to minimize erosion and disruption to vegetation.

3. **Decommissioning Plan**

   a. A decommissioning plan outlining the anticipated means and costs or removing the solar farm must be submitted with the special exception application

   b. The decommissioning plan must ensure that the owner-operator removes the equipment and facilities upon the end of the project or after the useful life of the facility. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components, and the restoration of soil and vegetation.

   c. The owner-operator must provide a current decommissioning cost estimate prepared by an Indiana State Licensed independent Professional Engineer approved by the county. The cost estimate must identify the parties responsible for decommissioning. Cost estimates must address all activities necessary to restore the solar farm site to its predevelopment condition. Decommissioning cost estimates must be revised during the project lifespan based on updated cost estimates provided by an Indiana State Licensed independent Professional Engineer approved by the county. Decommissioning cost estimates must be recalculated and revised every 5 years throughout the life of the solar farm and reflected in an updated surety amount approved by the county during each 5-year increment.

4. **Financial Guarantee**

   a. The owner-operator must provide a financial guarantee to cover the approved decommissioning cost estimate. The financial guarantee must be in the form of a bond, cash, or other negotiable surety. Such surety must be submitted and approved by the board of commissioners before any building permits are issued for the solar farm. The financial guarantee is required to secure the financial ability of the owner-operator to decommission the solar farm.

   b. If the owner-operator fails to remove the solar farm in accordance with the requirements of the decommissioning plan, the county is authorized to collect the surety and retain a third -party to enter the property to physically remove the installation.

P. Monitoring and Maintenance

The owner-operator of the solar farm is responsible for keeping the facility in safe, sound, and well-maintained condition, including painting, grounds keeping, structural repairs, internal access drives and the integrity of security measures.

Q. Avoidance and Mitigation of Damages to Public Infrastructure

1. **Roads**
Before construction, the owner-operator must identify all roads to be used for the purpose of transporting components and equipment for construction, operation or maintenance of the solar farm and obtain applicable permits applicable permits from the highway department before any construction occurs on the site.

2. **Existing Road Conditions**
Before construction, the owner-operator must conduct a pre-construction survey, in coordination with the highway department to determine existing roadway conditions. The pre-construction survey must include photographs and a written agreement to document the condition of the roads and applicable public facilities. The owner-operator is responsible for ongoing road maintenance and dust control measures identified by the highway department during all phases of construction and installation.

3. **Drainage System**
The owner-operator is responsible for working with landowners and the county surveyor, using reasonably practicable methods, to identify existing subsurface drainage systems. The owner-operator must repair damage to drain tiles and other drainage systems that result from construction, operation, or maintenance of the solar farm within 15 days of damage occurring. The repair may include the option to repair as originally found, re-routing, or installing new tile in a manner that will not negatively impede the flow of water outside the fenced project boundary.

R. Proof of Capability and Expertise
The owner-operator must provide reasonable evidence of financial ability to construct the solar farm and all required improvements, as determined by the board of zoning appeals at the time of special exception approval.

S. Submittal Requirements
All applications for special exception approval must include the following information in addition to the customary submittal requirements for special exception applications.

1. Site plan showing property lines and physical features, including roads, setbacks, floodplain or any special flood hazard areas (if applicable), buildings, solar panels, right-of-way, and any zoning district designation for the subject property and all adjacent and abutting properties.
2. Approximate number, location, and spacing of solar panels or arrays.
3. Product cut-sheets.
4. Proposed locations of underground or overhead electric lines.
5. Interconnection service agreement or evidence of filing required interconnection service applications with the electric utility.
6. Operation and maintenance plan of the solar farm, including measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operation and maintenance of the instal1ation.
7. All required agency comments, approvals, along with respective ordinance conformance, including highway department, health department, and surveyor department (regardless of the amount of disturbed area).
8. Proof of liability insurance.
9. Emergency response plan.
10. Decommissioning plan.

T. Prohibited Systems
Concentrated solar power systems are prohibited.

U. Signs
A sign must be posted at the entrance to the solar farm. The required sign may not exceed 6 square feet in area and must include emergency contact information, including a 24-hour contact phone number. No other signs are allowed, unless expressly approved by the board of zoning appeals at the time of special exception approval.

V. Entry to Site
Plan commission staff, including the building official, code enforcement officer, or any other official governed under approved ordinances, codes, and permits of the county, are allowed to enter the solar farm at any reasonable time, with proper notice, to determine compliance with the provisions of the approved special exception, building permit, site plan, building codes, this UDO, or any other applicable code or ordinance.

W. Building Permits
A building permit must be obtained within 36 months of approval of the special exception (including site plan approval). Commencement of the operation of the solar farm =must occur within 2 years of the date of issuance of the building permit. These timeframes may be extended for cause upon application, review, and approval by the board of zoning appeals.

154-8-070. Wind Farms

Wind farms may be approved as a special exception in the A-1 zoning district, subject to compliance with the regulations of this section and any conditions of approval imposed at the time of special exception approval.

A. Height
Wind turbines may not exceed 350 feet in height.

B. Ground Clearance
The blade tip of any wind turbine rotor must, at its lowest point, have ground clearance of at least 35 feet.

C. Setbacks

1. Wind turbines must be set back at least 2,640 feet from residential dwelling units, residential zoning district boundaries, schools, and parks and at least 1,320 feet from road rights-of-way. Required setbacks do not apply between wind turbines and residential dwelling units occupied by the owner of the property upon which the wind farm is located.
2. Each wind turbine must be set back from above-ground power lines a distance equal to at least 110% of the height of the wind device.

D. Color
Wind turbines (including device rotors and towers) must be painted a non-reflective, non-obtrusive color.

E. Climbing
All climbing apparatus must be located at least 15 feet above the ground, and the tower must be designed to prevent climbing within the first 15 feet above the ground or base.

F. Signs
Wind turbines may not be used for displaying signs or advertising, except that:

1. Each wind turbine must be marked with a visible identification number to assist with provision of emergency services.
2. Warning signs concerning voltage must be posted on the base of each tower, electrical equipment, and at the entrance to any wind farm facility site.

G. Lighting
Wind turbines may not be artificially illuminated, unless required by the FAA or other applicable government agency or authority.

H. Noise
Wind turbines may not produce sound levels in excess of 50 decibels (on the dB(A) scale), as measured at the minimum required setback distances. Compliance with this standard must be demonstrated in a study prepared by qualified professional acoustician.

I. Vibration
Wind turbines may not produce vibrations humanly perceptible beyond the minimum required setback distances.

J. Shadow Flicker

Wind turbines must be designed, sited, and operated in a manner that does not result in significant shadow flicker impacts on roads and occupied buildings (i.e., a repeating pattern of light and shadow visible caused by rotating blades). Significant shadow flicker is deemed to occur if it happens more than 30 hours in a single calendar year.

K. Underground Utilities

On-site power lines and utility connections must be placed underground unless otherwise expressly approved as part of the special exception.

L. Abandonment and Decommissioning

Wind farms that do not produce energy for a continuous period of one year or more are presumed to have been abandoned.

1. Any wind farm that has been abandoned must be decommissioned and removed within 180 days.
2. Decommissioning must consist of:
    a. Physical removal of all wind turbines, structures, equipment, security barriers and transmission lines from the site.
    b. Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.
    c. Stabilization or re-vegetation of the site as necessary to minimize erosion.
3. **Decommissioning Plan**
    a. A decommissioning plan outlining the anticipated means and costs of removing the wind farm must be submitted with the special exception application.
    b. The decommissioning plan must ensure that the owner-operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation.
    c. The owner-operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.
    d. The owner-operator must submit a copy of the decommissioning plan to all property owners within the boundaries of the special exception application. The subject property owners must provide to the director signed affidavits acknowledging receipt of the decommissioning plan and their respective responsibility for decommissioning costs.

M. Monitoring and Maintenance

The owner-operator of the wind farm is responsible for keeping the facility in safe, sound, and well-maintained condition, including painting, grounds keeping, structural repairs, internal access drives and the integrity of security measures.

N. Avoidance and Mitigation of Damages to Public Infrastructure

1. **Roads**
   The owner-operator must identify all roads to be used for the purpose of transporting components and equipment for construction, operation or maintenance of the wind farm and obtain applicable permits from the applicable road authority before any construction occurs on the site.
2. **Existing Road Conditions**
   The owner-operator must conduct a pre-construction survey, in coordination with the applicable road authority to determine existing road conditions. The pre-construction survey must include photographs and a written agreement to document the condition of the roads and applicable public facilities. The owner-operator is responsible for on-going road maintenance and dust-control measures identified by the

applicable road authority during all phases of construction and installation. The applicant must ensure that, following completion of construction of a wind farm, all county and state roads will be repaired or restored to a condition at least equal to the condition prior to construction of such facility, as inspected and approved by the respective road authority.

3. **Drainage System**
The owner-operator is responsible for identifying the location of all subsurface drainage systems and for immediately repairing damage to drain tiles and other drainage systems that result from construction, operation, or maintenance of the wind farm.

O. Financial Assurance
The owner-operator must provide reasonable evidence of financial ability to construct the wind farm and all required improvements, as determined by review and decision-making bodies at the time of special exception approval.

P. Submittal Requirements
All applications for special exception approval must include the following information in addition to the customary submittal requirements for special exception applications.

1. Site plan showing property lines and physical features, including roads, setbacks, floodplain (if applicable), buildings, wind turbines, right of way, and zoning district designation for the subject property and all abutting properties.
2. Pre-construction survey and proposed routes.
3. Number, location, and spacing of wind turbines.
4. Product cut-sheets.
5. Proposed locations of underground or overhead electric lines.
6. Identification of access and traffic control of the project site, during construction and operation of the facility.
7. Interconnection service agreement or evidence of filing required interconnection service applications with the electric utility.
8. Operation and maintenance plan of the wind farm, including measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operation and maintenance of the installation.
9. Proof of liability insurance.
10. A wind farm facility map, to be filed with local emergency service responders, identifying wind turbine locations and numbers.
11. Emergency services plan, including but not limited to the project summary, electrical schematic and means of shutting down energy systems throughout the life of the installation.
12. Decommissioning plan in accordance with this section.

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Article 9 | Accessory Uses and Structures

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154-9-010. Generally Applicable Regulations

A. Accessory Uses Allowed

Accessory uses and structures are allowed only in connection with lawfully established principal uses.

B. Allowed Uses and Structures

Allowed accessory uses and structures are limited to those expressly regulated in this article as well as those that satisfy all the following criteria:

1. They are customarily found in conjunction with the subject principal use or principal structure;
2. They are subordinate and clearly incidental to the principal use of the property; and
3. They serve a necessary function for or contribute to the comfort, safety, or convenience of occupants of the principal use.

C. Time of Construction and Establishment

1. Accessory uses may be established only after the principal use of the property is in place.
2. Accessory buildings may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place.

D. Location

Accessory uses and structures must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

E. Compliance with Lot and Building Regulations

Unless otherwise expressly stated, accessory uses and structures are subject to the same lot and building regulations as apply to principal uses and buildings. See also the provisions governing allowed yard obstructions (154-21-060.C) and exceptions to height limits (154-21-080.B).

F. Attached Buildings

Where a substantial part of the wall of an accessory building is a part of the wall of the principal building, or where an accessory building is attached to the principal building in a substantial manner such as by a roof, the accessory building is considered a part of the principal building.

154-9-020. Detached Accessory Garages and Storage Buildings

A. Applicability

The regulations of this section apply to detached accessory garages and detached accessory storage buildings on AG- and R-zoned lots. This includes garages, sheds, pole buildings, and all similar structures.

B. Location

Detached accessory garages, detached accessory storage buildings, and similar accessory structures must be located in the rear yard or be set back at least 200 feet from all street rights-of-way, or when street rights of way have not been dedicated or established, at least 250 feet from the centerline of all streets that abut the subject property.

C. Setbacks

Detached accessory garages, detached accessory storage buildings, and similar accessory structures must be set back at least 5 feet from side and rear lot lines, provided that when located on corner lots such buildings may not be placed closer the street than the principal building.

D. Number

The number of detached accessory garages and storage buildings permitted is based on the size of the subject lot, as indicated in Table 9-1. The maximum area requirements of 154-9-020.E apply regardless of the number of buildings.

Table 9-1: Number of Detached Accessory Garages and Storage Buildings

Lot Area	Maximum Number
Up to 1 acre (43,560 square feet)	2
Over 1 acre (43,560 square feet)	No maximum

E. Area and Height

The maximum floor area and height of detached accessory garages and storage buildings is based on the size of the subject lot, as indicated in Table 9-2.

Table 9-2: Area and Height of Detached Accessory Garages and Storage Buildings

Lot Area	Maximum Floor Area	Maximum Height (feet)
0.5 acre or less (21,780 square feet)	1,014 square feet or 6% of lot area [1]	18
Over 0.5 acre to 1 acre (43,560 square feet)	1,307 square feet or 3.5% of lot area [1]	18
Over 1 acre to 2.5 acres (108,900 square feet)	1,525 square feet or 2% of lot area [1]	20
Over 2.5 acres to 4.5 acres (196,020square feet)	2,178 square feet or 1.5% of lot area [1]	20
Over 4.5 acres to 10 acres (435,600 square feet)	3,267 square feet or 1% of lot area [1]	22
Over 10 acres	Unlimited	Subject to zoning district height limit

[1] Whichever is greater

F. Bathroom Facilities

Toilets and bathroom plumbing facilities may be installed in detached accessory garages and detached accessory storage buildings only if approved by the central sewer service provider or the county health department. Such facilities require approval of a county building permit.

154-9-030. Backyard Cottages

A. Description

A backyard cottage is a small accessory building occupied by a single, self-contained accessory dwelling unit. Backyard cottages are located on the same lot as but not attached to a detached house.

B. Where Allowed

Backyard cottages may be approved as a special exception in A-1 and R districts on lots occupied by detached houses. Backyard cottages are not allowed on lots occupied by two-unit houses or on lots occupied by multiple dwelling units.

C. Health Department Approval
Backyard cottages proposed on lots without central sewer service require approval by the Lake County Health Department.

D. Code Compliance
Backyard cottages must comply with all applicable building and fire codes.

E. Location
Backyard cottages must be located in the rear yard of the detached house and set back at least 10 feet from interior side and rear lot lines.

F. Number
No more than one backyard cottage is permitted on a single lot. Backyard cottages are prohibited on lots occupied by more than one principal dwelling unit (e.g., a lot occupied by a two-unit house) or on lots occupied by a secondary suite (see 154-9-040).

G. Size
The floor area of a backyard cottage may not exceed 49% of the floor area of the principal dwelling unit or 580 square feet, whichever is less.

H. Height
The height of the building occupied by a backyard cottage may not exceed 24 feet or the height of the detached house, whichever is less.

I. Parking and Driveways
No additional parking is required for a backyard cottage. Any provided parking is subject to the same regulations that apply to the principal dwelling unit. No new driveways or driveway expansions are allowed.

J. Owner Occupancy and Rental
At least one of the dwelling units on a lot occupied by a backyard cottage must be occupied by an owner with at least a 50% interest in the subject property. The owner must occupy either the principal dwelling unit or the backyard cottage as their permanent residence for a majority of the time each calendar year.

K. Deed Restriction
Prior to issuance of a permit establishing a backyard cottage, the owner of the subject property must file an affidavit with the director and record a deed restriction stating that the owners of the subject property agree (1) to comply with the owner occupancy, rental and other applicable restrictions of this UDO; and (2) to notify all prospective purchasers of such requirements. The deed restriction runs with the land is binding upon the property owner, their heirs, and assigns, and upon any parties subsequently acquiring any right, title, or interest in the property. The affidavit and deed restriction must be in a form prescribed by the director. Proof of deed restriction recording must be provided to the director before any building permits are issued for the backyard cottage.

154-9-040. Secondary Suites

A. Description
Secondary suites are accessory dwelling units contained wholly within a detached house.

B. Applicability
All secondary suites are subject to compliance with the regulations of this section.

C. Where Allowed
Secondary suites are permitted in A-1 and R districts in accordance with Table 2-2. Secondary suites are not allowed on lots occupied by two-unit houses or on lots occupied by multiple dwelling units.

D. Health Department Approval
Secondary suites proposed on lots without central sewer service require approval by the Lake County Health Department.

E. Code Compliance
Secondary suites must comply with all applicable building and fire codes.

F. Creation
Secondary suites may be created by:

1. Converting existing floor area within the interior of a detached house (e.g., attic or basement) to a secondary suite;
2. Adding floor area to an existing detached house to accommodate a secondary suite; or
3. Constructing a new detached house that includes a secondary suite within the principal building.

G. Zoning District Regulations
Secondary suites are subject to all applicable regulations of the zoning district in which they are located, unless otherwise expressly stated in this UDO.

H. Number
No more than one secondary suite is permitted on a single lot. Secondary suites are prohibited on lots occupied by more than one principal dwelling unit (e.g., a lot occupied by a two-unit house) or on lots occupied by a backyard cottage.

I. Size
The floor area of a secondary suite may not exceed 49% of the floor area of the principal dwelling unit or 580 square feet, whichever is less.

J. Parking and Driveways
No additional parking is required for a secondary suite. Any provided parking is subject to the same regulations that apply to the principal dwelling unit. No new driveways or driveway expansions are allowed.

K. Location of Entrances
Only one entrance to a detached house containing a secondary suite may be located on a facade that faces a street, unless the detached house had an additional street-facing entrance before the secondary suite was created.

L. Owner Occupancy and Rental
At least one of the dwelling units on a lot occupied by a secondary suite must be occupied by an owner with at least a 50% interest in the subject property. The owner must occupy either the principal dwelling unit or the secondary suite as their permanent residence for a majority of the time each calendar year.

M. Deed Restriction
Prior to issuance of a permit establishing a secondary suite, the owner of the subject property must file an affidavit with the director and record a deed restriction stating that the owners of the subject property agree (1) to comply with the owner occupancy, rental and other applicable restrictions of this UDO; and (2) to notify all prospective purchasers of such requirements. The deed restriction runs with the land is binding upon the property owner, their heirs, and assigns, and upon any parties subsequently acquiring any right, title, or interest in the property. The affidavit and deed restriction must be in a form prescribed by the director. Proof of deed restriction recording must be provided to the director before any building permits are issued for the secondary suite.

154-9-050. Beekeeping
The regulations of this section govern the keeping of honeybees as an accessory use in all districts except on traditional farms and hobby farms. See 154-8-030 for regulations that apply on traditional farms and hobby farms.

A. Siting
Beehives are allowed only in the rear yard.

B. Setbacks
Beehives must be set back at least 20 feet lot lines, provided that the minimum hive setback may be reduced to 10 feet if a flyway barrier is provided between hives and lot lines. Flyway barriers must be at least 6 feet in

height; extend at least 10 feet beyond the hive in either direction; and consist of a solid fence, vegetative barrier, or combination of such materials.

C. Number

The maximum number of beehives permitted is 4, plus one additional hive for each 2,500 square feet of lot area over 10,000 square feet. There is no limit on the number of beehives permitted on lots over 4.5 acres in area.

D. Water

An on-site water source must be available within 25 feet of beehives during the months of March through November.

E. Other

Beekeeping must comply with all applicable provisions of Indiana Code § 14-24.

154-9-060. Chickens and Domestic Fowl

The regulations of this section govern the keeping of chickens and domestic fowl as an accessory use in all districts except on traditional farms and hobby farms. See 154-8-030 for regulations that apply on traditional farms and hobby farms.

A. Number

a. A maximum of one bird unit is allowed per acre of lot area, based on the bird unit equivalencies established in Table 9-3.

Table 9-3: Bird Unit Equivalencies

Number of Fowl	Equivalent Bird Unit
32 Chickens	1 Bird Unit
16 Ducks	1 Bird Unit
8 Turkeys	1 Bird Unit
8 Geese	1 Bird Unit
2 Ostriches or Emus	1 Bird Unit

Table 9-3 Notes:

[1] Only chickens or fowl 2 months of age or older are counted.

B. Siting

Chickens and domestic fowl may be kept only in the rear yard.

C. Prohibited Activities

1. The keeping of roosters is prohibited.
2. On-site slaughter of is prohibited.

D. Enclosures

1. Chickens and domestic fowl must be provided with a covered enclosure and must be kept in the covered enclosure or a fenced area at all times.
2. The enclosure or fenced area must be located at least 50 feet from any residential dwelling unit on an adjacent lot.

154-9-070. Electric Vehicle Charging Stations

A. General

1. Private (restricted-access) electric-vehicle (EV) charging stations are permitted as accessory uses to lawfully established principal uses in all zoning districts.
2. Public EV charging stations are permitted as accessory uses to lawfully established principal nonresidential uses in all zoning districts.

B. Parking

1. Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.
2. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles.

C. Equipment

Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.

D. Signage

Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

154-9-080. Geothermal Heat Exchange Systems

A. General

Geothermal heat exchange systems are permitted as an accessory use in all zoning districts.

B. Location

1. Above-ground equipment is subject to compliance with the minimum building setback regulations of the subject zoning district, including the setback obstruction provisions of 154-21-060.C.
2. Underground equipment, piping and devices may not be located in any public easement or right-of-way.

154-9-090. Home Occupations

A. Description

Home occupations are jobs or professions conducted on a lot occupied by a residential dwelling unit.

B. Purpose

The home occupation regulations of this section are intended to allow residents to engage in customary home-based work activities, while also helping to ensure that neighbors are not subjected to adverse operational and land use impacts (e.g., excessive noise or traffic or public safety hazards) that are not typical of residential areas.

C. Types of Home Occupations

1. Two types of home occupations are defined and regulated under this section:
   a. Suburban home occupations and
   b. Rural home occupations.
2. The different regulations that apply to each type of home occupation recognize that work-at-home activities that are customary and compatible in rural settings are different from those that are customary and compatible in smaller lot suburban settings

D. Exemptions

Nonresidential uses that are expressly allowed in conjunction with residential uses by the use regulations of the subject zoning district (e.g., bed and breakfast uses and day care homes) are not subject to home occupation regulations.

E. Allowed Uses

The home occupation regulations of this section establish performance standards for home occupations rather than listing specific home occupation uses that are allowed.

F. Suburban Home Occupations

Home occupations that comply with all of the suburban home occupation regulations of this subsection are permitted in conjunction with any allowed principal residential use.

1. Suburban home occupations must be clearly incidental and subordinate to the subject property's principal residential use.
2. At least one individual engaged in a suburban home occupation must reside in the dwelling unit in which the suburban home occupation is located as their primary place of residence. A maximum of one nonresident employee is allowed in conjunction with a suburban home occupation.
3. Suburban home occupations must be conducted within the principal dwelling unit and may not exceed the lesser of 1,000 square feet or 40% of the gross floor area of the principal residential dwelling.
4. Only one suburban home occupation is allowed per dwelling unit.
5. No goods, stock in trade, or other commodities may be displayed outside a fully enclosed structure.
6. Uses and activities that involve on-site customer or client visits are prohibited as suburban home occupations.
7. On-premises retail sales of goods not produced on-site are prohibited in association with suburban home occupations.
8. Suburban home occupations must not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood. Home occupations may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts to that are not typical of a residential neighborhood in Lake County. Home occupations must be operated so as not to create or cause a nuisance.
9. Any tools or equipment used as part of a suburban home occupation must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
10. External structural alterations or site improvements that change the residential character of the lot upon which a suburban home occupation is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting or the addition of a separate building entrance that is visible from abutting streets.
11. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 C.F.R. Sec. 171.8.
12. Only automobiles, vans and trucks licensed as passenger vehicles may be used in the conduct of a suburban home occupation. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., postal service, united parcel service, FedEx, et al.) of the type typically used in residential neighborhoods.
13. The following uses are expressly prohibited as suburban home occupations:
    a. Any type of assembly, cleaning, maintenance or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers, or refrigerators);
    b. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
    c. Equipment or supply rental businesses;
    d. Taxi, limo, van, or bus services;
    e. Tow truck services;
    f. Taxidermists;

g. Restaurants;

h. Funeral or interment services;

i. Animal care, grooming or boarding businesses; and

j. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building; and

k. Any other uses that do not comply with the suburban home occupation regulations of this section or with the purposes set forth in 154-9-090.B.

G. Rural Home Occupations

Home occupations that do not comply with all of the suburban home occupation regulations of 154-9-090.F but that do comply with all of the regulations of this subsection (154-9-090.G) may be approved as a special exception use in conjunction with an allowed principal residential use on any lot with an area of 4.5 acres or more.

1. Rural home occupations must be clearly incidental and subordinate to the subject property's principal residential or agricultural use.
2. Only one rural home occupation is allowed per lot.
3. At least one individual engaged in a rural home occupation must reside in the principal dwelling unit on the subject property as their primary place of residence. A maximum of 3 nonresident employees are allowed with a rural home occupation.
4. Rural home occupations may be conducted within the principal dwelling unit or within an accessory building, provided that the total accessory building floor area occupied by a rural home occupation may not exceed 2,000 square feet.
5. Rural home occupations must not change the character of the residential building they occupy or adversely affect the character of the surrounding area. Rural home occupations may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts to that are not typical of rural areas in Lake County. Home occupations must be operated so as not to create or cause a nuisance.
6. Accessory buildings occupied by rural home occupations and all material storage areas must be set back at least 300 feet from adjacent lots.
7. Any tools or equipment used as part of a rural home occupation must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
8. Any storage areas must be screened in accordance with 154-14-040.
9. The following uses are expressly prohibited as rural home occupations:
   a. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
   b. Contractor storage yards and material storage yards;
   c. Equipment or supply rental businesses;
   d. Taxi, limo, van, or bus services;
   e. Tow truck services;
   f. Junk yards;
   g. Restaurants;
   h. Funeral or interment services; and

i. Any other uses that do not comply with the rural home occupation regulations of this section or with the purposes set forth in 154-9-090.B.

10. Rural home occupations and all related activities, including storage (other than the lawful parking of passenger vehicles), must be conducted entirely within the principal residential building or an allowed accessory building.

154-9-100. Residential Composting

The composting of individual household landscape waste (including grass clippings, leaves, and chipped brush) and individual household food waste (including discarded fruits, vegetables, and grains) is an allowed accessory use in agricultural and residential zoning districts, subject to the regulations of this section.

A. Only landscape waste generated from plants grown and maintained on the subject lot may be composted. This provision is not intended to prohibit property owners from adding "outside" materials or ingredients to speed or enhance decomposition.

B. Only food waste resulting from food preparation or consumption by household residents of the subject lot and may be composted. This provision is not intended to prohibit property owners from adding "outside" materials or ingredients to speed or enhance decomposition. Meat products are prohibited in residential compost bins.

C. All food waste must be placed within rodent-resistant compost bins, which are prohibited in front and side yards and must be set back at least 10 feet from all lot lines.

D. Landscape waste compost piles may not exceed 125 cubic feet in volume or 5 feet in height.

E. Landscape waste compost piles must be set back at least 10 feet from all lot lines. Landscape waste compost piles that are not contained within a rodent-resistant compost bin must be set back at least 30 feet from all dwelling units on abutting lots.

F. Animal waste is prohibited in compost piles or bins.

G. Burning of compost piles is prohibited.

154-9-110. Satellite Dish Antennas

A. Where Allowed

1. Satellite dish antennas up to 40 inches in diameter are permitted as of right as an accessory use to all lawfully established principal uses in all zoning districts. They are subject to all applicable accessory structure setback regulations.

2. Satellite dish antennas over 40 inches in diameter, up to 120 inches in diameter, are permitted as of right as an accessory use to all lawfully established principal uses in nonresidential zoning districts. They are subject to all applicable accessory structure setback regulations.

B. Location

1. In R districts, satellite antennas may be located only to the rear of any principal structure. If usable communication signals cannot be obtained from a rear location, the satellite antenna may be located in the side yard. If usable satellite communication signals cannot be received by locating the antenna in the rear or to the side of the principal structure, the antenna may be placed in the street yard outside of the required building setback or on the roof in a location that is visible from the street, provided that the diameter of the satellite dish antenna does not exceed 18 inches.

2. In districts other than R districts, satellite dish antennas may be located anywhere in the buildable area of the lot (outside of required building setbacks) or on an allowed principal or accessory building on the lot.

3. Ground-mounted satellite dish antennae must be placed or visually screened to reduce visual impact from surrounding properties at street level and from public streets.

154-9-120. Solar Energy Systems

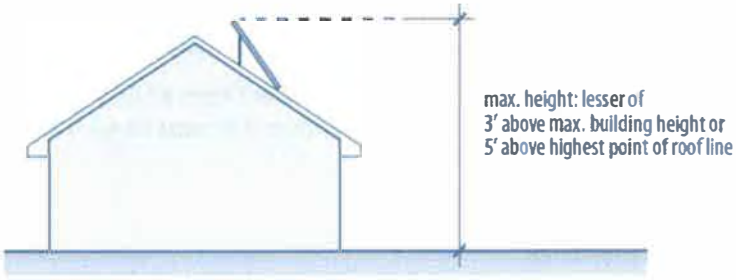
A. General

1. Solar energy systems (as an accessory use) are permitted as of right as an accessory use to all lawfully established principal uses in all zoning district. (see 154-8-060 for regulations governing solar farms).
2. Accessory solar energy systems must comply with all applicable building and electrical code requirements.

B. Building-Mounted Solar Energy Systems

1. Building-mounted solar energy systems may be mounted on principal and accessory structures.
2. Building-mounted solar energy systems may not encroach into required street setbacks. Systems mounted on principal structures may encroach into interior side and rear building setbacks in accordance with 154-21-060.C.
3. Only building-integrated or flush-mounted solar energy systems may be installed on street-facing building elevations.
4. Solar energy systems may not extend more than 3 feet above the applicable maximum building height limit for the subject building type or more than 5 feet above the highest point of the roof line, whichever is less.

Figure 9-1: Roof-Mounted Solar Energy Systems



C. Ground-Mounted Solar Energy Systems

1. In residential zoning districts, ground-mounted solar energy systems may not be located in a required street setback or street yard area.
2. Ground-mounted solar energy systems may be located within required interior side and rear setbacks.
3. Ground-mounted solar energy systems are subject to applicable accessory structure height and lot coverage regulations.

154-9-130. Small Wind Energy Conversion Systems

A. General

1. Small wind energy conversion systems used primarily for on-site consumption and having a maximum rated capacity of 100 kilowatts or less are considered an accessory use. Systems with a rated capacity in excess of 100 kilowatts are regulated as wind farms (See 154-7-030.O.2).
2. The regulations of this section apply to all small wind energy conversion systems.
3. Small wind energy conversion systems are also subject to building code requirements.

B. Where Allowed

1. One small wind energy conversion system is permitted as of right as an accessory use to a lawfully established principal use in A-1 and RR zoning districts, provided that the subject lot is at least 4.5 acres in area and the system complies with all applicable requirements of this section.

2. All other applications to establish a small wind energy conversion system require review and approval in accordance with the special exception procedures of 154-17-100.

C. Height

1. The maximum allowed height of a ground-mounted small wind energy conversion system, measured as the distance from ground level at the base of the structure to the top of any wind generator blade, rotor, or vane when it is at its highest point, varies based on the size of the lot on which it is located, as indicated in Table 9-4.

Table 9-4: Maximum Height of Small Wind Energy Conversion System

Lot Area (acres)	Maximum Height (feet)
0–0.99	35
1–1.99	65
2–4.99	85
5 or more	100

2. The maximum allowed height of a roof-mounted small wind energy conversion system, measured from ground level at the base of the building to which it is attached to the top of any wind generator blade, rotor, or vane when it is at its highest point, may not exceed 20 feet above the maximum allowable building height of the subject zoning district.

3. The lowest point of any moving elements, such as blades or vanes, must be at least 15 feet above grade immediately beneath the moving element.

D. Siting

Small wind energy conversion systems may not be located in front yards, required building setbacks or within easements. In addition, freestanding systems must be set back from all property lines by a distance at least equal to the overall height of the system.

E. Design and Operation

1. All small wind energy conversion systems must be equipped with manual and automatic over-speed controls to limit the blade rotation speed to within the design limits of the system.

2. The rotating turbine may not produce vibrations that are perceptible to humans standing at ground level outside the property lines of the subject lot.

3. Operational noise of a small wind energy system may not exceed 60 db(A) at the nearest property line except during short-term high wind speed events such as storms.

4. Lattice-type towers and towers using guy wires are prohibited.

5. All power transmission and telemetry lines from a ground-mounted small wind energy conversion system to any building or other structure must be placed underground.

6. Towers, rotors, and turbines may not be illuminated unless required by a state or federal agency, such as the FAA.

7. Small wind energy conversion systems must be designed, sited, and operated in a manner that does not result in significant shadow flicker impacts on neighboring lots and occupied buildings (i.e., a repeating pattern of light and shadow visible caused by rotating blades). Significant shadow flicker is deemed to occur if it happens more than 30 hours in a single calendar year.

8. All structures and equipment must maintain factory colors or be finished in a non-reflective, matte finished, neutral color.

9. No commercial messages may be placed or painted on the tower, rotor, turbine, generator, or tail vane that is legible from off-site. This provision is not intended to prohibit warning signs or manufacturer's logos.

10. All climbing pegs, ladders and similar apparatus on ground-mounted small wind energy conversion systems must be located at least 12 feet above the ground at the base of the structure.

F. Permits

The following information must be submitted with a permit application for a small wind energy conversion system:

1. A description of the system, including its maximum power-rated output capacity.
2. The make, model, an illustrative photograph or brochure, manufacturer's specifications including noise data (decibels) for the proposed wind energy conversion system, the support structure, and method of attachment to the ground and/or structure.
3. Elevation drawing of the wind energy conversion system showing total height, turbine dimensions, tower and turbine colors, distance between ground and lowest point of any blade, and if proposed, the location of climbing apparatus.
4. If the wind energy conversion system is not certified as meeting the IEEE 1547 standards (Institute of Electrical and Electronic Engineers), then an assessment must be provided from an electrical engineer indicating that protection equivalent to the IEEE standard will be provided.

G. Abandonment

Any small wind energy conversion system that is not operated for a continuous period of 18 months or more or that is in an obvious state of disrepair or a threat to public safety will be considered abandoned and must be dismantled and removed from the property at the expense of the property owner. Full disclosure of any below-grade improvements, such as the footings, foundation, electrical wiring or conduit, or any other items that remain after removal of the abandoned small wind energy conversion system, must be made upon any transfer, lease, or sale of the property on which the small wind energy conversion system was constructed.

154-9-140. Swimming Pools

A. Swimming pools and hot tubs with a depth of more than 42 inches must comply with the applicable requirements of the Indiana Administrative Code for residential pools at 675 IAC 14-4.3-270 through 296 and for commercial pools at 675 IAC 20.

B. Swimming pools and hot tubs with a depth of more than 42 inches must be enclosed by a fence or wall at least 4 feet in height measured from grade level at the base of the fence.

C. Swimming pools and hot tubs may not be located in any required street or interior side setback area.

D. Swimming pools and hot tubs located in rear yards must be set back at least 5 feet from side and rear lot lines.

E. Swimming pools and hot tubs must have adequate distance from overhead electrical wires, in accordance with National Safety Code and the National Electrical Code.

F. Abandoned or unused swimming pools or hot tubs, situated on premises that are not occupied for periods of 30 days or more, must be drained, filled in, or equipped with a cover adequate to prevent persons, children or animals from danger or harm.

Article 10 | Temporary Uses

154-10-010.	Description and Purpose	10-1
154-10-020.	Authority to Approve	10-1
154-10-030.	Authorized Uses	10-1
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154-10-050.	Temporary Real Estate Offices	10-3
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154-10-010. Description and Purpose

A. A temporary use is the use of private property that does not require a building permit and that may or may not comply with the use and lot and building regulations of the zoning district in which the temporary use is located.

B. The temporary use regulations of this article are intended to permit such occasional, temporary uses and activities when consistent with the purposes and regulations of this UDO.

154-10-020. Authority to Approve

A. Except as expressly stated in 154-10-070, all temporary uses require county approval.

B. The director is authorized to establish administrative procedures governing the processing, review, and approval of temporary uses.

C. The director is authorized to approve temporary uses that comply with the provisions of this article and to impose conditions on the operation of temporary uses to help ensure that they do not create significant adverse impacts on surrounding uses and that they operate safely and without causing nuisances, consistent with the general purposes of this UDO.

D. Temporary uses that do not comply with all applicable regulations and all conditions of approval may be approved as special exceptions in accordance with 154-17-100. The director is authorized to refer any temporary use to the plan commission for consideration in accordance with special exception procedures of 154-17-100.

E. Special events on county property require county board review and approval.

154-10-030. Authorized Uses

A. The director is authorized to approve temporary uses upon receipt of a written application by the subject property owner. The application must include the proposed start and end dates of the temporary use and the proposed hours of operation, as well as other information necessary to determine that the proposed use is a customary temporary use in the subject location and will generally be compatible with surrounding uses and not be a detriment to public safety.

B. Upon a determination that the proposed use is a customary temporary use in the subject location and will generally be compatible with surrounding uses and not be a detriment to public safety, the director is authorized to approve the proposed use, approve the use subject to conditions or deny approval. The following is a non-exhaustive list of the types of customary temporary uses and activities that may be approved by the director:

1. Christmas tree and similar holiday sales lots for a maximum of 90 days per lot per year;

2. Parking lot sales for a maximum of 30 days per lot per year;

3. Tents accessory to an allowed principal or temporary use;
4. Outdoor carnivals, concerts, festivals, revivals, and public gatherings for a maximum of 30 days per lot per year and no more than 10 consecutive days per occurrence;
5. Construction staging areas, construction offices and storage of materials related to ongoing construction for the period in which construction is ongoing and all required permits remain valid;
6. Temporary mobile storage units, subject to the supplemental regulations of 154-10-040; and
7. Temporary real estate offices, subject to the supplemental regulations of 154-10-050.

154-10-040. Temporary Mobile Storage Units

1. Temporary mobile storage units are allowed in R zoning districts, subject to compliance with all the following regulations:
   a. Temporary mobile storage units are permitted for a period not to exceed a total of 90 days within any calendar year unless a valid building or construction permit is in place for the subject property, in which case the temporary mobile storage unit may remain in place for a maximum of 115 days or until the permit expires, whichever occurs first. If a dwelling unit on the subject lot has been damaged by natural disaster (act of God), the director is authorized to grant time extensions of otherwise applicable temporary mobile storage unit time limits.
   b. No more than one temporary mobile storage unit may be located on any lot.
   c. Temporary mobile storage units may not exceed 16 feet in length, 8 feet in width, and 8.5 feet in height. Figure 10-1.

Figure 10-1: Maximum Mobile Storage Unit Size in Residential Districts

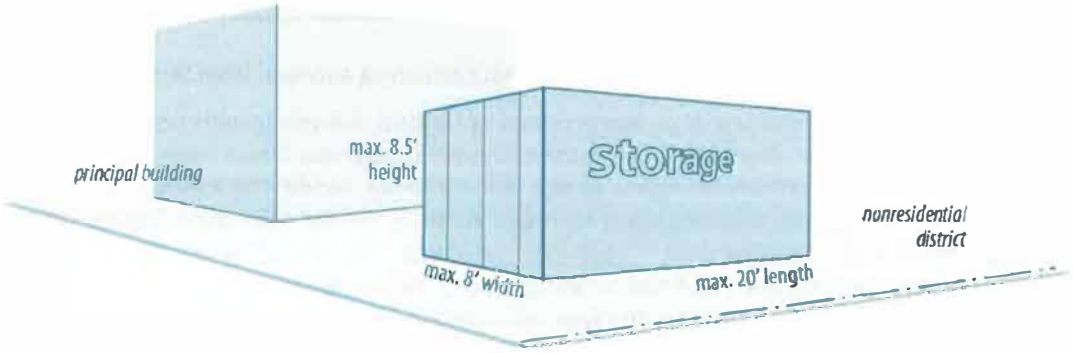


   d. Temporary mobile storage units must be set back at least 5 feet from all property lines.
   e. Temporary mobile storage units must be placed on an improved all-weather surface, generally asphalt, brick pavers, or concrete. Units are prohibited within landscape areas, open spaces, stormwater basins, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and development.
   f. No materials may be stacked or stored on the exterior of the mobile storage unit and no running gear or transport trailer may be stored on site outside of a completely enclosed building.
2. Temporary mobile storage units are allowed in business and industrial zoning districts, subject to compliance with all the following regulations:
   a. Temporary mobile storage units are permitted for a period not to exceed a total of 90 days within any calendar year unless a valid building or construction permit is in place for the subject property, in which case the temporary mobile storage unit may remain in place for a maximum of 180 days or until the permit expires, whichever occurs first. If the principal building on the subject lot has been damaged by natural disaster (act of God), the director is authorized to grant time extensions of otherwise applicable temporary mobile storage unit time limits.

b. No more than 3 temporary mobile storage units may be located on any lot.

c. Temporary mobile storage units may not exceed 20 feet in length, 8 feet in width, and 8.5 feet in height. See Figure 10-2.

Figure 10-2: Maximum Mobile Storage Unit Size in Nonresidential Districts



d. Temporary mobile storage units must comply with all building setback requirements of the subject zoning district.

e. Temporary mobile storage units may not be placed or located on a required parking space, circulation aisle/lane, or fire access lane.

f. Vertical stacking of storage units and stacking of any other materials or merchandise on top of any mobile storage unit is prohibited. No running gear or transport trailer may be left underneath any mobile storage unit.

g. Temporary mobile storage units are prohibited within landscape areas, required open spaces, stormwater basins, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and development.

154-10-050. Temporary Real Estate Offices

Temporary real estate (sales and leasing) offices and model homes are permitted in R zoning districts, subject to compliance with all the following regulations:

A. Temporary real estate offices must be located on the same lot or in the same subdivision as the residential dwelling units or other uses actively being offered for lease or sales.

B. No advertising device may be displayed other than a non-illuminated sign not to exceed 32 square feet in area;

C. Temporary real estate offices are permitted in residential subdivisions only until building permits have been issued for at least 80% in the subdivision or 18 months after the date of this issuance of the first building permit has been issued in the subdivision, whichever occurs first;

D. Storage of contractor's equipment and supplies is prohibited.

154-10-060. General Procedure

Upon receipt of a complete application for a temporary use permit, the director must review the proposed use for its likely effects on surrounding properties and its compliance with the general provisions of this article. The director may impose such conditions of approval as the director determines necessary to mitigate potential adverse impacts. Such conditions may include the following:

A. Requirements for vehicle access and parking;

B. Restrictions on hours of operation;

C. Limitations on signs and outdoor lighting;

D. Requirements for financial guarantees covering the costs of cleanup and/or removal of structures or equipment; and

E. Other conditions necessary to carry out the stated purposes of this UDO and this article.

154-10-070. Exemptions

The following temporary uses are permitted as of right, without obtaining approval from the director:

A. Garage sales conducted in R districts or on lots occupied by residential dwelling units no more than 2 times in any calendar year and for no more than 4 consecutive days per occurrence. These limits apply on a per-lot basis, regardless of the person conducting the garage sale. No person conducting a garage sale may sell merchandise at the garage sale acquired solely for resale purposes. Garage sales are sometimes referred to as "yard sales," "estate sale," "moving sales," "occasional sales" and other similar names. All such sales, by whatever name, are classified and regulated as "garage sales." Authorization to conduct more than 2 garage sales in any calendar year requires review and approval in accordance with the special exception procedures of 154-17-100.

B. Temporary dumpsters are allowed on lots with ongoing construction, subject to compliance with all the following regulations:

1. The temporary dumpster must be located on the lot on which the construction is occurring and not within the required intersection visibility triangle (see 154-16-040). Dumpsters may not be located in the public right-of-way.
2. Temporary dumpsters related to ongoing construction are permitted for a period in which construction is ongoing and all required permits remain valid.
3. Temporary dumpsters may not exceed 22 feet in length, 8 feet in width, and 8.5 feet in height.
4. Temporary dumpsters must comply with all structure setback requirements of the subject zoning district.
5. Temporary dumpsters may not be located in stormwater basins, or any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses and development.
6. In single-family residential zoning districts and development areas, no more than 1 temporary dumpster may be located on any lot.
7. Temporary dumpsters are allowed on lots for a period of 60 days following a natural disaster (act of God) occurring in the immediate area of the lot, to be used for the disposal of debris resulting from the natural disaster (act of God). The director is authorized to grant extensions of the 60-day time limit.

Article 11 | Wireless Communication Facilities

154-11-010. Applicability 11-1
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154-11-060. Design Requirements 11-3
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154-11-010. Applicability

The provisions of this article apply to all wireless communications facilities on private and public-owned property except for the following, which are exempt from the regulations of this article:

A. Existing towers and antennas for which a building permit was issued before the effective date specified in 154-1-030;

B. Wireless telecommunications facilities used exclusively and singularly for emergency services; and

C. Amateur radio towers and antennas less than 100 feet in height, above ground level. Any person proposing to erect an amateur radio tower and antenna more than 100 feet in height may apply for an exemption from the wireless telecommunication facility regulations of this article following the special exception procedures of 154-17-100.

154-11-020. State Law

A. Eligible Petitioners

All communication facilities must comply with Indiana Code § 8-1-32.3-19.

B. New Communication Facilities

Petitions for new communication facilities must comply with Indiana Code § 8-1-32.3-20.

C. Modifications to Existing Communication Facilities

Modifications of existing antennas, communication towers and communication equipment must comply with Indiana Code § 8-1-32.3-21.

154-11-030. Where Allowed

Wireless communications facilities and services are allowed in those zoning districts and locations indicated in Table 11-1.

Table 11-1: Allowed Wireless Communications Facilities

FACILITY TYPE	Zoning Districts													
	A-1	RR	R-1	R-2	R-3	R-5	PO	B-1	B-2	B-3	HS-1	HS-2	M-1	M-2
P = Permitted | S = Special exception approval required (See 154-17-100) | – = Prohibited														
Eligible facilities request	P	P	P	P	P	P	P	P	P	P	P	P	P	P
New tower	S	S	S	S	S	S	S	S	S	S	S	S	P	P
Initial placement/installation of transmission equipment on wireless support structure	P	S	S	S	S	S	S	S	S	S	S	S	P	P
Modification of existing tower/base station that constitutes a substantial change	P	S	S	S	S	S	S	S	S	S	S	S	P	P
Siting of small wireless facility on a county-owned structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P

154-11-040. Applications Generally

A. Every applicant must file a completed application with the director, in a number and form specified by the director.

B. Applications do not require and will not be evaluated based upon:

1. Except as provided in 154-11-050, information about an applicant's business decisions with respect to the applicant's designed service, customer demand for service, or quality of the applicant's service to or from a particular area or site;
2. Availability of other potential locations for the placement or construction of a tower or transmission equipment;
3. Except as provided in 154-11-050, other options for collocation instead of the construction of a new tower or modification of an existing tower or existing base station that constitutes a substantial change to an existing tower or existing base station; however, applicants are encouraged to consider collocation options prior to submitting an application;
4. Surety requirements, including bonds, escrow deposits, letters of credit, or similar negotiable financial surety approved by the county board, to ensure that abandoned or unused towers or transmission equipment can be removed, other than requirements stated in an ordinance or resolution that are competitively neutral, nondiscriminatory, reasonable in amount, and commensurate with the historical record for local facilities and structures that are abandoned;
5. Applicant's agreement to provide space on or near the tower, base station, or wireless support structure for the county or for other local governmental or nongovernmental services at less than the market rate for such space or to provide other services via the structure or facilities at less than the market rate for such services;
6. Environmental testing, sampling, or monitoring requirements, or other compliance measures, for radio frequency emissions from transmission equipment that are categorically excluded under FCC rules for radio frequency emissions pursuant to 47 CFR 1.1307(b)(1);
7. Regulations or procedures for radio frequency signal strength or the adequacy of service quality; or
8. Perceived or alleged environmental effects of radio frequency emissions, as provided in 47 USC 332(c)(7)(B)(iv).

C. The county may not deny an application due to the type of transmission equipment or technology to be used by the applicant, or preference for type of infrastructure or technology; and may not prohibit the placement of emergency power systems that comply with federal and state environmental requirements.

D. Applications remain valid for a period of 2 years from the date of final approval, including disposition of any appeals. Construction of approved structures or facilities must be commenced within 2 years of final application approval and diligently pursued to completion.

E. Any applicant whose application is denied must have an opportunity to cure any deficiencies identified by the county as the basis for the denial and to submit a revised application within 30 days following the date of denial without paying an additional fee. The county may not identify any deficiencies in a second or subsequent denial that were not identified in the original denial.

154-11-050. Applications for New Towers

In addition to the general application requirements of 154-11-040, applications for new towers requiring special exception approval must include the following:

A. An explanation of the reason for choosing the proposed location and why collocation was not selected, including a sworn statement from an individual with responsibility over placement of the tower attesting that collocation within the area determined by the applicant to meet the applicant's radio frequency engineering

requirements for the placement of a site would not result in the same mobile service functionality, coverage, and capacity, is technically infeasible, or is economically burdensome to the applicant; and

B. Propagation maps, to be used solely for the purpose of identifying the location of the coverage or capacity gap or need for applications for new towers in an area zoned for residential use. Such maps are to be used for no other purpose.

154-11-060. Design Requirements

A. New and Modified Towers

The following requirements and criteria are applicable to new towers and modifications of existing towers that constitute a substantial change:

1. A tower must be set back from the property line of any adjoining residentially zoned property a distance equal to the height of the tower and its related equipment, unless a lesser setback is required due to the type of transmission equipment or technology proposed by the applicant, and the tower and related equipment must be adequately screened from adjoining residential uses.
2. Lighting is prohibited except for the minimum lighting, if any, necessary to comply with FAA regulations.
3. The height of a tower, inclusive of any related equipment thereon, may not exceed 175 feet for a single user or 200 feet in height for co-location, unless additional height is determined to be necessary due to the type of transmission equipment or technology proposed by the applicant, based on information provided by an Indiana-licensed engineer.
4. Any service building or equipment located at grade must be visually screened from adjoining residential uses.
5. The adverse visual impact of a tower must be minimized through careful design, siting, landscape screening and concealment techniques. Unless otherwise required due to the type of transmission equipment or technology proposed by the applicant, at a tower site, the design of the buildings and related equipment must use materials, colors, textures, screening, and landscaping that will blend the facilities with the natural setting and the built environment. If the built environment is anticipated to change significantly during the usable life of the tower, such as within an urban renewal district or recently annexed areas, the tower or structure must be compatible with the anticipated future built environment.
6. Modifications to existing towers may not increase the standard number of new equipment cabinets for the technology involved, not to exceed 4 cabinets, and may not cause excavation or deployment to occur outside the current site of the tower, unless required due to the type of transmission equipment or technology proposed by the applicant.
7. New wireless telecommunication towers must be separated by a distance of at least 1,000 feet.

B. Other Wireless Communications Facilities

The following requirements and criteria apply to all wireless communication service uses other than new towers or modifications of existing towers that constitute a substantial change. For purposes of this subsection only, unless otherwise specified, "transmission equipment" includes "transmission equipment," "base station," and "small wireless facility."

1. Transmission equipment must be placed upon or within a wireless support structure such as to minimize visibility of the transmission equipment to the fullest extent technologically possible, unless visible placement is required due to the type of transmission equipment or technology proposed by the applicant, including but not limited to the following:
    a. Wall-mounted transmission equipment must be mounted in a configuration that is as flush to the wall as technically possible to ensure both the functionality of the antenna and to minimize visual impact and may not project above the wall on which it is mounted.

b. Transmission equipment mounted on roof appurtenances, such as mechanical equipment, must be as flush mounted to the existing mechanical equipment or roof appurtenance as technically possible to ensure both the functionality of the antenna and to minimize visual impact.

2. Transmission equipment must be designed and located so as to be architecturally compatible with the wireless support structure upon which the transmission equipment is mounted and to minimize any adverse aesthetic impact, unless otherwise required due to the type of transmission equipment or technology proposed by the applicant.

3. Lighting is prohibited except for the minimum lighting, if any, necessary to comply with FAA regulations.

4. Transmission equipment upon a wireless support structure, and any related equipment located at grade, must be adequately screened from adjoining residential uses.

5. A wireless support structure, and transmission equipment, must be set back from the property line of any adjoining residentially zoned property as required by the bulk regulations of the applicable zoning district.

6. The number of new wireless support structures may be reasonably limited, consistent with the protection of public health, safety, and welfare, and provided that such limitation does not have the effect of prohibiting or significantly impairing a wireless service provider's ability to provide wireless service within the area of a proposed new structure.

7. Modifications to an existing base station may not increase the standard number of new equipment cabinets for the technology involved, not to exceed 4 cabinets, and may not cause excavation or deployment to occur outside the current site of the base station, unless required due to the type of transmission equipment or technology proposed by the applicant.

154-11-070. Definitions

The definitions of this section apply solely in administering and interpreting the wireless communications regulations of this article. The following words, terms and phrases have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

A. Applicant

Any person, and/or any person acting on behalf of another person, engaged in the business of providing wireless communications services or the wireless communications infrastructure required for wireless communications services and who submits an application. This definition of "applicant" must apply specifically to this article.

B. Application

A request submitted by an applicant to the director for any wireless communications service use requiring conditional use approval and/or zoning compliance and siting review as set forth in this article. This definition of "application" must apply specifically to this article.

C. Base Station

Equipment not associated with a tower or a supporting structure that is not a tower, at a fixed location, that, at the time that the application is filed, supports or houses an antenna, transceiver, distributed antenna system (DAS) equipment, small cell equipment, or other associated equipment that enables FCC-licensed or FCC-authorized wireless communications between user equipment and a communications network and that has been previously reviewed and approved under the applicable zoning or siting process or under another state or local regulatory review process. "Base station" includes but is not limited to equipment associated with wireless communications services such as private, broadcast, and public safety services and unlicensed wireless services and fixed wireless services such as microwave backhaul; radio transceivers; antennas; coaxial or fiberoptic cable; regular and backup power supplies; and comparable equipment, regardless of technological configuration.

D. Collocation

The mounting or installation of transmission equipment on an existing tower or base station for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

E. Distributed Antenna System (DAS)
A network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

F. Eligible Facilities Request
A request for modification of an existing wireless tower or base station, including nonconforming structures, that involves collocation, removal, or replacement of transmission equipment, and that does not constitute a substantial change to the tower or base station. "Eligible facilities request" includes hardening through structural enhancement where such hardening is necessary for a covered collocation, replacement, or removal of transmission equipment, and structural enhancement if the modification of the underlying tower or base station is performed in connection with and is necessary to support a collocation, removal, or replacement of transmission equipment, but does not include replacement of the structure upon which the transmission equipment is located.

G. Equipment Cabinet
A cabinet mounted on the ground or on a wireless support structure used to support equipment associated with a wireless communication facility.

H. Existing
Previously reviewed and approved under applicable zoning or siting processes, or under another form of affirmative state or local regulatory review process. "Existing" includes a wireless tower that does not have a permit or other zoning approval because it was not in a zoned area when it was built, but was otherwise lawfully constructed; and a structure that, at the time of the application, supports or houses a base station, even if the structure was not built for the sole or primary purpose of providing such support. "Existing" does not include a tower or base station that was constructed or deployed without required review and approval; was not required to undergo siting review; does not support transmission equipment that received another form of affirmative state or local regulatory approval; or any structure that is merely capable of supporting wireless transmission equipment whether or not it is providing such support at the time of the application.

I. FCC
Federal Communications Commission.

J. Increase in Height
Any of the following:

1. For towers, a cumulative increase in the height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, measuring the change in height from the dimensions of the tower as originally approved or as of the most recent modification that received local zoning or similar regulatory approval prior to the passage of the Spectrum Act, whichever is greater.
2. For all base stations, an increase in height of the base station by more than 10% or 10 feet, whichever is greater, measuring the change in height from the height of the original structure, rather than the height of the previously approved antenna.

K. Increase in Width
An increase in width from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.

L. Site
All of the following:

1. For towers, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site. This definition of "site" must apply specifically to this article.
2. For base stations, the area in proximity to the structure and to other transmission equipment deployed on the ground at the time of the application. This definition of "site" must apply specifically to this article.

M. Small Wireless Facility
Operator-controlled, low-powered radio access nodes, including those that operate in licensed spectrum and unlicensed carrier-grade Wi-Fi, and further defined as follows:

1. Each antenna is no more than 6 cubic feet in volume.
2. All other equipment associated with the small wireless facility is cumulatively no more than 28 feet in volume.
3. For purposes of this "small wireless facility" definition, volume must be measured by the external displacement of the primary equipment enclosure, not the internal volume of such enclosure. An associated electric meter, concealment, communications demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit, and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and must not be included in the calculation of the equipment volume. "Small wireless facility" does not include any structure that supports or houses equipment described in this definition.

N. Spectrum Act
The federal Middle-Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-22, codified at 47 U.S.C. Section 1455 ("Section 6409 Wireless Facilities Deployment"), approved February 22, 2012.

O. Substantial Change
Any of the following:

1. The installation of more than the standard number of new equipment cabinets for the technology involved, and not to exceed 4 cabinets.
2. Any excavation or deployment outside the current site of the tower or base station.
3. Modifications that defeat the existing concealment elements of the tower or base station.
4. Modifications that do not comply with conditions associated with the prior approval of construction or modification of the tower or base station, including but not limited to building code, zoning regulations, or permit conditions, and that exceed one or more of the "substantial change" thresholds identified in this definition.
5. An "increase in height," as that phrase is defined in this article.
6. An "increase in width," as that phrase is defined in this section.

P. Tower (or Communication Tower or Wireless Tower)
A structure constructed with the sole or primary purpose of supporting FCC-licensed or authorized transmission equipment, including transmission of personal wireless service, broadband service, and mobile and fixed broadband service.

Q. Transmission Equipment
Any equipment, other than equipment related to a "small wireless facility" as defined in this subsection, that facilitates transmission for any FCC-licensed or FCC-authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply used in any technological configuration associated with any FCC-authorized wireless transmission, licensed or unlicensed, terrestrial or satellite, including commercial mobile, private mobile, broadcast service, and public safety services, as well as fixed wireless services such as microwave backhaul or fixed broadband. The term "related equipment," when used in this article in reference to a tower or a base station, includes but is not limited to "transmission equipment."

R. Wireless Support Structure (or Structure)
A structure that exists at the time an application is submitted and is capable of supporting the attachment or installation of transmission equipment in compliance with applicable codes, including but not limited to water

towers, buildings, and other structures. "Wireless support structure" or "structure" does not include a tower or existing base station.

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154-12-010. General

A. Purpose

The regulations of this article establish requirements for designing subdivisions and installing infrastructure and improvements within the jurisdiction of this UDO. These regulations are intended to advance the general purposes of this UDO (see 154-1-070) and to:

1. Protect the public health, safety, and welfare;
2. Promote the orderly growth and development of the county; and
3. Ensure the timely and coordinated provision of required transportation improvements, utilities and other public facilities and services to new subdivisions and developments.

B. Policy

1. It is the policy of Lake County to consider the division of land and the subsequent development of the subdivision to be subject to the comprehensive plan and related county policies for the orderly, planned, efficient, and economical development of the unincorporated county.
2. Land to be subdivided must be of such character that it can be developed without peril to health from flood, fire or other menace, and land may not be subdivided unless adequate public facilities and improvements exist or until provisions have been made for all the necessary public improvements including drainage, water, sewerage, transportation and any other improvements deemed necessary for the health and safety of the public.

C. Applicability

The regulations of this article apply to all minor and major subdivisions.

D. Applicable Regulations

Subdivisions must be designed, and improvements must be provided, in accordance with all applicable rules, laws, and regulations, including:

1. This UDO and all applicable regulations of the Lake County Health Department, the Lake County Highway Department, the Lake County Surveyor, and all county boards, commissions, agencies, and officials;
2. Statutory provisions of the State of Indiana;
3. Applicable laws, rules and regulations of the state and its duly constituted agencies, including those of the Indiana Department of Transportation (for subdivisions and lots that abut a state highway), the Indiana Department of Natural Resources, and the Indiana Department of Environmental Management.

E. Suitability for Development

Subdivision approval may be withheld for land on which there is evidence of harmful or hazardous conditions until a long-term plan for mitigating the identified hazard has been submitted by the applicant and approved by the county. Harmful or hazardous conditions may be due to flooding, poor drainage, steep slopes, adverse soil conditions, or other features that will be harmful or hazardous to the health safety, and general welfare of the inhabitants of the development or surrounding areas.

F. Plats Straddling Jurisdictional Boundaries

Lot lines must be laid out so as not to cross municipal boundary lines. Whenever access to a subdivision is required across land in another jurisdiction, the plan commission may request assurance from the county attorney that such access is legally established.

G. Subdivision Names

The proposed name of a subdivision may not duplicate, or too closely approximate phonetically, the name of any other subdivision in the county.

H. Limits on Land Divisions and Transfers

1. No building permit required under the building code or this UDO may be issued on any property subject to this UDO until the provisions of this UDO have been met.
2. Land located in a proposed subdivision may not be transferred, sold, or leased and no building or zoning permit may be issued until a secondary plat of the proposed subdivision has been signed by the designated officials and recorded in accordance with the provisions of this UDO.

I. Complete Subdivision Lots

No permits may be issued for construction or development except on complete subdivision lots, as approved by the plan commission.

154-12-020. Required Infrastructure and Improvements

Developers are responsible for the construction and installation of all on- or off-site infrastructure or improvements required by this UDO or required at the time of plan or plat approval.

A. All improvements must be designed and installed to provide for a logical, inter-connected system of infrastructure and to create continuity of improvements for the development of adjacent properties.

B. The developer is responsible for maintenance of all required infrastructure and improvements, including rights-of-way, to the standards of this UDO until such time as a unit of government, public or private utility, property owners association, lot owner, or other legal entity assumes formal, legal responsibility for maintenance of the infrastructure and improvements. Secondary plats must include the developer's signed and notarized acknowledgement of this responsibility.

C. Upon installation and construction of all required (above-ground and underground) infrastructure and improvements, the developer may seek acceptance of improvements to be dedicated to the public by submitting the required number of as-built (record) plans. In addition, the developer must provide a

statement signed by a registered professional engineer that all required improvements have been installed and constructed in accordance with the submitted as-built plans.

D. If a developer files a secondary plat for only a portion of the subdivision for which a primary plat was approved (i.e., a "phased" or "sectionalized" subdivision), the improvements required to be constructed, installed, and maintained in accordance with that secondary plat are those improvements necessary to ensure that the subject phase will be able to operate independently of any unconstructed phase with respect to drainage, access, utilities, and other required improvements.

154-12-030. Blocks

A. General

The length, widths and shapes of blocks must be suitable for the proposed development and be laid out in a pattern that ensures the connectivity of streets and nonmotorized travel routes and provides for efficient provision of public and safety services.

B. Depth

Blocks within major subdivisions must have a depth that accommodates at least 2 rows of lots, except when reverse frontage along arterial streets is provided or when prevented by topographic conditions or other physical constraints, such as property size or location next to railroads, water bodies, subdivision boundaries or public parks or open spaces.

C. Length

1. To provide safe and convenient routes within and among neighborhoods and minimize out-of-direction travel, blocks within new residential subdivisions may not exceed 600 feet in length in R-2, R-3 and R-5 zoning districts or 1,500 feet in length in all other zoning districts.

2. The plan commission is authorized to approve modifications of the block length regulations of this section, in accordance with the subdivision waiver procedures of 154-17-070. In order to approve such waivers, decision-making bodies must determine that the general subdivision waiver criteria are met and that topography, natural resources (e.g., wetlands, woodlands, floodplains, wildlife habitats), existing development or other physical constraints make shorter block lengths or that it is unreasonable to impose otherwise applicable block length regulations based on the existing pattern of development, or other relevant factors.

3. Decision-making bodies are authorized to condition block length waivers on the provision of mid-block pedestrian connections and traffic calming improvements (meeting AASHTO design and construction standards), emergency vehicle access routes, and access features that provide safe and convenient motorized and non-motorized access to schools, playgrounds, shopping areas, transportation routes and other community facilities.

4. The block length regulations of this subsection do not apply along arterial streets when the county highway department determines that access control policies or other safety or traffic management policies require longer block lengths.

154-12-040. Lots

A. General

1. Lots must comply with applicable zoning district lot and building regulations.

2. Lots must be laid out and arranged to ensure that there will be no foreseeable difficulties for reasons of topography or other conditions in securing building permits to build on each of the created lots in compliance with applicable zoning and health regulations and in providing positive drainage and safe driveway access to such lots from an approved street. Review and decision-making bodies are authorized to require submittal of a drainage plan when lots are below the grade of the adjacent street.

3. Corner lots must be wide enough to allow for the erection of buildings in compliance with applicable street setback requirements.

4. Lots may not exceed a depth to width ratio of more than 3.5 to 1.

B. Access to Subdivision

All major subdivisions must have at least 2 points of access from an existing street, as follows:

1. An existing state, county, or local street; or

2. A street shown on an approved and recorded plat. Such street or highway must be improved in accordance with all applicable rules, regulations, and specifications, or be secured by a performance bond or other county-approved financial guarantee.

C. Access to Lots

1. General

Land must be divided in a way that affords each lot with frontage on and access to a street that complies with the applicable provisions of these regulations.

2. Access to Arterial Streets

If a property with frontage along an arterial street is proposed to be subdivided or developed, decision-making bodies are authorized to prohibit or restrict access to the arterial street and require that the developer take one or more of the following actions:

a. Create through (double-frontage) lots that back onto the arterial street and front onto and take access from a parallel local street, coupled with the installation of a fence, wall or vegetative visual screen along the arterial street frontage;

b. Provide a frontage road (marginal access street) separated from the arterial street by an adequate distance to prevent traffic safety hazards;

c. Establish a no-access easement or other county-approved, legally enforceable means of preventing private driveway access to the arterial street;

d. Provide a cross-access easement to abutting properties that front on the same arterial street; or

e. Provide a mutual, reciprocal, non-exclusive easement (mutual access easement) to ensure perpetual access to the subject property.

3. Improvements

Whenever access lot is to be provided by an existing street, such existing street must be improved to comply with the specifications set forth in Appendix 6: Road Construction Specifications.

D. Reserve Areas

These regulations recognize that it may occasionally be necessary and in the public interest to create lots designated as reserve areas to be occupied by stormwater detention, common recreation areas, or other similar features, subject to the common area maintenance provisions of 154-12-200. If declared reserved for such purposes by plat recitals or other recorded legal documents approved by the county, reserve areas are exempt from the lot regulations of this article. The county has no responsibility for maintenance of reserve areas.

E. Flag Lots

1. The creation of flag lots may be approved only through the subdivision waiver procedures of 154-17-070. Such a waiver may be approved only when the decision-making body determines that the general subdivision waiver approval criteria are met and that a flag lot design would:

a. Limit direct access onto an arterial street;

b. Provide greater protection of sensitive natural resource areas;

c. Hide or conceal utility buildings/substations, towers, or similar structures; or

d. Avoid substantial hardship to the subject property owner due to the property's topography or another such condition.

2. Decision-making bodies are authorized to impose conditions on the approval of a flag lot, including requirements for shared driveways, maximum length, minimum street frontage and minimum width.

154-12-050. Streets

A. General Street Layout

The arrangement and layout of new streets must comply with street and highway plans officially adopted by the county. The arrangement and layout of streets that are not shown on adopted street and highway plan must:

1. Create an integrated system of streets that provide for safe and efficient access to lots and movement of people;
2. Provide for the efficient movement of through traffic by providing an interconnected network of streets to avoid isolation of areas and over-reliance on major streets and highways; and
3. Be uncomplicated, so that emergency services, public services, and visitors can find their way to their intended destinations.

B. Right-of-Way Dedication

If a subdivision is proposed with frontage on an existing county road, the subdivider must dedicate additional land for right-of-way, as necessary to comply with the minimum street right-of-way requirements of 154-12-050.E. This requirement applies to all perimeter roads adjacent to the subdivision.

C. Connectivity of Streets and Nonmotorized Travel Routes

1. Intent

Connected streets and nonmotorized transportation routes help ensure connected neighborhoods; diffusion and distribution of traffic among multiple travel routes; and easy access by public and emergency service vehicles.

2. Requirement

When new public streets or public nonmotorized transportation improvements are required to be constructed as part of a development, they must connect to similar public improvements within the development and be extended to the outer perimeter of the development so that they can be connected to similar public improvements in the future.

D. Dead-End Streets

1. Temporary Dead-End ("Stub") Streets

a. Temporary turnarounds must be provided at the end of stub streets that are intended for extension when a subsequent phase of the development is completed or when the abutting property is developed.

b. When the temporary dead-end street is extended or connected to another street segment, any existing temporary turnaround must be removed by the developer responsible for extending the street. If for any reason the stub street is not extended, a permanent turnaround must be constructed by the subject developer on the (abutting) site being developed.

c. Stub streets must be clearly marked on plats and labeled "Future Street Extension." In addition, developers must post an approved sign in the right-of-way of the stub street indicating that the temporary dead-end (stub) street is intended as a "Future Street Extension."

d. The following notation must be incorporated into any plat showing a stub street:

THIS STREET RIGHT-OF-WAY IS NOT INTENDED TO BE A PERMANENT DEAD-END STREET. IT IS PLATTED WITH THE INTENT OF BEING EXTENDED AND

CONNECTED TO STREETS THAT MAY BE BUILT IN THE FUTURE, THEREBY PROVIDING ACCESS TO AND FROM ABUTTING PROPERTIES.

2. **Permanent Dead-End Streets**

   a. All approved permanent dead-end streets must comply with International Fire Code standards and include a county-approved turn-around area.

   b. Permanent dead-end streets may not exceed 600 feet in length measured from the centerline of the intersecting street to the center of the turn-around. If a subdivision waiver is approved to increase the maximum allowed dead-end street length, the plan commission is authorized to impose one or more of the following conditions:

      (1) Supplemental emergency vehicle access routes;

      (2) A pedestrian access easement from the terminus of the dead-end street;

      (3) A planted island with a pervious area or bioretention landscaped area in the center of any cul-de-sac bulb, which must be maintained by an established property owners association or by a shared maintenance agreement of all property owners within the subdivision, in accordance with the maintenance provisions of 154-12-200; or

      (4) Other requirements designed to ensure connectivity, decrease stormwater runoff, or otherwise promote the purposes of these subdivision regulations.

E. Street Rights-of-Way

The minimum right-of-way width of all proposed streets must comply with requirements of Table 12-1. Right-of-way widths in excess of these standards may be required whenever topographic conditions necessitate earth slopes. Such slopes may not exceed a ratio of 2:1.

Table 12-1: Minimum Street Right-of-Way Width

Street Type	Minimum Right-of-Way Width (feet)	Minimum Roadway Width (back of curb to back of curb feet)	Radius/Horizontal Curves Figures to Centerline	Tangent between Reverse Curves
Expressway [1]	150	Per AASHTO	Per AASHTO	Per AASHTO
Arterial (Principal) [1]	120	Per AASHTO [2]	Per AASHTO	Per AASHTO
Arterial (Minor) [1]	100	48 / 4 lanes [2]	500	200
Collector	80	36 / 3 lanes [2]	300	200
Local (Residential)	60 if curb & gutter; otherwise 80	27 / 2 12-foot lanes [3]	200 [3]	100
Local (Nonresidential)	60 if curb & gutter; otherwise 80	31 / 2 14-foot lanes [3]	300	200
Local (Cul-De-Sac Bulb)	140 (156 for shoulder and ditch)	27 / 2 12-foot lanes [3]	200	100

Table 12-1 Notes

[1] Minimum standards as determined by the plan commission and the county highway department.

[2] Bike lanes with a minimum width of 6 feet are required on arterial and collector streets in major subdivisions.

[3] 18 inches per side for curb and gutter.

F. Street Pavement Width, Construction and Design

1. All streets must comply with pavement width, street surfacing, street design and storm drainage requirements established by the county highway department and county surveyor.

2. Developers must construct all required curb and gutters and surface streets to the widths required on approved construction plans. All road pavement, shoulders, drainage improvements and structures,

curbs, turnarounds and sidewalks must conform to all county construction standards and specifications and be shown on required construction plans.

3. See also Appendix 6: Road Construction Specifications.

G. Half Streets

Half streets are prohibited. If an existing half street abuts the tract to be developed, the other half of the street must be dedicated and constructed as part of the subject development.

H. Street Grades

Street grades must comply with the standards of Table 12-2.

Table 12-2: Street Grades

Street Type	Maximum Gradient (%)	Minimum Gradient (%)	Clear Sight Distance (feet)
Expressway [1]	Per AASHTO	0.5 if curb & gutter Otherwise 1.1	Per AASHTO
Arterial (Principal) [1]			
Arterial (Minor) [1]			
Collector			
Local (Residential)	8 [2]		200
Local (Nonresidential)	6		500
Cul-De-Sac (bulb)	6 [2]		200
Marginal Access (frontage road)	6		200

Table 12-2 Notes

[1] Minimum standards as determined by the plan commission and the county highway department.

[2] May be up to 12% for a distance of up to 300 feet, if approved by highway department.

I. Street Intersections

1. Except in the case of an approved roundabout, no more than 2 streets may intersect at any one point.
2. All street intersections involving arterial streets must be at right angles. Intersection designs that are within 15 degrees of a right angle may be approved when reasonably determined to be necessary to address pedestrian and vehicle safety, topography or similar considerations.
3. Where there is an offset in the alignment of a street across an intersection on an arterial street, the centerline offset (jog) must be at least 150 feet. Alternative centerline offsets may be approved when reasonably determined to be necessary to address turn-lane stacking or traffic safety considerations.
4. The minimum required turning radius at intersections is 15 feet unless a greater radius is required by the highway department to accommodate anticipated turning movements.
5. Intersections must be graded to ensure adequate drainage.

J. Alleys

Decision-making bodies are authorized to require alleys when deemed necessary to provide service access or to address unique site conditions.

K. Private Streets

1. Private streets are allowed only if approved in accordance with the subdivision waiver procedures of 154-17-070.
2. Private streets must be constructed in accordance with the same regulations and standards that apply to public streets and must include sidewalks and all street improvements required for public streets.
3. Private streets are not maintained by the county. Private streets must be maintained in the same manner as other private or common improvements, in accordance with 154-12-190 and 154-12-200.

154-12-060. Street Names, Street Name Signs and Traffic Control Devices

A. Street names must comply with the county street naming system, as identified in Appendix 4: Street Nam. All street names are subject to approval by the county.

B. Street name signs must be installed by the developer on the northeast corner of each intersection within a subdivision. Such signs must be:

1. Approved by the county highway department;
2. Installed in accordance with the *Indiana Manual on Uniform Traffic Control Devices*; and
3. Indicate the county-approved street name.

C. Traffic control devices (e.g., stop signs, speed zone signs, warning signs) must comply with the *Indiana Manual on Uniform Traffic Control Devices* and be installed by the developer.

D. Any proposed traffic calming devices must meet AASHTO design and construction standards and be expressly approved as part of the plat approval process.

154-12-070. Street Trees

A. Street trees must be installed along on both sides of all streets except when existing trees meeting these requirements will be preserved.

B. At least one street tree with a minimum caliper size of 1.5 inches must be installed per 60 linear feet of street frontage. Such tree may be installed in the street yard area (outside of the right-of-way), provided they are located no more than 25 feet from the street lot line.

C. Street trees must be selected from the Northwest Indiana Street Tree Species List in Appendix 2: .

D. Street trees must be installed in such a manner that they will not cause destruction to streets and sidewalks and not be placed within 200 feet of the point of intersection of intersecting streets.

154-12-080. Sidewalks

A. **Where Required**
Sidewalks are required on interior and perimeter streets in all major subdivisions. The plan commission is also authorized to require the installation of sidewalks and paths in those locations necessary to provide safe non-motorized transportation connections to nearby schools, libraries, parks, shopping areas, or similar land uses and activity areas.

B. **Design and Construction**
Required sidewalks must be constructed of concrete with a minimum depth of 5 inches and a minimum width of 5 feet.

154-12-090. Trails

When a trail or trail extension identified in the comprehensive plan or a trails plan that has been adopted by the county, the Lake County Parks and Recreation Department, or the Northwest Indiana Regional Planning Commission, is located on the subject property, the decision-making body is authorized to require that an easement be provided for the trail.

154-12-100. Water Bodies

If a proposed subdivision contains a water body other than a detention pond, the water body must be placed in a common area unless the plan commission approves an alternative plan whereby access to, ownership of, and responsibility for safe maintenance of the water body is ensured.

154-12-110. Wetlands

Developers are responsible for delineating all federally protected wetlands and isolated (non-federally protected) wetlands within proposed subdivisions. Wetland delineations must be carried out by a qualified environmental/wetland consultant and must be provided at the time of submittal of the primary plat.

154-12-120. Stormwater Management

Developers are responsible for designing and installing stormwater management facilities in accordance with all applicable county requirements, including the Stormwater Management and Clean Water Regulations Ordinance and the Stormwater Technical Standards Manual, as adopted by the county council and administered by the county surveyor.

154-12-130. Low-Impact Development

County policies support subdivision designs that incorporate low-impact development best management practices for reducing runoff and mimicking a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, filtering, storing, evaporating, and detaining stormwater runoff close to its source. Low-impact development practices include measures such as preserving undeveloped open space, biofiltration, reducing impervious cover and using porous pavement.

154-12-140. Water Supply and Sewage Disposal

A. Water Supply

1. Developers are responsible for extending or creating a water supply and distribution system capable of providing for domestic water use and fire protection.
2. When the plan commission determines that a public water main is accessible, developers must install adequate water facilities (including fire hydrants) approved by the local fire department and/or the appropriate utility. All water mains must be at least 8 inches in diameter.
3. In all subdivisions with density of 4 dwelling units per acre or more, developers must provide a complete public or private utility water supply and distribution system including all appurtenances for fire protection.
4. If a public water system is not available, the use of individual wells or a central water system may be approved if decision-making bodies determine that a safe and adequate supply of potable water will be available to every lot in the subdivision and all applicable state and county requirements are met.

B. Sewage Disposal

1. Developers are responsible for providing a complete public or community sanitary sewage disposal system, including a service connection for each lot and a sewage treatment plant and/or disposal facilities.
2. In subdivisions with density of less than one dwelling unit per acre, the plan commission is authorized to approve the use of individual sewage disposal systems, subject to compliance with all applicable state and county regulations.
3. All community sewerage systems and all sanitary sewers must be designed and constructed in accordance with all applicable county health department and the state board of health regulations. Community sewerage systems must first be approved as special exception before approval of the plat.
4. Any discharge of any combined sewer system or other sewer system shall be required to first obtain approval from the Lake County Drainage Board pursuant to Indiana Code § 36-9-27-1 et seq.

154-12-150. Utilities

A. Developers must make all necessary arrangements with respective utility providers for the installation of utilities, including gas, electrical, and communications service.

B. Underground utilities are required in all residential subdivisions with an average density of more than 0.5 dwelling units per acre unless:

1. The utility company servicing the proposed subdivision verifies that it cannot provide underground utility service; or

2. The subdivision includes 3 or fewer lots and will not provide any interior streets.

C. Utilities within Rights-of-Way

1. All utilities proposed to be placed within existing or proposed rights-of-way must be buried or placed under ground, except that co-location of small cell tower facilities on existing above-ground utility poles and above-ground wireless support structures and replacement of existing above-ground utility poles and wireless support structures is allowed.

2. Within new proposed subdivisions, the plan commission is authorized to approve subdivision waivers allowing utilities to be placed above-ground within rights-of-way. Subdivision waiver applications must be processed in accordance with 154-17-070.

3. The county board retains sole authority to approve waiver requests to allow above-ground utilities within existing rights-of-way (when not associated with a new subdivision) upon a showing of good cause, following review and recommendation by the highway department.

154-12-160. Easements

A. Easements must be provided by the developer when review agencies and authorized decision-making bodies determine that such easements are necessary or desirable to accommodate utilities, drainage facilities (surface or subsurface), best management practices, pedestrian access, emergency vehicle access or other necessary facilities and improvements.

B. Utility easements with a width of up to 7.5 feet (15 feet back-to-back) may be required along rear lot lines and side lot lines when necessary to accommodate utilities. Easement widths of up to 15 feet (30 feet back-to-back) may be required when necessary to accommodate both drainage areas/facilities and utilities. See also 154-16-020 for regulations governing fences placed within drainage easements.

C. When a subdivision is traversed by a water course, drainageway, channel or stream, or other water body, appropriate dedications or easement provisions with adequate width or construction to accommodate stormwater drainage through and from the subdivision may be required. The required width of the easement or dedication must be based on the area of land drained but are not required to exceed 300 feet.

154-12-170. Assurance for Completion of Improvements

A. Performance Guarantees

1. Secondary plats may not be submitted for review and approval until one of the following has occurred:

a. All required streets and other public improvements (except sanitary sewage treatment facilities and appurtenances and common water supply systems) have been installed and accepted by the county board and all stormwater improvements have been installed; or

b. A performance bond running to the county board is executed by the developer and approved by the county board. The amount of the performance bond must equal at least 100% of the estimated cost of all streets and improvements, including all stormwater management systems and improvements plus a 10% inflation add-on per year of performance bond, except that the performance bond is not required to include the cost of sanitary sewage treatment facilities or the common water supply

system components. The amount of the performance bond must be established by the county highway department and other applicable review agencies based on costs that are current in the trades for similar construction and installation. All performance bonds must be with a company licensed to do business in the State of Indiana; or

c. Cash, or other negotiable financial surety, as approved by the county board, is posted with the county treasurer in lieu of actual construction/installation or a performance bond.

2. A combination of the three performance guarantee alternatives authorized in 154-12-170.A may be employed, provided all improvements are covered in the guarantees.

3. Performance bonds and other financial guarantees must assure all snow removal and other maintenance of roads and other improvements is rendered and completed prior to release of the bond.

4. Performance bonds must cover as-built plans on required improvements.

5. No building permits may be issued in subdivisions with delinquent performance bonds.

6. No later than 8 weeks before the expiration date of the performance guarantee, inspection officials must inspect the subdivision streets and all other required public improvements to ascertain their condition. The subdivider must be notified by postal mail or email, no later than 6 weeks before the expiration date, as to the results of the inspection. If there be conditions concerning the improvements that inspection officials find unsatisfactory, the subdivider must be given has the opportunity to correct them.

B. Term

Performance bonds must specify that all improvements will be installed within 2 years. Partial releases of performance bonds are not permitted. Upon approval by the plat officer, 3 separate performance bonds may be posted:

1. One for road construction;

2. One for sidewalks, street signs, landscaping, street trees, monuments, etc.; and

3. One for stormwater management systems.

C. Construction and Inspection

1. If construction of improvements is proposed to occur before the plan commission has approved the secondary plat, written authorization must first be obtained from the plat officer, the county surveyor, the county highway department, and the Soil and Water Conservation District. No work may begin before approval of a primary plat.

2. When construction of improvements is started based upon primary plat approval, all improvements must be completed within one year of the date of such approval. The plan commission is authorized to grant one extension for a period of one year.

3. During the course of construction of the improvements, developers must notify the county highway department at least 48 hours before each of the following operations so that required inspections can occur:

   a. Before stone base material is deposited in place for inspection of all street subgrades, especially areas where backfilling was placed over subterranean construction, and curb and gutter construction;

   b. Before H.A.C. topping is placed on the stone base material for inspection of the base construction.

4. The required advance notice must be provided in accordance with scheduling requirements established by the county highway department. Failure to provide advance notice is a violation of this UDO.

5. These inspections must be made in order for the county to ascertain the quality of construction before accepting improvements for public maintenance. The developer must pay an inspection fee of $15.00 per lot with a minimum fee of $75.00. This fee is to be paid to the Lake County Highway Department with a certified check made payable to the Lake County Motor Vehicle Highway Fund. No later than 5 days after

the date of each inspection, the county highway department must notify the developer of the results of the inspection. Before the county board accepts streets and improvements, all required inspection fees must be paid.

D. Acceptance of Subdivision Improvements

1. Final acceptance of all streets and certain improvements is the responsibility of the county board.
2. Improvements such as stormwater management systems, common sewage disposal and water plants, and street lights are not accepted by the county board and the county is not responsible for maintenance of such improvements.
3. When the developer has completed construction of improvements, the plat officer must be notified with a formal request for final inspection. If weather permits, inspections must occur within 21 days of receipt of a complete formal inspection request.
4. Before acceptance of subdivision improvements, the plat officer, the county surveyor, and the county highway department must inspect improvements. After all agency comments are received, the plan commission must submit a report to the county board regarding the condition of such improvements and a recommendation for county board action.
5. The plat officer must notify the developer in writing of the results of the inspection within 21 days of the final inspection of the subdivision improvements.
6. Water and sewer utilities must be installed before the developer requests a final inspection.

154-12-180. As-Built Plans

A. After completion of all public improvements and prior to the release of a performance bond or financial surety covering the improvements, the developer must provide a map showing the actual location of all street improvements, sanitary and/or storm sewer improvements, water mains, valves and stubs; subdivision boundary monuments; stormwater improvements, and such other permanent improvements installed in the subdivision. This map must bear the signature and seal of a civil engineer or land surveyor registered in the State of Indiana and be submitted to the plat officer. The plat officer must forward copies to the county highway department, the county surveyor, and the county health officer.

B. In addition to the as-built plans, the developer must provide core tests performed by a certified testing laboratory of the H.A.C. pavement. One core (minimum) must be taken for every 660 lineal feet of new pavement and one core (minimum) for each deceleration lane and/or passing blister. The county highway department is authorized to determine the location of core samples. The location of core samples must be shown on the as- built plans and a report showing the results of the samples must accompany the as-built plans.

154-12-190. Maintenance Guarantees and Financial Surety

A. Purpose

Maintenance guarantees and financial sureties are required for the purpose of ensuring that all public improvements are properly maintained, free from defects, between the time of their construction and the time of formal acceptance for maintenance.

B. Timing

A maintenance guarantee and required surety must be in place before any required performance bond or financial surety is released.

C. Agreement

Required maintenance guarantees must stipulate that the developer is responsible for maintenance all required improvements, including snow removal and maintenance of sedimentation and erosion control measures to the standards of this UDO until acceptance. It must also state that the developer will be

responsible for correcting any defects that may arise during the maintenance period and for removal of any temporary sedimentation and erosion control measures.

D. Form and Amount of Financial Surety

Initial posting of required maintenance surety must be in the form of an irrevocable letter of credit, cash or negotiable surety approved by the county board. The amount of the financial surety must be at least 20% of the total cost of all public improvements.

E. Term

The maintenance guarantee agreement must have a term of at least 2 years from the date of release of the performance guarantee.

F. Inspection and Release

County inspection officials must inspect subdivision streets and all other improvements to ascertain their condition no later than 8 weeks before the expiration date of a maintenance bond. The developer must be notified of the results of the inspections at least 6 weeks before the maintenance bond expiration date. If conditions are found to be unsatisfactory, the developer must be given an opportunity to correct them. No later than 21 days prior to the expiration date of the maintenance bond, the plat officer must notify the county board, the county attorney, and the developer of the results of the inspections and a recommendation regarding whether the maintenance bond or financial surety is eligible for release.

154-12-200. Perpetual Maintenance of Common Areas and Improvements

A. Maintenance Obligation for Common Areas and Improvements

1. The obligation for perpetual maintenance of any common areas and improvements within a development must be established by the developer and approved by the plan commission. Such obligation must be provided for in the plat, or for developments not required to be platted, by other appropriate document recorded with the county recorder.

2. If multiple property owners will be responsible for perpetual maintenance and control of common areas and improvements, a property owners association must be established. Each property owner, by acceptance of a deed to a property within the development, will be deemed to have agreed to be a member of the property owners association and be subject to assessment for maintenance of the common areas and public or private improvements.

3. If the entire development is to remain under single ownership, the common areas and improvements must be maintained by the owner of the property.

B. Declarations and Covenants

1. Declarations and covenants guaranteeing ongoing maintenance of common areas and improvements must be established within a deed of dedication accompanying the plat.

2. The declarations and covenants must expressly authorize the county to correct maintenance deficiencies in areas containing improvements that the property owner or property owners association is required to maintain, and to recover actual costs and any legal fees from the subject property owner or property owners association if maintenance duties are not carried out, and to establish and enforce a lien against properties within the development for recovery of actual costs and legal fees.

154-12-210. Survey, Monuments, and Markers

A. Surveys

A survey prepared by a surveyor registered in the State of Indiana must be provided for all subdivisions.

B. Monuments and Markers

1. The description and location of all survey monuments placed in the subdivision must be shown on all maps of record. Permanent monuments must be concrete-reinforced with one #4 vertical rod, and not

less than 4 inches square on top and tapered to 6 inches square at the bottom and 36 inches long set flush with the ground.

2. Block corners must be established by placement of an iron rod or pipe not less than ½ inch in diameter and not less than 2 feet long, driven flush with the ground. All points of intersection between lot lines and section, quarter section, or quarter-quarter section lines must be marked and referenced with an iron rod or pipe in an approved manner. Permanent monuments must be erected at all corners of changes in bearing of the exterior boundary of the subdivision. All monuments must be installed before recording of the secondary plat, or if not, an approved financial guarantee must be provided to guarantee their installation.

3. All lot corners must be marked with 5/8" diameter rebar with cap designating the surveyor who performed the survey.

154-12-220. Cluster Subdivisions

A. Purpose/Description

1. The regulations of this section are intended to encourage subdivision designs that are more efficient and provide more open space and greater natural resource protection than conventional development/subdivision designs. Cluster subdivision designs allow more compact and less costly networks of streets and utilities. They can also help reduce stormwater runoff and non-point source pollutant loading rates and can be used to preserve an area's rural character. Cluster subdivisions are intended to reduce stormwater runoff and flooding, preserve natural resources, protect water quality, and encourage the provision of open space and recreational amenities for residents.

2. The cluster subdivision regulations of this section require that a specified portion of each development be set aside and permanently preserved as open space.

3. The required open space area within cluster subdivisions can be set aside to conserve and protect significant natural resources. It can also be used to preserve agricultural lands or to provide passive or active recreational opportunities for the subdivision's residents and/or the general public.

B. Lot and Building Regulations

Cluster subdivisions must comply with the cluster residential development lot and building regulations of 154-2-030.D.

C. Open Space

1. General

Open space provided to meet minimum open space requirements established in 154-2-030.D must be in one or more parcels dedicated or otherwise protected as permanent (active or passive) open space. Any county-accepted parkland or open space under the subdivision regulations will be counted towards meeting minimum open space standards for cluster subdivisions.

2. Location and Design

The location, size, character, and shape of required open space must be appropriate for its intended use.

a. Open space proposed to be used for recreation, particularly active recreation, should be located and designed so that it can be accessed conveniently and safely by intended users, and open space to be used for ball fields, playing fields or other active recreational facilities should be located on land that is relatively flat and dry.

b. In the case of resource protection, open space must be designed to provide maximum protection for the subject resources, such as continuous blocks of wildlife or wildlife habitat and corridors, plant habitat, agricultural lands (soils), or riparian areas.

3. Use

   a. Open space that protects wildlife habitat areas and corridors or promotes preservation of agricultural lands and sustainable food production activities are the highest priority for open space.

   b. Open space may also be dedicated or reserved for one or more of the following uses:

      (1) Conservation of, and avoidance of development in, any readily identifiable natural hazard areas, i.e., areas that potentially pose a significant hazard to people or property (e.g., drainageways);

      (2) Conservation and protection of natural resources (e.g., rare plant communities and wildlife habitat) or other environmentally sensitive areas where development might threaten water quality or ecosystems;

      (3) Conservation and protection of significant historic or cultural resources; or

      (4) Provision of active and/or passive outdoor recreation opportunities for the general public or for the development's residents or employees and their guests.

   c. Open space may contain active recreation areas and only such buildings, structures, accessways and parking facilities as are necessary and accessory to its principal uses (e.g., pedestrian paths, recreational club houses, utility lines, driveways, parking areas). All active recreation areas, permanent structures and impervious surfaces must be of a low-impact stormwater design, and management practices must be instituted to protect and enhance the natural character and function of the open space. Such development requires:

      (1) A tree and native vegetation preservation plan that limits site disturbance to the minimum required for construction and protects mature vegetation areas from degradation;

      (2) Landscaping using native or naturalized plant species;

      (3) Low-input, natural vegetation management practices; and

      (4) Stormwater management best management practices.

   d. Open space areas may be used for low-impact design stormwater management practices.

   e. Open space areas may not be used for irrigation with treated sanitary sewage.

   f. The area of stormwater retention/detention ponds that are designed to hold stormwater from less than 100-year storm events may not be counted toward satisfying minimum open space requirements.

   g. Roadways and parking areas within open space areas may not be counted toward satisfying minimum open space requirements unless they provide public access to the open space area.

4. Boundary Markers

   a. Construction fencing must be placed at the outer edge of the existing vegetation to be preserved in the permanent open space area. This fencing must be maintained throughout the construction process.

   b. Permanent signs must be placed at the edge of the permanent open space indicating that the area has been designated as a permanent open space area and identify any limitations on use or disturbance of the area. Signs must be maintained and remain legible at all times.

5. Permanent Protection of Open Space

   a. The open space must be protected in perpetuity by a permanent conservation easement in favor of:

      (1) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the

conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions;

(2) A governmental entity (if the entity accepting the easement is not the county, then a third right of enforcement favoring the county must be included in the easement);

(3) A property owners association (see 154-12-200); or

(4) An equivalent legal tool that provides permanent protection, as approved by the director.

b. The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this section, as well as any further restrictions the applicant chooses to place on the open space.

6. **Management and Maintenance**

a. The applicant must submit a management plan for the open space and all common areas. The management plan must:

(1) Allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;

(2) Estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided;

(3) Provide that any changes to the management plan be approved by the planning and zoning commission; and

(4) Provide for enforcement of the management plan.

b. Maintenance of the open space must be guaranteed in accordance with 154-12-190.

Article 13 | Parking

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154-13-010. Purpose

The regulations of this article are intended to help promote economically viable and beneficial use of land and avoid the negative impacts that can result from establishing excessive minimum motor vehicle parking requirements. Such adverse impacts include increased costs for and barriers to development, leaving valuable land unproductive, increasing stormwater runoff, degrading water quality and negatively affecting community appearance. The regulations are also intended to accommodate nonmotorized transportation alternatives.

154-13-020. Applicability

The parking regulations of this article apply to all off-street parking, whether such parking is required or not required.

154-13-030. Motor Vehicle Parking

Off-street motor vehicle parking spaces must be provided in accordance with the minimum ratios established in this section, or if special exception approval or rezoning plan approval is required, in accordance with minimum requirements established as a condition of such approval (see 154-13-090).

Table 13-1: Off-Street Motor Vehicle Parking Requirements

Use	Minimum Off-Street Parking Requirement
RESIDENTIAL	
Household Living	
1 to 4 households on single lot	2 spaces per dwelling unit
5 or more households on single lot	1.25 spaces per dwelling unit, plus 0.5 per each dwelling unit with more than one bedroom
Group Living	
All	0.25 spaces per bed
PUBLIC, CIVIC AND INSTITUTIONAL	
Aviation Facility	
Airport	Requirement to be established in accordance with 154-13-090
Airstrip	None
Cemetery	None
College or University	Requirement to be established in accordance with 154-13-090
Community Center	1 space per 500 sq. ft. or 1 per 4 seats, which ever is greater
Detention or Correctional Facility	Requirement to be established in accordance with 154-13-090

Use	Minimum Off-Street Parking Requirement
Hospital	1 space per 3 beds
Library or Cultural Exhibit	1 space per 500 sq. ft.
Natural Resource Preservation	None
Parks and Recreation	None
Religious Assembly	1 per 4 seats
Safety Service	1 space per 500 sq. ft.
School	2 space per classroom
Utilities and Public Service Facility	
Minor	None
Major (except as identified below)	Requirement to be established in accordance with 154-13-090
Solar farm	Requirement to be established in accordance with 154-13-090
Wind farm	Requirement to be established in accordance with 154-13-090
COMMERCIAL	
Animal Service	
Boarding or shelter	1 space per 500 sq. ft.
Grooming	1 space per 500 sq. ft.
Stable, Commercial	None
Veterinary	1 space per 500 sq. ft.
Child Care	
Child care home, small	None
Child care home, large	Requirement to be established in accordance with 154-13-090
Child care center	Requirement to be established in accordance with 154-13-090
Commercial Service	1 space per 500 sq. ft.
Eating and Drinking Places	
Bar or Tavern	1 space per 200 sq. ft.
Restaurant	1 space per 300 sq. ft.
Entertainment and Spectator Sports	
Indoor, minor	1 space per 500 sq. ft.
Indoor, major	1 space per 500 sq. ft.
Outdoor, minor	Requirement to be established in accordance with 154-13-090
Outdoor, major	Requirement to be established in accordance with 154-13-090
Financial Service	1 space per 500 sq. ft. (stacking spaces required in accordance with 154-13-130)
Funeral and Mortuary Service	1 space per 200 sq. ft of assembly area.
Lodging	
Bed & breakfast	None
Hotel/motel	1 space per guest room
Office	
Business or professional office	1 space per 500 sq. ft.
Medical, dental or health practitioner office	1 space per 400 sq. ft.
Parking, Non-Accessory	None
Retail Sales	
Building supplies and equipment	1 space per 1,000 sq. ft.
Consumer shopping goods	1 space per 500 sq. ft.
Convenience goods	1 space per 500 sq. ft.
Self-Service Storage Facility	1 space per 6 storage units
Sexually Oriented Business	1 space per 285 sq. ft. or 1 per 2 seats, whichever is greater
Sports and Recreation, Participant	
Indoor, minor	1 space per 500 sq. ft.
Indoor, major	1 space per 500 sq. ft.
Outdoor, minor	Requirement to be established in accordance with 154-13-090
Outdoor, major	Requirement to be established in accordance with 154-13-090
Studio, Artist, or Instructional Service	1 space per 500 sq. ft.

Use	Minimum Off-Street Parking Requirement
Trade School	1 space per 4 students
Vehicle Sales and Service	
Commercial vehicle repair/maintenance	1 space per 2 service bays
Commercial vehicle sales and rentals	1 space per 500 sq. ft indoor sales/office area, plus space for service bays.
Fueling station	1 space per 500 sq. ft. of retail sales floor area
Personal vehicle repair and maintenance	1 space per 2 service bays
Personal vehicle sales and rentals	1 space per 500 sq. ft indoor sales/office area, plus space for service bays
Vehicle part and supply sales	1 space per 500 sq. ft
Vehicle body and paint finishing shop	1 space per 2 service bays
WHOLSALE, DISTRIBUTION & STORAGE	
All	1 space per 2,500 sq. ft. or 1 space per 2 employees whichever is less
INDUSTRIAL	
All	1 space per 2,500 sq. ft. or 1 space per 2 employees, whichever is less
WASTE AND RECYCLING-RELATED	
All	1 space per 2,500 sq. ft. or 1 space per 2 employees, whichever is less
AGRICULTURAL	
Farm, Traditional	None
Farm, Hobby	None
Farm, Non-Traditional (Indoor)	Requirement to be established in accordance with 154-13-090
Farm Stand	None; all parking must be located outside of right-of-way
Farmer's Market	Requirement to be established in accordance with 154-13-090
Agritourism	Requirement to be established in accordance with 154-13-090
Community Garden	None
Horticulture Nursery	None
OTHER	
Drive-in or Drive-through Facility	Stacking spaces required in accordance with 154-13-130
Off-premise Outdoor Advertising Sign	None
Wireless Communication Facility	None

154-13-040. Calculation of Required Parking

In determining the number of parking spaces required, the following calculation rules apply:

A. Multiple Uses

Lots containing more than one use or tenant must provide parking in an amount equal to the total aggregate number of spaces required for each use or tenant on the lot except when a shared parking arrangement is approved by the plan commission.

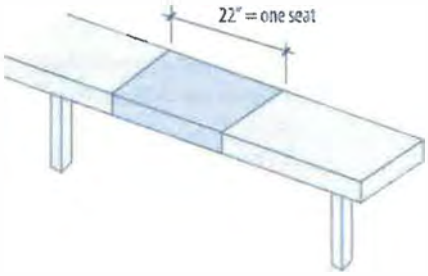
B. Fractional Results

When parking calculations produce fractional results, the rounding rules of 154-21-010 apply.

C. Bench Seating

For the purpose of calculating parking requirements based on seating, each 22 linear inches of bench or pew length is equivalent to one seat.

Figure 13-1: Bench Seating



D. Occupancy- or Capacity-based Standards

For the purpose of computing parking requirements based on employees, students, members, residents or occupants, calculations must be based on the average number of persons working on any single shift, the average enrollment or membership or the building code-rated capacity, whichever is applicable.

E. Outdoor Customer Seating/Dining Areas

Any outdoor customer seating/dining area exceeding 20% of a bar, restaurant or other use's indoor floor area must be counted as floor area for purposes of determining off-street parking requirements.

154-13-050. On-Street Parking

Where on-street motor vehicle parking is allowed, nonresidential uses may count on-street parking spaces on public street rights-of-way abutting the subject property towards satisfying off-street motor vehicle parking requirements. One off-street parking space credit may be taken for each striped parking space on the abutting right-of-way. When on-street parking spaces are not striped (e.g., parallel parking), one off-street parking space credit may be taken for each 20 linear feet of abutting street right-of-way. Only space on the same side of the street as the subject use may be counted.

154-13-060. Shared Parking

A. General

Shared parking refers to the practice of 2 or more users who need parking at different times making use of the same motor vehicle parking spaces. Shared parking is encouraged as a means of conserving land resources, reducing stormwater runoff, reducing the heat island effect caused by large paved areas and improving community appearance.

B. Eligibility

Shared parking facilities are allowed for mixed-use projects and for uses with different times of peak parking demand, subject to site plan approval.

C. Submittal Requirements and Methodology

1. Applicants proposing to use shared parking as a means of reducing overall motor vehicle parking requirements must submit: The names and addresses of the uses and of the owners or tenants that are sharing the parking;
    a. The location and number of parking spaces that are being shared;
    b. A shared parking analysis;
    c. A legal instrument authorizing use of the shared parking spaces.
2. The required shared parking analysis must be based on the latest edition of the Urban land Institute (ULI) shared parking model or by surveys or other studies prepared by individuals with expertise in parking and transportation.
3. The shared parking analysis must demonstrate that the peak parking demands of the subject uses occur at different times and that the parking area will be large enough for the anticipated demands of all users.

D. Location
Shared parking may be located on-site or off-site. Off-site parking is subject to the regulations of 154-13-070.

154-13-070. Off-Site Parking

Off-site motor vehicle parking spaces owned or rented by the property owner or business owner of the subject use may be counted towards satisfying off-street motor vehicle parking requirements. Such off-site spaces must:

A. Be located within 1,000 feet of the use, as measured along the shortest pedestrian route from the corner of the nearest parking space to the main public entrance of the use served;

B. Be located in zoning districts that permit non-accessory parking or that permit the principal use to be served by the off-site parking spaces; and

C. Be under the same ownership as the lot containing the use to be served by the parking or be the subject of a legal instrument authorizing use of the off-site parking spaces.

154-13-080. Accessible Parking for People with Disabilities

A. The number, location, and design of accessible parking spaces for people with disabilities must comply with the regulations of this section and with Indiana Code § 5-16-9-1.

B. Accessible spaces must be provided in accordance with Table 13-2.

Table 13-2: Minimum Accessible Parking Space Ratios

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
over 1,000	20 plus 1 for each 100 over 1,000

C. Accessible parking spaces count towards the total number of parking spaces that may be required.

D. Each accessible parking space must be at least 16 feet in width, with a diagonally striped access aisle abutting the space. The access aisle must be at least 8 feet in width for a van-accessible parking space and at least 5 feet in width for other parking spaces. At least one of each 8 accessible parking spaces provided must be a van-accessible parking space.

E. Signs must be provided in compliance with applicable state and federal law and must identify the current fine amount for violations.

F. Accessible parking spaces and accessible passenger loading zones that serve a particular building must be the spaces or zones located closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

154-13-090. Establishment of Other Parking Requirements

Decision-making bodies for uses requiring special exception or rezoning plan approval are authorized to establish required minimum parking ratios for such uses at the time of such approval. Such requirements must be established on the basis of (1) a similar use/parking determination or on parking data provided by the applicant or on the basis of other information available to the decision-making body.

154-13-100. Use of Off-Street Parking Areas

A. Off-street parking spaces are intended to serve residents, tenants, patrons, employees, or guests of the principal use. Off-street parking areas may only be used for the temporary parking of licensed motor vehicles in operating condition.

B. Off-street parking spaces may not be used for the storage, display or sale of goods equipment or materials. No motor vehicle repair work of any kind is permitted in an off-street parking space.

C. Parking spaces may be used for electric vehicle charging.

154-13-110. Parking Location

Off-street parking is prohibited in front and street side setback areas in R zoning districts. This provision is not intended to prohibit parking on an approved driveway on a lot occupied by a detached house, townhouse, two-unit house, triplex, or fourplex.

154-13-120. Parking Area Design

A. Ingress and Egress

All parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to parking areas with access on a minor street (i.e., a street other than a federal, state or county road).

B. Stall Size

Parking spaces must be at least 9 feet in width and 18 feet in length, exclusive of access drives and aisles. In parking areas where permanent wheel stops have been installed, 2.5 feet of the parking space length (depth) beyond the curb or wheel stop may be counted as part of the required stall length if that area is unobstructed and not part of another parking stall, drive aisle or sidewalk.

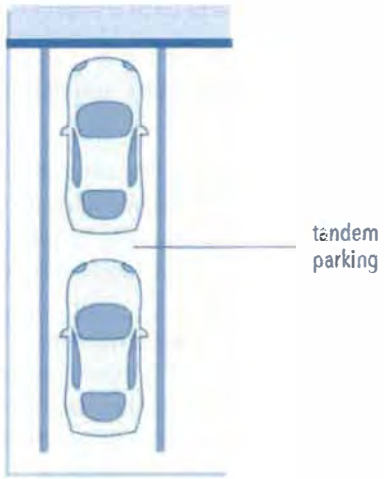
C. Markings

Parking spaces must be striped or otherwise designated to clearly mark each space. This requirement does not apply to parking provided for a detached house, two-unit house, triplex, or fourplex, or to display areas for vehicle sales and rental uses.

D. Tandem Parking

Tandem parking spaces may be used to satisfy minimum parking requirements for household living uses when the spaces are assigned to the same dwelling unit. In all other cases, required parking spaces must be designed to allow each parking space to be accessed without passing through another parking space. Tandem parking arrangements must have a minimum stall of 8.5 feet and a minimum length of 36 feet.

Figure 13-2: Tandem Parking



E. Parking Area Layout (Geometrics)

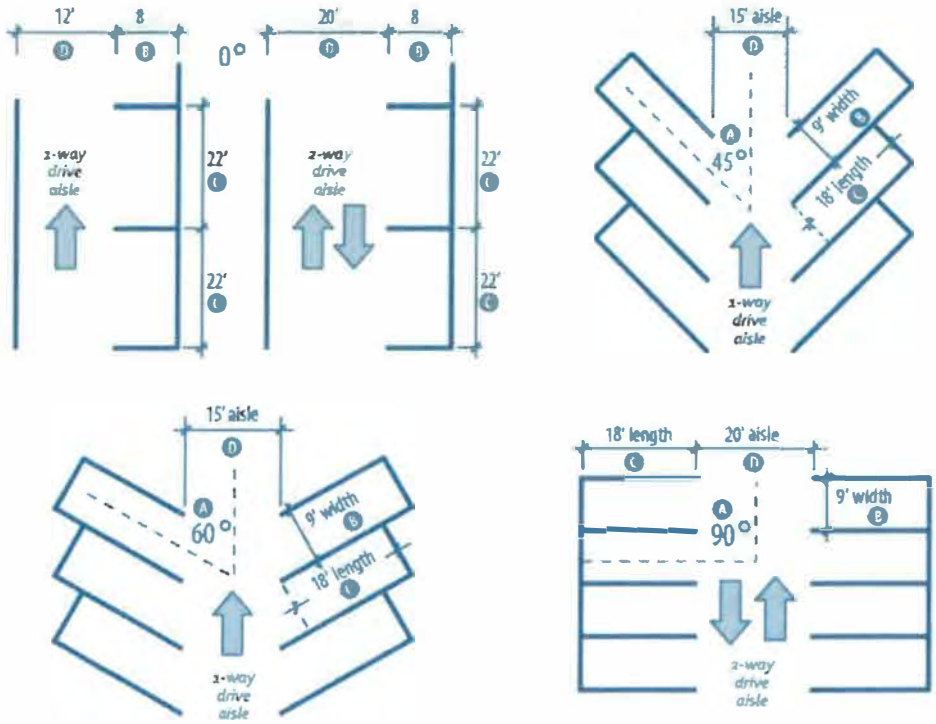
Parking areas must be designed and marked in accordance with the dimensional standards of Table 13-3, which shows minimum dimensions for various parking layouts (angles). Requirements for layouts or angles not shown in Table 13-3 may be interpolated from the layouts shown, as approved by the director.

Table 13-3: Parking Area Geometrics

Ⓐ	Ⓑ	Ⓒ	Ⓓ
0°	8.0	22.0	12.0/20.0
45°	9.0	18.0	15.0/NA
60°	9.0	18.0	15.0/NA
90°	9.0	18.0	NA/20.0

Ⓐ = Stall Angle, Ⓑ = Stall Width, Ⓒ = Stall Length, Ⓓ = Aisle Width (1-way/2-way)

Figure 13-3: Parking Area Geometrics



F. Surfacing

1. All off-street parking areas must be graded and paved with concrete, asphalt, brick pavers, or other dustless, all-weather surface (including pervious pavement) approved by the director.
2. Parking area surfacing must be completed prior to initiation of the use to be served by the parking.
3. All driving lanes and parking aisles in parking lots must be curbed, unless an alternative design allowing for adequate stormwater management is approved.

G. Vertical Clearance

All parking spaces must have overhead vertical clearance of at least 7 feet.

H. Driveways

Driveways providing direct access to public streets must comply with applicable roadway design criteria and the following requirements:

1. Driveways designed for two-way traffic must be at least 20 feet and no more than 28 feet in width.
2. Driveways designed for one-way traffic must be at least 10 feet and no more than 15 feet in width.
3. All new driveway aprons onto a street must be surfaced with concrete, except that the driveway apron for a detached house, two-unit house, triplex, or fourplex taking access to a local street may use asphalt or concrete.

I. Landscaping and Screening

See Article 14.

154-13-130. Stacking Spaces for Drive-through Facilities

A. Spaces Required

Establishments with drive-through facilities must provide stacking spaces for each drive-through station as indicated in Table 13-4:

Table 13-4: Drive-through Stacking Space Requirements

Use	Minimum Spaces (per lane)
Automated teller machine	2 (measured from ATM)
Bank	2 (measured from teller or service area)
Car wash	3 (measured from vehicle entrance)
Drug store	2 (measured from pick-up window)
Restaurant drive-through	3 (measured from order board)
Other	As determined by the director

B. Dimensions

Each lane of stacking spaces must be at least 9 feet in width and at least 18 feet in length.

C. Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles and may not interfere with access to parking and ingress and egress from the street.
2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R-zoned lots, and a parking area screening must be provided along the common lot line in accordance with 154-14-030.D.

D. Pedestrian Access

The principal pedestrian access to the entrance of the use from a public sidewalk may not cross the drive-through facility stacking lane.

154-13-140. Loading

Off-street loading areas must be designed so that all vehicle maneuvering and loading/unloading operations will occur on private property. Off-street loading areas may not be located in any street yard. All loading spaces must be surfaced in the same manner as required for parking areas.

154-13-150. Pedestrian Circulation

A. Applicability

An on-site circulation system for pedestrian and non-motorized travel must be provided in accordance with the requirements of this section for all lots occupied by buildings, except for:

1. Residential buildings containing 4 or fewer dwelling units;
2. Agricultural uses;

3. Industrial or other uses without a resident- or customer-entrance; and
4. Uses, other than parking lots, that do not include a principal building intended for regular human occupancy.

B. Required Connections

The pedestrian circulation system must provide safe, direct, and convenient pedestrian access connecting main entrances of buildings and uses with all other such entrances and with available access points including parking, streets, sidewalks, and transit stops. In the case of building or site additions, these requirements apply only to the new or expanded areas.

C. Design

Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:

1. Pedestrian access must consist of an accessible, easily discernible walkway or multi-use path with a minimum width of 5 feet.
2. The pedestrian access surface located on private property must be constructed of concrete, asphalt or other fixed, firm and nonslip material, approved by the director.
3. Pedestrian access routes that cross parking lots, drive aisles or other parking lots must be clearly differentiated from the vehicle surface through the use of physical separation or by durable, low-maintenance materials such as pavers, bricks, scored concrete, pavement textures or painted surfaces to define places of safe pedestrian movement.

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Article 14 | Landscaping and Screening

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154-14-010. Purposes

The regulations of this article establish minimum requirements for landscaping and screening. The regulations are intended to advance the general purposes of this UDO and to help:

A. Maintain and enhance the county's appearance;

B. Mitigate possible adverse impacts of higher intensity land uses abutting lower intensity land uses;

C. Reduce the impacts of noise and glare.

D. Maintain and improve air quality;

E. Protect surface water quality and reduce the negative impacts of stormwater runoff by reducing impervious surface area and providing vegetated areas that filter and retain greater amounts of stormwater on site;

F. Moderate heat by providing shade;

G. Encourage preservation and replacement of existing trees and landscaping; and

H. Encourage use of low-impact development practices.

154-14-020. Applicability

The landscape and screening regulations of this article apply as set forth in the individual sections of this article. The following are expressly exempt from compliance with the landscape and screening regulations of this article:

A. Agricultural uses;

B. Detached houses, two-unit houses; triplexes, and fourplexes;

C. Public parks, open spaces, or natural resource areas; and

D. Reconstruction of any building that is damaged or destroyed by fire, natural disaster, or other means beyond the reasonable control of the property owner, except that any required landscape and screening material in place before such damage or destruction must be replaced.

154-14-030. Parking Area Screening

A. Purpose

The parking area screening regulations of this section are intended to help mitigate the visual and operational impacts of parking areas located near streets or residential zoning districts.

B. Applicability

Unless otherwise expressly stated, the parking area screening regulations of this section apply to all the following:

1. The construction or installation of any new off-street parking area containing 4 or more parking spaces; and
2. The expansion of any existing off-street parking area that results in the addition of 4 or more parking spaces, in which case the parking area screening requirements of this section apply to the entire off-street parking area.

C. Street Frontage Screening Requirements

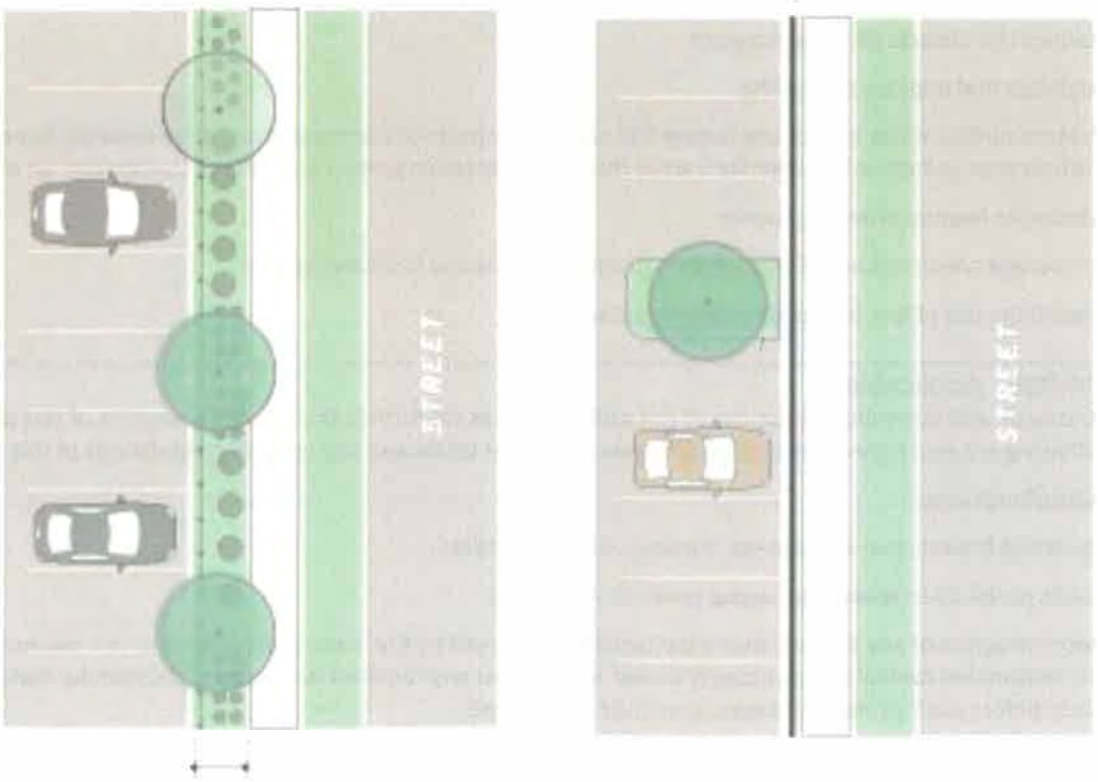
1. When Required

The street frontage screening requirements of this section apply to outdoor parking areas containing 4 or more parking spaces when located within 50 feet of any (non-alley) street right-of-way. The requirements do not apply if there are buildings or other site features that effectively block views of the parking area from the right-of-way.

2. Screening Required

A screening buffer with a minimum width of 5 feet must be provided between the parking area and the street. The screening buffer must include low shrubs planted to form a continuous visual barrier (hedge) at least 3 feet in height. A solid screening wall with a minimum height of 2.5 feet and a maximum height of 3 feet may be substituted for the 5-foot buffer and the low shrubs.

Figure 14-1: Street Frontage Buffer (5-foot buffer with hedge or short wall)



D. R District Screening Requirements

1. When Required

The R district screening requirements of this section apply to parking areas located within 50 feet of any R-zoned lot. The requirements do not apply if there are buildings or other site features that effectively block views of the parking area from the R-zoned lot.

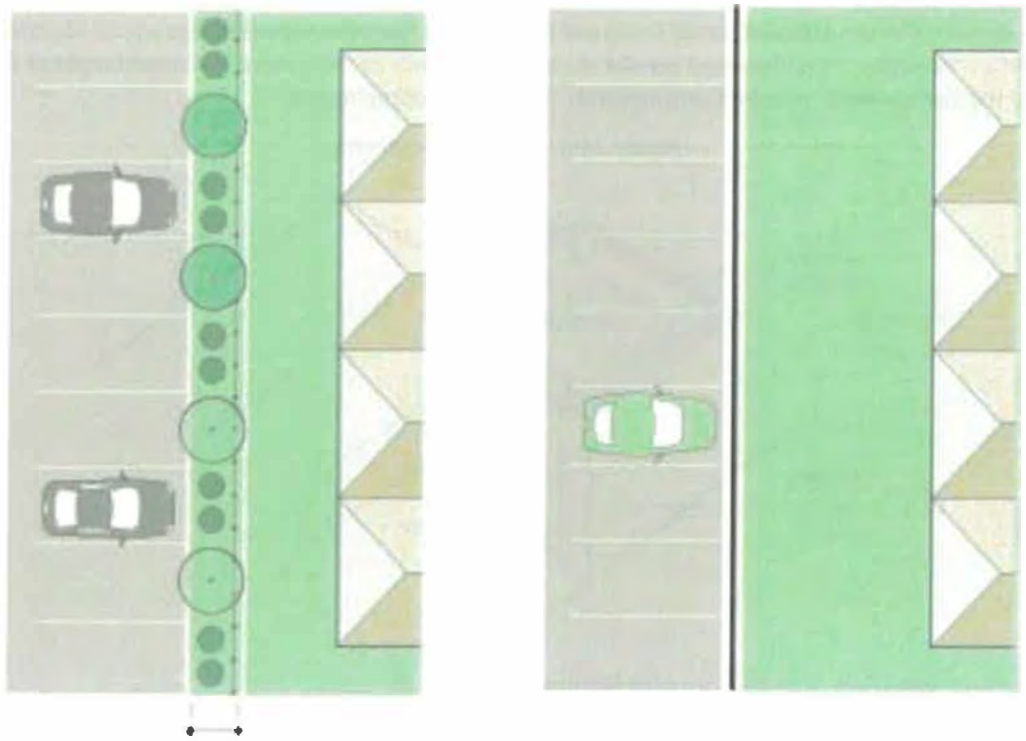
2. Screening Required

A screening buffer with a minimum width of 10 feet must be provided between the parking area and the R-zoned lot. The screening buffer must include a fence, wall, or tall shrubs planted to form a continuous

visual barrier at least 6 feet in height. When located in the required street setback, required screening material may not exceed 4 feet in height.

3. **Vacant Lots**
Screening is required regardless of whether a building exists on the R-zoned lot that triggers the requirement for R district screening, unless the plan commission determines that such screening is unnecessary because the vacant lot is unlikely to be developed with residential or other sensitive land uses.

Figure 14-2: R District Screening (fence, wall or tall shrubs)



E. Landscape Materials, Installation, and Maintenance
See 154-14-060 and 154-14-070.

154-14-040. Outdoor Storage and Work Area Screening

A. Purpose
The outdoor storage and work area screening regulations of this section are intended to help mitigate the visual and operational impacts of outdoor storage and work areas located near R-zoned lots.

B. Applicability
Unless otherwise expressly stated, the outdoor storage and work area screening regulations of this section apply in business and industrial districts to all newly established outdoor storage and work areas within 100 feet of R-zoned lots. The requirements do not apply if there are buildings or other site features that effectively block views of the outdoor storage or work area from adjacent R-zoned lots.

C. Screening Required
A screening buffer with a minimum width of 10 feet must be provided between the outdoor storage or work area and the R-zoned lot. The screening buffer must include a solid fence or wall at least 6 feet in height.

D. Landscape Materials, Installation, and Maintenance
See 154-14-060 and 154-14-070.

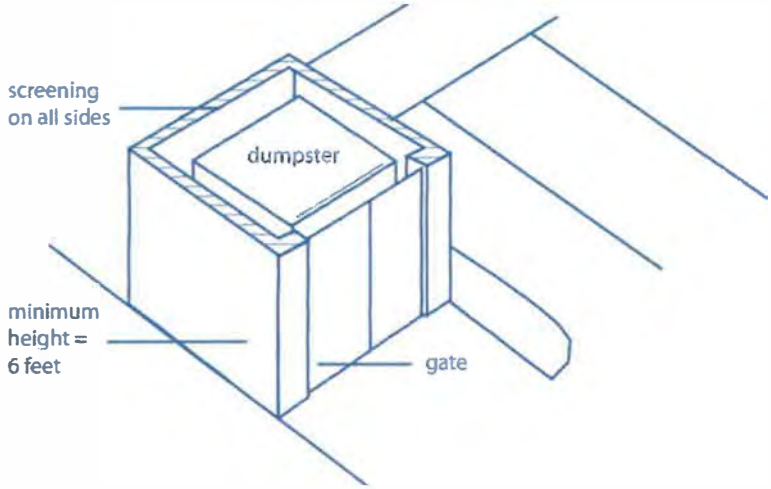
154-14-050. Trash and Recycling Area Screening

A. Purpose
The trash and recycling area screening regulations of this section are intended to help mitigate the visual and operational impacts of trash, recycling equipment and dumpster storage areas.

B. Applicability
The trash and recycling area screening regulations of this section apply to all multi-family residential (4+ dwelling unit) and nonresidential uses.

C. Screening Required
All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Required screening must consist of an opaque fence or wall with a minimum height of 6 feet. One side of the storage area must be furnished with an opaque, lockable gate.

Figure 14-3: Dumpster Screening



D. Landscape Materials, Installation, and Maintenance
See 154-14-060 and 154-14-070.

154-14-060. Landscape Material

A. Applicability
The landscape and screening material provisions of this section apply to all fences, walls, plants, and other materials used to satisfy the landscaping and screening requirements of this UDO.

B. Fences
Fences must be opaque and constructed of commonly used fencing material such as wood, composite wood, and recycled plastic wood. Supports may consist of the same materials or brick, stone, cast stone, formed concrete or similar durable, low-maintenance materials.

C. Walls
Walls must be opaque and constructed of brick, stone, cast stone, formed concrete or similar durable, low-maintenance materials.

D. Gaps in Fences and Walls
When a fence or wall is used to meet the requirements of this UDO, such fence or wall must be provided throughout the length of the landscaped area except in the following circumstances:

1. Adjacent to Canopy Trees
In order to facilitate proper growth of canopy trees, a fence or wall is not required within 5 feet of new or existing trees.

2. **Access Points**
   Gaps in a fence or wall may occur as necessary to accommodate vehicle and pedestrian access. A fence or wall is not required within 10 feet of an access drive.

3. **Grade Changes**
   If there is an elevation difference between an area or object being screened and the street or adjacent property, the height of fences and walls must be measured from the point of highest elevation.

E. Shrubs

1. Low shrubs are deciduous shrubs or evergreen shrubs that are expected to grow to a mature height of no more than 4 feet. Perennials or ornamental grasses may be substituted for required low shrubs at the rate of 2 perennials or 2 ornamental grasses per one low shrub. Evergreen trees may be substituted for low shrubs at the rate of one evergreen tree per 2 low shrubs.

2. Tall shrubs are deciduous shrubs or evergreen shrubs that are expected to grow to a mature height of not less than 6 feet. Evergreen trees may be substituted for tall shrubs at the rate of one evergreen tree per 2 tall shrubs.

3. Minimum and maximum shrub sizes are specified in Table 14-1.

Table 14-1: Shrub Sizes

Material	Minimum Container Size at Time of Planting	Minimum Height at Time of Planting	Maximum Height at Maturity
Low shrubs	3 gallons	1.5 feet	4 feet
Tall shrubs	3 gallons	4 feet	None

154-14-070. Installation and Maintenance

A. Installation

1. Required landscaping must be installed in accordance with an approved site plan.

2. All trees and plant material must be installed in accordance with sound nursery practices, in a manner designed to encourage vigorous growth.

3. All landscaped areas that are adjacent to pavement must be protected with curbs or equivalent barriers. Flush curbs, curb cuts, or other methods must be used to direct stormwater to landscape areas that abut paved areas.

4. Landscaping may not be located within public rights-of-way and may not obstruct traffic visibility at street intersections or driveways. Landscaping must comply with all applicable intersection sight distance regulations.

B. Timing of Installation

All required landscape and screening elements must be installed prior to occupancy. A delay in the installation of landscape material may be authorized by the director for up to 6 months after permit issuance.

C. Maintenance

1. Required landscaping and screening must be continuously maintained, including necessary watering; weeding; pruning; pest control; litter and debris clean-up; and replacement of dead, diseased or damaged plant material.

2. Failure to maintain required landscaping and screening and failure to replace dead, diseased, or damaged landscaping, constitutes a violation of this UDO.

154-14-080. Plans

A. Required Information

All site plans and building permit applications for sites requiring landscaping must depict required landscape and screening materials.

B. Alternative Compliance Landscape and Screening Plans

To accommodate creativity in landscape and screening design and to allow for flexibility in addressing atypical, site-specific development/redevelopment challenges, the director is authorized to approve alternative compliance landscape plans prepared by a landscape architect licensed to practice in the State of Indiana. In order to approve such alternative compliance landscape plans, the director must determine that such plans will provide an equal or better means of meeting the intent of the landscaping and screening regulations of this chapter and that one or more of the following conditions or opportunities are present:

1. The site has space limitations or an unusual shape that makes strict compliance impossible or impractical;
2. Physical conditions on or adjacent to the site such as topography, soils, vegetation or existing structures or utilities are such that strict compliance is impossible, impractical, or of little to no value in terms of advancing the general purposes of this article; or
3. Safety considerations such as intersection visibility, utility locations, etc., make alternative compliance necessary.

Article 15 | Signs

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154-15-010. General

A. Purpose

The sign regulations of this section are intended to balance the following differing, and at times, competing goals:

1. To support the desired character of the county, as expressed in adopted plans, policies, and regulations;
2. To promote an attractive visual environment;
3. To encourage the effective use of signs as a means of communication for businesses, organizations, and individuals;
4. To provide a means of wayfinding for visitors and residents;
5. To provide for reasonable business identification, advertising, and communication;
6. To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the county and its residents, property owners and visitors;
7. To protect the safety and welfare of the public by minimizing hazards for motorized and nonmotorized traffic;
8. To minimize the possible adverse effects of signs on nearby public and private property; and
9. To provide broadly for the expression of individual opinions through the use of signs on private property.

B. Scope and Applicability

All signs within the county are subject to the regulations of this article and all other applicable provisions of this UDO.

C. Content Neutrality; Substitution of Noncommercial Messages

Any sign allowed under this UDO may contain, in lieu of any other sign message or copy, any lawful noncommercial message if the sign complies with all size, height, location and other applicable requirements of this UDO. Such a substitution of message does not require issuance of a sign permit. Pursuant to Indiana Code § 36-7-4-1109(h), the purpose of this substitution provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or the favoring of any one noncommercial message over any other noncommercial message.

D. Off-premise Outdoor Advertising Signs

Off-premise outdoor advertising signs are allowed only in those zoning districts and locations expressly identified in this UDO and only when such signs comply with all applicable off-premise outdoor advertising sign regulations. Provisions of this UDO that refer to "signs" being allowed or certain types of signs being

allowed (e.g., freestanding, wall, projecting) are not to be construed as references to off-premise outdoor advertising signs being allowed, unless the subject provision expressly refers to "off-premise outdoor advertising signs."

154-15-020. Prohibited Signs and Sign Characteristics

A. The following signs and sign characteristics are prohibited except as otherwise expressly stated:

1. Signs for which no required permit has been issued (if such sign requires a permit);
2. Signs located in such a manner as to constitute a nuisance;
3. Search lights, strobe lights, rotating beacon lights, flashing lights that are visible from public right-of-way, except as otherwise expressly allowed by this article or required by law;
4. Signs located in or obstructing a required parking or loading space, or that otherwise obstruct vehicular or pedestrian access or circulation, or that pose any other hazard to motorized or nonmotorized travel;
5. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress;
6. Signs that interfere with an opening required for ventilation, except that signs may cover transom windows when not in violation of building and fire prevention codes;
7. Signs affixed directly to a tree, utility pole or traffic control device;
8. Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device;
9. Sign displays with a brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle;
10. Signs that emit audible sound, odor, smoke, or visible matter;
11. Signs on wheels or other portable signs not firmly affixed to the ground or a building;
12. Roof signs;
13. Signs located wholly or partially in the public right-of-way unless otherwise expressly approved by the highway department.
14. Signs attached to or painted on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way; and
15. Signs attached to or painted on a licensed motor vehicle if the sign: (1) directs attention to a business, service, commodity, or activity offered or sold on the premises and (2) if the vehicle is parked closer to the street than the nearest building wall (does not apply to vehicles parked for the purpose of immediate loading and unloading).

B. The list of prohibited sign types specified in this section is not exclusive; any sign that is not exempt from this UDO, not established as a lawful nonconforming sign, or not expressly allowed by this UDO is a prohibited sign.

154-15-030. Sign Exceptions

The following signs are not counted as signs for purposes of determining the number of signs or amount of signage on a lot.

A. **Farm Signs**

Signs with a maximum area of 32 square feet are permitted on A-1 zoned properties. No more than one such farm sign is permitted per 300 feet of road frontage.

B. Signs Adjacent to Driveways and Drive Aisles

1. One sign may be installed at each vehicle entrance and exit driveway to any lot occupied by an allowed nonresidential use or multiple-family residential building containing more than 4 dwelling units. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way. Driveway signs may be illuminated but may not exceed 4 square feet in area or 5 feet in height.

2. Off-street parking areas with a capacity of more than 4 vehicles may display a sign on the interior of the parking area. Such signs must be located within 20 feet of an internal site driveway or drive aisle and may not exceed 12 square feet in area or 10 feet in height. Such signs must be located to be visible from internal site drive aisles (rather than from off-site).

C. Signs Adjacent to Drive-Throughs

Signs are permitted in conjunction with drive-through windows, in accordance with the following regulations.

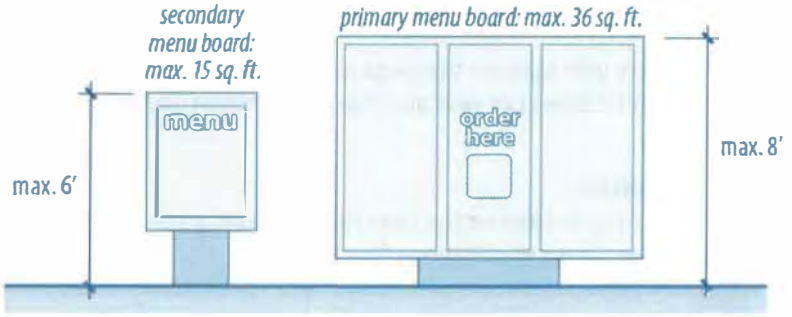
1. **Location**
   Drive-through signs must be located within 4 feet of the curb bordering a drive-through lane.

2. **Number and Dimensions**
   One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.

3. **Residential Separation**
   Drive-through signs must be set back at least 50 feet from R zoning districts.

4. **Visibility**
   Drive-through signs must be oriented to be visible only by motorists in allowed drive-through lanes. They may not be located or oriented to be visible from off-site.

Figure 15-1: Drive-through Signs



D. Small, Flush-Mounted Signs

Small, flush-mounted, non-illuminated wall signs are allowed in all zoning districts. No more than one such sign is permitted per principal building and such signs may not exceed 2 square feet in area.

E. Window Signs

Window signs are allowed as sign exceptions for allowed nonresidential uses, provided they do not cover more than 20% of the area of the window to which they are affixed.

F. Temporary Signs

1. **Temporary Signs on Lots Marketed for Sale, Rental or Lease**
   One temporary sign is allowed per public street frontage on a lot or portion of a lot that is actively being marketed for sale, rental or lease, subject to the regulations in in Table 15-1:

Table 15-1: Temporary Signs on Lots Marketed for Sale, Rental or Lease

Regulation	R Districts	All Other Districts
Maximum Sign Area (sq. ft.)	24	50
Maximum Sign Height (feet)	8	12

2. **Temporary Construction Signs on Active Development Sites**
On any lot upon which construction is actively occurring pursuant to a valid, unexpired building or zoning permit, one temporary sign is allowed per public street frontage.

   a. Temporary construction signs may not exceed 32 square feet in area or 0.50 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 400 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

   b. Temporary construction signs may not exceed 15 feet in height.

   c. Temporary construction signs must be removed within 2 weeks of completion of the construction or development or upon revocation or expiration of the building permit.

3. **Temporary Signs on Lots Occupied by Residential and Nonresidential Uses**

   a. **Lots Occupied by Residential Uses**

      (1) One temporary freestanding or wall sign is allowed on a lot occupied by an allowed residential use, provided that such sign does not exceed 8 square feet in area.

      (2) Allowed temporary signs on lots occupied by an allowed residential use may be used no more than 2 times per year and must be removed no later than 45 days after installation.

   b. **Lots Occupied by Nonresidential Uses**

      (1) One temporary wall sign is allowed on a building occupied by a permitted nonresidential use, provided that such sign does not exceed 32 square feet in area.

      (2) Allowed temporary wall signs on buildings occupied by an allowed nonresidential use may be used no more than 2 times per year and must be removed no later than 45 days after installation.

   c. **Temporary Signs on Farms**
   Any number of small signs located within farm fields, including seed test areas, are allowed without a permit. Such signs may not exceed 9 square feet in area.

4. **Election Season Signs**

   a. Pursuant to Indiana Code § 36-1-3-11, all provisions of this UDO relating to the number or size of signs (the areas of which do not exceed 32 square feet) are suspended and unenforced during the following periods:

      (1) Beginning 60 days before an election, as defined in Indiana Code § 3-5-1-2; and

      (2) Ending at the beginning of the 6th day after the election.

   b. The election season sign exceptions established under 154-15-030.F.4.a do not prohibit the county from enforcing the sign regulations of this UDO as it relates to the number or size of signs at any time if necessary to ensure public safety.

5. **Special Event Signs**
Special event signs require approval of the director. Plan commission-approved special event signs are not subject to the sign regulations of this article unless otherwise expressly stated at the time of approval.

G. Other Sign Exceptions

The following additional signs are also allowed as sign exceptions:

1. Signs erected and maintained pursuant to the discharge of governmental functions, or that are required by law, ordinance, or government regulation, or that are required to be posted in order to effectuate a legal right.
2. Flags that do not contain a commercial message.
3. Wall plaques and wall signs that are not illuminated and that do not exceed 4 square feet in area;
4. Signs that are not legible from any public right-of-way or from beyond the boundaries of the lot or parcel;
5. Signs within completely enclosed buildings, provided that such signs are oriented to be primarily visible from inside the subject building; and
6. Labels and notices on equipment or structures, provided the label or notice does not exceed 15 square inches in area.

154-15-040. Sign Regulations of General Applicability

A. Applicability

The regulations of this section apply to on-premise wall, projecting, and freestanding signs. These regulations are in addition to any other applicable regulations established in this article.

B. Required Setbacks, Spacing and Separations

1. All parts of a sign must be set back at least 10 feet from street rights-of-way.
2. Signs with an area of more than 8 square feet that are visible from a lot in an R district must be set back at least 25 feet from the R-zoned lot.
3. Signs with an area of more than 32 square feet that are visible from a lot in an R district must be set back at least 50 feet from the R-zoned lot.

C. Mounting Height of Wall Signs and Projecting Signs

Wall signs and projecting signs must be mounted so that no portion of the sign extends above the top of the parapet or building wall to which they are attached.

D. Dynamic Displays

Unless otherwise expressly stated, all signs that include a dynamic display are subject to the supplemental regulations of 154-15-080.

E. Illumination

Except for authorized dynamic displays, the illumination on the face of any sign where illumination is permitted must be by constant light.

F. Vertical Clearance

Signs that overhang a sidewalk, driveway, or any other area where pedestrians, cyclists, or motorists may travel must have a minimum vertical clearance of 9 feet above the surface below.

G. Master Sign Plans

1. Applicability
   a. A master sign plan is required for all new multi-tenant developments and new developments consisting of multiple principal buildings. No sign permit may be issued for a new multi-tenant or multi-building development until a master sign plan has been reviewed and approved.
   b. A master sign plan may also be required at the time of a proposed amendment to a site plan for an existing multi-tenant or multi-building development.
2. Contents of Master Sign Plans
   Master sign plans must indicate the number, location, materials, colors and dimensions of all freestanding, wall and projecting signs in the multi-tenant or multi-building development. The master sign

plan must also include other information necessary to determine whether the proposed signs comply with the sign regulations of this article.

3. **Design**

   a. Master sign plans must describe and illustrate a consistent pattern of signage in the multi-tenant development.

   b. All signs within the development must have a:

      (1) Common size/location (e.g., a height or wall location common to each sign);

      (2) Common material.

4. **Sign Structure Color**
   All sign cabinets, trim caps, returns and all sign supports such as poles and braces must be of a common color.

5. **Plan Approval and Amendments**

   a. Master sign plans require review and approval as part of the site plan for the subject property. If a site plan is not required, the master site plan must be reviewed and approved in accordance with the procedures applicable to site plans.

   b. Master sign plan amendments may be approved by director if the director determines that the proposed master sign plan amendment is in compliance with all applicable UDO requirements and is generally consistent with the approved master sign plan.

154-15-050. Signs in A-1 and R Zoning Districts

A. Applicability

The regulations of this section apply to signs in all A-1 and R districts. See also the general regulations of 154-15-030.F.1.

B. Signs Allowed

The following signs are allowed in A-1 and R districts in addition to any signs allowed pursuant to 154-15-020.A. On-premise projecting signs and off-premise outdoor advertising signs are prohibited in A-1 and R districts.

1. **Residential Buildings With 5 or More Dwelling Units and Neighborhood and Subdivision Identification Signs**
   Lots occupied by 5 or more dwelling units are allowed a maximum of one freestanding sign per street frontage and a maximum of one wall sign per building wall. Individual signs may not exceed 24 square feet in area. Freestanding signs may not exceed 12 feet in height.

2. **Nonresidential Uses**
   The following regulations apply to all principal nonresidential uses in A-1 and R districts.

   a. **Wall Signs**
      Nonresidential uses in A-1 and R districts are allowed a maximum of one wall sign per public building entrance. No individual wall sign may exceed 24 square feet in area. In buildings with multiple public building entrances, the sign area of all wall signs may not exceed 48 square feet in the aggregate.

   b. **Freestanding Signs**
      Nonresidential uses in A-1 and R districts are allowed a maximum of one freestanding sign per street frontage. Allowed freestanding signs are subject to a maximum height limit of 12 feet and may not exceed 24 square feet in area or 0.20 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 48 square feet in area. The maximum sign area calculation must be based on the street frontage to which the sign is oriented.

c. **Dynamic Displays**
Dynamic displays are prohibited in A-1 and R districts except that on a lot occupied by an allowed public, civic or institutional use, the plan commission is authorized to approve a special exception for the allowed wall sign or the allowed freestanding sign to include a dynamic display.

(1) The allowed dynamic display component may not exceed 24 square feet in area, and no more than one (wall or freestanding) dynamic display is allowed per street frontage.

(2) The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall or freestanding sign, but rather is counted as part of the maximum area of a wall or freestanding sign.

(3) Dynamic displays in A-1 and R may operate only between the hours of 7:00 a.m. and 9:00 p.m. unless otherwise expressly approved through the special exception process.

(4) Dynamic displays are subject to the dynamic display regulations of 154-15-080.

d. **Off-Premise Outdoor Advertising Signs**
Off-premise outdoor advertising signs are prohibited in A-1 and R districts.

154-15-060. Signs in Business and Industrial Zoning Districts

A. Applicability
The regulations of this section apply to signs in all business and industrial zoning districts. See also the general regulations of 154-15-030.F.1.

B. Signs Allowed
In addition to any sign exceptions allowed pursuant to 154-15-020.A, the following signs are allowed in all business and industrial zoning districts:

a. Wall signs;

b. Projecting signs; and

c. Freestanding signs.

C. Maximum Number of Signs Allowed

1. A maximum of one wall sign or one projecting sign is allowed per 100 linear feet of building frontage.

2. A maximum of one freestanding sign is allowed per public street frontage.

D. Maximum Sign Area
The maximum combined area of all wall, projecting, and freestanding signs allowed on a lot in a business or industrial zoning district may not exceed 3 square feet per linear foot of street frontage or 50 square feet, whichever is greater.

E. Maximum Sign Height

1. **Freestanding Signs**
Freestanding signs may not exceed 24 feet in height.

2. **All Other Signs**
Wall signs and projecting signs may not be mounted in a manner that results in the highest point of the sign exceeding the height of the building wall or parapet to which it is attached.

F. Dynamic Displays on Wall, Projecting and Freestanding Signs

1. A maximum of one of the wall signs, projecting signs or freestanding signs allowed on a lot in a business or industrial zoning district may include a dynamic display.

2. The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall, projecting, or freestanding sign, but rather is counted as part of the maximum area of the wall, projecting, or freestanding sign.
3. The dynamic display may not exceed the maximum sign area allowed for the respective sign type or 48 square feet, whichever is less.
4. Only one, contiguous dynamic display is allowed on a wall, projecting, or freestanding sign face.

154-15-070. Signs in CD and MPD Districts

Signs in MPD districts are subject to the regulations established in the approved rezoning plan.

154-15-080. Dynamic Displays

The supplemental regulations of this section apply to all signs with dynamic displays.

A. The images and messages displayed on a dynamic display must have a minimum dwell time of at least 8 seconds and may not contain any movement, animation, audio, video, pyrotechnics, or other special effects.

B. The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

C. The images and messages displayed must be complete in and of themselves within the required dwell time.

D. Dynamic displays may not be located within 50 feet of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.

E. Dynamic displays may not be located within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.

F. Dynamic displays may not be located within 200 feet of any R district. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R district.

G. Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.

H. Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

I. The maximum brightness level of a dynamic display may not exceed 6,500 nits (candelas per square meter) during daylight hours or 500 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face.

154-15-090. Administration

A. Any person proposing to erect any sign requiring a sign permit must submit a sign permit application to the director. Applications for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the director to determine compliance with applicable regulations.

B. All applicable permit fees must be paid before issuance of a sign permit.

C. If the work associated with a sign permit has not been completed within 180 days of the date of the issuance of the permit, such permit will lapse and become null and void.

154-15-100. Nonconforming Signs

A. Description

A nonconforming sign is a sign that was lawfully established but that no longer complies with applicable UDO regulations because of the adoption or amendment of regulations after the sign was established.

B. On-premise Signs

Nonconforming on-premise signs may continue subject to the following provisions:

1. Nonconforming on-premise signs must be maintained in good repair and safe condition. No permits may be issued for upgrades or modifications of nonconforming signs.
2. If an on-premise sign is nonconforming by reason of restrictions on its brightness or illumination or its use of strobe or beacon lights, the sign must be immediately removed or made to conform.
3. A window sign that is nonconforming by reason of restrictions on its sign area must be immediately removed or made to conform.
4. If a nonconforming on-premise sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.
5. If the on-premise sign is not used for advertising purposes for a period of 180 consecutive days, the sign is deemed abandoned and must be removed.

C. Strobe Lights and Beacons

Search lights, strobe lights and rotating beacon lights that are visible from public right-of- way are prohibited and must be removed immediately, except as otherwise required by law.

D. Off-Premise Outdoor Advertising Signs

Nonconforming off-premise outdoor advertising signs may continue subject to the following provisions:

1. Nonconforming off-premise outdoor advertising signs must be maintained in good repair and safe condition. No permits may be issued for upgrades or modifications of nonconforming off-premise outdoor advertising signs.
2. If an off-premise outdoor advertising sign is nonconforming by reason of restrictions on its brightness or illumination or its use of strobe or beacon lights, the sign must be immediately removed or made to conform.
3. If a nonconforming off-premise outdoor advertising sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.
4. If a nonconforming off-premise outdoor advertising sign is not used for advertising purposes for a period of 180 consecutive days, the nonconforming off-premise outdoor advertising sign is deemed to have been abandoned and must be removed. A sign that directs attention to the sign owner's outdoor advertising business, commodity, or service is not considered "outdoor advertising" for purposes administering and enforcing the provisions of this paragraph.

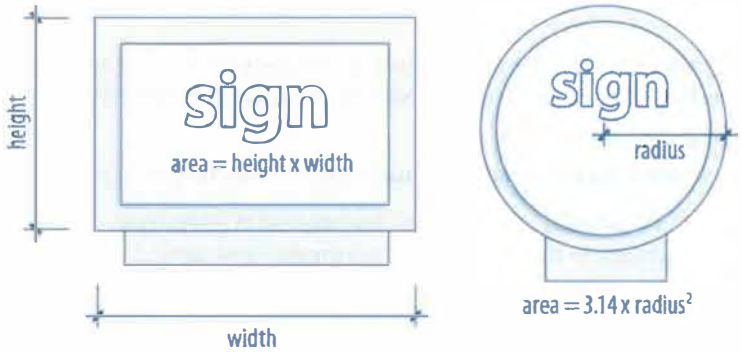
154-15-110. Rules of Measurement

A. Sign Area

1. Signs Enclosed in Frames or Cabinets

The area of a sign enclosed in a frame or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 15-2).

Figure 15-2: Sign Area Measurement (Signs in Cabinets or Frames)



2. **Channel (individual) Letter Signs**

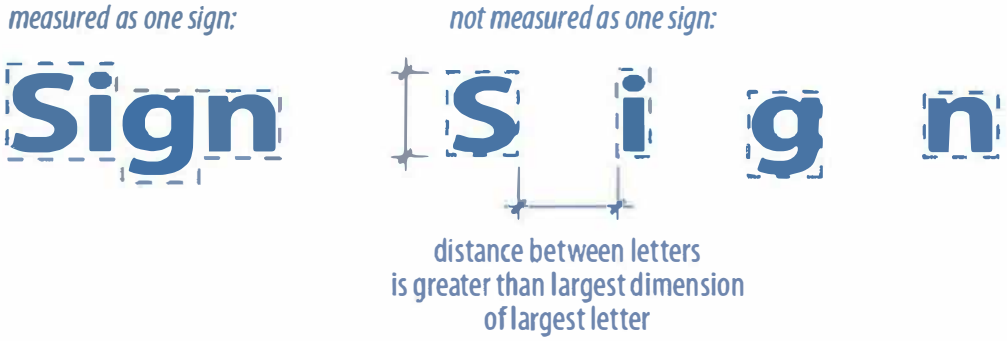
   a. The area of a sign comprised of individual letters or elements attached to a building wall is determined by calculating the area of the smallest geometric figure (e.g., square, rectangle, circle, polygon, etc.) that can be drawn around the letters and/or elements (see Figure 15-3).

   b. Signs consisting of individual letters and/or elements will be measured as one sign when the distance between the letters and/or elements is less than the largest dimension of the largest sign letter (see Figure 15-4).

Figure 15-3: Sign Area Measurement (Individual Letter Signs)

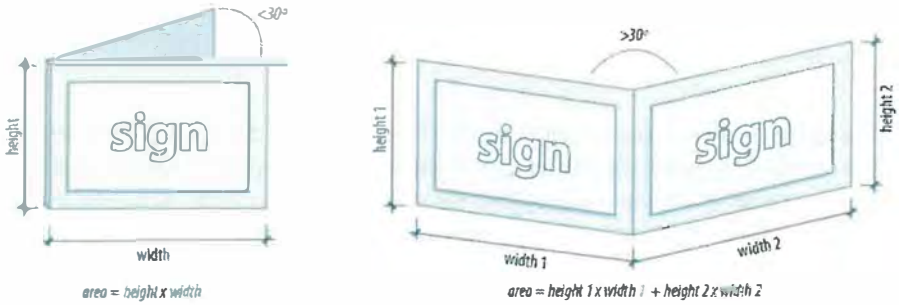


Figure 15-4: Sign Area Measurement (Single vs. Multiple Signs)



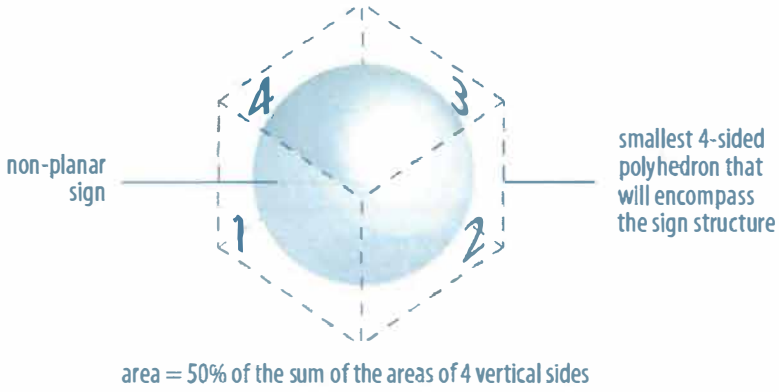
3. **Multi-Sided Signs**
   Unless otherwise expressly stated, when the sign faces of a multi-sided sign are parallel or within 30 degrees of parallel, only one side is counted for the purpose of determining the area and number of signs. If the sign faces are not parallel or within 30 degrees of parallel, all sign faces are counted (see Figure 15-5).

Figure 15-5: Multi-Sided Signs



4. **Non-planar Signs**
Spherical, free-form, sculptural or other non-planar sign area is measured as 50% of the sum of the areas using only the 4 vertical sides of the smallest 4-sided polyhedron that will encompass the sign structure. Signs with greater than 4 polyhedron faces are prohibited.

Figure 15-6: Non-Planar Sign Measurement



B. Sign Height

The height of a sign is measured as the vertical distance from curb level to the highest point of the sign.

Figure 15-7: Sign Height Measurement



C. Setback, Spacing and Separation Distances

1. Required setback, spacing and separation distances between signs must be measured in a straight line from the nearest points on the respective sign structures. Required separation distances between signs and zoning districts, area or lots must be measured in a straight line from the nearest point on the sign structure to the nearest point of the subject district, area, or lot.

2. The required separation distance between off-premise outdoor advertising signs must be measured in a straight line from the center of the respective off-premise outdoor advertising sign structures, as located on the ground.

D. Illumination and Luminance

1. Foot-Candles

Sign illumination in foot-candles is measured 2 feet from the sign face.

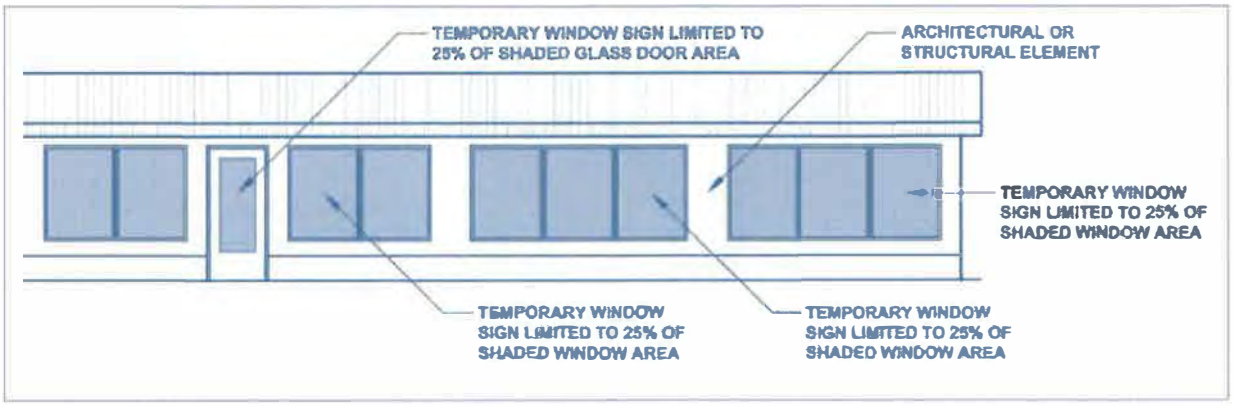
2. Nits

For the purpose of verifying compliance with maximum brightness level limits expressed in "nits," brightness levels must be measured with the dynamic display set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

E. Window Area

The area of a window includes the continuous surface of the glass or glazed elements of the window until divided by an architectural or structural element. Mullions are not considered an architectural or structural element that divides a window.

Figure 15-8: Measurement of Window Area



Article 16 | Additional Regulations of General Applicability

154-16-010.	Development in the Floodplain	16-1
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154-16-010. Development in the Floodplain

A. Floodway

No development may occur in any Special Flood Hazard Area (SFHA) classified as "Floodway" by the Lake County Ordinance for Flood Hazard Areas (Ordinance No. 2473) or identified as floodway on the most recent version of the Flood Insurance Rate Map for unincorporated Lake County, as prepared by the Federal Emergency Management Agency (FEMA).

B. Flood Fringe and Fringe

1. No development may occur in any Special Flood Hazard Area (SFHA) classified as "Flood Fringe" or "Fringe" by the Lake County Ordinance for Flood Hazard Areas (Ordinance No. 2473) or identified as floodway on the most recent version of the Flood Insurance Rate Map for unincorporated Lake County, as prepared by the Federal Emergency Management Agency (FEMA), without first having received approval of a zoning variance (variance of development standards) in accordance with 154-17-110. In acting on such zoning variances, the zoning board of appeals must apply the generally applicable zoning variance standards and criteria of 154-17-110.I.2 and find that any and all structures, including basements, will be at least 2 feet above the base flood elevation and that the entire development will comply with the Lake County Ordinance for Flood Hazard Areas (Ordinance No. 2473), which may also include approval, permission, or permitting from the Floodplain Management Section of the Indiana Department of Natural Resources, Division of Water.
2. In addition to review and approval of a zoning variance, site plan approval in accordance with 154-17-090 is also required prior to issuance of ay building or zoning permit.
3. Any structure approved by zoning variance (variance of development standards) under this section must have the elevation of the lowest floor, including the basement, certified by a registered professional Engineer or architect, licensed in the State of Indiana, as being at least 2 above the base flood elevation. This required certification must be at the same time as or before the required foundation inspection (after the foundation is complete) and before commencement of any additional construction on the project or property.
4. For any development requiring an onsite sewage disposal system, subsurface trench soil absorption systems may not be constructed with the bottom of any trench below the regulatory flood. Elevated sand mound soil absorption systems may not be constructed with the original grade below the regulatory flood. Septic tanks and dosing tanks may not be installed with the top of the riser below the regulatory flood.

154-16-020. Fences and Walls

A. Farms

Farm fences are permitted in A-1 zoning districts and along all farm property lines. Farm fences may not be located within existing or planned road rights-of-way.

B. Business and Industrial Districts

Fences and walls in business and industrial districts are subject to the following regulations:

1. Fences and walls up to 8 feet in height are permitted along interior side and rear lot lines and in interior side and rear yards. Such fences and walls may include up to 3 strands of barb wire spaced no more than 6 inches apart above the 8-foot height limitation.
2. Chain-link and similar non-sight obscuring fences up to 8 feet in height are permitted in street yard areas, but they may not be located within existing or planned street rights-of-way. The director is authorized to require a survey when the location of a fence or wall relative to existing or planned rights-of-way cannot be readily determined.

C. Residential Districts

Fences and walls in residential districts are subject to the following regulations:

1. Fences and walls up to 6 feet in height are permitted along interior side and rear lot lines and in interior side and rear yards.
2. Fences and walls up to 3.5 feet in height are permitted in street yard areas, but they may not be located within existing or planned street rights-of-way. The director is authorized to require a survey when the location of a fence or wall relative to existing or planned rights-of-way cannot be readily determined.
3. Barbed wire, razor concertina, concertina wire, electric fences and similar hazardous materials are prohibited in residential zoning districts.

D. Hedges

Hedges and natural plantings are subject to the same location and height regulations that apply to fences and walls.

E. Fences in Easements

1. Property owners are responsible for removing and replacing fences, walls, and other structures placed within easements whenever the county or utility service providers require access to work within the easement.
2. Fences and walls within drainage easements must be installed in a manner that does not restrict overland flow of stormwater. When fences or walls are placed within drainage easements, at least 2 inches of clearance must be provided between the bottom of the fence/wall and the ground level below.

154-16-030. Street Frontage and Access

Every lot must have frontage on an improved street maintained by the county highway department and accepted into the state highway or county roadway system.

154-16-040. Intersection Visibility

A. Applicability

The intersection visibility regulations of this section apply to corner lots in all zoning districts.

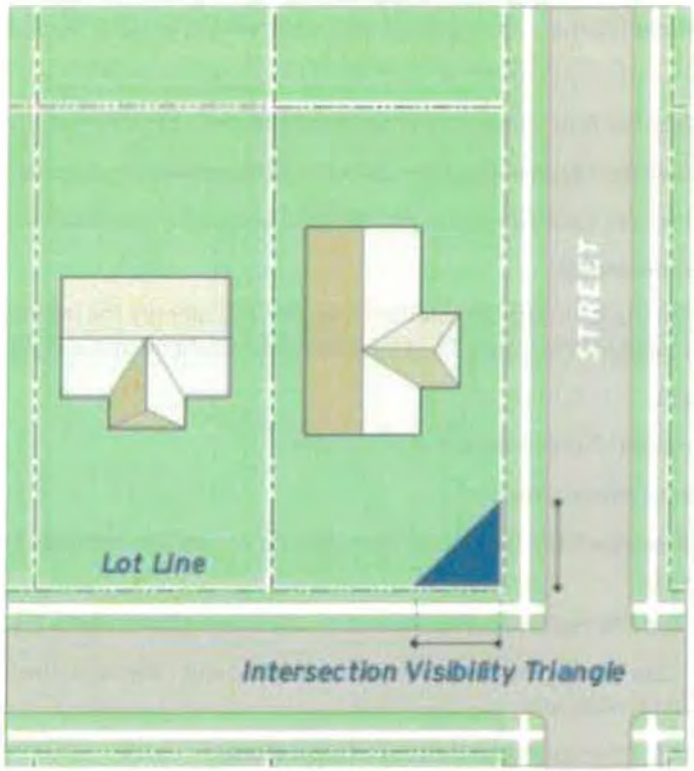
B. Visibility Triangles Established

An imaginary intersection visibility triangle is established on corner lots at the intersection of all streets. Nothing may be erected, placed, planted, or allowed to grow between a height of 3 feet and 10 feet above the elevation of the center-point of the street intersection within the defined visibility triangle area. This prohibition does not apply to highway and traffic signs, and public utility lines and non-opaque fences.

C. Visibility Triangles Defined

Intersection visibility triangles are formed by 2 lines that begin at the point of intersection of the subject lot's street lot lines. These lines extend for a distance of 20 feet along each street lot line. A third connecting line completes the triangle.

Figure 16-1: Intersection Visibility Triangle



154-16-050. Traffic Impact Analyses (TIAs)

A. Purpose

The regulations of this section are intended to help ensure that the traffic and transportation impacts of proposed developments are identified, evaluated, and mitigated as necessary. The purpose of a transportation impact analysis is to assess the effects that a proposed development will have on traffic circulation, traffic safety, and livability within the surrounding area.

B. Applicability

1. A TIA is required for any new residential or nonresidential development or expansion of existing development that would result in average daily traffic counts of 500 or more vehicles per day (ADT) or 100 or more vehicles per peak traffic hour (PHT). This traffic count must be based on the latest version of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.
2. A TIA is not required if the property to be developed has been the subject of a TIA within the previous 3 years and the projected trip generation of the newly proposed development is equal to or less than the previous TIA performed, and the trip distribution has not significantly changed.
3. For sites of special traffic concern (such as those found along blind curves, streets that exceed their design capacity, when driveways will be in close proximity to an existing traffic signal, etc.), the director or county highway department may require a technical memo or signal warrant analysis, prepared by a professional traffic engineer or transportation planner.

C. Preparation

All TIAs, whether required or voluntarily, must be prepared by a licensed engineer.

D. Scoping Meetings

Before preparing the TIA, the developer must hold a scoping meeting with the administrator and county highway department to identify the area and issues that must be addressed in the analysis.

E. TIA Considerations

1. The TIA must consider the future impact of other proposed land uses in the study area not yet developed.
2. The TIA must consider the future impact of nearby planned roadway improvement projects.
3. The TIA must consider the future impact of any officially adopted transportation plans in the study area.

F. TIA Improvement Requirements

1. The TIA must provide the following information in an effort to identify the improvements necessary to maintain LOS-D (at build-out) for streets and intersections as defined in the *Highway Capacity Manual*:
   a. Capacity analysis,
   b. Detailed description of the proposed development,
   c. Number of access points proposed,
   d. Future Level of Service (LOS) for studied intersections and street segments including the LOS at the time of build-out,
   e. Proposed AM and PM Peak Hour Trips, based on the latest edition of the ITE *Trip Generation Manual*,
   f. Average Daily Trips created by the development at build-out , based on the latest edition of the ITE *Trip Generation Manual*, and
   g. Any recommended transportation-related improvements
2. Required improvements may include the following:
   a. Construction of left turn lanes, right turn lanes, or right turn tapers;
   b. Reservation or dedication of additional right-of-way (If the subject development falls along a street projected to be widened by or shown as being widened in an adopted transportation plan); or
   c. Additional traffic safety-related improvements based on the TIA findings related to topographic/environmental conditions, sight distance, street offsets, conflicting movements, existing traffic accident counts, and other improvements deemed necessary by the county to ensure the safety and welfare of the county's citizens and travelers.
3. A TIA may not be used as a basis for the county to require property owners or developers to make transportation improvements that are not warranted by the property for which the TIA is submitted.

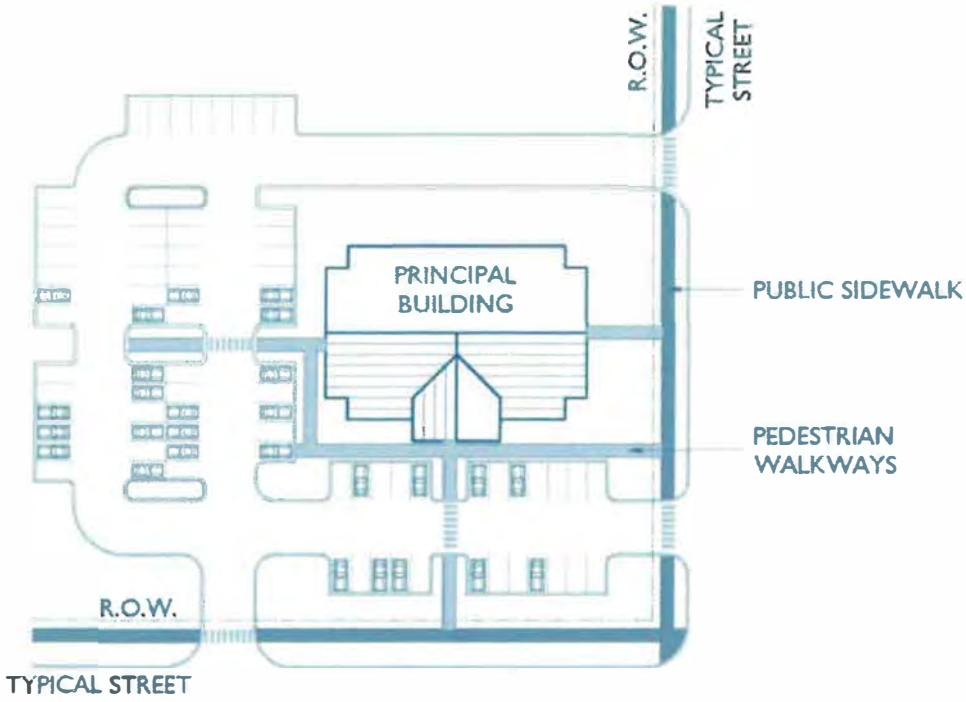
154-16-060. Water Supply and Sewage Disposal

All new and existing uses must provide water supply and sewage disposal facilities conforming to standards of design and location approved by the Lake County Health Department. These regulations may, in some cases, impose larger minimum lot area requirements than this UDO or require connection to central water and sewer facilities when such infrastructure is located nearby.

154-16-070. On-Site Pedestrian Walkways

Pedestrian walkways must be provided to connect each principal building on a site with the following: adjacent public sidewalks, on-site parking lots or parking structures, other on-site principal use buildings, bicycle storage areas, and outdoor activity areas. The pedestrian walkway system must comply with all applicable county requirements.

Figure 16-2: On-site Pedestrian Walkways



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Article 17 | Review and Approval Procedures

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154-17-010. Common Provisions

A. Applicability

The common provisions of this section apply to all procedures in this article unless otherwise expressly stated.

B. Indiana Code

The review and approval procedures of this UDO are intended to comply with the provisions of the Indiana Code. If any provision of this UDO is in conflict with any provision of the Indiana Code or if this UDO fails to incorporate a provision required for implementation of the Indiana Code, provisions of the Indiana Code govern.

C. Review and Decision-making Authority (Summary Table)

Table 17-1 provides a summary of the review and approval procedures of this article. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this article, the detailed procedures govern.

Table 17-1: Review and Decision-making Authority Summary Table

Procedure	Staff	Plat Committee	Plan Commission	Board of Zoning Appeals	County Council	Public Notice
UDO Text Amendments	R	–	<R>	–	DM	N
Zoning Map Amendments	R	–	<R>	–	DM	N,M
Rezoning Plans	R	–	<R>	–	DM	N,M
Minor Subdivisions	R	<DM>	–	–	–	N,M
Major Subdivisions	R	–	<DM>	–	–	N,M
Administrative Site Plans	DM	–	–	–	–	–
Plan Commission Site Plans	R	–	<DM>	–	–	–
Special Exceptions	–	–	<R>	<DM>	–	N,M
Zoning Variances	–	–	–	<DM>	–	N,M
Appeals of Administrative Decisions	–	–	–	<DM>	–	N,M

R = Review body (review and recommendation) | **DM** = Decision-making body (final decision to approve or deny)
< > = Public hearing required | Hearing Notice: **N** = Newspaper; **M** = Mail

D. Applications and Fees

1. Pre-application Meetings and Study Sessions

a. Purpose

(1) Pre-application meetings provide an early opportunity for staff and applicants to discuss the procedures, standards, and regulations required for development approval under this UDO.

(2) Study sessions provide an early opportunity for the plan commission to discuss the feasibility of the applicant's proposal and conduct a preliminary evaluation of possible land use impacts.

b. Applicability

Pre-application meetings and study sessions are required whenever the provisions of this UDO expressly state that they are required.

c. Scheduling

Pre-application meetings must be scheduled with the director.

d. Guidelines

The director is authorized to establish guidelines for pre-application meetings, including information to be provided and any available alternatives to face-to-face meetings, such as telephone calls and email correspondence. The plan commission is authorized to establish guidelines for study sessions, including information to be provided.

2. Owner-initiated Applications

Whenever the provisions of this UDO allow the filing of an application by the owner of the subject property owner, that application must be filed by the subject property owner or the subject property owner's authorized agent.

3. Form of Applications and Plans

Applications, plans, and plats required under this UDO must be submitted in a form and in such numbers as required by the official responsible for accepting the application. Application forms and submittal requirement checklists must be made available to the general public (see also Appendix 7: Specifications for Plats and Plans).

4. Application Filing Fees and Notification Costs

a. All applications must be accompanied by the fee amount established in Table 17-2.The plan commission is also authorized to recoup any extraordinary costs of providing required public notices, including the preparation of certified lists of property owners, mailing, and publication costs, as set forth in the plan commission rules.

b. Unless otherwise expressly stated, application fees are nonrefundable.

Table 17-2: Application Fees

Application Type	Fee Amount	Notes
Zoning Map Amendments		
Agricultural or Residential Rezoning	$200	
All other Rezonings	$400	Plus $25 per acre or portion of acre
Special Exceptions	$200	Plus $10 per acre or portion of acre
Subdivisions		
Sketch Plan	$100	
Primary Plat (major subdivision)	$500	
Secondary Plat (major subdivision)	$250	
Minor Subdivision	$500	Flat, one-time fee
Vacation	$200	
Subdivision Waivers	$200	Per waiver
Extension of Approval	$200	
Site Plan/Rezoning plan	$200	Plus $25 per acre or portion of acre; total fee not

Application Type	Fee Amount	Notes
		to exceed $780
Zoning Variances		
Use Variances	$400	
All other Zoning Variances	$200	
Appeals of Administrative Decisions	$300	Refundable if the decision is reversed
Zoning Permit Fees	As established in the Building Code (Ord. No 18)	
Certificates of Occupancy (copies)	$1 each	
Special-Called Meeting		
Plan Commission	$750	
Board of Zoning Appeals	$300	

5. **Application Completeness, Accuracy and Sufficiency**

   a. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required application fee.

   b. If an incomplete application is submitted, the official responsible for accepting the application is authorized to reject the submittal or return the incomplete application to the applicant along with an explanation of the application's deficiencies.

   c. No further processing of incomplete applications will occur, and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the first available processing cycle.

   d. Applications deemed complete will be considered to be in the processing cycle and will be reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures of this UDO.

   e. The official responsible for accepting the application may require that applications or plans be revised before being placed on an agenda for possible action if the director determines that:

      (1) The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with UDO requirements or other regulations;

      (2) The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with UDO requirements or other regulations; or

      (3) The decision-making body does not have legal authority to approve the application.

E. Application Processing Cycles

The director and other officials responsible for accepting applications, after consulting with review and decision-making bodies, is authorized to promulgate reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

F. Public Hearing Notice

1. **Publication in Newspaper**
   Whenever the procedures of this article require that newspaper notice be provided, the notice must be published in a newspaper of general circulation within Lake County.

2. **Mailed Notice**
   Whenever the procedures of this article require that notices be mailed, the notices must be sent by United States Postal Service (USPS) first class mail. Applicants are responsible for providing the names and addresses of all property owners required to be notified by mail. Ownership information must be based on the most recent property tax rolls from the Lake County Auditor's Office, a title company, or the township tax assessor.

3. **Content of Required Notices**
   All required public hearing notices must:
   a. Indicate the date, time and place of the public hearing that is the subject of the notice;
   b. Describe any property involved in the application by legal description and by street address (if available) or by common description;
   c. Describe the action sought in the application or proposal;
   d. Identify who will conduct the hearing; and
   e. Indicate where additional information on the matter can be obtained.

G. Hearing Procedures

1. The body conducting a public hearing is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.
2. Once commenced, a public hearing may be continued. No re-notification is required if the continuance is set for specified date and time and that date and time is announced at the time of the continuance.
3. If a public hearing is continued, tabled, or postponed for an indefinite period of time from the date of the originally scheduled public hearing, new public hearing notice must be given before the rescheduled public hearing.
4. If the applicant requests and is granted a continuance or postponement requiring renotification, the applicant must pay any costs of renotification.

H. Action by Review Bodies and Decision-Making Bodies

1. In taking action under the procedures of this article, review and decision-making bodies must act by simple majority vote, unless otherwise expressly stated.
2. Review and decision-making bodies may take any action that is consistent with:
   a. The regulations of this UDO;
   b. Any rules or by-laws that apply to the review or decision-making body; and
   c. The notice that was given.
3. In acting on zoning map amendments, the plan commission is authorized to recommend, and the county council is authorized to approve a less intensive zoning district classification than the zoning district requested and described in any public notices that were provided.
4. Review and decision-making bodies are authorized to continue a public hearing or defer action in order to receive additional information or further deliberate.

I. Decision-Making Criteria; Burden of Proof or Persuasion

Applications must address relevant review and decision-making criteria. In all cases, the burden is on the applicant to show that an application or proposal complies with all applicable review or approval criteria.

J. Conditions of Approval

1. When this UDO authorizes a decision-making body to approve or deny a petition, the review body may approve the petition with conditions necessary to bring the proposed development into compliance with this UDO or other regulations, or to mitigate the impacts of the subject development on the surrounding area.
2. All conditions of approval must be reasonably related to the anticipated impacts of the proposed use or development or be based on regulations duly adopted by the county. Such conditions may include those necessary to carry out the purpose and intent of the comprehensive plan, other adopted plans, and this UDO.

3. Conditions of approval may not be less restrictive than the requirements of this UDO, except when provisions of this UDO expressly allow the imposition of less restrictive requirements.

4. Any condition of approval that requires an applicant to dedicate land or pay money to a public entity in an amount that is not calculated according to a formula applicable to an entire class of applicants must be roughly proportional both in nature and extent to the anticipated impacts of the proposed development, as shown through an individualized determination of impacts.

5. During its consideration, decision-making bodies may consider alternative potential conditions, and no discussion of potential conditions will be deemed an attempt or intent to impose any condition that would violate the federal or state constitution, statutes, or regulations. Discussions of potential conditions to mitigate impacts do not reflect actions by the decision-making body unless and until the decision-making body takes formal action to attach that condition to a development approval.

6. Unless otherwise provided in this UDO, any representations of the petitioner in submittal materials or during public hearings are deemed binding conditions of approval. Any conditions imposed must be listed in or attached to the approval document, and violation of any approved condition constitutes a violation of this UDO.

K. Commitments

1. Authority

Pursuant to Indiana Code § 36-7-4-1015, authorized decision-making bodies may allow or require property owners for the following forms of approval to make a written commitment concerning use or development when such commitment will have the effect of promoting the goals of the comprehensive plan or the purposes of this this UDO:

a. Zoning map amendments;

b. Primary subdivision plats

c. Subdivision waivers;

d. Special exceptions; and

e. Zoning variances.

2. Approval Procedure

The procedure by which the final decision-making body allows or requires a written commitment is the same as the procedure set forth in this UDO for the underlying approval. No additional notice or hearing is required for the consideration or approval of a commitment.

3. Recording

A commitment established pursuant to this UDO must be recorded in the county recorder's office upon approval of the application. No zoning or building permits may be issued for the subject property until the applicant delivers a copy of the recorded commitment instrument to the director.

4. Effect of Commitments

a. A commitment made under this UDO takes effect upon approval of the subject application.

b. Zoning and building permits may not be issued for development or construction that does not comply with the recorded conditions or commitments.

5. Modification or Termination

a. Property owners may request modification or termination of approved/recorded commitments.

b. The procedures for considering requests to modify or terminate commitments are the same as the procedures set forth in this UDO for the approval to which the commitments were originally associated, including any applicable requirements for public notice and hearings.

c. A modified or terminated commitment must be recorded in the county recorder's office upon approval of the request for modification or termination. No zoning or building permits may be issued for the subject property until the applicant delivers a copy of the recorded instrument to the director.

L. Required Timeframes for Action
Any time limit specified in this UDO for any decision or action on behalf of a review or decision-making body may be extended if the applicant agrees to an extension. Unless otherwise expressly stated, if a review or decision-making body does not render a decision or take action within any time period required under this UDO and the applicant has not agreed to an extension of that time limit, the application is deemed denied.

154-17-020. UDO Text Amendments

A. Indiana Code
If the ordinance text amendment procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

B. Authority to Initiate
Amendments to the text of this UDO may be initiated only by members of the county council or plan commission or by the director.

Figure 17-1: UDO Text Amendment Process (Generally)



C. Review and Recommendation—Director
The director must prepare a report and recommendation on the proposed UDO text amendment. The report must be transmitted to the plan commission before its public hearing on the proposed amendment.

D. Notice of Hearing
Notice of the required public hearings on a UDO text amendment must be published in the newspaper at least 10 days before the required public hearing (see also 154-17-010.F).

E. Hearing and Recommendation—Plan Commission
The plan commission must hold a public hearing on all proposed UDO text amendments. Following the close of the public hearing, the plan commission must forward the proposed amendment to the county council with:

1. A recommendation for approval;
2. A recommendation for approval with modifications;
3. A recommendation for denial; or
4. No recommendation.

F. Final Action—County Council
The county council must act on the proposed amendment in accordance with Indiana Code § 36-7-4-607, which governs adoption of UDO text amendments.

G. Review and Approval Criteria
The decision to amend the text of this UDO is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about UDO text amendments, review and decision-making bodies must consider all relevant factors, including at least the following:

1. Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan; and
2. Whether the proposed UDO text amendment corrects an error or inconsistency or is necessary or desirable to meet the challenge of a changed or changing condition.

154-17-030. Zoning Map Amendments (Rezonings)

A. Indiana Code

If the zoning map amendment procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

B. Authority to File

Amendments to the zoning map may be initiated only by the county council, the plan commission, or by petition of property owners who own at least 50% of the land area that is the subject of the proposed zoning map amendment.

Figure 17-2: Zoning Map Amendment Process (Generally)



C. Preapplication Meeting and Study Session

1. A property owner requesting approval of a zoning map amendment application for any of the following must first attend a pre-application meeting in accordance with 154-17-010.D.1:
   a. Any property owner-initiated rezoning to a CD (Conditional Development) zoning district;
   b. Any property owner-initiated rezoning from an A-1 or R zoning district to a business or industrial zoning district;
   c. Any property owner-initiated rezoning to an R-3 or R-5 district;
   d. Any property owner-initiated rezoning of more than 45 acres to an RR district;
   e. Any property owner-initiated rezoning of more than 10 acres to an R-1 district; and
   f. Any property owner-initiated rezoning of more than 5 acres to an R-2 district.
2. Following completion of the required pre-application meeting, the applicant must appear before the plan commission in one or more study sessions before submitting the formal zoning map amendment application. No fee or formal application is required for study session meetings. However, the applicant is responsible for providing all information and documentation deemed appropriate and required by the staff and the plan commission for the study session.
3. Applicants are responsible for delivering mailed notice of the initial required plan commission study session to owners of property within 500 feet of the subject property at least 10 days before and no more than 25 days before study session (see also 154-17-010.F).

D. Application Filing

Property owner-initiated applications for zoning map amendments must be filed with the director.

E. Review and Recommendation—Director

Following receipt of a complete zoning map amendment application or initiation of zoning map amendment by the plan commission or the county council, the director must prepare a report and recommendation on the

proposed zoning map amendment. The report must be transmitted to the plan commission before its public hearing on the proposed amendment.

F. Notice of Hearing

Notice of the required public hearings on a zoning map amendment must be published in the newspaper and mailed to owners of property abutting the subject property at least 10 days before the public hearing (see also 154-17-010.F).

G. Hearing and Recommendation—Plan Commission

Following receipt of a complete application for a zoning map amendment or initiation of a zoning map amendment by the plan commission or county council, the plan commission must hold a public hearing on the proposed amendment. Following the close of the public hearing, the plan commission must forward the proposed amendment to the county council with:

1. A recommendation for approval;
2. A recommendation for approval with modifications;
3. A recommendation for denial; or
4. No recommendation.

H. Final Action—County Council

The county council must act on the proposed amendment in accordance with Indiana Code § 36-7-4-608, which governs adoption of zoning map amendments.

I. Review and Approval Criteria

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision-making bodies give reasonable consideration to at least the following factors:

1. The comprehensive plan;
2. Current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

J. Conditions and Commitments

1. The plan commission may recommend, and the county council may accept or require written commitments concerning the use or development of the property that is the subject of a zoning map amendment request, as authorized under Indiana Code § 36-7-4-1015 (See also 154-17-010.K).
2. A commitment made in connection with a zoning map amendment terminates automatically if, after adoption of the zoning map amendment, the property is rezoned to another zoning classifications.

154-17-040. Rezoning Plans

A. Purpose

Rezoning plans are required with some property owner-initiated rezonings and are optional with other property owner-initiated rezonings. Their purpose is to depict a property owner's generalized plan for the type, amount and character of development proposed on the subject property. By providing greater certainty about development proposals, rezoning plans provide the plan commission and county council with additional information on which to base rezoning decisions.

B. Applicability

1. Mandatory

Rezoning plans are required (mandatory) for CD (Conditional District) and MPD (Master Planned Development) zoning map amendments (see 154-5-020 and 154-5-030). They are also required for amendments to existing BP (Planned Business Center District), PIC (Planned Industrial Center District), and PUDs (Planned Unit Developments).

2. Optional

Property owners may elect to submit an optional rezoning plan with any zoning map amendment application. In acting on optional rezoning plans, the plan commission is authorized to recommend, and the county council is authorized to approve conditions and commitments that are at least as restrictive or are more restrictive than the regulations of the zoning district to be applied to the property. Optional rezoning plans may not be used to obtain exceptions or variances from otherwise applicable UDO regulations.

C. Application Filing

Complete applications for rezoning plan approval must be filed with the director concurrently with a zoning map amendment application.

D. Process

Mandatory and optional rezoning plans are processed concurrently with and in the same manner as zoning map amendments (see 154-17-030), unless otherwise expressly stated in this section.

E. Requirement for Filing of Site Plan

1. Unless a longer time period or a phasing plan is approved at the time of approval of a mandatory rezoning plan, a complete application for site plan approval must be filed within 2 years of the date of mandatory rezoning plan approval. If an application for site plan approval is not filed within the time required, no further site plans may be approved for the project until the subject property owner has filed the original or amended rezoning plan for re-review and reconsideration by the plan commission and county council. Such re-review and reconsideration must follow the mandatory rezoning plan review procedures of this UDO. Following re-review and reconsideration, the plan commission is authorized to recommend, and the county council is authorized to approve any of the following actions based on surrounding land use patterns and other relevant information presented at the time of reconsideration by the plan commission and county council:

   a. An extension of time for filing a site plan;

   b. An amendment to the approved mandatory rezoning plan; or

   c. Rezoning to another zoning district in accordance with the zoning map amendment procedures of 154-17-030.

2. The site plan filing deadline established in 154-17-040.E.1 does not apply to optional rezoning plans.

F. Amendments to Approved Rezoning plans

1. Minor Amendments

a. The plan commission is authorized to approve amendments to approved rezoning plans as minor amendments if the plan commission determines that substantial compliance is maintained with the approved rezoning plan. The following is a non-exhaustive list of changes that may be considered as minor amendments:

   (1) Any deviation expressly authorized at the time of rezoning plan approval;

   (2) The relocation or addition of customary accessory uses and structures;

   (3) Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered;

(4) Limitation or elimination of previously approved uses, provided the character of the development is not substantially altered;

(5) Modification of the internal circulation system that would not increase points of access from adjacent streets, change access to another street or increase projected traffic volumes;

(6) Lot splits that modify a recorded plat and that have been reviewed and approved, as required by the subdivision regulations;

(7) Modifications to approved signage, provided the size, location, number, and type of signs is not substantially altered;

(8) Modification to approved screening and landscaping plans, provided the modification is not a substantial deviation from the original approved plan;

(9) Changes reducing the number of permitted dwelling units, the amount of nonresidential floor area or the area covered by buildings or paved areas; and

(10) Reductions in off-street parking or loading by more than 10% or one space, whichever results in a greater reduction.

b. In those cases when the county council has expressly imposed a condition more restrictive than recommended by the plan commission, any amendment of that county council-imposed condition must be reviewed and approved by the county council.

c. Notice of the plan commission's public hearing on a rezoning plan minor amendment request must be provided at least 10 days in advance of the hearing by mailing written notice to all owners of property abutting the subject property.

d. If the plan commission determines that the proposed rezoning plan amendment, if approved, will result in a significant departure from the approved rezoning plan or otherwise significantly change the character of the subject area or that the cumulative effect of a number of minor amendments substantially alters the approved rezoning plan, then the amendment must be deemed a major amendment to the rezoning plan and processed as a new rezoning plan following the rezoning plan approval procedure of this section, including all requirements for fees, notices and hearings.

2. **Appeals Minor Amendment Decisions**
Appeals of minor amendment decisions are processed as major rezoning plan amendments.

3. **Major Amendments**
Any amendment to an approved rezoning plan that is not authorized as a minor amendment must be processed as a new rezoning plan following the rezoning plan approval procedure of this section, including all requirements for fees, notices, and hearings.

154-17-050. Minor Subdivisions

A. Applicability

Property owners may elect to use the minor subdivision procedures of this section in-lieu of the major subdivision procedures of 154-17-060 for any of the following, provided that any subdivision requiring a waiver must be processed in accordance with the major subdivision and subdivision waiver procedures of 154-17-060 and 154-17-070, respectively):

1. A subdivision resulting in the creation of no more than 3 lots, all of which have frontage on a perimeter street, require no new streets or public improvements and do not involve any subdivision waivers.

2. A subdivision or resubdivision of a nonresidential development that requires no new streets or public improvements;

3. A resubdivision that involves only the removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel (i.e., combination of lots);
4. A resubdivision that involves only the removal or relocation of easements on the property, subject to approval of any utility or public authority having interest in the easement;
5. A resubdivision that involves only the changing of notations written on a plat or correction of errors on a plat;
6. A division of land carried out pursuant to an allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property;
7. A resubdivision to correct errors in an existing legal description, provided that no additional building lots are created;
8. A land division for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created and provided that the exchange does not serve to reduce lot area or other dimensions below required minimums; or
9. A land division or resubdivision to accommodate acquisition of street right-of-way or easements by the public or a utility for street right-of-way or easement purposes.

B. Successive Applications

The minor subdivision procedures of this section may not be used for a land division that would, if approved. create more than 3 lots from the parent parcel, as calculated cumulatively, for the 5-year period immediately preceding the submittal date of the subject minor subdivision application.

C. Indiana Code

If the minor subdivision approval procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

D. General Process

The minor subdivision review and approval process is a multi-step process requiring:

1. Sketch plan review;
2. Primary plat (including engineering plan) approval by plat committee;
3. Secondary plat approval by the director; and
4. Plat recording.

Figure 17-3: Minor Subdivision Process (Generally)



E. Sketch Plan

1. **Application Submittal**

   Applications for minor subdivision sketch plan review must be submitted to the director. The applicant is also responsible for distributing copies of the sketch plan to the following review agencies:

   a. County surveyor;

   b. County highway department;

c. County health officer;

d. Lake county soil and water conservation district; and

e. Any other relevant agencies, as identified by the director.

2. **Sketch Plan Review Meeting**
Following a review of the minor subdivision sketch plan and other materials by the plan commission staff and relevant review agencies, the director must schedule a sketch plan review meeting to discuss plan commission staff and review agency comments.

F. Primary Plat

1. **Application Submittal**
Applications for minor subdivision primary plat approval must be submitted to the director.

2. **Director and Agency Review**

a. Upon receipt of a complete application for primary plat approval, the director must review the primary plat for compliance with the regulations of this UDO and other applicable regulations.

b. Once the director determines that the primary plat application is complete, copies of the submitted primary plat must be stamped by the director and delivered to the following review agencies:

(1) The post office;

(2) County surveyor;

(3) County highway department;

(4) County health officer;

(5) Lake county soil and water conservation district;

(6) Utility companies serving the proposed subdivision; and

(7) Any other relevant agencies, as identified by the director.

c. Unless otherwise specified by the director, the applicant is responsible for delivery of the primary plat to the review agencies identified in 154-17-050.F.2. The applicant is also responsible for delivering all agency comments and reports to the director by the established deadline. Failure to have such comments and reports submitted by the established deadline may result in a delay of the committee's consideration.

d. Following receipt of agency review comments and reports, the director must prepare a recommendation and deliver review agency comments to the plat committee.

3. **Hearing and Decision—Plat Committee**

a. Following receipt of a recommendation and review agency comments from the director, the plat committee must hold a public hearing on the minor subdivision primary plat application.

b. Notice of the required public hearing on a minor subdivision primary plat must be published in the newspaper and mailed to owners of property abutting the subject property at least 10 days before the public hearing (see also 154-17-010.F).

c. Following the close of the plat committee's public hearing, the committee must act to approve or disapprove the minor subdivision primary plat.

d. The plat committee's action must be based solely on whether the proposed primary plat complies with all applicable regulations. (Note: subdivisions requiring waivers must be processed in accordance with the major subdivision and subdivision waiver procedures of 154-17-060 and 154-17-070, respectively).

e. If the minor subdivision primary plat is approved with conditions, the secondary plat and any other required submittals related to the subdivision review process must demonstrate compliance with the imposed conditions. The plat committee is also authorized to require the applicant to submit a revised primary plat that complies with the imposed conditions.

f. At the time of minor subdivision primary plat approval or conditional approval, the plat committee is expressly authorized to specify that any and all secondary plats for the subject development be returned to the plat committee for a final decision.

4. **Conditions and Commitments**
The plat committee may accept or require written commitments concerning the use or development of property that is the subject of primary plat approval of a proposed minor subdivision, as authorized under Indiana Code § 36-7-4-1015 (See also 154-17-010.K).

5. **Effect of Approval**
Upon approval of the minor subdivision primary plat and any engineering plans, the applicant may proceed with submittal of the required secondary plat.

6. **Lapse of Approval**

a. Except as otherwise expressly stated in these regulations, an approved minor subdivision primary plat remains valid and effective for one year from the date of approval by the plat committee. If secondary plat approval has not occurred within this one-year period, primary plat approval lapses and is of no further effect.

b. The plat committee is also authorized to rescind approval of a primary plat prior to their approval of a secondary plat if the commission determines that information provided by the applicant and upon which the primary plat approval or conditional approval was based, was false or misleading.

7. **Extension of Primary Plat Approval**

a. The plat committee is authorized to approve one or more extensions of minor subdivision primary plat approval for a maximum of one year per extension.

b. Applicants must file extension requests with the director before the primary plat approval lapses.

c. Notice of the plat committee's public hearing on the primary plat extension request must be provided in accordance with the notice requirements that apply to primary plats (See 154-17-060.E.3.b).

d. The plat committee's decision on a primary plat extension request must be based on the following criteria:

(1) Whether circumstances affecting the timing of secondary plat approval have changed and are beyond the control of the applicant;

(2) Whether the applicant can meet the new deadline despite the changed circumstances;

(3) Whether all aspects of the plat committee's original decision to approve the primary plat will continue to be valid if the extension is granted;

(4) Whether there have been any significant changes in ordinance regulations or development standards affecting the property in question;

(5) Whether any significant changes in or near the area included in the primary plat have occurred or are expected to occur within the extension period that would change the evaluation of the primary plat; and

(6) Whether planning and provision of public facilities and services in the area will be adversely affected if the extension is granted.

e. In approving an extension request, the plat committee is authorized to impose conditions and to impose updated engineering and construction requirements as deemed necessary to protect the public interest.

G. Engineering Plans

1. Application Submittal

Any required engineering plans (addressing hydrology, hydraulics, grading, water distribution, sewage collection, stormwater management and paving) must be submitted for review and approval as part of the primary plan approval phase of the minor subdivision process. Required engineering plans must be approved before any construction occurs and before the secondary plat is approved.

2. Review and Approval

a. Review agencies must review proposed engineering plans for compliance with all applicable regulations and standards. Applicants must revise and resubmit engineering plans for review, as necessary to address review agency comments.

b. Proposed engineering plans may be approved only after all applicable engineering requirements have been met.

H. Secondary Plat

1. Application Submittal

Applications for minor subdivision secondary plat approval, including the secondary plat must be submitted to the director following plat committee approval of the primary plat and before such approval lapses (see 154-17-060.E.6).

2. Intake and Distribution to Review Agencies

Once director determines that the secondary plat application is complete, copies of the submitted minor subdivision secondary plat must be stamped by the director and delivered to:

a. The post office;

b. County surveyor;

c. County highway department;

d. County health officer;

e. Lake county soil and water conservation district;

f. Utility companies serving the proposed subdivision; and

g. Any other relevant agencies, as identified by the director.

3. Responsibility for Delivery

Unless otherwise specified by the director, the applicant is responsible for delivery of the minor subdivision secondary plat to the review agencies identified in 154-17-050.H.2. The applicant is also responsible for delivering all agency comments and reports to the director by the established deadline. Failure to have such comments and reports submitted by the established deadline may result in a delay of consideration and action on the secondary plat.

4. Review and Action—Director

a. The director is authorized to authorized to approve the minor subdivision secondary plat on behalf of the plat committee if the plat is consistent with:

(1) The approved primary plat;

(2) All conditions of primary plat approval; and

(3) All applicable regulations.

b. The director is also authorized to forward any secondary plat to the plat committee for review and final decision. Applicants may also elect to request that the secondary plat be forwarded to the plat committee for a final decision.

c. If the director determines that the minor subdivision secondary plat is inconsistent with the approved primary plat or any conditions of primary plat approval, the secondary plat may not be approved by the director but instead must be forwarded to the plat committee for a final decision.

5. Plat Committee Action

a. The plat committee is not required to review and act on minor subdivision secondary plats unless:

(1) The director determines that the secondary plat is inconsistent with the approved primary plat or any conditions of primary plat approval;

(2) The applicant requests review and action by the plat committee; or

(3) The director elects to forward the secondary plat to the plat committee, without acting on the plat.

b. Following receipt of a secondary plat application from the director, the plat committee must review the secondary plat and the report and recommendation of the director and act to grant final approval or conditional approval or disapprove the secondary plat.

c. The plat committee is authorized to grant conditional approval of a secondary plat pending receipt of applicable release letters and other documents evidencing review agencies' determination of compliance or pending correction of any minor inconsistencies between the approved primary plat and the secondary plat or any conditions of approval imposed at the time of primary plat approval. Minor inconsistences are those that the plat committee deems to be scrivener's errors or insignificant deviations that do not:

(1) Alter the general layout of the subdivision;

(2) Increase the number of lots within the subdivision; or

(3) Significantly impact infrastructure or neighboring properties.

d. If the plat committee determines that inconsistencies between the approved primary plat and secondary plat are significant, the committee is authorized to deny secondary plat approval and require that a revised primary plat be submitted in accordance with the procedures of 154-17-060.E.

e. The plat committee must act on secondary plats within 30 days of the date that the plat was forwarded to the committee unless the applicant agrees to an extension of time for plat committee action. If the plat committee fails to act on the secondary plat application within the time required, including any extension agreed to by the applicant, the secondary plat is deemed approved.

f. Action on secondary plats requires a simple majority vote of the plat committee.

g. The plat committee's action must be based on whether the secondary plat is in conformance with the approved primary plat, including any conditions of approval and whether it complies with all applicable regulations.(Note: subdivisions requiring waivers must be processed in accordance with the major subdivision and subdivision waiver procedures of 154-17-060 and 154-17-070, respectively).

6. Endorsements

a. A minor subdivision secondary plat is not deemed to have been finally approved and may not be recorded until all requirements of secondary plat approval have been met and the endorsements are recorded on the face of the plat by designated officials.

b. If the applicant elects to install required improvements before recording the plat, approval of the improvements may not be endorsed on the plat until all conditions of the approval have been satisfied and all improvements satisfactorily completed.

c. If the applicant elects to provide performance guarantees and financial surety instead of installing required improvements before recording the plat, approval may not be endorsed on the plat until:

(1) All conditions of the approval pertaining to the secondary plat have been satisfied;

(2) An agreement to install required improvements has been executed and delivered to the plat committee; and

(3) All applicable performance guarantee requirements of 154-12-170 have been met.

7. **Release of Secondary plat; Recording**
After the minor subdivision secondary plat has received all required endorsements, the director must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed secondary plat with the county recorder and for providing a digitized copy of the recorded plat and evidence of recordation to the director. No lot proposed to be created through the subdivision process may be sold or offered for sale and no building permits may be issued for any lot until all of the provisions of this paragraph (154-17-050.H.7).

154-17-060. Major Subdivisions

A. Applicability

The major subdivision procedures of this section apply to subdivisions that do not meet the criteria for processing as a minor subdivision (in accordance with 154-17-050.A) or an exempt land division (as defined in 154-22-090), including all subdivisions resulting in the creation of 4 or more lots or requiring new streets or public improvements. Any subdivision requiring a waiver must be processed in accordance with the major subdivision procedures of this section and the subdivision waiver procedures of 154-17-070.

B. Indiana Code

If the major subdivision approval procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

C. General Process

The major subdivision review and approval process is a multi-step process requiring:

1. Pre-application meeting/sketch plan review;
2. Plan commission study session (as applicable);
3. Primary plat approval by plan commission, including engineering plan approval;
4. Secondary plat approval by director; and
5. Plat recording.

Figure 17-4: Major Subdivision Process (Generally)



D. Preapplication Meeting (Sketch Plan) and Study Session

1. A property owner requesting approval of a major subdivision primary plat must prepare a sketch plan and attend a pre-application meeting in accordance with 154-17-010.D.1. The applicant is responsible for distributing copies of the sketch plan to the following review agencies before the pre-application meeting:
   a. County surveyor;
   b. County highway department;
   c. County health officer;
   d. Lake county soil and water conservation district; and
   e. Any other relevant agencies, as identified by the director.
2. If the primary plat includes more than 25 lots or more than 25 acres of land area, the applicant must also appear before the plan commission in one or more study sessions before formal submittal of the primary plat application. No fee or formal application is required for study session meetings. However, the applicant is responsible for providing all information and documentation deemed appropriate and required by the staff and the plan commission for the study session.
3. Applicants are responsible for delivering mailed notice of the initial required study to owners of property within 500 feet of the subject property at least 10 days before and no more than 25 days before study session (see also 154-17-010.F).

E. Primary Plat

1. **Application Submittal**
   Applications for major subdivision primary plat approval must be submitted to the director.
2. **Director and Agency Review**
   a. Upon receipt of a complete application for major subdivision primary plat approval, the director must review the primary plat for compliance with the regulations of this UDO and other applicable regulations.
   b. Once director determines that major subdivision primary plat application is complete and in compliance, copies of the submitted primary plat must be stamped by the director and delivered to:
      (1) The post office;
      (2) County surveyor;
      (3) County highway department;
      (4) County health officer;
      (5) Lake county soil and water conservation district
      (6) Utility companies serving the proposed subdivision; and
      (7) Any other relevant agencies, as identified by the director.
   c. Unless otherwise specified by the director, the applicant is responsible for delivery of the major subdivision primary plat to the review agencies identified in 154-17-060.E.2. The applicant is also responsible for delivering all agency comments and reports to the director by the established deadline. Failure to have such comments and reports submitted by the established deadline may result in a delay of the plan commission's consideration and action on the primary plat.
   d. Following receipt of agency review comments and reports, the director must prepare a recommendation and deliver review agency comments to the plan commission.

3. **Hearing and Decision—Plan Commission**

   a. Following receipt of a recommendation and review agency comments from the director, the plan commission must hold a public hearing on the major subdivision primary plat application.

   b. Notice of the required public hearing on a major subdivision primary plat must be published in the newspaper and mailed to owners of property abutting the subject property at least 10 days before the public hearing (see also 154-17-010.F).

   c. Following the close of the plan commission's public hearing, the commission must act to approve, conditionally approve, or disapprove the primary plat.

   d. The plan commission's action must be based on whether the proposed major subdivision primary plat complies with all applicable regulations, other than those regulations for which a subdivision waiver is expressly approved by the plan commission in accordance with 154-17-070.

   e. If a subdivision waiver is approved or conditionally approved, the plan commission must state the reasons for approval of the subdivision waiver and include the reasons in the official minutes of the meeting.

   f. If the primary plat is approved with conditions, the secondary plat and any other required submittals related to the subdivision review process must demonstrate compliance with the imposed conditions. The plan commission is also authorized to require the applicant to submit a revised primary plat that complies with the imposed conditions.

   g. At the time of major subdivision primary plat approval or conditional approval, the plan commission is expressly authorized to specify that any and all secondary plats for the subject development be returned to the plan commission for a final decision.

4. **Conditions and Commitments**
   The plan commission may accept or require written commitments concerning the use or development of the property that is the subject of primary approval of a proposed major subdivision primary plat, as authorized under Indiana Code § 36-7-4-1015 (See also 154-17-010.K).

5. **Effect of Approval**
   Upon approval of the major subdivision primary plat, the applicant may proceed with submittal of the required secondary plat.

6. **Phasing and Lapse of Approval**

   a. The plan commission is authorized to permit major subdivisions to be divided into 2 or more sections for the purpose of phasing the overall development and to impose conditions upon the filing of the sections as deemed necessary to assure the orderly development of the subdivision. Sections must contain at least 10 lots or 10% of the total number of lots contained in the approved primary plat, whichever is less. The approval of all remaining sections not filed with the staff automatically expire after 5 years of the date of primary subdivision plat approval, unless the expiration date has been extended by the plan commission.

   b. Unless the plan commission has expressly approved a plan for sectionalizing the major subdivision and developing it in phases, an approved primary plat remains valid and effective one year the date of approval by the plan commission. If secondary plat approval has not occurred within this one-year period, primary plat approval lapses and is of no further effect.

   c. The plan commission is also authorized to rescind approval of a major subdivision primary plat before their approval of a secondary plat if the commission determines that information provided by the applicant and upon which the primary plat approval or conditional approval was based, was false or misleading.

7. **Extension of Primary Plat Approval**

   a. The plan commission is authorized to approve one or more extensions of major subdivision primary plat approval for a maximum of one year per extension.

   b. Applicants must file extension requests with the director before the primary plat approval lapses.

   c. Notice of the plan commission's public hearing on the primary plat extension request must be provided in accordance with the notice requirements that apply to primary plats (See 154-17-060.E.3.b).

   d. The plan commission's decision on a primary plat extension request must be based on the following criteria:

      (1) Whether circumstances affecting the timing of secondary plat approval have changed and are beyond the control of the applicant;

      (2) Whether the applicant can meet the new deadline despite the changed circumstances;

      (3) Whether all aspects of the plan commission's original decision to approve the primary plat will continue to be valid if the extension is granted;

      (4) Whether any significant changes in or near the area included in the primary plat have occurred or are expected to occur within the extension period that would change the evaluation of the primary plat; and

      (5) Whether planning and provision of public facilities and services in the area will be adversely affected if the extension is granted.

   e. In approving an extension request, the plan commission is authorized to impose conditions and to impose updated engineering and construction requirements as deemed necessary to protect the public interest.

F. Engineering Plans

1. **Application Submittal**
   Any required engineering plans (addressing hydrology, hydraulics, grading, water distribution, sewage collection, stormwater management and paving) must be submitted for review and approval must be reviewed as part of the primary plan approval phase of the major subdivision process and must be approved before any construction occurs and before the secondary plat is approved.

2. **Review and Approval**

   a. Review agencies must review proposed engineering plans for compliance with all applicable regulations and standards. Applicants must revise and resubmit engineering plans for review, as necessary to address review agency comments.

   b. Proposed engineering plans may be approved only after all applicable engineering requirements have been met.

G. Secondary Plat

1. **Application Submittal**
   Applications for major subdivision secondary plat approval, including the secondary plat must be submitted to the director following plan commission approval of the primary plat and before such approval lapses (see 154-17-060.E.6).

2. **Intake and Distribution to Review Agencies**
   Once director determines that the major subdivision secondary plat application is complete, copies of the submitted secondary plat must be stamped by the director and delivered to:

   a. The post office;

b. County surveyor;

c. County highway department;

d. County health officer;

e. Lake county soil and water conservation district

f. Utility companies serving the proposed subdivision; and

g. Any other relevant agencies, as identified by the director.

3. **Responsibility for Delivery**
Unless otherwise specified by the director, the applicant is responsible for delivery of the major subdivision secondary plat to the review agencies identified in 154-17-060.G.2. The applicant is also responsible for delivering all agency comments and reports to the director by the established deadline. Failure to have such comments and reports submitted by the established deadline may result in a delay of consideration and action on the secondary plat.

4. **Review and Action—Director**

a. The director is authorized to authorized to approve the major subdivision secondary plat on behalf of the plan commission if the plat is consistent with:

(1) The approved primary plat;

(2) All conditions of primary plat approval; and

(3) All applicable regulations.

b. The director is also authorized to forward any secondary plat to the plan commission for review and final decision. Applicants may also elect to request that the secondary plat be forwarded to the plan commission for a final decision.

c. If the director determines that the major subdivision secondary plat is inconsistent with the approved primary plat or any conditions of primary plat approval, the secondary plat may not be approved by the director but instead must be forwarded to the plan commission for a final decision.

5. **Plan Commission Action**

a. The plan commission is not required to review and act on major subdivision secondary plats unless:

(1) The plan commission expressly acts to retain final decision-making authority over the major subdivision secondary plat at the time of approval of the primary plat for the subdivision;

(2) The director determines that the secondary plat is inconsistent with the approved primary plat or any conditions of primary plat approval;

(3) The applicant requests review and action by the plan commission; or

(4) The director elects to forward the secondary plat to the plan commission, without acting on the plat.

b. Following receipt of a secondary plat application from the director, the plan commission must review the secondary plat and the report and recommendation of the director and act to grant approval or conditional approval or disapprove the secondary plat.

c. The plan commission is authorized to grant conditional approval of a secondary plat pending receipt of applicable release letters and other documents evidencing review agencies' determination of compliance or pending correction of any minor inconsistencies between the approved primary plat and the secondary plat or any conditions of approval imposed at the time of primary plat approval. Minor inconsistences are those that the plan commission deems to be scrivener's errors or insignificant deviations that do not:

(1) Alter the general layout of the subdivision;

(2) Increase the number of lots within the subdivision; or

(3) Significantly impact infrastructure or neighboring properties.

d. If the plan commission determines that inconsistencies between the approved primary plat and secondary plat are significant, the commission is authorized to deny secondary plat approval and require that a revised primary plat be submitted in accordance with the procedures of 154-17-060.E.

e. The plan commission must act on secondary plats within 30 days of the date that the plat was forwarded to the commission unless the applicant agrees to an extension of time for action. If the plan commission fails to act on the secondary plat application within the time required, including any extension agreed to by the applicant, the secondary plat is deemed approved.

f. Action on secondary plats requires a simple majority vote of the plan commission.

g. The plan commission's action must be based on whether the secondary plat is in conformance with the approved primary plat, including any conditions of approval and whether it complies with all applicable regulation, other than those regulations for which a subdivision waiver is expressly approved by the plan commission in accordance with 154-17-070.

6. **Endorsements**

a. A secondary plat is not deemed to have been finally approved and may not be recorded until all requirements of secondary plat approval have been met and the endorsements are recorded on the face of the plat by designated officials.

b. If the applicant elects to install required improvements before recording the plat, approval of the improvements may not be endorsed on the plat until all conditions of the approval have been satisfied and all improvements satisfactorily completed.

c. If the applicant elects to provide performance guarantees and security instead of installing required improvements before recording the plat, approval may not be endorsed on the plat until:

(1) All conditions of the approval pertaining to the secondary plat have been satisfied;

(2) An agreement to install required improvements has been executed and delivered to the plan commission; and

(3) All applicable performance guarantee requirements of 154-12-170 have been met.

7. **Release of Secondary plat; Recording**

After the major subdivision secondary plat has received all required endorsements, the director must provide a signed copy to the applicant. The applicant is responsible for recording the official, signed secondary plat with the county recorder and for providing a digitized copy of the recorded plat and evidence of recordation to the director. No lot proposed to be created through the subdivision process may be sold or offered for sale and no building permits may be issued for any lot until all of the provisions of this paragraph (154-17-060.G.7).

154-17-070. Subdivision Waivers

A. Applicability

All property owner requests for relief from strict compliance with the subdivision design and improvement regulations of Article 12 must be processed as subdivision waiver requests in accordance with the provisions of this section.

B. Intent

Subdivision waivers are intended to provide for regulatory relief when requiring strict compliance with applicable regulations would cause an undue hardship or practical difficulty because of unusual topographical or other exceptional conditions that apply to the subject property.

C. No Conflict with Board of Zoning Appeals Powers

The subdivision waiver procedures of this section do not authorize and shall not be construed as altering or conflicting with the duties of the board of zoning appeals pursuant to Indiana Code § 36-7-4-900.

D. Process

Subdivision waiver requests must be processed concurrently with the major subdivision primary plat. When requesting a subdivision waiver, the applicant must identify each regulation for which a waiver is sought and provide a written response to each of the required approval criteria listed in 154-17-070.E for each requested waiver.

E. Approval Criteria

The plan commission is authorized to approve subdivision waivers upon a determination that the purpose of the subdivision design and improvement regulations (Article 12) will be served to a greater or at least the same extent by the proposed alternative. In order to approve requested waivers, the plan commission must make all of the following findings, based upon the evidence presented to the plan commission in the particular case:

1. That granting the waiver will not be detrimental to the public safety, health, or welfare or injurious to other nearby property.
2. That the requested waiver is based on conditions that are unique to the subject property and are not applicable generally to other property;
3. That requiring strict compliance with applicable subdivision design and improvement regulations would cause particular hardship for the subject property owner (as distinguished from a mere inconvenience or added cost) because of the subject property's physical surroundings, shape, or topographical conditions; and
4. That the waiver will not conflict with regulations of this UDO outside of Article 12 or with the comprehensive plan.

F. Decision

Subdivision waivers may be approved or approved with conditions only upon an affirmative vote of a simple majority of the plan commission. The plan commission must state the reasons for approval of any subdivision waiver, which must be included in the official minutes of the meeting.

154-17-080. Plat, Public Way and Easement Vacations

In accordance Indiana Code § 36-7-3, the plan commission has sole authority to vacate all or part of a plat, and the county council has sole authority to vacate any public ways or public easements.

154-17-090. Site Plans

A. Purpose

The site plan review procedures of this section are intended to ensure that potential impacts of development are considered before submittal of a petition for construction or issuance of a building permit and to:

1. Review site plans relative to site layout, improvements, and engineering in the interest of public health, safety, convenience, and welfare;
2. Determine compliance with the standards of this UDO; and
3. Ensure that the statutory requirements for development plans established in the 1400 Series of Indiana Code § 36-7-4 are met (note: A "plan commission site plan" is deemed a development plan, as regulated by Indiana Code § 36-7-4-1400 series).

B. Applicability

1. Generally

Site plan review is required prior to the issuance of a building permit and/or construction of physical site improvements. Site plan review is required for all development and changes of use subject to this UDO, including the following, unless exempted by 154-17-090.B.2 below:

a. New building construction;

b. Newly established uses of land;

c. Expansions, alterations, or modifications of existing structures or sites for commercial, public, institutional, civic, employment, utilities and communication, and multi-family residential uses of property that result in increased occupancy or intensity of use; and

d. Creation or expansion of parking lots and site improvements.

2. Exemptions

The site plan review procedures of this section do not apply to the following, but such activities are subject to the regulations and standards of this UDO and building permit review:

a. Construction of a detached house, two-unit house, triplex, or fourplex dwelling on a single lot, additions to such dwellings, backyard cottages, secondary suites, and structures accessory to such dwellings; and

b. Construction or erection of accessory buildings, fences, hedges, or walls; and

c. Interior tenant alterations or improvements that do not increase parking requirements or alter exterior building appearance.

d. Projects that fall below the thresholds for administrative site plan review in 154-17-090.B.3.a.

3. Thresholds for Administrative and Plan Commission Reviews

Site plan review is conducted by the director or the plan commission, based on the following thresholds:

a. **Administrative Site Plan Review**

Administrative site plan review is required for all of the following unless expressly exempt under 154-17-090.B.2:

(1) A change in use that involves or requires site improvements that results in a 10% or greater increase in impervious site coverage;

(2) Development that contains 20,000 square feet or less of gross floor area;

(3) Development that contains 15 dwelling units or less;

(4) Expansions, alterations, or modifications that increase the gross floor area of an existing structure by at least 10% but no more than 25% or by at least 2,000 square feet but no more than 10,000 square feet; and

(5) Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by at least 5% and no more than 10%.

b. **Plan Commission Site Plan Review**

Plan commission site plan review is required for all of the following unless expressly exempt under 154-17-090.B.2:

(1) Development that contains more than 20,000 square feet of gross floor area;

(2) Development that contains more than 15 dwelling units;

(3) Expansions, alterations, or modifications that increase the gross floor area of an existing structure by more than 25% or more than 10,000 square feet;

(4) Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by more than 10%;

(5) Any project that meets the threshold for administrative site plan review, but which is determined by the director to warrant plan commission site plan review due to unusual size, complexity, or the creation of potential significant unanticipated countywide or area impacts.

C. Administrative Site Plan Review Process

1. **Application Submittal**
Applications for administrative site plan approval must be submitted to the director.

2. **Review and Action**
Following receipt of a complete application, including any agency approvals indicated on the site plan application checklist, the director must act to approve the site plan, approve the site plan with conditions, or deny site plan approval based on a determination of whether the site plan complies with all applicable regulations and standards. Alternatively, the director may refer the site plan application to the plan commission for consideration as a plan commission site plan.

3. **Appeals**
Any person aggrieved by an administrative site plan decision may appeal the decision to the plan commission. Such appeal must be filed with the director within 5 days of the director's decision on the administrative site plan. The appeal must be processed in accordance with the plan commission site plan review procedures.

4. **Lapse of Approval**

   a. An approved administrative site plan will lapse and become void 12 months after it is approved, unless a building permit for the work or improvements authorized has been issued and the project has commenced and is diligently pursued to completion.

   b. The director is authorized to extend the expiration period by up to 12 months at the time of approval of the administrative site plan or any time before expiration of the approval.

5. **Amendments**
Administrative site plans may be amended in accordance with the applicable site plan approval procedures.

D. Plan Commission Site Plan Review Process

1. **Application Submittal**
Applications for plan commission site plan approval must be submitted to the director.

2. **Review and Report—Director**
Following receipt of a complete application, including any agency approvals indicated on the site plan application checklist, the director must prepare a report and recommendation. The report must be transmitted to the plan commission before its consideration and action on the site plan.

3. **Consideration and Final Decision—Plan Commission**
Following receipt of a recommendation from the director, the plan commission must hold a meeting to consider the site plan. Following the close of the meeting, the commission must act to approve the site plan, approve the site plan with conditions, or deny site plan approval based on a determination of whether the site plan complies with all applicable regulations and standards.

4. **Lapse of Approval**

   a. An approved plan commission site plan will lapse and become void 12 months after it is approved, unless a building permit for the work or improvements authorized has been issued and the project has commenced and is diligently pursued to completion.

b. The plan commission is authorized to extend the expiration period by up to 12 months at the time of approval of the site plan or any time before expiration of the approval.

5. **Amendments**
Plan commission site plans may be amended in accordance with the applicable site plan approval procedures. Minor amendments may be approved by the director.

154-17-100. Special Exceptions

A. Intent
The special exception approval procedures of this section are intended to provide a transparent, public review process for land uses that, because of their widely varying design and operational characteristics and potential for adverse land use impacts, require case-by-case review in order to determine whether they will be compatible with surrounding uses and development patterns.

B. Indiana Code
If the special exception procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

C. Authorized Special Exceptions
Only those special exceptions expressly authorized in this UDO may be approved as special exceptions.

D. Authority to File
Applications for special exception approval may be filed only by the owner of the subject property or by the property owner's authorized agent.

Figure 17-5: Special Exception Process (Generally)



E. Preapplication Meeting and Study Session

1. A property owner requesting approval of a special exception use on any parcel exceeding one acre in area must first attend a pre-application meeting in accordance with 154-17-010.D.1
2. Following completion of the required pre-application meeting, the applicant must appear before the plan commission in one or more study sessions. No fee or formal application is required for study session meetings. However, the applicant is responsible for providing all information and documentation deemed appropriate and required by the staff and the plan commission for the study session.
3. Applicants are responsible for delivering mailed notice of the initial required study to owners of property within 500 feet of the subject property at least 10 days before and no more than 25 days before study session (see also 154-17-010.F).

F. Application Filing
Complete applications for special exception approval must be filed with the director.

G. Review and Report—Director
Following receipt of a complete application, the director must prepare a report on the proposed special exception. The report must be transmitted to the plan commission and board of zoning appeals before their public hearings.

H. Notice of Hearing

Notice of the board of zoning appeals public hearing on a special exception application must be published in the newspaper and mailed to owners of property abutting the subject property at least 10 days before the meeting and public hearing (see also 154-17-010.F).

I. Meeting and Recommendation—Plan Commission

The plan commission must hold a public meeting on the special exception application and act to recommend approval of the special exception, approval of the proposed special exception with conditions, or denial of the proposed special exception.

J. Final Action—Board of Zoning Appeals

Following the plan commission's review and recommendations, the board of zoning appeals must hold a public hearing on the special exception application and act to approve the special exception, approve the proposed special exception with conditions, or deny the proposed special exception.

K. Approval Criteria

Special exception uses may be approved only if the board of zoning appeals determines and makes written findings that the following facts have been established:

1. Approval of the proposed special exception will not endanger the public health, safety, or general welfare of the community;
2. The special exception use will not be injurious to the use, value, or enjoyment of other property in the immediate vicinity;
3. The establishment of the special exception use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
4. The use will be adequately served by utilities, streets, drainage, emergency services and other essential public facilities and services;
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on public streets; and
6. The development will be designed , constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity, based upon the comprehensive plan.

L. Conditions and Commitments

The board of zoning appeals may accept or require written commitments concerning the use or development of property that is the subject of a special exception application, as specified under Indiana Code § 36-7-4-1015 (See also 154-17-010.K).

M. Lapse of Approval

1. Special exception approval lapses and has no further effect unless a zoning permit is obtained within 12 months of the date of special exception approval. The board of zoning appeals is authorized to extend the expiration period by up to 12 additional months if an extension request is submitted to the director before the special exception approval expires. Extension requests must be processed in accordance with the special exception approval procedures of this section, including applicable fees, notices, and hearings.
2. A special exception also lapses upon revocation of a building permit for violations of conditions of approval or upon expiration of a building permit.

N. Transferability

Approved special exceptions run with the land and are not affected by changes of tenancy, ownership, or management. All conditions of approval remain in effect regardless of changes in tenancy, ownership, or management.

O. Amendments

1. The director is authorized to approve the following minor amendments to approved special exceptions:
   a. Any amendments expressly authorized as minor amendments at the time of special exception approval;
   b. The addition of customary accessory uses and structures; and
   c. Changes to the development site or to structures necessitated by engineering, architectural or physical limitations of the site that could not have been foreseen at the time the special exception permit was approved and that are not major changes, as determined by the director.
2. All other amendments to approved special exceptions must be processed as new special exception applications, including all requirements for fees, notices, and public hearings.

154-17-110. Zoning Variances

A. Intent

A zoning variance is a grant of relief to a property owner from strict compliance with the zoning regulations of this UDO. The intent of a zoning variance is not to simply remove an inconvenience or financial burden that may result from compliance with applicable zoning requirements. Zoning variances are intended to help alleviate an unnecessary hardship (use variance) or practical difficulty (variance of development standards) that would be caused by strict enforcement of the subject zoning requirements. They are intended to provide relief when the requirements of this UDO render property extremely difficult or impossible to put to economically beneficial use.

Figure 17-6: Zoning Variance Process



B. Indiana Code

If the zoning variance procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

C. Authorized Zoning Variances

The board of zoning appeals is authorized to grant a zoning variance to any zoning regulation in this UDO in accordance with the zoning variance procedures of this section, except that the zoning variance procedures of this section may not be used to do any of the following:

1. Waive, modify or otherwise vary any of the subdivision design and improvement requirements of Article 12;
2. Waive, modify, or otherwise vary any of the review and approval procedures of this article; or
3. Waive, vary, modify, or otherwise override a condition of approval or requirement imposed by an authorized decision-making body or the state or federal government.

D. Authority to File

Zoning variance applications may be filed only by the owner of the subject property or by the property owner's authorized agent.

E. Application Filing

Complete applications for zoning variances must be filed with the director.

F. Review and Report—Director

Following receipt of a complete application, the director must prepare a report on the requested zoning variance. The report must be transmitted to the board of zoning appeals before the required public hearing.

G. Notice of Hearing

Notice of the required public hearing on a zoning variance application must be published in the newspaper and mailed to owners of property abutting the subject property at least 10 days before the public hearing (see also 154-17-010.F).

H. Hearing and Final Decision—Board of Zoning Appeals

1. Following receipt of a complete zoning variance application, the board of zoning appeals must hold a public hearing to consider the requested zoning variance. Following the close of the public hearing, the board of zoning appeals must act to approve the requested zoning variance, approve the zoning variance with modifications or conditions, or deny the zoning variance request based on the standards and review criteria of 154-17-110.I.
2. In approving a zoning variance, the board of zoning appeals is authorized to impose such conditions and restrictions as the board determines to be necessary to ensure compliance with the standards of 154-17-110.I, to reduce or minimize the effect of the zoning variance upon other properties in the area, and to better carry out the general purpose and intent of this UDO.

I. Standards and Review Criteria

1. **Use Variances**

   Use variances may be approved only if the board of zoning appeals determines and makes written findings that the following facts have been established:

   a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

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

   c. The need for the zoning variance arises from a condition that is peculiar to the subject property;

   d. Strict application of use regulation for which the zoning variance is requested will constitute an unnecessary hardship if applied to the subject property; and

   e. The approval does not substantially interfere with the comprehensive plan.

2. **Variances of Development Standards**

   Variances of development standards may be approved only if the board of zoning appeals determines and makes written findings that the following facts have been established:

   a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

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

   c. Strict application of the regulation for which a zoning variance is requested will result in practical difficulties in the use of the property.

J. Conditions and Commitments

The board of zoning appeals may also accept or require written commitments concerning the use or development of property that is the subject of a zoning variance request, as specified under Indiana Code § 36-7-4-1015 (See also 154-17-010.K).

K. Lapse of Approval

1. An approved zoning variance will lapse and become void 12 months after it is granted by the board of zoning appeals, unless a building permit for the work or improvements authorized has been issued and the project has commenced and is diligently pursued to completion. If no building permit is required, the use or improvement that is the subject of the zoning variance must be established within the 12-month period.

2. The board of zoning appeals may extend the expiration period by up to 12 months at the time of approval of the zoning variance or any time before expiration of the approval. Requests for extensions after the zoning variance is approved must be processed in accordance with the zoning variance procedures of this section, including applicable fees, notices, and public hearings.

L. Transferability

Approved zoning variances run with the land and are not affected by changes of tenancy, ownership, or management.

M. Amendments

A request for changes in the specific nature of the approved zoning variance or changes to any conditions attached to an approved zoning variance must be processed as a new zoning variance application, including all requirements for fees, notices, and public hearings.

154-17-120. Appeals of Administrative Decisions

A. Authority

The board of zoning appeals is authorized to hear and decide all appeals where it is alleged there has been an error in any order, requirement, decision, or determination made by the director or any other administrative official in the administration, interpretation, or enforcement of this UDO.

Figure 17-7: Appeals of Administrative Decisions (Generally)



B. Indiana Code

If the appeal procedures outlined in this section conflict with the statutory requirements established in the Indiana Code, the Indiana Code governs.

C. Right to Appeal

Appeals of administrative decisions may be filed by any person aggrieved by the administrative official's decision or action. The board of zoning appeals is authorized to make determinations about whether individuals filing appeals are "aggrieved" by the decision or action.

D. Application Filing

1. Complete applications for appeals of administrative decisions must be filed with the director and the administrative official who made the decision being appealed.

2. Appeals of administrative decisions must be filed within 30 days of the date of the decision being appealed.

E. Effect of Filing

The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed, unless the director or the administrative official who made the decision being appealed certifies to the board of zoning

appeals, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property, in which case the proceedings will not be stayed unless by a restraining order, which may be granted by the board of zoning appeals or by a court of record based on due cause shown.

F. Record of Decision

Upon receipt of a complete application of appeal, the director or other administrative official whose decision is being appealed must transmit to the board of zoning appeals all papers constituting the record related to decision being appealed.

G. Notice of Hearing

Notice of the required public hearing on an appeal must be published in the newspaper at least 10 days before the public hearing (see also 154-17-010.F).

H. Hearing and Final Decision

1. The board of zoning appeals must hold a public hearing on the appeal.
2. Following the close of the public hearing, the board of zoning appeals must make its findings and take action on the appeal.
3. In exercising the appeal power, the board of zoning appeals has all the powers of the administrative official from whom the appeal is taken. The board of zoning appeals may affirm or may, upon the concurring vote of at least 3 members, reverse, wholly or in part, or modify the decision being appealed.
4. In acting on the appeal, the board of zoning appeals must grant to the official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

I. Review Criteria

The decision being appealed may be reversed or wholly or partly modified only if the board of zoning appeals finds that the director or other administrative official erred.

Article 18 | Administration

154-18-010.	Plan Commission	18-1
154-18-020.	Board of Zoning Appeals	18-1
154-18-030.	Hearing Officer	18-2
154-18-040.	Plat Committee	18-2
154-18-050.	Director	18-2

154-18-010. Plan Commission

A. Establishment

The plan commission is established under the authority of Indiana Code § 36-7-4-208.

B. Rules

The rules of the plan commission are adopted in accordance with the requirements of Indiana Code § 36-7-4-401.

C. Meetings

The plan commission meets as necessary to carry out its duties under this UDO.

D. Presiding Officer

The president of the plan commission, or in the president's absence, the vice president, is authorized to preside over meetings, decide questions of order, and pronounce decisions of the plan commission for purposes of recording official actions.

E. Quorum

A majority of the members of the plan commission constitutes a quorum.

F. Powers

The plan commission has those powers and duties expressly identified in this UDO and in the Indiana Code.

154-18-020. Board of Zoning Appeals

A. Establishment

The board of zoning appeals is established under the authority of Indiana Code § 36-7-4-901.

B. Composition

The board of zoning appeals consists of 5 voting members, who are appointed and hold office as provided in Indiana Code § 36-7-4-902.

C. Meetings

The board of zoning appeals meets as necessary to carry out its duties under this UDO.

D. Oaths

The president of board of zoning appeals, or in the president's absence, the vice president, is authorized to administer oaths and compel the attendance of witnesses.

E. Decisions

1. A majority of the members of the board of zoning appeals constitutes a quorum.
2. The concurring vote of 3 members of the board of zoning appeals is required to decide in favor of the applicant on any special exception, zoning variance or other matter within the authority of the board of zoning appeals.
3. The concurring vote of at least 4 members of the board of zoning appeals is required to reverse any order, requirement, decision, or determination of the director or other duly authorized administrative official.

F. **Powers**
The board of zoning appeals has those powers and duties expressly identified in this UDO, including hearing, and making final decisions on applications for special exceptions, zoning variances and appeals of administrative decisions.

G. **Appeals of Board Decisions**
Final decisions by the board of zoning appeals may be appealed to the circuit court or any superior court sitting in the county in the manner provided in Indiana Code § 36-7-4-1003 et seq.

154-18-030. Hearing Officer

In accordance with Indiana Code § 36-7-4-923, the Plan Commission is authorized to appoint a hearing officer who has the power of the board of zoning appeals to approve or deny zoning variances of development standards in accordance with Indiana Code § 36-7-4-918.5 and to approve or deny special exceptions in accordance with Indiana Code § 36-7-4-918.2.

A. The hearing officer may be a member of the board of zoning appeals, a staff member, or other person designated by the plan commission.

B. The hearing officer must review and hear petitions pursuant to procedures adopted by the plan commission by rule in accordance with Indiana Code § 36-7-4-923 and Indiana Code § 36-7-4-924.

C. Any interested person may appeal a decision by the hearing officer to the board of zoning appeals within 5 days of the date of the hearing officer's decision, in accordance with the appeal provisions of 154-17-120.

154-18-040. Plat Committee

A. **Authority**
A plat committee, as may be authorized in the plan commission rules, is authorized to act on those matters, if any, delegated to it by the plan commission pursuant to Indiana Code § 36-7-4-701(e) . Until such time as the plan commission's rules of procedure authorize and designate a plat committee, the authority granted to the plat committee under this UDO rests with the plan commission.

B. **Procedures**
A designated plat committee reviews and hears petitions pursuant to this UDO and procedures adopted by the plan commission by rule.

154-18-050. Director

The director has primary responsibility carrying out those powers and duties expressly identified in this UDO, including the following general powers and duties:

A. Interpreting and administering the provisions of this UDO;

B. Conducting periodic inspections of structures and uses of land to determine compliance with this UDO;

C. Notifying in writing all persons responsible for violating this UDO;

D. Taking appropriate actions to ensure compliance with this UDO and remedying violations of its provisions, including:

1. Ordering discontinuance of any illegal use of land or structures;
2. Ordering removal of illegal structures and additions or alterations thereto;
3. Ordering discontinuation of work being done in violation of UDO provisions;

E. Maintaining permanent and current records of this UDO, including all zoning maps, amendments, planned unit developments, zoning exceptions, special exceptions, variances, and administrative adjustments;

F. Maintaining a record of permits, certificates, and copies of notices of violation and orders of discontinuances or removal for such time as necessary to ensure continuous compliance with UDO provisions;

G. Receiving and processing all applications for permits and development approvals under this UDO;

H. Providing technical assistance and support to the county board, county council, plan commission and board of zoning appeals;

I. Exercising other powers and performing other duties as specified or clearly implied by the provisions of this UDO.

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Article 19 | Nonconformities

154-19-010. General 19-1
154-19-020. Nonconforming Lots 19-2
154-19-030. Nonconforming Uses 19-2
154-19-040. Nonconforming Structures 19-3
154-19-050. Nonconforming Signs 19-4
154-19-060. Nonconforming Development Features 19-4

154-19-010. General

A. Scope

The regulations of this article govern nonconformities, which are lots, uses, and structures that were lawfully established but—because of the adoption of new or amended zoning regulations—no longer comply with one or more requirements of this UDO.

B. Intent

Occasionally, lots, uses, and structures that were lawfully established (i.e., in compliance with all zoning regulations in effect at the time of their establishment) have been made nonconforming because of changes in the regulations that apply to the subject property (e.g., through zoning map amendments or amendments to the text of this UDO). The regulations of this article are intended to clarify the effect of such nonconforming status and avoid confusion with "illegal" structures and uses (those established in violation of applicable regulations). The regulations of this article are also intended to:

1. Recognize the interests of landowners in continuing to use their property for uses that were lawfully established;
2. Promote maintenance, reuse, and rehabilitation of existing buildings; and
3. Place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties.

C. Authority to Continue

Any nonconformity that existed on the effective date specified in 154-1-030 or any lot, structure use or situation that becomes nonconforming upon adoption of any amendment to this UDO or any amendment of the zoning map subsequent to the effective date specified in 154-1-030 may be continued, subject to the regulations of this article.

D. Determination of Nonconforming Status

1. The burden of proving that a situation is a nonconformity (as opposed to a violation) rests entirely with the subject owner.
2. The director is authorized to determine whether reliable evidence of nonconforming status has been provided by the subject owner.
3. Building permits, zoning reports, lawfully recorded plats, lawfully recorded instruments of conveyance, aerial photography owned by a governmental agency and other official government records that indicate lawful establishment of the use, lot or structure constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the director is authorized to consider whether other forms of evidence provided by the owner are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include:
   a. Professional registrations or business licenses;
   b. Utility billing records;

c. Rent records;

d. Advertisements in dated publications;

e. Listings in telephone or business directories; and

f. Notarized affidavits affirming the date of lawful establishment of the use or structure.

4. The director's determination of nonconforming status may be appealed in accordance with 154-17-120.

E. Repairs and Maintenance

1. Nonconformities must be maintained to be safe and in good repair.
2. Repairs and normal maintenance necessary to keep a nonconformity in sound condition are encouraged and permitted unless the work increases the extent of the nonconformity or is otherwise expressly prohibited by this UDO.
3. Nothing in this article is intended to prevent nonconformities from being structurally strengthened or restored to a safe condition in accordance with an order issued by a duly authorized public official.

F. Change of Tenancy or Ownership

Nonconforming status runs with the land and is not affected by changes of tenancy, ownership, or management.

154-19-020. Nonconforming Lots

A. Description

A nonconforming lot is a lot that was lawfully created in accordance with lot area and lot width regulations in effect at the time of the lot's establishment but that does not comply with currently applicable lot area or lot width regulations.

B. Use of Nonconforming Lots

A nonconforming lot may be used as a building site for any use allowed in the subject zoning district, subject to compliance with applicable lot and building regulations other than those governing lot area and lot width.

C. Lot and Building Regulations

1. Development on all nonconforming lots must comply with applicable lot and building regulations of the subject zoning district except those governing lot area and lot width
2. Nonconforming lots may not be adjusted in size or shape to increase the extent of nonconformity for lot area, lot width, setbacks or other applicable lot and building regulations. Lot area or shape adjustments that decrease the extent of nonconformity are allowed.

D. Effect of Public Acquisition

If a portion of a lawfully established lot is acquired by a public agency, the remainder of the lot is deemed to be a conforming lot.

154-19-030. Nonconforming Uses

A. Description

A nonconforming use is a use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which the use is located. Lawfully established uses that do not comply with separation distance (spacing) requirements are also deemed to be nonconforming uses.

B. Change of Use

A nonconforming use may be changed only to a use that is allowed in the subject zoning district. Once changed to a conforming use, the nonconforming use may not be re-established. A change of use permit is required to establish a new use.

C. Expansion of Use

A nonconforming use of a portion of a building may be expanded or extended into the remaining portions of the building if the director determines that the areas of the building in which the expansion is proposed were manifestly arranged and designed for the expanded use. Nonconforming uses of open land may not be expanded or extended in any way.

D. Movement

A nonconforming use may be moved in whole or in part to another location on the same lot only if the movement or relocation does not create additional or new nonconformities. A nonconforming use may be moved to another lot only if the use would comply with the zoning regulations that apply to that (relocation) lot.

E. Loss of Nonconforming Status

1. Abandonment

a. Unless otherwise expressly authorized in this article, once a nonconforming use is abandoned, its nonconforming status is lost and any new, replacement use must comply with the regulations of the zoning district in which it is located.

b. A nonconforming use is presumed abandoned when the use is discontinued or ceases for a continuous period of 12 months or more.

c. If a nonconforming use is changed to a conforming use, no matter how short the period of time, all nonconforming use rights are lost, and re-establishment of the nonconforming use is prohibited.

d. Any period of discontinuance caused by acts of God or accidental fire are not counted in calculating the length of discontinuance.

2. Damage or Destruction

a. When a building containing a nonconforming use is destroyed or damaged by acts of God or accidental fire, the building may be restored or repaired, provided that no new nonconformities are created and the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 12 months of the date of occurrence of such damage.

b. When a building containing a nonconforming use is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than 60% of the assessed value of the structure, the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

154-19-040. Nonconforming Structures

A. Description

A nonconforming structure is a structure, other than a sign, that was lawfully established but that no longer complies with applicable setback, coverage or height regulations because of the adoption or amendment of UDO after the structure was established.

B. Use

A nonconforming structure may be used for any use allowed in the zoning district in which the structure is located, including a lawfully established nonconforming use. A change of use permit is required to establish a new use in a nonconforming structure.

C. Movement

A nonconforming structure may be moved in whole or in part to another location on the same lot only if the movement or relocation does not create additional or new nonconformities. A nonconforming structure may be moved to another lot only if the structure would comply with the zoning regulations that apply to that (relocation) lot.

D. Alterations, Enlargements and Expansions

1. Nonconforming structures may be altered or expanded if the proposed alteration or expansion complies with all applicable lot, building, dimensional and locational requirements and does not increase the extent of the structure's nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback standards.

2. A structure with a nonconforming setback may not be expanded horizontally or vertically within the required setback area.

E. Loss of Nonconforming Status

1. Damage or Destruction

a. When a nonconforming structure is destroyed or damaged by acts of God or accidental fire, the structure may be restored or repaired, provided that no new nonconformities are created, and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 12 months of the date of occurrence of such damage.

b. When a nonconforming structure is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than 60% of the assessed value of the structure, the structure may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

154-19-050. Nonconforming Signs

See 154-15-100.

154-19-060. Nonconforming Development Features

A. Description

A nonconforming development feature is any aspect of a development—other than a nonconforming lot, nonconforming structure, nonconforming use or nonconforming sign—that was lawfully established in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more applicable zoning regulations. Common examples are off-street parking areas that contain fewer spaces than required by current regulations and sites that do not comply with current landscaping, screening, or lighting regulations.

B. General

Nonconforming development features may remain except as otherwise expressly stated in this UDO, but the nature and extent of nonconforming development features may not be increased.

Article 20 | Violations, Penalties and Enforcement

154-20-010. Authority and Responsibility 20-1
154-20-020. Nuisance Per Se. 20-1
154-20-030. Permits Issued in Violation 20-1
154-20-040. Remedies and Penalties 20-1
154-20-050. Zoning Enforcement Fund 20-4

154-20-010. Authority and Responsibility

A. All departments, officials, and public employees of the county who are vested with the duty or authority to review or issue permits must comply with the provisions of this UDO and may not issue permits or licenses for any use, building, activity or purpose that would be in conflict with the provisions of this UDO.

B. The director and others designated by the plan commission are enforcement officials with full authority to investigate, issue notices of violation, and secure remedies, including but not limited to injunctive relief, for any violation of this UDO.

154-20-020. Nuisance Per Se.

Buildings or structures erected, altered, moved, razed, or converted, or any use of land or premises carried on in violation of any provision of this UDO are declared to be a nuisance per se. Any and all buildings, structures, or land use activities considered possible violations of the provisions of this UDO must be reported to the director.

154-20-030. Permits Issued in Violation

Any permit issued in conflict with the provisions of this UDO is deemed null and void.

154-20-040. Remedies and Penalties

A. Purpose

The provisions of this section are remedial and are to be construed in such a manner as to effectuate their purpose in promoting the public health, safety, comfort, morals, convenience and general welfare by enforcement of zoning and subdivision regulations for all lands within unincorporated Lake County.

B. Jurisdiction

1. The plan commission is authorized to institute a suit for injunctive or monetary relief in the circuit or superior courts of Lake County; such suit is to be brought in the name of and captioned as "The Lake County Plan Commission of Lake County, Indiana," versus the person, persons or entity charged with violating the provisions of any zoning ordinance or land use regulations of unincorporated Lake County, Indiana.

2. The plan commission is also authorized to institute a suit for mandatory injunction directing a person, persons, or entity to remove any structure erected in violation of any zoning ordinances or land use regulations of unincorporated Lake County.

3. Any structure erected, raised, or converted, or land or premises used in violation of any provision of this UDO or land use ordinance is hereby declared to be a common nuisance and the owner or possessor of the structure, land, or premises is deemed liable for maintaining a common nuisance pursuant to Indiana Code § 36-7-4-1012.

4. In addition to the above remedies, the plan commission is authorized to pursue prosecution of any common nuisance violation in accordance with Indiana Code § 36-7-4-1013, Indiana Code § 36-7-4-1014, Indiana Code § 36-7-4-1015, or Indiana Code § 36-7-4-1018.

C. Inspection of Property; Right of Entry

1. The plan commission, their duly authorized planning staff or law enforcement officers are authorized to make inspections of all lands located within unincorporated Lake County in order to enforce all provisions of this UDO and other applicable land use regulations of unincorporated Lake County, Indiana.

2. In order to execute inspections, the plan commission, their duly authorized planning staff, or law enforcement officers have the right to enter upon any premises at any reasonable time for the purpose of carrying out their duties in the enforcement of this UDO and other applicable land use regulations of unincorporated Lake County, unless the owner or occupant of the premises refuse to permit entry to the plan commission, their duly authorized planning staff, or law enforcement officers when such entry is sought pursuant to this section. In the event of such refusal, the plan commission, their duly authorized planning staff, or law enforcement officers may make application to any judge of the circuit or superior courts of Lake County, Indiana, for the issuance of an administrative search warrant. Such application must identify the premises upon which entry is sought and the purpose for which entry is desired. The application must state the facts giving rise to the belief that a condition that is a violation of this UDO or other applicable land use regulation exists on such premises, or that a violation in fact exists and must be abated, and that the condition or violation is not a lawful nonconforming use to the best of the affiant's belief. Any warrant issued pursuant to such application must order the property owner or occupant to permit entry to the plan commission, their duly authorized planning staff, or law enforcement officers for the purposes stated therein. In no event may the plan commission, their duly authorized planning staff, or law enforcement officers have the right to enter a residential structure or other structures not open to the public without the permission of the owner or occupant and/or an administrative search warrant first obtained. Prior to entering such residential structure or other structure not open to the public, the plan commission, their duly authorized planning staff, or law enforcement officers must advise the owner or occupant that such owner or occupant is not required to grant entry without the presentation of an administrative search warrant.

D. Stop-Work Order

1. The plan commission or their duly authorized planning staff is empowered to issue an order requiring the suspension of land improvement of any kind when any of the following circumstances exist:

   a. Site improvement is occurring without a building and zoning permit or any other permit required by the UDO having first been obtained; or

   b. Site improvement is occurring in violation of the terms or conditions of any zoning map amendment, special exception, zoning variance, or other development approval granted under the advisory planning law as contemplated by Indiana Code § 36-7-4; in violation of commitments made in accordance with the Indiana Code; or in violation of the terms, conditions or provisions of any provision of this UDO or other duly adopted ordinances or regulations of the county.

2. The stop-work order must be posted on the property in a conspicuous place, or personally delivered to the owner, possessor, person in charge, or person causing the violation and state the conditions under which construction or other activity may be resumed. The plan commission or their duly authorized planning staff or other authorized designee must attempt to meet with the recipient of a stop-work order upon request to explain the conditions under which construction or other activity may be resumed.

3. The designated enforcement entity is authorized to pursue all remedies allowed by this article to enforce any stop-work order. Enforcement activity may be pursued against any combination of the owner, possessor, person in charge, or person causing the violation.

E. Violations

1. It is unlawful for any person who is the owner or contract vendee of, or who has a possessory interest in, real property located in unincorporated Lake County to cause, suffer or allow any of the following civil zoning violations to occur on such property:

a. The location, erection, or maintenance of any sign not specifically allowed by Article 15;

b. The failure to obtain a building, zoning, or other permit required under this UDO;

c. The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use;

d. The storage of inoperable or abandoned vehicles or vehicle parts in any zoning district, the provisions of which do not specifically permit such a use;

e. The parking or storage in any zoning district, the provisions of which do not specifically permit such a use, of any vehicle used or designed:

(1) For use in pulling, towing, hauling, transporting, or

(2) As a temporary or permanent base, platform or support for equipment, machinery, materials, or other goods. This provision includes but is not limited to buses used for public transportation, stake body trucks, dump trucks, trucks or tractors having dual rear wheels or more than two axles, semi-trailer tractors, semi-trailers and trailers having dual rear wheels or more than one axle or having an overall length of more the 12 feet;

f. The storage or display of merchandise or goods in any zoning district, the provisions of which do not specifically permit such a use;

g. Lawns in subdivisions exceeding 8 inches in height or containing excessive litter or excreta;

h. Bushes, trees, shrubs, and the similar material located in subdivisions that obstruct any public way or place, including sidewalks, alleys, or parkways;

i. Swimming pools containing stagnant water that would likely allow insect or rodent manifestation;

j. Vehicles in subdivisions parked in front yards except in approved driveways;

k. Garbage, trash, and refuse improperly stored or placed in a county right-of-way, except for periods within 48 hours of the designated time of collection;

l. Gutters on residential structures in subdivisions, including accessory buildings, improperly maintained so that they are detached from the structure and or contain weeds and debris;

m. Residential structures in subdivisions with an unsightly appearance due to chipping or peeling paint or brick or siding that is in a state of disrepair;

n. Obscuring, obstructing, or destroying any notice posted under this UDO;

o. Conducting any activity not specifically enumerated as a permitted primary or accessory use in the subject zoning district if such activity has not been legally established by a currently valid zoning variance, special exception or other approval;

p. Failure to comply with any UDO development standards, including landscaping, paving or striping of parking areas, minimum parking space requirements, certain enclosures, fencing or screening requirements;

q. Failure to comply with the terms, provisions, conditions or commitments of a zoning variance, special exception, rezoning ordinance, plat, or any other approval or provision of this UDO;

r. Violation of any other provision of this UDO.

2. Each day of the existence of any violation constitutes a separate offense. If the violation remains uncorrected each offense may be prosecuted at the discretion of the enforcement authority.

3. The provisions of this article may be enforced by any and all duly authorized employees of the plan commission.

4. Enforcement action must be accompanied by the issuance of a letter to the owner, contract purchaser or vendee, tenant, or anyone having a possessory interest in the real property where the violations occurred allowing a maximum of 15 days to correct the stated violations and bring the property into compliance. If the violation remains after such notice, enforcement may be accompanied by the issuance of a citation to the owner, contract purchaser or vendee, tenant, or anyone having a possessory interest in the real property where the violation occurred. The citation must be written on documents approved by the plan commission and contain:

   a. Name of the department and official issuing the citation;

   b. Name and address of the owner or anyone having a possessory interest in the subject property;

   c. Address, including apartment or unit number, if applicable, of the subject property;

   d. List of alleged violations of this UDO;

   e. Notice advising that if stipulated violations are resolved at least 5 days prior to the designated court date and compliance is confirmed by the official responsible for the citation, the plan commission will move for dismissal of the violation. Dismissal of the violation does not constitute a dismissal of any fines, penalties, or court costs that may have accrued;

   f. Notice of any deferral programs available to property owner or anyone having a possessory interest to assist in bringing the subject property into compliance.

   g. Nothing contained in this section prevents the plan commission from instituting a suit for mandatory injunction. If the plan commission wins the suit, the respondent is responsible for paying reasonable attorney fees and all costs related to the enforcement.

F. Civil Violations; Citations; Enforcement.

1. If an injunction is sought, the violator is responsible for all costs of prosecution as well as all penalties;

2. If prosecuted as a common nuisance or citation, the penalty may not be more than $2,500 for a first violation, nor more than $7,500 for a second or subsequent violation, as directed under Indiana Code § 36-1-3-8;

3. If a second or subsequent citation is issued for the same property, the citation may not be dismissed, as allowed under 154-20-040.E.4.e. Citations may be served by posting a copy of the citation on the subject property or by mailing a copy of the violation via regular first-class mail to the owner, contract purchaser, vendee, tenant, anyone having a possessory interest in the real property, or anyone deemed responsible by the county at the address according to the Real Estate Master File maintained by the Lake County Auditor or as listed on the property record card of the Lake County Assessor.

4. In addition to these procedures, a person who has been cited for a violation of this UDO may elect to file a land use petition. The filing of a land use petition, or subsequent issuance of a zoning variance, special exception, rezoning or other approval of the land use petition, does not constitute a valid defense of any UDO violation that occurs prior to the issuance of the zoning variance, special exception, rezoning or UDO approval under this UDO.

154-20-050. Zoning Enforcement Fund

A. A fund designated as the "Zoning Enforcement Fund" must be established in the operating budget of the plan commission. This fund derives its income primarily from fines, penalties assessed for violations of this UDO, and from money collected by the plan commission in the amount of 20% of total fees collected each month throughout the fiscal year. Any balance remaining at the end of the fiscal year is carried over in the fund for the following year and does not revert to the county general fund.

1. In addition to money received from fines, penalties assessed for violations of this UDO, fees collected by the plan commission in the amount of 20% of monthly fees collected, other monies may be received from

any source, including appropriation by a municipal, state, or federal legislative authority, and donations. The following monies will be deposited into the fund:

a. Money received as payment or settlement of any obligations, judgments, fines, or penalty imposed and collected in accordance with 154-20-040;

b. Money received from bonds or other forms of surety posted in accordance with the provisions of this UDO or the laws of the State of Indiana; and

c. Money collected totaling 20% of monthly fees received by the plan commission, including fees for building permits, zoning permits, inspections, re-inspections, zoning variances, zoning map amendments, special exceptions, subdivision plats, and site rezoning plans, as well as fees for copying, testing, licensing and sales of maps and publications. A description of revenue generated by the plan commission is available in each annual report under revenue record.

B. Money included in the Zoning Enforcement Fund may be used for any purpose directly related to executing any provision of this UDO or any other business of the plan commission, including the following examples:

1. The cost of obtaining reliable information about the identity and location of persons who have a substantial property interest in any item or property that is the subject of any violation of this UDO;

2. The cost of providing notice in accordance with the laws of the State of Indiana;

3. Any court costs, attorney fees, legal investigation, and representation necessary to prosecute any violation of this UDO;

4. All costs of prosecution in accordance with Indiana Code § 9-22-1 et.seq;

5. The cost of updating, maintaining, and executing the functions and requirements of certain maps and ordinances, including this UDO, Lake County Licensing Ordinance, Lake County Unsafe Buildings Ordinance, Lake County Ordinance for Flood Hazard Areas, Lake County Building Code, and, Lake County Manufactured Home Park Ordinance; and

6. Any other business of the plan commission, as approved by the Lake County Council.

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Article 21 | Measurements and Exceptions

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154-21-010. Fractions and Rounding

When calculations required under this UDO result in fractions, the results must be rounded as follows:

A. Minimum Requirements

When a regulation is expressed in terms of a minimum requirement, any fractional result must be rounded up to the next consecutive whole number. For example, if a minimum requirement of one tree for every 30 feet is applied to a 50-foot strip, the resulting fraction of 1.67 is rounded up to 2 required trees.

B. Maximum Limits

When a regulation is expressed in terms of maximum limits, any fractional result must be rounded down to the preceding whole number. For example, if a maximum limit of one dwelling unit for every 3,750 square feet of lot area is applied to an 8,000 square foot lot, the resulting fraction of 2.13 is rounded down to 2 allowed dwelling units.

154-21-020. Lot Area

Lot area is measured as the total ground-level surface area contained within the property lines of a lot. Waterbodies may not be counted towards satisfying minimum lot area requirements.

154-21-030. Floor Area

The floor area of a building is measured as the sum of the gross horizontal areas of all floors of the subject building, measured from the exterior faces of the exterior walls or from the center line of walls separating the interior faces of walls between separate buildings. "Floor area" includes basement floor area when more than one-half of the basement height is above the established curb level, or above the finished grade of the lot, where curb level has not been established. It also includes elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouse; attic space having headroom of 7 feet 10 inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. Space devoted to off-street parking or loading is not included in floor area calculations.

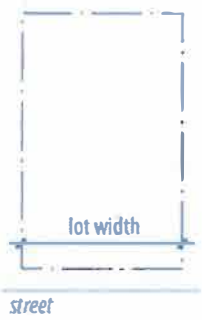
154-21-040. Frontage or Street Frontage

Street frontage is measured between side property lines of a lot along the property line that abuts the street.

154-21-050. Lot Width

Lot width is measured as the horizontal distance between the side property lines of a lot, measured at the required street setback line.

Figure 21-1: Lot Width Measurement



154-21-060. Setbacks

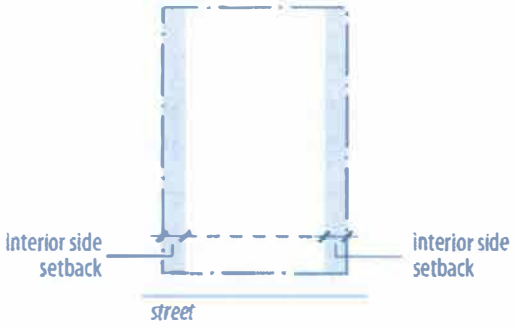
A. Measurement

Required setbacks are measured from the applicable lot line or right-of-way line. Building setbacks are measured to the nearest exterior building wall. Minimum setbacks that apply to other features (parking areas, fences, storage areas) are measured from the nearest point of the area or feature for which a setback is required. Unless otherwise expressly stated, no part of any structure may be located within the street right-of-way.

1. Street setbacks are measured from the existing right-of-way line of the street (other than an alley), but if existing right-of-way does not meet the applicable minimum right-of-way standards, the measurement must be made at the planned (ultimate) right-of-way line.

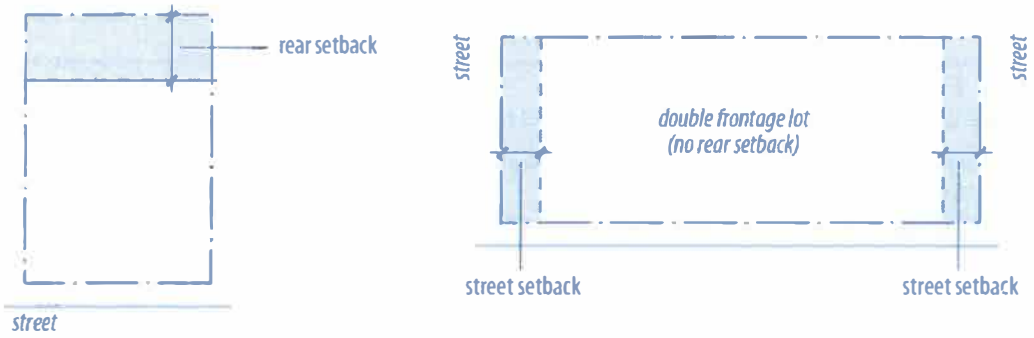
2. Interior side setbacks are measured from a side lot line that does not abut a street.

Figure 21-2: Side (Interior) Setback Measurement



3. Rear setbacks are measured from the rear lot line, except on double-frontage lots. On double-frontage lots, street setbacks apply from all property lines that abut streets.

Figure 21-3: Rear Setback Measurement

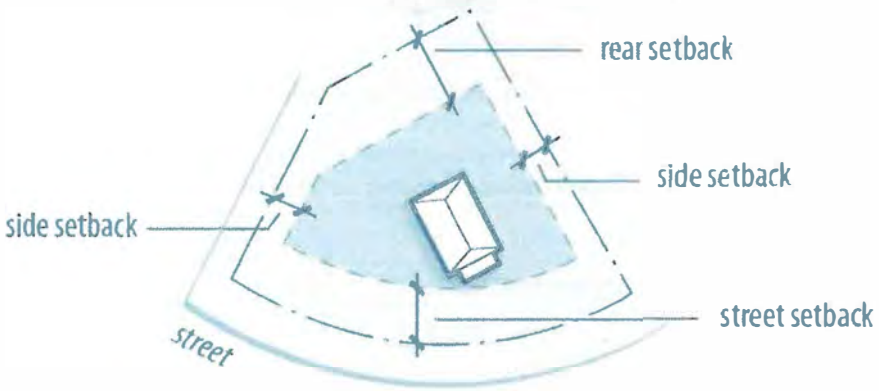


B. Setbacks on Irregular Lots

Setbacks are measured from lot lines towards the center of the lot, as follows:

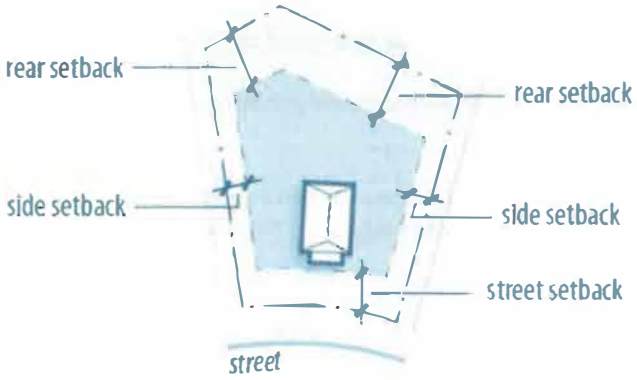
1. Generally, setbacks are measured as set out in 154-21-060.A.
2. When lot lines are curvilinear, setbacks must be measured parallel to the curvilinear lot line.

Figure 21-4: Setbacks from Curvilinear Lot Lines



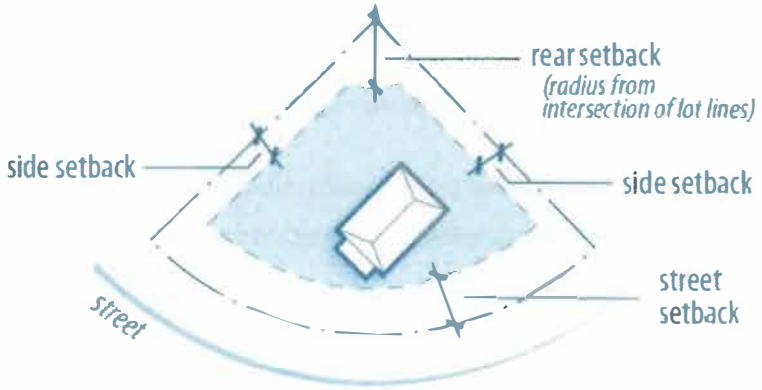
3. When there are multiple rear lot lines, the rear setback must be measured from each of rear lot lines.

Figure 21-5: Setbacks from Multiple Rear Lot Lines



4. When there is no rear lot line, the rear setback must be measured as a radial distance from the intersection of side lot lines at the rear of the lot.

Figure 21-6: Rear Setback Measurement When There is No Rear Lot Line



C. Permitted Setback Obstructions in R Zoning Districts

Setbacks in R zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 21-1:

Table 21-1: Permitted Setback Obstructions in R Zoning Districts

Obstruction	Allowed Within Setback?		
	Street	Side	Rear
Accessory buildings (see also Article 9)	No	No	Yes
Air conditioning units (Window units only)	Yes	Yes	Yes
A/C condensers, generators, compressors, transformers, pool, rainwater collection and geothermal equipment (ground-mounted)	No	No	Yes
Arbors, pergolas, and trellises	Yes	Yes	Yes
Awnings, canopies, light shelves, and solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Carports	No	Yes	No
Chimneys and flues projecting no more than 2 feet into the setback	Yes	Yes	Yes
Clotheslines	No	Yes	Yes
Decks, patios, and other features and structures less than 30 inches in height above grade	Yes	Yes	Yes
Eaves and gutters projecting no more than 2 feet into the setback	Yes	Yes	Yes
Fences and walls	Yes	Yes	Yes
Fire escapes projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Flagpoles and similar features	Yes	Yes	Yes
Geothermal heat pumps and geothermal heat exchange equipment up to 4 feet in height above grade	No	No	Yes
Green houses and hoop houses	No	No	Yes
Insulation added to the outside of the exterior wall of an existing building	Yes	Yes	Yes
Plants and cold frames	Yes	Yes	Yes
Porches (see 154-21-060.D)	Yes	No	Yes
Rainwater harvesting equipment projecting no more than 4. 5 feet into the setback	Yes	Yes	Yes
Recreational equipment (e.g., swing sets, playground equipment, tree houses, etc.)	No	No	Yes
Satellite dish antennas	See 154-9-090.A		
Signs (see also Article 15)	Yes	Yes	Yes
Sills, belt courses, cornices and similar architectural features projecting no more than 2 feet	Yes	Yes	Yes
Solar energy systems, building-mounted	No	Yes	Yes
Solar energy systems, ground-mounted	No	No	Yes
Swimming pools and tennis courts	No	No	Yes
Vehicle parking/storage, inoperable	No	No	Yes
Wheelchair lifts and ramps that meet federal, state, and local accessibility standards	Yes	Yes	Yes

D. Front Porches

Front porches that are open on at least three sides may encroach a maximum of 5 feet into a required street setback, subject to the following restrictions:

1. The total amount of porch encroachment into any required street setback may not exceed 300 square feet.
2. On lots with multiple frontages, porches may encroach into only one street setback.
3. Occupiable floor area and porch/deck space is prohibited above a porch that encroaches into a required street setback.

154-21-070. Building Coverage

Building coverage is the total area of a lot covered by principal and accessory buildings. Only building areas beneath a roof are counted for purposes of measuring building coverage. A porch with a roof, for example, is counted, but an uncovered deck structure is not considered building coverage.

154-21-080. Building Height

A. Measurement

1. Building height is measured as the vertical distance from average grade at the street side of the building (along the building base) to the highest point of the of the underside of the ceiling beams in the case of a flat roof, to the deck line of a mansard roof, to the mid-point between the eaves and peak of the principal roof structure for hip, gabled, and gambrel roofs.

Figure 21-7: Building Height Measurement



2. Whenever building height limits are expressed in stories, a "story" is measured between the surface of any floor and the surface of the floor immediately above it or, if there is no floor above it, then the space between the floor and the ceiling immediately above it. A "half-story" includes space under a sloping roof that has the line of intersection of roof decking and wall face not more than 3.5 feet above the top floor level.

B. Exceptions

Elevators, stairways, tanks, ventilating fans, or similar equipment to operate and maintain the building, fire or parapet walls, skylights, television aerials, steeples, belfries, cupolas, flagpoles, weathervanes, chimneys, smokestacks, wireless masts, water tanks, grain elevators, silos, gas containers, material hoppers, or similar structures may exceed maximum building height limits, provided they are not designed or used for human occupancy

154-21-090. Other Height Measurements

A. Fences and Walls

The height of fences and walls is measured as vertical distance from the average finished grade on the inside of the fence to the top of the fence or wall. Fences atop walls or landscape features (e.g., raised beds) are measured to average finished grade at the base of the wall or landscape feature. Fence posts may exceed the height of the highest connected portion of the fence by up to 12 inches.

B. Other Structures

The height of structures other than buildings, fences or walls is measured as vertical distance from the average finished grade at the base of the structure to the highest point of the structure. Unless otherwise expressly stated, the height of a structure may not exceed the maximum building height allowed in the subject zoning district.

154-21-100. Occupancy

For the purpose of determining compliance with standards or requirements based on building occupancy or capacity, calculations must be based on the building code.

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Article 22 | Terminology

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154-22-010. General

Words and terms expressly defined in this UDO have the specific meanings assigned unless the context clearly indicates another meaning. Words and terms that are not expressly defined in this UDO have their ordinary dictionary meaning.

154-22-020. Abbreviations

Abbreviations used in this UDO have the following meanings:

Table 22-1: Abbreviations

Abbreviation	Meaning
%	Percent
In. (or ")	Inches
ft. (or ')	Feet (or foot)
max.	Maximum
min.	Minimum

Abbreviation	Meaning
no.	Number
Na or NA	Not applicable (no requirement)
sq. ft.	Square feet

154-22-030. Use Definitions

See Article 7 for an explanation of the use categorization system used in this UDO and for use type definitions.

154-22-040. Measurement-Related Terms

See Article 21 for an explanation of various lot and building regulation terms, such as "lot area," "lot width," "building height," and "setbacks."

154-22-050. Definition of Words and Terms Beginning with "A"

Abandoned Vehicle

Any of the following:

1. A vehicle located on public property illegally.
2. A vehicle left on public property without being moved for 24 hours or more.
3. A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of- way.
4. A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than 48 hours.
5. A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
6. A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this UDO if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within 20 days of date of the vehicle's removal.
7. A vehicle that is at least 3 model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than 20 days. A vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible for purposes of interpreting this definition.
8. It is prima facie evidence that a vehicle is abandoned if it remains on private property for more than 20 days and meets anyone of the following:
    a. Does not have lawfully affixed thereto or displayed thereon a current, valid, and unexpired or unencumbered license plate permitting its operation upon public roads, streets, or highways, or is qualified to be but is not carried on the most recent tax records of the Lake County Assessor's Office;
    b. Has broken or missing windows or flat or missing tires and appears to be mechanically inoperable;
    c. Has missing bumpers or fenders or is in any other way partially dismantled or wrecked; or
    d. Is missing its engine, transmission, differential, or any other parts that would make it mechanically inoperable.
9. The fact that the vehicle has a lawfully valid and unexpired license plate permitting its operation upon public roads, streets, or highways, or is being carried on the most recent tax records of the Lake County Assessor's Office, does not prevent the vehicle from being declared an abandoned vehicle.

Abut or Abutting

To touch or share a common boundary.

Accessory Structure or Use

A structure or use that:

1. Is subordinate to the principal structure or principal use served in terms of area and function;

2. Contributes to the comfort, convenience, or necessity of occupants of the principal structure or principal use served; and
3. Is customarily found in association with the subject principal use or principal structure.

Act of God
An event that directly and exclusively results from the occurrence of natural causes that could not have been prevented by the exercise of foresight or caution.

Adjacent
Near or in the immediate vicinity.

Agent
A person duly authorized to act on behalf of the subject property owner.

Aisle (parking or circulation)
That portion of a parking lot that provides access to parking stalls.

Alley
A public or private thoroughfare that affords only a secondary means of access to abutting property.

Alteration, Structural
Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls, except such alterations as may be required for the safety of the building.

Amateur Radio Facility
Any tower or antenna used for non-commercial radio communications (transmission and reception) maintained by an FCC-licensed amateur radio operator.

Animal, Companion
Animals that are commonly kept by persons as a pet or for companionship. Companion animals have the following characteristics: have a special and close relationship with humans; are partially or totally dependent on people; commonly live inside a residence in close proximity with humans; form bonds with people; and interact with their human companions. Dogs and cats are common companion animals.

Animal, Farm
Breeds of animals raised primarily for commercial or food production purposes in out-buildings or in open spaces away from residences. Typical examples include cattle, bison, swine, poultry, sheep, goats, donkeys, and horses.

Animal Service
See 154-7-040.A.

Antenna
An exterior transmitting or receiving device mounted on the ground or on a telecommunications tower, building or structure and used in communications that radiate or capture electromagnetic waves, micro waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Apiary
A structure for the keeping of honeybees.

Applicant
Any authorized person, firm, corporation, or agent who submits a permit or other application for any form of approval under this UDO (see Article 17).

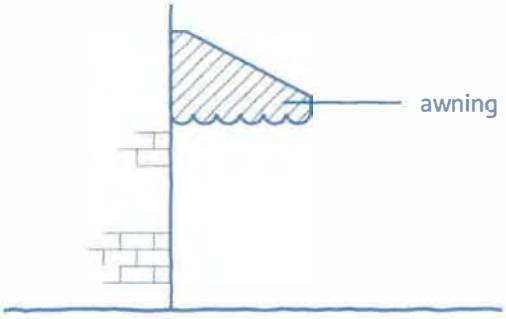
Assembly and Entertainment
See 154-7-040.E.

Attention-getting Device

A pennant, flag, valance, banner, propeller, spinner, streamer, search light, strobe light, flashing light, balloon, inflatable shape, or similar device used to draw attention to a particular place, including but not limited to the outlining of structures or premises by the use of internal or external lighting techniques.

Awning
An overhang made of cloth or similar materials attached to a structure for decoration or protection from sunlight and precipitation. See Figure 22-1.

Figure 22-1: Awning



154-22-060. Definition of Words and Terms Beginning with "B"

Banner
A temporary sign composed of lightweight material enclosed or not enclosed in a rigid frame, secured, or mounted to a permanent structure.

Backhaul (Network)
The lines that connect a provider's telecommunications towers/cell sites to one or more cellular telephone switching offices, and/or long-distance providers, or the public switched telephone network.

Balcony
A platform, with or without a roof, that: (1) projects from the exterior wall of a structure above the ground floor, (2) is exposed to the open air, (3) has direct access to the interior of the building, and (4) is not supported by posts or columns extending to the ground.

Bare Bulb Illumination
Exposed or uncovered lighting elements.

Basement
A floor of a building having some but not more than one-half of its floor-to-ceiling height below grade. (Also see "cellar").

Base (Zoning) District
Any zoning district that is not an "overlay" zoning district.

Battery Charging Station
An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

Battery Exchange Station
A facility designed to enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery for a more fully charged battery through an automated process.

Bay Window
A window that projects outward from the structure and that does not rest on a building foundation or on the ground.

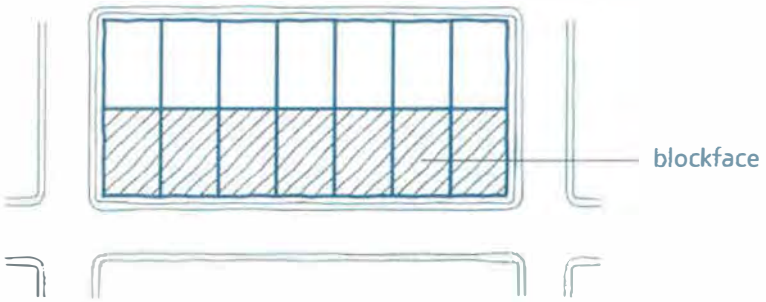
Bioretention

The use of soil and plants to remove pollutants from stormwater runoff.

Block
A tract of land bounded on all sides by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of water ways, or boundary lines of municipalities, or other types of definite boundaries.

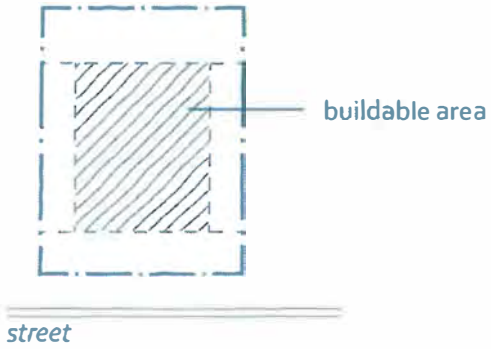
Blockface
Property abutting on one side of a street between the 2 nearest intersecting streets, railroad rights-of-way, or other natural or human-made barriers. See Figure 22-2.

Figure 22-2: Blockface



Buildable Area
The space remaining on a zoning lot after the minimum setback, landscaping and any other open space requirements of this UDO have been met. See Figure 22-3.

Figure 22-3: Buildable Area



Building
Any structure permanently affixed to the land with a permanent roof, separated on all sides from adjacent open areas by walls, built for the shelter, or enclosure of persons, animals, chattels, or property. When such a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.

Building, Detached
A building having no party wall in common with another building.

Building, Semi-detached
A building having one party wall in common with an adjacent building.

Building Coverage
See 154-21-070.

Building, Principal
A non-accessory building in which the principal use of the subject property is conducted.

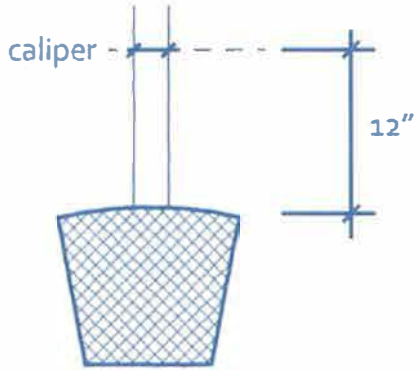
Business District

Any of the districts included in Article 2.

154-22-070. Definition of Words and Terms Beginning with "C"

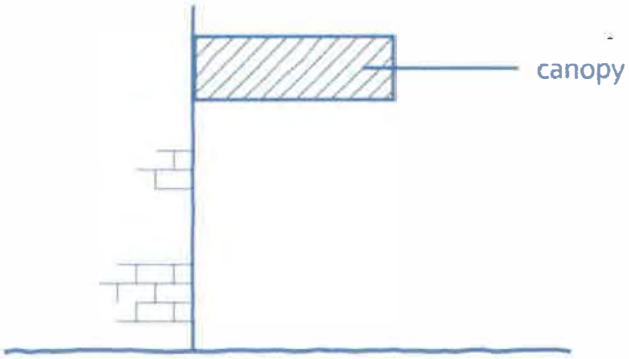
Caliper
A measurement of the size of a young tree, measured as the diameter of its trunk 12 inches above the root ball. See Figure 22-4.

Figure 22-4: Caliper (tree size measurement)



Canopy
A permanent structure that consists of an overhanging shelter connected to a building and constructed of materials such as wood or steel studs covered with wood or other material and that may or may not be supported by vertical columns. See Figure 22-5.

Figure 22-5: Canopy



Carport
An open-sided roofed vehicle shelter, usually formed by extension of the roof from the side of a building, but which may be freestanding.

Car-share Program
A system in which a fleet of cars (or other motor vehicles) is made available for use by members of the car-share program and that exhibit all the following characteristics:

1. Members are permitted to use vehicles from the car-share program fleet on an hourly or shorter basis;
2. Car-share vehicles are generally available 24 hours a day and 7 days a week to members in parking spaces at dispersed locations or facilities; and
3. No separate written agreement is required each time a member reserves and uses a car-share vehicle.

Car-share Vehicle
A motor vehicle that is part of a car-share program's fleet of rental vehicles.

Cellar

A floor of a building having more than one-half of its floor-to-ceiling height below grade. (Also see "basement").

Cemetery
See 154-7-030.A.

Central Sewer Service
Service by municipal sewers or by other state and county approved sewage treatment systems, other than individual septic systems.

Central Water Service
Service by municipal water or by other state and county approved water supply/treatment systems, other than individual water wells.

Certificate of Occupancy
A certification issued by the director, as provided, and required in this UDO and other part of the county code, authorizing a property or a structure to be used, in whole or in part, in conformance with this UDO.

Changeable Copy/Message Board
A sign on which copy is changed manually to provide a message.

Cold Frame
An unheated structure no more than 4 feet in height used for protecting seedlings and plants from the cold.

College or University
See 154-7-030.C.

Commercial Message
Any sign, wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Commercial Use Category
See 154-7-040.

Commercial Vehicle Repair and Maintenance
See 154-7-040.Q.1.

Commercial Vehicle Sales and Rentals
See 154-7-040.Q.2.

Commercial Service
See 154-7-040.B.

Commitment
A written document, in recordable form approved by the County Attorney, which may include maps, site plans or other exhibits, and that contains the information necessary to affect the provisions of this ordinance or the approval to which the commitment is connected, as authorized by Indiana Code § 36-7-4-1015.

Copy (sign)
Written material, printed text, numbers, logos, symbols, or pictures located on the copy surface for the purpose of delivering a message.

County
The County of Lake, Indiana.

Covenant (Restrictive)
Written conditions or commitments running with the land that restrict or regulate the use of the property or the kind, character, and location of buildings or other structures that may be located on the subject property.

Cross-Access
A vehicular and/or pedestrian connection between abutting properties that connects the 2 sites and allows vehicles and/or pedestrians to travel between sites without having to exit to the street.

Cul-De-Sac
A minor street having one open end and being permanently terminated by a vehicle turnaround.

154-22-080. Definition of Words and Terms Beginning with "D"

Day Care
See 154-7-040.C.

dB(A)
The intensity of sound expressed in decibels read from a calibrated sound level meter utilizing the A-level weighing scale and the slow-meter response, as specified by the American National Standards Institute.

Decibel (dB)
The logarithmic unit of measure used to describe the amplitude of sound.

Decision-making Body
The entity granted authority to make a final decision on a matter, pursuant to the procedures of this UDO.

Deck
A roofless outdoor space built as an aboveground platform projecting from the wall of a structure and connected by structural supports at grade or by the structure.

Dedication
The deliberate appropriation of land by an owner for general and public use reserving to the landowner no rights that are incompatible with the full exercise and enjoyment of the public use to which the property has been devoted.

Developer (or Subdivider)
The property owner or a party with consent of the property owner who is dividing property or applying for one or more forms of subdivision or plat approval required under the subdivision-related procedures of this UDO.

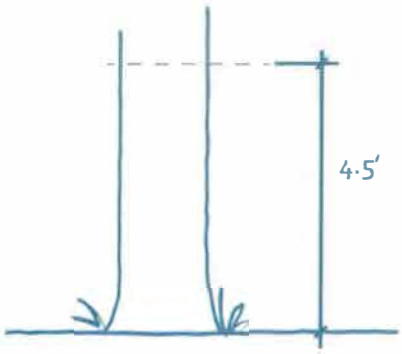
Development, Land
Any human-made change to improved or unimproved real estate including:

1. Construction, reconstruction, or placement of a structure or any addition to a structure;
2. Installing a manufactured home on a site, preparing a site for a manufactured housing unit or installing a recreational vehicle on a site for more than 180 days;
3. Installing utilities, erection of walls and fences, construction of roads, or similar projects;
4. Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
5. Mining, dredging, filling, grading, excavation, or drilling operations;
6. Construction and/or reconstruction of bridges or culverts;
7. Storage of materials; or
8. Any other activity that might change the direction, height, or velocity of flood or surface waters.

The term "development" does not include activities such as the ordinary maintenance of existing structures and facilities such as painting, re-roofing, resurfacing roads, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Diameter-at-Breast Height (DBH)
The diameter of a mature tree's trunk measured at a height of 4.5 feet above grade level at the base of the tree. See Figure 22-6.

Figure 22-6: Diameter at Breast Height (DBH)



Displacement (Vibration)
The amount of motion involved in a vibration.

District
Zoning district.

Drainage
A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping.

Drive-in or Drive-through Facility
See 154-7-090.A.

Driveway
A private accessway that provides a connection from a lot to a street or alley and that provides for vehicular circulation on the lot.

Dwelling
A building or portion of a building designed or used exclusively for residential occupancy, including detached houses, attached houses, two-unit houses, and residential buildings occupied by 3 or more dwelling units, but not including group residential or lodging uses (see also 154-7-020.A)

Dwelling Unit
One or more rooms in a dwelling designed for occupancy by a single household for living purposes and having its own permanently installed cooking and sanitary facilities.

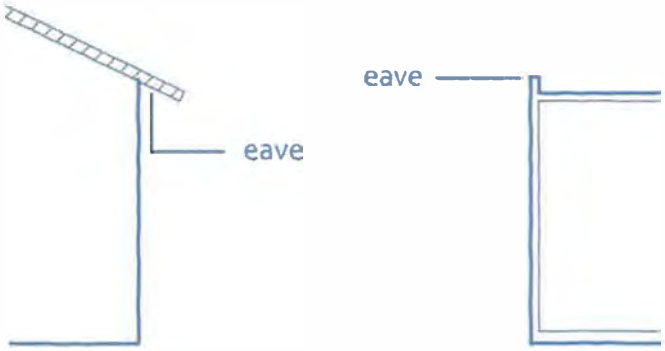
154-22-090. Definition of Words and Terms Beginning with "E"

Easement
A grant by a property owner for the use property by a public authority or private entity for a specific purpose.

Eating and Drinking Establishments
See 154-7-040.D.

Eave
The lower edge of a sloping roof surface or the top edge of a parapet or flat roof. See Figure 22-7.

Figure 22-7: Eave



Electric Vehicle
Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid or an off-board source, that is stored on-board via a battery. "Electric vehicle" includes: (1) battery electric vehicles; and (2) plug-in hybrid electric vehicles.

Electric Vehicle (EV) Charging Station
A public or private parking space that is served by battery charging station equipment.

Electric Vehicle Charging Station, Private (Restricted-Access)
An EV charging station that is not available for use by the general public. Examples include electric vehicle charging stations that serve residential homeowners or renters, executive parking areas, designated employee parking areas and fleet parking areas.

Electric Vehicle Charging Station, Public
An EV charging station that is accessible to and available for use by the general public.

Electric Vehicle Parking Space
Any parking space that is clearly identified to be used exclusively for the parking of an electric vehicle.

Electronic Changeable Copy/Message Board
A sign that allows letters or characters to be placed as copy electronically in order to provide a message.

Emergency Vehicle (or Emergency Service Vehicle)
Vehicles such as ambulances, police cars, or firefighting equipment used to respond to emergency situations.

Erosion
The process by which the soil and rock components of the earth's crust are worn away and removed from one place to another by natural forces such as water, wind, ice, and gravity.

Erosion Control Plan.
A written description and site plan of pertinent information concerning erosion control measures to be installed under 327 I.A.C. 15-5-5.

Escort
A person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Exempt Land Division
A land division involving the creation of parcels with an area of 20 acres or more, all of which meet the following criteria:

1. Have frontage on a dedicated, improved, public road (not including private roads, easements of access, or unimproved roads) of at least 18 feet or the minimum frontage required by the zoning district in which the subject parcel is located, whichever is greater;

2. Have adequate area classified in a soil type approved for septic system installation;
3. Do not exceed a depth-to-width ratio of 3.5 to 1; and
4. Do not foreclose opportunities to reasonably subdivide or develop adjacent lands.

Exercise of Religion
Exercise of religion means an act or refusal to act that is substantially motivated by religious belief, whether or not the religious exercise is compulsory or central to a larger system of religious belief.

154-22-100. Definition of Words and Terms Beginning with "F"

FAA
The Federal Aviation Administration.

FCC
The Federal Communications Commission.

Financial Service
See 154-7-040.F.

Fence
A structure that functions as a horizontal boundary or barrier consisting of a structural frame with a fabric of wood, metal, or masonry.

Floor Area
See 154-21-030.

Foot-Candle
A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle.

Foundation, Permanent
A closed perimeter formation consisting of materials such as concrete or concrete block that extends into the ground below the frost line.

Frequency (sound waves)
The number of oscillations per second in a sound wave; an index of the pitch of the resulting sound.

Frontage, Street
See 154-21-040.

Frontage Road
A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway providing points of ingress and egress at more-or-less uniformly spaced intervals.

Fueling Station
See 154-7-040.Q.3.

Funeral and Mortuary Service
See 154-7-040.G.

154-22-110. Definition of Words and Terms Beginning with "G"

Garage
A structure, either attached or detached, used for the parking and storage of vehicles as an accessory use to a dwelling unit. For the purposes of this definition, "garage" does not include a commercial parking structure.

Geothermal Energy System (Geothermal Heat Exchange)

Equipment that transfers thermal energy to and/or from the ground for the purposes of heating and/or cooling a building. Geothermal energy systems consist of a closed-loop system of pipes filled with liquid, a heat exchanger and heat pump. This includes vertical closed loop, horizontal closed loop and water body closed loop systems.

Grade
The slope of a road, street, or other public way.

Group Living
See 154-7-020.B.

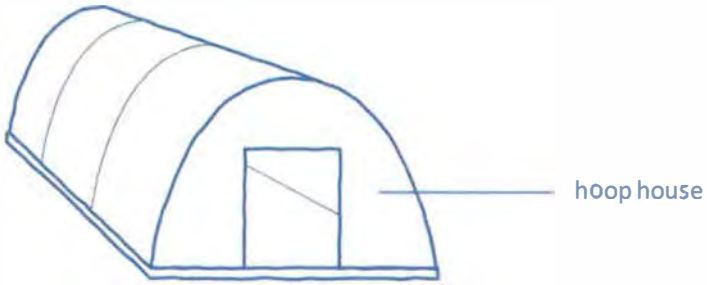
154-22-120. Definition of Words and Terms Beginning with "H"

Height, Building
See 154-21-080.

Home Occupation
An accessory use of a dwelling for limited commercial purposes. Home occupations are subject to the regulations of 154-9-090.

Hoop House
A structure typically made of flexible pipe or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape, for the purposes of protecting and cultivating plants. See Figure 22-8.

Figure 22-8: Hoop House



Hospital
See 154-7-030.H.

Household
Either of the following:
1. An individual or 2 or more persons related by blood, marriage, adoption, foster parent responsibility or other legal status making the person a dependent of one or more persons residing in the household under state or federal law; or
2. A group of no more than 4 adults and their children or legal dependents.

Household Living
See 154-7-020.A.

154-22-130. Definition of Words and Terms Beginning with "I"

Impervious Surface
Any surface that prevents or impedes the natural infiltration of surface and stormwater runoff into the soil.

Improvements, Private
Private improvements are the same types of improvements as defined under public improvements, except that ownership and/or maintenance and repair is the responsibility of a private entity.

Improvements, Public

Any structure or facility constructed and dedicated for public ownership and maintenance to serve the residents of a subdivision or the general public, such as parks; streets or roads; sidewalks, curbs and gutters; street lighting; utilities; and systems for water supply, sewage disposal, and drainage. Only those improvements that have been dedicated to and accepted by the county or another public agency are considered public improvements.

Improvement, Required
Improvement required by this UOD or by the plan commission as condition to approval of the plat.

Industry, Artisan
See 154-7-060.A.

Industry, Moderate-Impact
See 154-7-060.C.

Industry, High-Impact
See 154-7-060.D.

Industry, Low-Impact
See 154-7-060.B.

Industrial Use Category
See 154-7-060.

Invasive (Plant) Species
Any plant species, including its seeds, spores, or other biological material capable of propagating that species, that is not native to that ecosystem; and whose introduction causes or is likely to cause environmental harm.

154-22-140. Definition of Words and Terms Beginning with "J"

Junk or Salvage Yard
See 154-7-060.E.

154-22-150. Definition of Words and Terms Beginning with "K"

RESERVED

154-22-160. Definition of Words and Terms Beginning with "L"

Land Division
The partitioning or splitting of a parcel of land into 2 or more lots or parcels or a change in boundaries between 2 or more lots or parcels, or the consolidation of multiple lots or parcels into a fewer number of lots or parcels.

Landscaping
Any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

Lawfully Established
A use, structure, lot, or sign (as the context indicates) that was established in conformance with all applicable zoning regulations in effect at the time of its establishment.

Library
See 154-7-030.I.

Lodging
See 154-7-040.H.

Logo
A design used by an organization on its letterhead, advertising material and signs as an emblem by which the organization can be easily recognized.

Lot

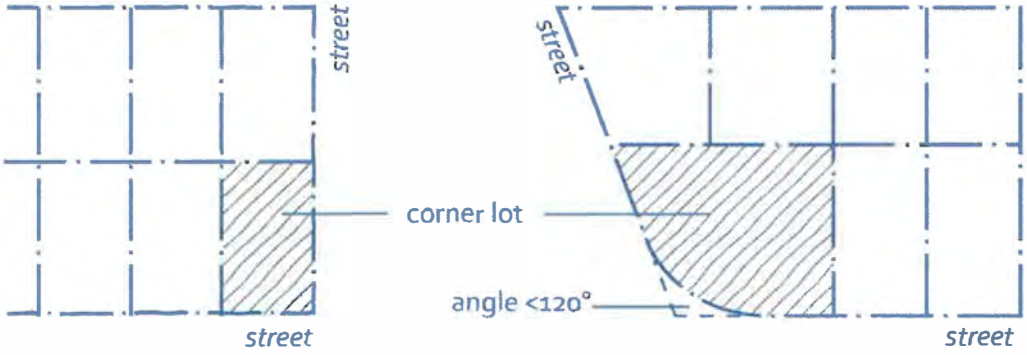
A parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat, fronting on a street. In determining lot area and boundary lines, no part thereof within the limits of the street is included.

Lot and Building Regulations
Zoning district provisions governing such matters as required minimum lot area, minimum lot width, setbacks, maximum lot coverage and maximum building height.

Lot Area
See 154-21-020.

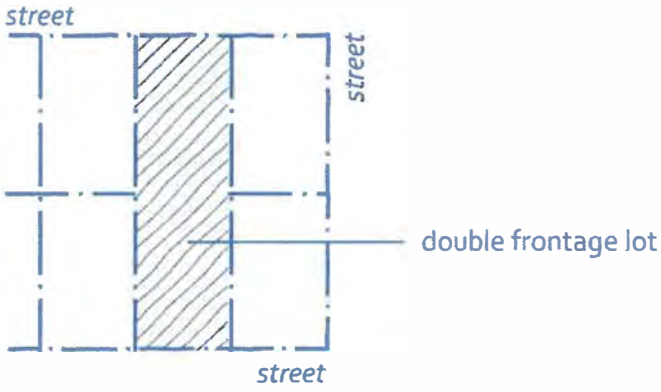
Lot, Corner
A lot located at the intersection of 2 streets or a lot bounded on 2 sides by a curving street 2 chords of which form an angle of 120 degrees or less measured on the lot side. See Figure 22-9.

Figure 22-9: Corner Lot



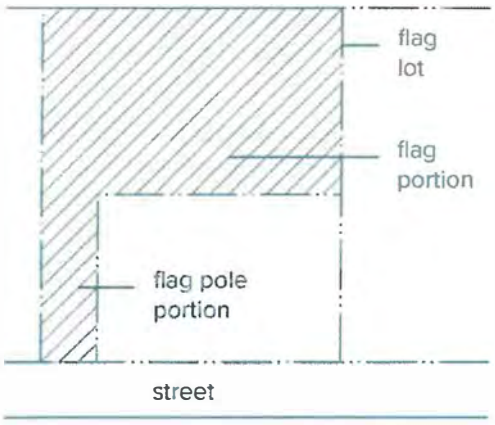
Lot, Double-frontage
A lot having frontage on 2 parallel or nonintersecting streets, as distinguished from a corner lot. See Figure 22-10.

Figure 22-10: Double-frontage Lot



Lot, Flag
A lot with two distinct parts: (1) the "flag," which is located behind another lot; and (2) the "flag pole," which connects the flag to the street and is at any point less than the minimum lot width required by zoning or other regulations.

Figure 22-11: Flag Lot



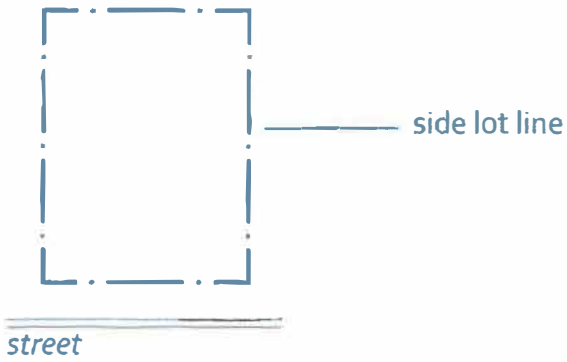
Lot Line, Rear
The lot line most nearly parallel to and located the furthest distance from the front lot line. See Figure 22-12.

Figure 22-12: Rear Lot Line



Lot Line, Side
Lot lines other than front or rear lot lines. See Figure 22-13.

Figure 22-13: Side Lot Line



Lot Line, Street
A lot line abutting a street.

Lot Width
See 154-21-050.

Lot, Zoning

A single tract of land located within a single block that at the time of the filing for a zoning permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot" may or may not coincide with a lot of record.

Low-Impact Development (LID)
A site design strategy with the goal of maintaining or replicating the pre-development hydrologic regime using design techniques to create a functionally equivalent hydrologic site design. The use of LID techniques, hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained using integrated and distributed micro-scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of runoff flow paths and flow time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian resource areas, wetlands, steep slopes, mature woodlands, floodplains, and highly permeable soils.

154-22-170. Definition of Words and Terms Beginning with "M"

Maintenance Guarantee
A financial guarantee posted by the developer and approved by the county, guaranteeing the satisfactory condition of required infrastructure and improvements required to be installed pursuant to the regulations of this UDO.

Medical, Dental and Health Practitioner
See 154-7-040.I.2.

Mixed-use Building
A building occupied by residential uses in combination with nonresidential uses.

Module
An area of a parking lot that consists of a parking (drive) aisle with parking stalls on each side of the aisle.

Monument (Permanent Monument)
A structure placed in the ground that is exclusively identifiable as a monument to a survey point expressly placed for surveying reference.

154-22-180. Definition of Words and Terms Beginning with "N"

Natural Resources Protection
See 154-7-030.J.

Nonconforming Lot
See 154-19-020.

Nonconforming Sign
See 154-15-100.

Nonconforming Structure
See 154-19-040.

Nonconforming Use
See 154-19-030.

Nonconformity
Any nonconforming lot, nonconforming use, nonconforming structure, or nonconforming sign.

Non-Motorized Transportation Facilities
Improvements designed and intended primarily for the use, safety and comfort of pedestrians, cyclists, and other users of nonmotorized means of travel. Examples include sidewalks, trails, bike lanes, equestrian trails, and related appurtenances, such as signs, signals, and wheelchair ramps.

Nonresidential (Zoning) District

Any base zoning district other than R (Residential) districts.

154-22-190. Definition of Words and Terms Beginning with "O"

Occupiable Floor Area
Enclosed floor area intended for human activities, excluding those areas intended primarily for other purposes, such as storage rooms and equipment rooms, that are only intended to be occupied occasionally and for short periods of time.

Odorous Matter
Material that causes an odor sensation to a human being.

Office
See 154-7-040.I.

Open Space, Common
Property under common ownership used for parks, playgrounds, parkway medians, landscaped green space, schools, community centers or other similar areas in public ownership or common ownership and subject to the provisions of restrictive covenants, if any, required or approved by the county council. Common open space does not include space devoted to structures, public rights-of-way or areas improved for use as private drives or parking facilities.

Other Use Category
See 154-7-090.

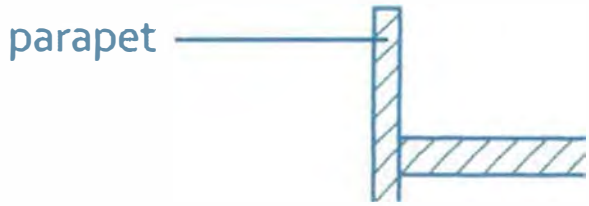
Overlay (Zoning) District
A zoning district that over-lays a base zoning district and imposes supplemental regulations and standards on lands within the overlay boundaries.

154-22-200. Definition of Words and Terms Beginning with "P"

Parent Tract (or Parcel)
The parcel of land from which a new lot or tract of land is being taken from.

Parapet or Parapet Wall
A wall-like barrier at the edge of a roof that acts as a vertical extension of an exterior building wall extending above the roof height of the building. See Figure 22-14.

Figure 22-14: Parapet



Parcel
A part or portion of land having a legal description formally set forth in a conveyance, together with the boundaries thereof, in order to make possible its easy identification.

Parking, Non-Accessory
See 154-7-040.J.

Parks and Recreation
See 154-7-030.K.

Performance Guarantee
A financial guarantee posted by the developer and approved by the county, guaranteeing that all improvements, facilities, or work required by these regulations will be completed in compliance with these regulations and the approved plans and specifications of a subdivision.

Personal Vehicle Repair and Maintenance
See 154-7-040.Q.4.

Personal Vehicle Sales and Rentals
See 154-7-040.Q.5.

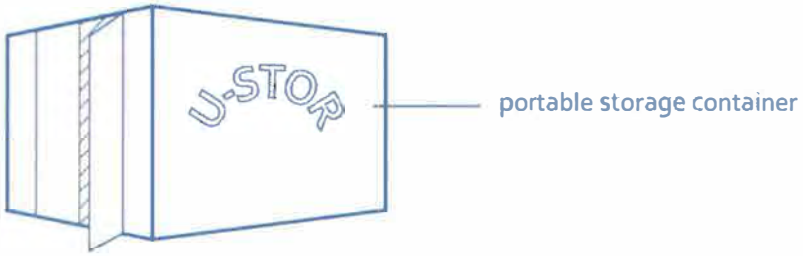
Phasing Plan
A detailed plan for secondary platting and development of a subdivision in 2 or more phases.

Planned Unit Development
A development project approved in accordance with the planned unit development procedures in effect at the time the development was approved.

Plat
A graphical representation of a subdivision showing the division of land into lots, blocks, streets, alleys, or other divisions and dedications.

Portable Storage Container
A purpose-built, fully enclosed, box-like container designed for temporary storage of household or commercial goods and/or equipment and for ease of loading to and from a transport vehicle. See Figure 22-15.

Figure 22-15: Portable Storage Container



Porch
A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Public, Civic and Institutional Use Category
See 154-7-030.

Pump Island
A concrete structure in the immediate vicinity of and designed to support and protect gasoline and fuel pumps.

Public, Civic and Institutional Use Category
See 154-7-030.

154-22-210. Definition of Words and Terms Beginning with "Q"
RESERVED

154-22-220. Definition of Words and Terms Beginning with "R"

Rainwater Collection Equipment
A rain barrel or similar container that collects and stores rainwater or other water that would otherwise be lost as runoff or diverted into a storm drain.

Recreational Equipment
Any snowmobile or all-terrain vehicle and any watercraft including personal watercraft and specialty prop-craft (as those terms are defined in the Indiana Code) and trailers used to transport or store such equipment.

Recreational Vehicle
Any camping trailer, motor home, mini-motor home, travel trailer, truck camper, or van camper as those terms are defined in the Indiana Code, or any other habitable vehicle used primarily as temporary living quarters for recreational camping, travel, or seasonal use.

Recycling Use Category
See 154-7-070.

Religious Assembly
See 154-7-030.L.

Residential Use Category
See 154-7-020.

Residential (Zoning) District
Any of the R districts of Article 2.

Restaurant
See 154-7-040.D.2.

Resubdivision (or Replat)
Any change in a map of a recorded subdivision plat affecting any street layout, easement, area reserved for public use, or any lot line.

Retail Sales
See 154-7-040.K.

Review Agencies
Local, state, and federal agencies; utilities; and other agencies who have regulatory responsibility or directly related interests in proposed land divisions, as determined by the plan commission based on the location and nature of the subject application.

Right-of-Way
The existing road right-of-way, except in cases where the existing road right-of-way does not meet applicable minimum right-of-way standards, in which case "right-of-way" means the planned right-of-way.

Right-of-Way, Planned
The right-of-way width required to comply with applicable minimum right-of-way standards.

Runoff
That part of precipitation that flows off the land without filtering into the soil or being absorbed by plant material.

154-22-230. Definition of Words and Terms Beginning with "S"

Safety Service
See 154-7-030.M.

School
See 154-7-030.N.

Sedimentation
The process of depositing materials from a liquid, especially in bodies of water.

Self-service Storage Facility
See 154-7-040.L.

Setback

Open space areas required between buildings and lot lines. See 154-21-060.

Sewer Service, Central
See "Central Sewer Service."

Shed
An accessory storage building used for the comfort, convenience, or necessity of the occupants of the principal structure on the lot upon which the shed is located.

Short-term Rental Platform
An entity that provides a platform through which unaffiliated parties offer to rent a short-term rental to an occupant and that collects consideration for the rental from the occupant.

Sign
Any object, device, structure or part thereof used to advertise, identify, display or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs as defined herein do not include temporary holiday decorations; or landscape features that display no words or symbols.

Sign, Animation
The presentation of pictorials and graphics on signs displayed in a progression of frames that give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes.

Sign Area
See 154-15-110.A.

(Sign) Banner
A sign composed of lightweight, flexible, non-rigid material that is mounted to a pole or a structure at one or more edges either vertically or horizontally. Flags are not considered banners.

Sign, Campaign
A temporary sign displayed on a lot during an active local, state, or federal campaign for public office or ballot issue or referenda, generally intended to promote the ultimate exercise of voting by the general public.

(Sign) Commercial Message
See "Commercial Message."

Sign, Construction
A temporary sign located on a lot upon which building or construction is actively occurring.

Sign, Drive-Through
A sign associated with an allowed drive-through use.

Sign, Driveway
A sign located near a driveway entrance from a street or near an internal site driveway or drive aisle (See also 154-15-030.A).

(Sign) Dwell Time
The duration or interval of time during that each individual advertisement or message is displayed on any sign with a dynamic display.

Sign, Dynamic Display
Any element of a sign or sign structure capable of displaying words, symbols, figures, images, or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages or displays.

(Sign) Flag

A generally rectangular or triangular sign or part of a sign made of fabric or other pliant material attached to a flagpole only along one side and which predominately displays distinctive colors, images, shapes or designs rather than legible words, letters, numbers or other linguistic characters.

Sign, Flashing (Illumination)
A light source or other image that in whole or in part physically changes in light intensity or gives the appearance of such change.

Sign, Freestanding
A sign that is part of a self-supporting structure, other than a building or portion of a building. Sometimes referred to as a "ground sign."

Figure 22-16: Freestanding Sign



Sign, Height Of
See 154-15-110.B.

Sign, Illuminated
Any sign, other than a dynamic display, that is directly lighted by any constant light source, internal or external, except light sources specifically and clearly operated for the purpose of lighting the general area in which the sign is located rather than the sign itself.

Sign, Illumination and Luminance
See 154-15-110.D.

Sign, Monument
A freestanding sign where the base of the sign structure is on the ground or no more than 12 inches above the ground adjacent to the sign. Typically constructed of brick, wood, stone, or metal, monument signs have a base that is at least 75% of the width of the sign face.

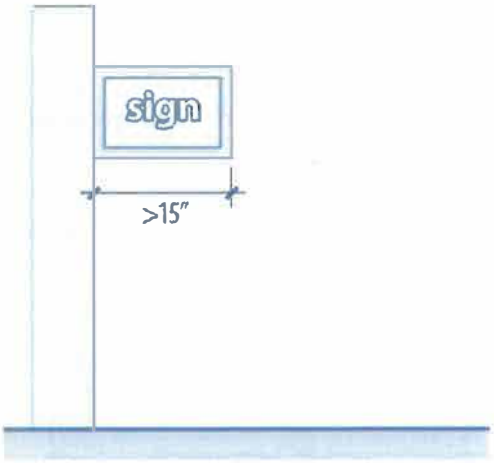
(Sign) Nameplate
A sign attached flush against a building.

Sign, Off-Premise Outdoor Advertising
See 154-7-090.B.

Sign, On-Premise
A sign that directs attention to a business, commodity, service, or activity that is conducted, sold, or offered upon the lot where the subject sign is located.

Sign, Projecting
A sign that is affixed to a building wall, canopy, awning, or marquee and that extends horizontally more than 15 inches from the wall, canopy, awning, or marquee.

Figure 22-17: Projecting Sign



Sign, Promotional
A temporary sign that is located on a lot on which a business promotion is actively occurring and that consists of tinsel, flags, balloons, banners, wind devices, or similar attention-getting devices, whether or not the same contain any words, numbers or characters.

Sign, Real Estate
A temporary sign located on a lot or portion of a lot that is actively being marketed for sale, rental, or lease.

Sign, Roof
A sign that is affixed to a roof, extended roof, pitched roof, or canopy, and that extends above the building wall or parapet wall.

(Sign) Rules of Measurement
See 154-15-110.

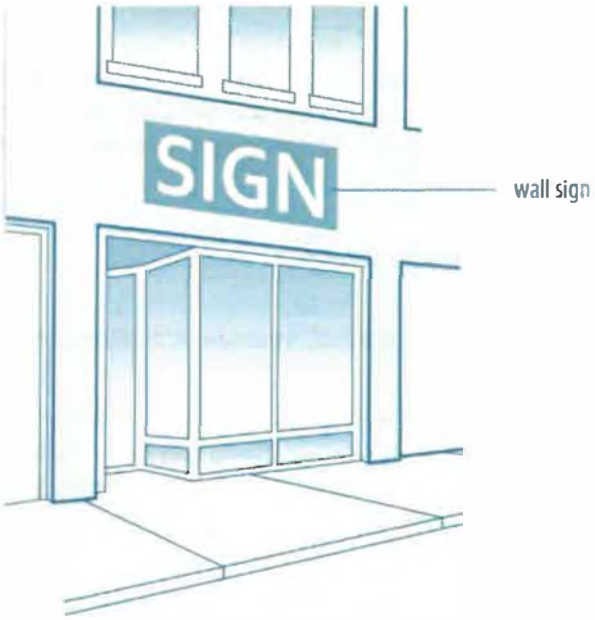
Sign, Special Event
A sign approved in connection with a special event permit approved by the county council (see also 154-15-030.F.5)

(Sign) Storyboarding
The consecutive display of advertisements or messages on a sign, used to provide a continuing or evolving message, theme or story.

(Sign) Static Message
An advertisement or message that, when displayed, contains no motion, flashing, changeable copy, running lights, variances in brightness, or animation.

Sign, Wall
A sign affixed to a building wall, canopy, awning, marquee or parapet wall, or a sign displayed in or on a door that does not extend horizontally more than 15 inches from the wall, canopy, awning, marquee, parapet wall, or door, nor extend above the parapet wall.

Figure 22-18: Wall Sign



(Sign) Wind Device
Any flag, banner, pennant, streamer, or similar device that moves freely in the wind.

Sign, Window
A sign attached to a window.

(Sign) Word
Any and all the following (otherwise, each separate character is considered to be a word):

1. A word in any language found in any standard unabridged dictionary or dictionary of slang.
2. A proper noun or any initial.
3. A separate symbol or abbreviation, such as "&", "S", "%" and "INC".
4. A telephone number, street number or commonly used combination of numerals and/or symbols such as "$5.00" or "50%".
5. A symbol or logo that is a registered trademark, but that itself contains no word or character.

Small Wind Energy Conversion System
Equipment and facilities that to convert wind energy to electrical energy, used primarily for on-site consumption. Small wind energy conversion systems typically consist of a wind turbine, tower or mounting structure, associated control or conversion electronics, and related facilities. Only facilities with a maximum rated capacity of 100 kilowatts or less are considered "small" wind energy conversion systems . Higher rated systems are classified and regulated as wind farms See 154-7-030.O.2.

Smoke
A visible discharge from a chimney, stack, vent, exhaust, or combustion process that is made up of particulate matter.

Solar Access Easement
A right, expressed as an easement, covenant, condition or other property interest in any deed or other instrument executed by or on behalf of any landowner, which protects the solar skyspace of an actual, proposed or designated solar energy collector at a described location by forbidding or limiting activities, land uses, structures and/or trees that interfere with access to solar energy.

Solar Array
A collection of multiple solar panels that generate electricity as a system.

Solar Collector
A device or combination of devices, structures, or parts thereof, that collects, transfers, or transforms direct solar, radiant energy into thermal, chemical, or electrical energy, and that contributes significantly to a structure's energy supply. In addition to such functions, solar collectors may also serve as a part of a structure's roof, wall, window, or other structural member.

Solar Energy
Radiant energy (direct, diffuse, and reflected) received from the sun.

Solar Energy System
A system intended to convert solar energy into thermal, mechanical, or electrical energy.

Solar Energy System, Building-Integrated
A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural part of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, skylights, shading devices, and similar architectural components.

Solar Energy System, Structure-Mounted
A solar energy system that is mounted on the façade or roof of either a principal or accessory structure.

Solar Energy System, Flush-Mounted
A solar energy system that is mounted flush with a finished building surface, at no more than 6 inches in height above that surface.

Solar Energy System, Ground-Mounted
A solar energy system mounted on the ground and not attached to any other structure other than structural supports.

Solar Panel
A group of photovoltaic cells assembled on a panel. Panels are assembled on-site into solar arrays.

Solar Power System, Concentrated
Solar power systems that generate power by using mirrors or lenses to concentrate a large area of sunlight onto a receiver.

Solar Skyspace
The space between a solar energy collector and the sun which must be free of obstructions that shade the collector to an extent which precludes its cost-effective operation.

Specified Anatomical Areas
Any of the following:

1. Less than completely and opaquely covered: human genitals, pubic region; buttocks; female breasts below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities
Any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts, whether covered or uncovered;
2. Sex acts, normal or perverted, actual, or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1-3, above.

Street
A public way established by or maintained under public authority, a private way open for public uses, and a private way, plotted or laid out for ultimate public use, whether or not constructed.

Street, Principal Arterial
Major roads that provide a high degree of mobility and access control and function as the primary travel routes through urbanized area in the county, as identified in the Lake County Comprehensive Plan or other county approved transportation plan.

Street, Minor Arterial
Major roads that augment principal arterials by accommodating shorter trips with fewer or less stringent access controls, as identified in the Lake County Comprehensive Plan or other county approved transportation plan.

Street, Collector
Medium-capacity, medium-volume streets with limited continuity. Collector streets link arterial streets with local streets and provide inter-neighborhood street connections, as identified in the Lake County Comprehensive Plan or other county approved transportation plan.

Street, Local
All streets other than arterial and collector streets. Local streets provide direct access to lots and generally accommodate shorter trips than arterial and collector streets.

Street, Improved
Any public street with a minimum right-of-way width of 40 feet with a minimum 18-foot roadway properly graded and drained with a minimum base of 7 inches or more of aggregate.

Street, Perimeter
An existing street to which the parcel of land to be subdivided abuts on only one side.

Structure
Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground.

Structural Alterations
Any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams, or girders, excepting such alterations as may be required for the safety of the structure.

Structure, Principal
A structure, other than an accessory structure, in which the principal use of the lot is conducted.

Subdivision
The division of a parcel of land into lots, parcels, sites, units, plats, or interests for the purpose of offer, sale, lease, or development, including resubdivision. "Subdivision" includes the division of development by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument. "Exempt land divisions" are not classified or regulated as subdivisions.

Subdivision, Major
Any subdivision that does not meet the criteria for processing as a minor subdivision in 154-17-060.A..

Subdivision, Minor
A subdivision that meets the criteria for processing as a minor subdivision in accordance with 154-17-060.A.

Survey
A plat of survey (also known as a "boundary survey"). When the provisions of this ordinance require the submittal of a survey, such survey must have been conducted no more than 6 months before the date that the survey is submitted to the county.

154-22-240. Definition of Words and Terms Beginning with "T"

Terrace, Open; Patio
A level plane or platform that, for the purpose of this UDO, is located adjacent to one or more faces of the principal structure and that is no more than 4 feet in height above grade.

Toxic or Noxious Matter
Materials capable of causing injury to living organisms by chemical means when present in relatively small amounts.

Traffic Calming Devices
Design features and strategies intended to reduce vehicle traffic speeds on a particular street, thereby encouraging safer, more responsible driving.

Travel Trailer
A trailer designed to be used only as a temporary dwelling for travel, recreational and vacation use, and not exceeding 8 feet in width.

Trucking and Transportation Terminal
See 154-7-050.B.

154-22-250. Definition of Words and Terms Beginning with "U"

Use, Permitted
A use that is expressly allowed (as of right) in the subject zoning district subject to compliance with all other applicable regulations of this UDO.

Use, Special Exception
A use that may be allowed in the subject zoning district if approved in accordance with the special exception procedures of 154-17-100, subject to compliance with all other applicable regulations of this UDO.

Utilities and Public Service Facilities
See 154-7-030.O and 154-7-030.O.2.

Utility-Scale Energy Production
An energy production facility that produces electric energy for widespread distribution through the electric power grid.

154-22-260. Definition of Words and Terms Beginning with "V"

Vacant
Land on which there are no structures or only structures that are secondary to the use or maintenance of the land itself.

Parking area
An area that is devoted to use by or for motor vehicles, including off-street parking areas (accessory or non-accessory); off-street loading areas; vehicle storage areas; fuel stations; car washes; drive-through service areas and auto sales lots. Enclosed areas and access drives used solely for access between the street and the parking area are not considered part of a parking area.

Vibration
A periodic displacement of the earth measured in inches.

154-22-270. Definition of Words and Terms Beginning with "W"

Walkways, at- or Above-grade, Covered
Covered structures for pedestrian access, connecting structures on 2 adjacent lots.

Water Service, Central

See "Central Water Service."

Wetlands
Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wholesale, Distribution and Storage Use Category
See 154-7-050.

Wholesale Sales and Distribution
See 154-7-050.D.

154-22-280. Definition of Words and Terms Beginning with "X"

RESERVED

154-22-290. Definition of Words and Terms Beginning with "Y"

Yard
The actual (as opposed to "required") horizontal area that exists between a principal building and a property line. See also "setback."

Yard, Street
The yard that exists between a principal building and the street property line of the lot on which the building is located, extending along the full length of the street property line.

Yard, Rear
The yard that exists between a principal building and the rear property line of the lot on which the building is located, extending along the full length of the rear property line.

Yard, Side
The yard that exists between a building and the interior side property line of the lot on which the building is located, extending along a side property line.

154-22-300. Definition of Words and Terms Beginning with "Z"

Zoning Map
The map displaying the location and boundaries of the zoning districts described in this UDO.

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Appendix 1: Notice of Agricultural Activity

All applicants for a zoning permit for a principal residential use in an A-1 or RR zoning district or on any R-zoned lot located within one mile of a traditional farm must sign and acknowledge this form:

RIGHT-TO-FARM

This notice is given to you because of your application for a permit to build or move a home into an area of Lake County where active agricultural operations are or are likely to be occurring. The purpose of the notice is to assure you are aware that all agricultural operations are allowed in this area.

Agricultural activity may include, but is not limited to, grazing of livestock, confined feeding of livestock, application of animal manure to land, application of pesticides to fields and growing crops, creation of dust from field operations and noise from livestock and machinery operations at all hours.

People who choose to live in agricultural areas must understand that agricultural operations may be occurring nearby.

Indiana has a "RIGHT-TO-FARM" law that protects farm operations from unwarranted nuisance suits by neighbors who move near existing farm operations. Farm operations do not constitute a nuisance so long as they are not negligently maintained, do not endanger human health, and do not cause bodily injury to third parties.

By signing this notice form you verify that you have received it, read it, and understand it. You are not giving up the right to seek redress for negligence by individuals associated with a farm operation or by other residents of the area.

MY SIGNATURE CERTIFIES THAT I HAVE READ THIS NOTICE AND I UNDERSTAND IT.

_____	_____
Printed Name	Signature
_____	_____
Street Address	Date
_____	_____
City, State, Zip Code	Permit No.

Appendix 2: Street Tree Species List

The following tables constitute the tree species acceptable for planting as street trees in unincorporated Lake County. The tables also include specifications for the minimum distances to be maintained between trees and other infrastructure when planting new trees within the public way. Native tree species arc indicated in bold.

TABLE 1
SMALL TREE SPECIES FOR SMALL SPACES

Small trees are defined as those trees attaining a height of 20 to 30 feet at maturity.

COMMON NAME	SCIENTIFIC NAME	RECOMMENDED CULTIVARS
Amur Maple		Acer ginnala
Shadowblow Servlceberry	**Amelanchier canadensis**	
Apple Serviceberry hybrids	**Amelanchier x grandiflora**	'Princess Diana', 'Autumn Brilliance'
Allegheny Serviceberry	**Amelancier laevis**	
American Hornbeam	**Carpinus carollniana**	
Eastern Redbud	**Cercis canadensis**	(use single-trunk tree form on streets)
Flowering Dogwood	**Cornus florlda**	(plant only on sheltered sites, tree form)
Kousa Dogwood	Cornus kousa chinensis	
Thornless Cockspur Hawthorn	**Crataegus crus-galli 'Inermls'**	
Washington Hawthorn	**Crataegus phaenopyrum**	(only where thorns not problematic)
Winter King Hawthorn	**Crataegus vlridis 'Winter King'**	
Rose of Sharon	Hibiscus syriacis	(a shrub, but tree form is available)
Royal Star Magnolia	Magnolia stellata 'Royal Star'	(a shrub, but tree form is available)
Dr. Merrill Magnolia	Magnolia x loebneri	'Merrill', or 'Leonard Messel'
Flowering Crabapple	Malus cv.	(Choose disease resistant only)
Japanese Tree Lilac	Syringa reticulata	'Ivory Silk'

DISTANCE FROM INFRASTRUCTURE:

- Plant no closer than two feet from street, sidewalk, or curb.
- Minimum grow space of four feet of tree lawn.
- Small trees may be planted under overhead utility lines.
- Do not plant within five feet of any underground utility (phone, sewer, water, cable, electric).
- Do not plant within ten feet of any utility pole or fire hydrant.
- Do not plant within three feet of a parking area unless vehicle wheel stops are provided.
- Trees should not be planted where traffic line-of-sight is compromised at intersections.
- Tree pruning may be required as the tree matures to maintain adequate street and sidewalk clearance.

MINIMUM SIZE

Small trees planted in the public street tree lawn must be a minimum 1.5-inch caliper (measured 6 inches above the root ball).

TABLE 2
MEDIUM TREE SPECIES FOR MEDIUM SPACES

Medium trees are defined as those trees attaining a height of 30 to 45 feet at maturity.

COMMON NAME	SCIENTIFIC NAME	RECOMMENDED CULTIVARS
Hedge Maple	Acer campestre	
Autumn Flame Red Maple	**Acer rubrum**	'Autumn Flame'
Whitespire Birch	Betula platyphlla japonica	'Whitespire'
European Hornbeam	Carpinus betulus	'Fastigata'
American Hornbeam/Blue Beech	**Carpinus caroliniana**	
Katsura Tree	Cercidiphyllum japonicum	
Yellowwood	**Cladrastis lutea**	
Turkish Filbert	Corylus colurna	
Golden Raintree*	Koelreuteria paniculata	
American Hophornbeam	**Ostrya virginiana**	
Elm hybrid 'Emerald Sunshine'	Ulmus propiniqua 'JFS- Bieberich' 'Emerald Sunshine'	

DISTANCE FROM INFRASTRUCTURE:

- Plant no closer than three feet from street, sidewalk, or curb.
- Minimum grow space of five to six feet of tree lawn.
- Do not plant under or within ten lateral feet of any overhead utility lines.
- Do not plant within five feet of any underground utility (phone, sewer, water, cable, electric).
- Do not plant within ten feet of any utility pole or fire hydrant.
- Do not plant within three feet of a parking area unless vehicle wheel stops are provided.
- Trees should not be planted where traffic line-of-sight is compromised at intersections.

MINIMUM SIZE

Medium trees planted in the public street tree lawn must be a minimum 1.75-inch caliper (measured 6 inches above the root ball).

TABLE 3
LARGE TREE SPECIES FOR LARGE SPACES

Large trees are defined as those trees attaining a height of more than 45 feet at maturity. Large shade trees are recommended for planting wherever room allows, as they help increase the county's overall tree canopy and provide numerous environmental benefits. Native trees are noted in bold.

COMMON NAME	SCIENTIFIC NAME	RECOMMENDED CULTIVARS
Black Maple	**Acer nigrum**	'Greencolumn'
Red Maple	**Acer rubrum**	'Autumn Blaze', 'October Glory', 'Red Sunset', 'Sun Valley'
River Birch	**Betula nigra**	(relatively short lived)
Hackberry	**Celtis occidentalis**	
Ginkgo	Ginkgo biloba	Male clones only
Thornless Honeylocust	**Gleditsia triacanthos inermis**	'Skyline', 'Shademaster'
Kentucky Coffeetree	**Gymnocladus dioica**	Male clones only
Cucumbertree	**Magnolia acuminate**	
Blackgum / Tupelo	**Nyssa sylvatica**	
London Planetree	Platanus x acerfolia	'Bloodgood'
White Oak	**Quercus alba**	
Swamp White Oak	**Quercus bicolor**	
Scarlet Oak	**Quercus coccinea**	
Northern Pin Oak	**Quercus ellipsoidalis**	
Shingle Oak	**Quercus imbricaria**	
Bur Oak	**Quercus macrocarpa**	(needs grow space of 12' or more)
Chinkapin Oak	**Quercus muehlenbergii**	
Pin Oak	**Quercus palustris**	(chlorotic on alkaline sites)
English Oak	Quercus robur	(susceptible to powdery mildew)
Northern Red Oak	**Quercus rubra**	
Shumard Oak	**Quercus shumardii**	
Bald Cypress	**Taxodium distichum**	
Basswood	**Tilia americana**	'Boulevard', 'Redmond'
Littleleaf Linden	Tilia cordata	'Glenleven', 'Greenspire'
American Elm & hybrids**	Ulmus x	'Accolade', 'Frontier', 'Triumph' 'Prospector, 'Princeton,'' Homestead' (only Dutch Elm-resistant cultivars allowed)
Zelkova	Zelkova serrata	'Green Vase'

DISTANCE FROM INFRASTRUCTURE:

- Plant no closer than four feet from street, sidewalk or curb.
- Minimum grow space of eight feet of tree lawn.
- Do not plant under or within 20 lateral feet of any overhead utility lines.
- Do not plant within five feet of any underground utility (phone, sewer, water, cable, electric).
- Do not plant within ten feet of any utility pole or fire hydrant.
- Do not plant within three feet of a parking area unless vehicle wheel stops are provided.
- Trees should not be planted where traffic line-of-sight is compromised at intersections.

MINIMUM SIZE

Large trees planted in the public street tree lawn must be a minimum 1.75-inch caliper (measured 6 inches above the root ball).

Appendix 3: Subdivision Plat Certificates

All certificates must be of print large enough to be clearly legible, and be dated, signed and stamped if necessary.

APPROVAL CERTIFICATE

All secondary plats presented to the plan commission for approval must include an approval certificate in substantially the following form:

This plat was approved by the Lake County Plan Commission on _____ [day and month] of _____ [year]

[Signature of Plan Commission President]
[Typed or Printed Name]

[Signature of Plan Commission Director]
[Typed or Printed Name]

LAND SURVEYOR'S CERTIFICATE

All secondary plats presented to the plan commission for approval must include a land surveyor's certificate in substantially the following form:

I hereby certify that I am a land surveyor registered in compliance with the laws of the State of Indiana; and I do hereby further certify that this plat depicts a survey made by me or under my supervision, and to the best of my knowledge and belief, conforms with the requirements as set forth in Indiana Surveying Law and with all requirements of the Lake County Unified Development Ordinance. Signed this _____ [day and month] of _____ [year].

[Signature of Land Surveyor]
[Typed or Printed Name]
[SEAL]

MAINTENANCE CERTIFICATE

All secondary plats presented to the plan commission for approval must include a statement of maintenance responsibility in substantially the following form:

Maintenance Responsibility. *By acceptance of this plat, the county assumes no liability for maintenance on drainage swales, ditches or tiles, roadside ditches, storm or sanitary sewers, septic systems, retention or detention ponds, overflow pipes, or park areas found on the entire plat.*

DEED OF DEDICATION

All secondary plats presented to the plan commission for approval must include a deed of dedication certificate in substantially the following form:

We, the undersigned _____, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided, and do thereby lay off, plat, and subdivide said real estate in accordance with the within plat. This subdivision is known and designated as _____. All streets, alleys parks, and other public lands shown and not heretofore dedicated, are hereby dedicated to the public.

Street yard building lines are hereby established as shown on this plat, between which line and the property line of the street, there shall be erected or maintained no building or structure.

Witness our hands and seals this _____day of _____, _____.

State of Indiana)
County of Lake)

_____
[Signature]

Before me the undersigned notary public, in and for the county and state, personally appeared and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and notarial seal this _____ day of _____,

_____
[Notary Public]

EASEMENT CERTIFICATES

All secondary plats presented to the plan commission for approval must include easement statements, as applicable, in substantially the following forms:

Utility Easement. *An easement is hereby granted to the County of Lake, all public utility companies and private utility companies where they have a "Certificate of Territorial Authority" to render service, and their respective successors and assigns, to install, place, and maintain sewers, water mains, gas mains, conduits, cables, poles and wires – either overhead or underground with all necessary braces, guys, anchors, and other appliances in, upon, and along and over the strips of land designated on the plat and marked "Utility Easement" for the purpose of serving the public in general with sewer, water, gas, electric and telephone service, including the right to use the streets where necessary, and to overland lots with aerial service wires to serve adjacent lots, together with the right to enter upon the these easements for any and all the purposes for which they are provided and to trim and keep trimmed any trees, shrubs, or saplings that interfere with any such utility equipment. No permanent buildings may be placed within such easements, but may be used for gardens, shrubs, landscaping, and other purposes that do not interfere with the use of easements for such utility purposes.*

Drainage Easement. *An easement is hereby granted to the County of Lake for the installation of a drainage swale, ditch, or waterway upon and along areas of land designated on the plat and marked "Drainage Easement" for the purpose of handling storm water runoff.*

Regulated Drain Easement *(where applicable). The easement marked and designated herein as (name of regulated drain), is a regulated drain under the jurisdiction of the Lake County Drainage Board and the Lake County Surveyor as specified under Indiana Code § 36-9-27-33. No buildings, fences, structures, alterations, grading, discharging, irrigating or similar activities are permitted within this designated drain easement without written approval from the Lake County Surveyor.*

RIGHT-TO-FARM CERTIFICATE

All secondary plats presented to the plan commission for approval must include a right-to-farm certificate if the plat covers lands located within one mile of: (a) any A-1 zoning district or (b) land on which a traditional farm is located. The certificate must be in substantially the following form:

Owners of lots within the above titled subdivision are advised that the land contained herein is surrounded, bordered, or in the vicinity of tracts or parcels of land that may be used for farming and active agricultural purposes. Such activities may include, but are not limited to, grazing of livestock, confined feeding of livestock, application of animal manure to land, application of pesticides to fields and growing crops, creation of dust from field operations and noise from livestock and machinery operations at all hours. Prospective purchasers or lot owners are advised that such activities are likely, expected, and considered to be proper and permitted activities in an agricultural community.

Appendix 4: Street Names

WEST OF BROADWAY

BLK	STREET	BLK	STREET	BLK	STREET	BLK	STREET
1	WASHINGTON	41	WRIGHT	81	BARMAN	121	BARING
2	ADAMS	42	WILLARD ST.	82	ROBERTS	122	NORTHCOTE
3	JEFFERSON	43	WILLARD PL.	83	HOSHAW	123	HOHMAN
4	MADISON	44	LANE	84	TEIBEL	124	PATTERSON
5	MONROE	45	MORTON	85	HUSEMAN	125	BELMONT
6	JACKSON	46	BAKER	86	TRUMAN	126	DELMAR
7	VAN BUREN	47	WILLIAMS	87	BUTTERNUT	127	WALSH
8	HARRISON	48	CLARK	88	MARQUETTE	128	WHITE OAK
9	TYLER	49	PORTER	89	PULASKI	129	BIRCH
10	POLK	50	HOVEY	90	SCHUBERT	130	WALNUT
11	FILLMORE	51	MATTHEWS	91	DEODOR	131	BEECH
12	PIERCE	52	MOUNT	92	AUSTIN	132	CHESTNUT
13	BUCHANAN	53	DURBIN	93	DOFFI	133	CATALPA
14	LINCOLN	54	HANLEY	94	COTTAGE GROVE	134	MAGNOLIA
15	JOHNSON	55	RALSTON	95	HIGLAND	135	LINDEN
16	GRANT	56	BURR	96	PARRISH	136	COLUMBIA
17	HAYES	57	CLINTON	97	IVY	137	KOSCIUSKO
18	GARFIELD	58	GERRY	98	EUCLID	138	HOWARD
19	ARTHUR	59	TOMPKINS	99	DRUMMOND	139	OAKDALE
20	CLEVELAND	60	CALHOUN	100	CAREY	140	TAPPER
21	McKINLEY	61	DALLAS	101	GRASSELLI	141	MAPLEWOOD
22	ROOSEVELT ST.	62	KING	102	WALKER	142	RHODE
23	ROOSEVELT PL.	63	HAMLIN	103	HESS	143	CEDAR
24	TAFT	64	COLFAX	104	KENNEDY	144	CALUMET
25	RUTLEDGE	65	WHEELER	105	KEILMAN	145	BEALL
26	ELLSWORTH ST.	66	STEVENSON	106	ALEXANDER	146	TORRENCE
27	ELLSWORTH PL.	67	HOBART	107	McCOOK	147	HENRY
28	MARSHALL ST.	68	FAIRBANKS	108	LINDBERG	148	SOHL
29	MARSHALL PL.	69	SHERMAN	109	OSBORNE	149	CAMERON
30	TANEY PL.	70	EDISON	110	SCHNEIDER	150	TOWLE
31	TANEY PL.	71	BELL	111	BAILEY	151	NONDORF
32	CHAWSE	72	MORSE	112	WICKER	152	SHEFFIELD
33	WAITE	73	FULTON	113	ONTARIO	153	WABASH
34	WILSON	74	WHITNEY	114	HURON	154	ROBINSON
35	JENNINGS	75	WEBSTER	115	FORESDALE	155	KREITZBURG
36	HENDRICKS	76	BLAINE	116	WOODMAR	156	HOHMAN
37	NOBLE	77	BRYAN	117	KNICKERBOCKER	157	MORAINE
38	WALLAVE	78	LEE	118	OLCOTT	158	GETTLER
39	BIGGER	79	DEWEY	119	HAWTHORNE	159	FOREST
40	WHITCOMB	80	CLINE	120	MAGOUN	160	STATE LINE

EAST OF BROADWAY

BLK	STREET	BLK	STREET	BLK	STREET	BLK	STREET
1	MASSACHUSETTS	25	WISCONSIN	49	DEARBORN	73	MORGAN
2	CONNECTICUT	26	CALIFORNIA	50	DECATUR	74	NEWTON
3	PENNSYLVANIA	27	MINNESOTA	51	DEKALB	75	ORANGE
4	DELEWARE	28	OREGON	52	ELKHART	76	PARKE
5	MARYLAND	29	KANSAS	53	ELKHART PLACE	77	PERRY
6	VIRGINIA	30	NEVADA	54	FAYETTE	78	PIKE
7	CAROLINA	31	NEBRASKA	55	FLOYD	79	PUTMAN
8	GEORGIA	32	COLORADO	56	GIBSON	80	RANDOLPH
9	RHODE ISLAND	33	DAKOTA	57	GREEN	81	RIPLY
10	VERMONT	34	MONTAN	58	HAMILTON	82	RUSH
11	KENTUCKY	35	IDAHO	59	LAKE	83	ST JOSEPH
12	TENNESSEE	36	WYOMING	60	HANCOCK	84	SHELBY
13	OHIO	37	UTAH	61	HENRY	85	SPENCER
14	LOUISIANA	38	OKLAHOMA	62	HOWARD	86	SULLIVAN
15	INDIANA	39	AETNA	63	HUNTINGTON	87	TIPPECANOE
16	MISSISSIPPI	40	ARIZONA	64	GRAND BLVD	88	UNON
17	ILLINOIS	41	NEW JERSEY	65	JASPER	89	VANDERBERG
18	ALABAMA	42	NEW HAMPSHIRE	66	JAY	90	VERMILLION
19	MAINE	43	NEW YORK	67	KNOX	91	VIGO
20	MISSOURI	44	STATE	68	LAPORTE	92	WARREN
21	MICHIGAN	45	ALLAN	69	LAWRENCE	93	WARRICK
22	FLRIDA	46	DENTON	70	MARION	94	WAYNE
23	TEXAS	47	CASS	71	MIAMI	95	WELLS
24	IOWA	48	CLAY	72	MONTGOMERY	96	COUNTY LINE

Appendix 5: Surveys

Every subdivision of land under this Unified Development Ordinance requires a survey prepared by a surveyor registered in the State of Indiana, as follows:

Requirements

The description and location of all survey monuments placed in the subdivision shall be shown upon all maps of record. Permanent monuments shall be of concrete reinforced with one #4 vertical rod, and not less than 4 inches square on top and tapered to 6 inches square at the bottom and 36 inches long set flush with the ground.

Block corners shall be established by placement of an iron rod or pipe not less than ½ inch in diameter and not less than 2 feet long and shall be driven flush with the ground. All points of intersection between lot lines and section, quarter section, or quarter section liens shall be marked and referenced with an iron rod or pipe in an approved manner. Permanent monuments shall be erected at all corners of changes in bearing of the exterior boundary of the subdivision. All monuments shall be installed prior to recording of secondary plat, or if not, a bond or other county-approved financial surety must be posted to guarantee their installation.

Certificates

Each and all Secondary Plats shall bear thereon the following certificates:

1. Plan Commission Approval Statement (see Appendix B, Item 1.)
2. Land Surveyor's Statement (see Appendix B, Item 2.)
3. Deed of Dedication (see Appendix B, Item 3.)
4. Certificate of Maintenance Responsibility (see Appendix B, Item 4.)

Appendix 6: Road Construction Specifications

1. All construction shall be performed in the manner prescribed in the current edition of Standard Specifications of the State Highway Department of Indiana and in the manner prescribed in any subsequent and applicable County Ordinance. In any instance where conflicting requirements may appear between Standard Specifications and applicable County Ordinance, the County Ordinance Regulation shall be binding. At minimum, all streets shall be constructed with 10 inches of compacted aggregate base, plus 2 and ½ inches of H.A.C. Binder Course, and 1 and ½ inches of H.A.C. Surface Course. A Tensar Geo Grid or other equivalent material shall be placed immediately below the 10-inch compacted aggregate base. All subterranean construction below street pavements shall be backfilled with a material approved by the Lake County Highway department. Prior to placing the street surfacing, adequate sub-surface drainage for the street shall be provided where necessary. Concrete pavement (rigid pavement) may be used by the subdivider, upon the express approval of the highway department. Unless otherwise specified by the highway department, minimum requirements for concrete pavement shall be a 6-inch concrete slab on top of a 2-inch sand pad. In the event the subdivider elects to use concrete pavement, copies of the construction plans must be submitted to the director and the highway department before beginning street construction. See also 154-12-050.E and 154-12-050.F.
2. Cul-de-sac streets, minor streets, and marginal streets built without curb and gutter shall be surfaced to a minimum width of 24 feet. A road shoulder on both sides of the pavement shall be constructed to a width of 8 feet, and the slope on the shoulder shall be ½ inch per foot. Where roadside swales are constructed, the side slopes shall not be of a steeper gradient than 3 feet of horizontal measurement to one foot of vertical measurement; furthermore, the subdivider shall demonstrate to the Commission what means he will employ to preserve the slope and maintain continuous flow of storm water in the roadside swales.
3. Collector streets and secondary streets built without curb and gutter shall be built as specified in 154-12-050.E and 154-12-050.F., except that the paved surface shall be a minimum of 24 feet in width, and the road shoulder shall be stabilized in a manner approved by the Highway Superintendent.
4. Cul-de-sacs shall meet all requirements for a minor street; however, the pavement diameter shall be not less than 120 feet.
5. Alleys provided to serve business, commercial, or industrial uses shall be constructed in accordance with the street specifications; however, the paved surface may be only 20 feet).
6. Concrete curb and gutter shall be provided along the outside edge of all street pavements in subdivisions where the density of development one dwelling unit per acre or greater. In any case, curb and gutter shall be required for any subdivision within a 2-mile radius of a duly incorporated municipality.

Appendix 7: Specifications for Plats and Plans

A. Electronic/Digital Submittals

All plats and plans required under this UDO must be submitted in digitized format, unless otherwise expressly allowed by the official responsible for accepting the plan or plat submittal.

B. Sketch Plan

Sketch plans must be drawn to a convenient scale of not more than 100 feet to one inch and show the following information:

1. Legal description of the subdivision;
2. Proposed name;
3. Date, scale, and "North" arrow;
4. Name and address of the owner, subdivider, planner, and engineer or surveyor preparing the Plat;
5. A small-scale drawing of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon;
6. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;
7. Present zoning and requested zoning;
8. Location, widths, type of construction of all existing and platted streets, alleys or other public ways and easements, railroad and utility right-of- ways, parks, cemeteries, watercourses, drainage ditches and wetlands, regulated drains, soil erosion control measures, swamps, low areas subject to flooding, permanent buildings, bridges, and other pertinent date as determined by the director.
9. Indication of the gross land area of the subdivision and computation of the density as defined in this Ordinance.
10. Type of development anticipated on the lots;
11. General statement as to how surface water drainage will be handled;
12. General statement as to how sewage will be treated and how domestic water will be supplied;
13. Topographic information, which may be of a very general nature, such as is obtainable from U.S.G.S. maps or elevations. Such topographic information must be referenced to U.S.G.S. datum;
14. Proposed layout width of all new streets and proposed pavement widths;
15. All soil types (see Section 2.2, Definitions, "all soil types") according to the published soil survey;
16. Approximate location and area of property proposed to be dedicated for public use, or to be reserved by deed covenant, for use of all property owners in the subdivision with the proposed conditions, if any, of such dedication or reservation;
17. Lot numbers and lot dimensions;
18. If the individual lot sewage disposal systems are proposed in the subdivision, Soil Maps prepared from the published soil survey showing all soil types (see Section 2.2, Definitions, "all soil types").
19. Such other information must be supplied by the subdivider which may be deemed necessary by the plan commission or staff toward proper sketch plan review.

C. Primary Plat

1. The primary plat must be drawn at a scale not smaller than 100 feet to 1 inch, except that a subdivision of 200 acres or more may be drawn at a scale of 200 feet to 1 inch, and must show all required information as the sketch plan, in addition to the following:

a. The length and bearing of the exterior boundaries of the subdivision with reference to a United States Land Survey corner;

b. Contours at vertical intervals of not more than 2 feet with reference to U.S.G.S. DATUM;

c. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low elevations of such lakes or streams. All elevations must be referred to U.S.G.S. DATUM;

d. Any subterranean drainage (this is to be shown as lines on the plat):

e. If the subdivision borders a lake or stream, the distances and bearings of a meander line established not less than 20 feet back from the ordinary highwater mark of the lake or stream; or where regulated drains exist the drain and easement must be delineated;

f. A wetland boundaries delineation map from the US Fish and Wildlife Service, National Wetland Inventory, the USDA, Natural Resources Conservation Service, Wetland Inventory or a US Army Corp of Engineers approved delineation;

g. Layout of all new streets and rights-of-way such as alleys, highways, easements for sewers, water mains, drainageways and wetlands, soil erosion control measures, and other public utilities; existing streets including entrances on opposite side of streets of adjacent parcels must also be shown;

h. Direction, size of, and distance to nearest water, sanitary and storm sewer mains;

i. Indication of the gross land area of the subdivision and a computation of the density as defined in this Ordinance;

j. Dimensions of lots;

k. Areas of lots where individual septic tank installations are proposed;

l. All soil types (see Section 2.2, Definitions, "all soil types") listed in the Soil Conservation Service (SCS) soil survey book of Lake County;

m. Approximate radii of all curves;

n. If deemed necessary by the plan commission, on proposed subdivisions with individual lot sewage disposal systems, information on the following items must be supplied and attested to by a Civil Engineer or Soil Scientist registered in the State of Indiana.

(1) Description of soil type to a depth of 5 feet and soil boring;

(2) Statement of topography;

(3) Elevation of the water table;

o. In instances where the subdivider plans to construct a common sewage treatment facility or a common water supply system (or both), the subdivider must submit evidence to the plan commission that said Preliminary System Plans have been submitted to the Indiana State Board of Health for their action.

p. The above information can be shown as additional information on the sketch plan submission, or it can be shown on a new tracing cloth or paper medium, or it can be shown on the engineering plans.

2. **Remapping of Soil Types.** Any remapping of soil types must be done by a certified Professional Soils Scientist and must be shown on the Plat as two soil lines; the first soil line which corresponds to the Soil Conservation Service (SCS) book and a second soil line indicating the remapping and type of soil.

3. **Lot Additions or Deletions.** Should any lots be added or deleted to the Primary Plat, the soils testing information book should also be revised (e.g., Lot #1 on the Plat should have corresponding soil boring information for Lot #1). Should lot numbers be changed for any reasons, the soil information book must also be changed. This information must be completed and submitted accurately at the Primary Stage.

4. ***Soil Testing Requirements.*** The Lake County Health Department requires at the Primary Approval stage all soil testing be completed by a professional soils scientist. The soil boring locations must be marked exactly on each lot of the plat and the soil boring information must coincide with each lot.

D. Engineering Plans

Before obtaining Primary Approval the subdivider, if he wishes to continue, must submit 4 copies of Engineering Plans and specifications prepared by a Civil Engineer registered in the State of Indiana. Plans must be drawn at a scale of no more than one inch equals 50 feet, and map sheets must be of the same size as the Primary Plat. The following must be shown:

1. Street plans showing curb and gutter (if required), proposed right-of- ways, pavement width, and the estimated percent of gradient. Final street grades are required at this point. Soil boring and C.B.R.'s to be taken if required by the County Highway Superintendent.
2. All driveways and entrance culverts are to be shown.
3. Proposed layout of the Sanitary Sewer System. Final details need not be made on this submission.
4. Proposed layout of water supply and distribution. Final details need not be made on this submission.
5. Storm drainage proposals which must include the location of all storm inlets, manholes, underground storm lines and open channel flows; the type and sizing of all storm lines and open channels; the invert elevations at all junctions; a delineation of watershed areas which specify their acreage and a calculation of all surface water entering from adjacent lands onto the proposed subdivision; a computation sheet with the above information recorded thereon as required by the director.
6. A water management plan to include both disposition of surface drainage and, where needed, provision for sub-surface drainage to drain high water table soils.
7. An erosion and sediment control plan, such plan to include both temporary and permanent erosion control measures where needed to stabilize on–site soils and prevent off-site pollution of waters and/or damage to land. This plan must comply with IN 327 IAC, "Rule 5".
8. Sidewalk plan showing the location of the walks.
9. Public utility locations.
10. Contours at vertical intervals of not more than 2 feet with reference to U.S.G.S. DATUM.
11. Any other special requirements which may be necessary for the director and plan commission to review.

E. Secondary Plat

1. All Secondary Plats must bear the signature of an Indiana Registered Land Surveyor and must be legibly prepared in the following manner:
   a. Besides the lines and dimensions shown on the drawing, the legal description of the property should also be printed on the plat.
   b. When more than one sheet is used for any plat, each sheet must be numbered consecutively and must contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets.
2. The Secondary Plat must show clearly on its fact the following:
   a. All monuments erected, corners, and other points established in the field in their proper places. The material of which monuments, corners, or other points is made must be noted at the representation thereof, or by legend.
   b. The exact length and bearing to the first degree of accuracy of the exterior boundary lines of the land surveyed and divided, and of all blocks, public grounds, streets and alleys, and lot lines except that when the lines in any tier of lots are parallel, it must be sufficient to mark the bearings of the outlines

of one tier thereof. Easements must be shown by centerline and width when lines are parallel to a boundary; otherwise, boundary bearings and distances must be shown.

c. All blocks and lots numbered, and the numbering (where possible) must follow the numbering of the Primary Plat.

d. The exact width of all easements, streets and alleys.

e. The names of all streets pursuant to the *Street Naming Resolution of Lake County*.

f. A small drawing of the section or government subdivision of the section in which the subdivision lines with the location of the subdivision indicated thereon. The drawing must be oriented on the sheet in the same direction as the main drawing.

g. Abutting State highway lines and streets of adjoining plats shown in their proper location. The width and names of these streets and highways must also be given.

h. Certificates to accompany plat to entitle a Secondary Plat to be recorded, such certificates as required by law must be lettered or printed in the Secondary Plat. Appendix lists certain certificates, some of which must be placed on every plat; these are so indicated. Other certificates are optional and serve as a guide only.

i. All lake or stream shore meander lines established by the surveyor in accordance with this section, the distance and bearings thereof, and the distance between and points of intersection of such meander lines with lot lines and the ordinary high-water mark.

j. A North point properly located thereon; and a scale shown graphically.

k. The number of degrees and minutes (to the second) in all exterior boundary and block angels. When such angels are between a curve and its tangent, the angle shown must be that between the tangent and the main chord of the curve. When between curves of different radii, the angle between the main chords must be shown.

l. Building setback lines accurately shown with dimensions; they must be in compliance with the Zoning Regulations as set forth for the district in which the property is located.

m. The total area of the plat computed in acres.

n. House numbers, in accordance with the duly adopted house numbering system for Lake County, Indiana, must be designated on each lot.

o. *Name, Location, and Position.* The name of the plat must be shown thereon in prominent letters and must not be a duplicate of the name of any plat previously recorded in Lake County. The following information relating to the position and location of the subdivision must be shown on the plat:

(1) The location of the subdivision by government lot, section, township, range and county.

(2) The exact location of the subdivision indicated by distances and bearings with reference to a corner or corners of a section or half- section, in case any subdivision crosses any section, quarter section, or quarter-quarter section lines, or is adjacent to any said lines, all section, quarter section, or quarter-quarter section corners in or adjacent to said subdivision must be marked and referenced with monuments.

(3) The area designated for septic field location.

3. A digital copy of the Secondary Plat must be provided in such a format acceptable to the plan commission.

F. Site Plans

A petitioner shall submit an application for Site Development Plan review pursuant to adopted filing deadlines on forms approved by the Commission, signed by the owner of the petitioned property (if the petitioner is someone other than the property owner, a power-of-attorney shall accompany the application), containing a

copy of the deed for the property involved, the required filing fee, and any other required supporting information or documentation to the appropriate planning staff. Supporting information shall include, but not be limited to the following (the planning staff or the Commission may request additional supportive information, which shall be provided by the petitioner):

1. **Summary statement**
   A summary statement of the characteristics and operation of the development. The statement shall include any written commitments being made or having been rebuked regarding the Site Development Plan.

2. **Site description**
   A general description of the site and its ownership including:

   a. The name, address, telephone number, and e-mail address of the applicant;

   b. The name, address, telephone number, and e-mail address of any land surveyors, engineers, or other professionals responsible for the Site Plan design;

   c. The name, address, telephone number, and e-mail address of the primary contact individual for the application (it shall be indicated if the primary contact person is the applicant or contracted design professional);

   d. The legal description of the subject property and common address of the site; and

   e. The proposed name of the development (if applicable).

3. **Vicinity map**
   A vicinity map showing and clearly identifying the subject property and showing all land within 500 feet of the subject property. The location map should identify the current zoning and use of all property within 500 feet of the subject property.

   a. The vicinity map shall also show all property which is contiguous to the subject property that is owned and/or otherwise controlled by the owner or developer of the subject property.

   b. A conceptual drawing describing the future development of all contiguous holding described in division (C)(1) above shall be provided by the applicant upon the request of the Planning Director and/or the body conducting the public hearing. At a minimum the conceptual drawings shall include a description of the general driveways and access points, general land uses, general lot arrangements, and general drainage conditions and plans.

4. **Property survey**
   A plat of survey prepared by a land surveyor licensed by the state, and drawn to a scale of not more than one inch = 100 feet including the following:

   a. The boundary line and dimensions of the subject property;

   b. All structures (specifically indicating any structures recognized as notable, contributing, or outstanding by the Indiana Historic Sites and Structures Inventory, or listed on the National Register of Historic Places and/or Indiana Register of Historic Sites and Structures);

   c. Topography interpolated from USGS sources and/or otherwise meeting the requirements of the Planning Director (provided topographic information should tie into horizontal and vertical control points);

   d. Significant wooded areas and other isolated fees;

   e. One-hundred-year floodplain and 100-year floodway boundaries and elevations;

   f. Public and private streets (including street names), rights-of-way, and easements;

   g. Building setback and any build-to lines;

   h. All known drainage areas, tiles, pipes, and structures;

i. Utility services (including water, fire hydrants, sanitary sewers, storm water drainage, and other utilities); street accesses; and other paved or otherwise improved areas; and all land within 200 feet of the property lines of the subject property.

5. **Site plan**
A site plan, drawn to a scale of not more than one inch = 100 feet, and bearing the seal of a professional engineer or land surveyor registered in the state of Indiana clearly showing all proposed aspects of the property and all features relevant to the Site Development Plan, including:

a. Setbacks and buffers;

b. Topography (including elevation contour lines at two foot intervals);

c. Structures (including buildings, fences, and walls);

d. All structure heights, dimensions, and floor areas, materials, and style of improvements;

e. Building coverage;

f. Building separation;

g. Areas of outdoor storage;

h. Permanent dumpsters and trash areas;

i. Locations dimensions, and design features (including all curb radii, tapers, and parking space dimensions) of road accesses, interior drives, parking spaces and ramps for the disabled, parking lots, loading docks or areas, sight visibility triangles, interior sidewalks, and vehicle and pedestrian circulation (all public road access shall be subject to any additional requirements of the Lake County Highway Department);

j. Open spaces, recreational spaces, landscaping, and landscaped areas;

k. Locations of public and private utilities;

l. Water meter clean out locations and elevations and top of casting elevations;

m. Sanitary sewer invert elevations;

n. The location, width, and purpose of all easements;

o. The use of each structure and the amount of parking allocated for those uses;

p. Public improvements including sidewalks, street trees, and right-of-way dedications; and

q. Locations for temporary uses, such as seasonal sales areas.

6. **Landscaping plan**
A landscaping plan drawn by an Indiana registered engineer, land surveyor or landscape professional, drawn to a scale of not more than one inch = 100 feet, and showing the following:

a. Required and proposed landscaping in buffer yards and street trees;

b. Existing and proposed elevation contour lines at two foot intervals (or otherwise meeting the requirements of the Planning Director);

c. One hundred year floodplain and 100-year floodway boundaries and elevations;

d. Existing and proposed public and internal sidewalks and other pedestrian ways;

e. The size and spacing of the plantings at the time of installation and the species proposed to be used to meet the requirements of this section; and

f. All existing trees and vegetation to be preserved, and the driplines for the trees (in which no construction activity shall occur).

7. **Sign plan**
   A sign plan showing the location, height, method of illumination (if any) and dimension of all permanent signs and indications of appropriate locations, heights, and sizes of any temporary signs.

8. **Drainage plan**
   A site drainage plan bearing the seal of a professional engineer registered in the State of Indiana including all calculations required by the Planning Director. The drainage plan shall include the following:

   a. All natural streams, regulated drains, and watercourses;

   b. One-hundred-year floodways and 100-year floodplain boundaries and elevations;

   c. All marshes, wetlands, and wooded areas.

   d. All drainage area features as described in the drainage calculations; and

   e. Compliance with the Lake County Stormwater Management and Clean Water Regulations Ordinance.

9. **Traffic management plan**
   Traffic management plan that includes:

   a. Management of traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community;

   b. That the design and location of any proposed street and roadway access points minimizes safety hazards and congestion;

   c. That the capacity of adjacent streets and roads is sufficient to safely and efficiently accept traffic and movements that will be generated by the new development;

   d. The entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments;

   e. If requested by the Lake County Highway Department to verify the plan incorporates the above design features in the most favorable way possible, a traffic impact analysis to assess the effects that the proposed development's traffic will have on the transportation network in the community. The study preparer shall be an associate (or higher) member of one or more professional transportation related organizations, particularly the Institute of Transportation Engineers (ITE) or the Transportation Research Board (TRB).

10. **Lighting Plan**
    A site lighting plan, drawn to a scale of not more than one inch = 100 feet, showing the type and location of all exterior lighting fixtures.

11. **Construction plan**
    A site construction plan, drawn to a scale of not more than one inch = 100 feet, showing:

    a. Proposed erosion and sediment control measures;

    b. The location of any proposed construction trailer and worker parking;

    c. The location, height, and dimensions of any temporary construction-related signage;

    d. Any temporary site accesses to be used during construction;

    e. Any temporary utility connections; and

    f. The location of any stockpiles of dirt, construction materials, and construction waste dumpsters or storage areas.

12. Consolidation of plans

a. The above required plans, including the site, landscaping, sign, traffic management, drainage, lighting, and construction plans may be consolidated into one or more separate drawings depending on the complexity of any project.

b. Plans shall be created so that they clearly, easily, and readily provide access to all required information. Individual plans shall not contain so much information that they become cluttered and difficult to read. Since this is more of a subjective decision, the Commission shall be the final entity to determine whether the plan(s) need to be redrawn for a better understanding of their content.

ORDINANCE NO._____

ORDINANCE APPROVING THE ACTION BY THE PARK & RECREATION BOARD OF LAKE COUNTY, INDIANA TO ESTABLISH THE CUMULATIVE PARK BUILDING FUND, A NON-REVERTING FUND, PURSUANT TO I.C. 36-10-3-21

WHEREAS, pursuant to I.C. 36-2-3.5-5, the Lake County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the Lake County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided by law; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, on February 9, 2023, pursuant to I.C. 36-10-3-21, the Lake County Park & Recreation Board adopted a plan whereby a Cumulative Park Building Fund was established to provide for all uses as stated in I.C. 36-10-3-21;

WHEREAS, the Lake County Park & Recreation Board complied with all the requirements of I.C. 6-1.1-41 in establishing the Cumulative Park Building Fund; and

WHEREAS, Indiana Code 36-10-3-21(a) provides that in addition to the requirements of I.C. 6-1.1-41 the proposed action in establishing the Cumulative Park Building Fund must be approved by the fiscal body of the Lake County Park & Recreation Board; and

WHEREAS, the Lake County Council is the fiscal body of the Lake County Park & Recreation Board; and

WHEREAS, the Lake County Council approves the action of the Lake County Park & Recreation Board in establishing the Cumulative Park Building Fund and desires to create a Cumulative Park Building Fund, for the deposit of funds collected by a tax levy in compliance with I.C. 6-1.1-41 for the purposes as set out in I.C. 36-10-3-21.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Council approves the action of the Park & Recreation Board of Lake County, Indiana in establishing the Cumulative Park Building Fund pursuant to I.C. 36-10-3-21.

2. That the Cumulative Park Building Fund, a non-reverting Fund, is established for the deposit of funds collected by the tax levy pursuant to I.C. 6-1.1-41 to be used for the purpose as set out in I.C. 36-10-3-21.

3. That the Park & Recreation Board of Lake County, Indiana, shall adhere to the provisions of I.C. 36-10-3-21.

4. That the proposed Fund shall not exceed $0.0167 on each $100.00 of assessed valuation. Said tax rate will be levied beginning with taxes for 2023 payable in 2024.

5. That appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.

6. Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the Cumulative Park Building Fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.

SO ORDAINED THIS_____DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	CHRISTINE CID
RANDELL C. NIEMEYER	CLORIUS L. LAY
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATIONS

Notes:

(1) The proper fiscal body of a unit must give public notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be published one time in two newspapers published in the unit's jurisdiction. If only one newspaper is published in the jurisdiction, publication in that paper is sufficient. In accordance with Ind. Code § 5-3-1-2(b), the publication must occur not less than ten calendar days before the public hearing on the proposal

(2) Taxpayers present at the public hearing have a right to be heard. Following adoption, the information concerning the additional appropriation shall be filed with Department of Local Government Finance (Department). The Department will make a written determination as to the sufficiency of funds to support the appropriations within fifteen (15) days of receipt of a Certified Copy of the action taken.

(3) Appropriations to be reduced should be named in the published notice, set out separately, and not co-mingled with the additional appropriations being requested. The resolution/ordinance adopted by the governing body must separately list each appropriation by fund and classification.

PUBLIC HEARING INFORMATION	
Taxing Unit Name:	Crown Point Community Public Library
County:	Lake
Governing/Fiscal Body:	Lake County Council
Address/Location of Public Hearing:	2293 N. Main Street Crown Point IN 46307
Date of Public Hearing (DD/MM/YYYY)	4/11/2023
Time of Public Hearing (XX:XX AM/PM)	10:00 A.M.

FUND INFORMATION

Fund Name: Rainy Day Fund 201-1006

Budget Classification	Additional Amount Requested
Personal Services	$
Supplies	$
Other Services and Charges	$
Township Assistance	$
Debt Service	$
Capital Outlays	$ 223,590.00

Fund Total:	$ 223,590.00

ACKNOWLEDGEMENT OF INFORMATION	
Signature of Fiscal Officer	
Date (DD/MM/YYYY)	3/28/23

EMCOR Hyre Electric

2655 Garfield Avenue
Highland, IN 46322
(219) 923-6100

Crown Point Library
122 N. Main Street
Crown Point, IN 46307
Attn: Julie Wendorf

3/7/23

Subject: Lighting Controls System Upgrade (Rev.1)

Greetings:

In accordance with your request, we are pleased to submit our proposal to perform the necessary electrical work in connection with the subject project, as outlined below:

Scope of Work:

- Furnish & install a new Nlight lighting control system to replace the existing lighting control system.
- This proposal is based on record drawings of the existing lighting control system. The intent of the new system is to provide similar functionality to what is in place now.
- The below components will be replaced as part of this project:
  - Wall control stations, daylight harvesting sensors, occupancy sensors, power packs, and relay panel(s).
- Includes new backbone cabling as required for the new control system.
- Includes rewiring the existing lighting zones to interface with new power packs.
- Includes web interface and interface to the existing building automation system. Compatibility and programming interface to the BAS is the responsibility of the customer.
- All decommissioned components and cabling related to the existing lighting control system will be removed.
- This proposal assumes that the existing fluorescent light fixtures have been retrofitted with line voltage dimmable linear LED lamps.
- **Deduct $13,000 from base bid to eliminate daylight harvesting sensors.**

Total Amount Due to Customer **$223,590.00**

Two Hundred Twenty Three Thousand Five Hundred Ninety Dollars and No Cents

Exclusions

- Sales tax.
- Coordination studies, changes due to coordination studies, or utility fees of any kind.
- Overtime (All above work has been quoted during normal working hours namely 7am to 3:30pm)

Sincerely,
EMCOR HYRE ELECTRIC CO. OF INDIANA, INC.

Matthew Summers, Project Manager

Any deviation from the above specification will be executed only upon written orders, which may possibly credit or incur additional charges to this proposal. Payment is to be made every thirty (30) days for labor and all materials, with final payment to be made thirty (30) days after completion. If it is necessary for Seller to institute Legal Proceedings against Buyer to collect any indebtedness due to enforce any of these Terms and Conditions, Seller shall be entitled to recover from Buyer Pre-Judgment Interest at 1.5% per Month, Court Costs, Attorney's Fees, and all other Costs of Collection. Workmen will be properly covered by workmen's compensation and public liability insurance, certificate of which may be obtained upon request. All work covered in this proposal will be performed in a workmanlike manner, in accordance with the rules and regulations of the Local Department of Electricity. Any work that is found to be obstructed by public or private utilities will be addressed as a change in price. Price is valid for 10 days and subject to change based on market fluctuations.

Upon acceptance of this proposal, please sign below and return one copy to our office authorizing commencement of work.

SIGNATURE _____ Date 3/28/23

219.923.6100 phone www.emcorhyre.com 219.838.3631 fax

CROWN POINT COMMUNITY LIBRARY

Cash Balances

Current Period: February 2023

FUND Descr	Account	MTD Debit	MTD Credit	Current Balance
Total CASH-CENTIER BANK-MONEY MKT		$1,415.96	$0.00	$924,319.95
CASH-CENTIER/MONEY MKT/RAINY D				
RAINY DAY FUND	G 201-1006	$794.59	$0.00	$518,694.79
Total CASH-CENTIER/MONEY MKT/RAINY D		$794.59	$0.00	$518,694.79
CASH-HORIZON BANK-CLEARING				
OPERATING FUND	G 100-1007	$0.00	$0.00	$0.00
Total CASH-HORIZON BANK-CLEARING		$0.00	$0.00	$0.00
INVESTMENT LIRF HORIZON BANK				
LIBRARY IMPROVEMENT RESERVE FU	G 400-1060	$33.35	$0.00	$86,970.69
Total INVESTMENT LIRF HORIZON BANK		$33.35	$0.00	$86,970.69
FEDERAL WITHHOLDING TAX				
PAYROLL FUND	G 802-2101	$5,891.05	$5,891.05	$0.00
Total FEDERAL WITHHOLDING TAX		$5,891.05	$5,891.05	$0.00
FICA				
PAYROLL FUND	G 802-2102	$10,940.14	$10,940.14	$0.00
Total FICA		$10,940.14	$10,940.14	$0.00
MEDICARE				
PAYROLL FUND	G 802-2103	$2,558.52	$2,558.52	$0.00
Total MEDICARE		$2,558.52	$2,558.52	$0.00
STATE WITHHOLDING TAX				
PAYROLL FUND	G 802-2104	$2,872.44	$2,872.44	-$56.58
Total STATE WITHHOLDING TAX		$2,872.44	$2,872.44	-$56.58
COUNTY WITHHOLDING TAX				
PAYROLL FUND	G 802-2105	$1,199.12	$1,199.12	-$26.28
Total COUNTY WITHHOLDING TAX		$1,199.12	$1,199.12	-$26.28
PERF				
PAYROLL FUND	G 802-2106	$7,511.48	$7,511.48	-$8,056.56
Total PERF		$7,511.48	$7,511.48	-$8,056.56
DEFERRED COMPENSATION				
PAYROLL FUND	G 802-2107	$1,440.00	$1,440.00	$0.00
Total DEFERRED COMPENSATION		$1,440.00	$1,440.00	$0.00
HEALTH INSURANCE				
PAYROLL FUND	G 802-2108	$5,080.15	$5,080.15	-$157.24
Total HEALTH INSURANCE		$5,080.15	$5,080.15	-$157.24
LIFE INSURANCE				
PAYROLL FUND	G 802-2109	$123.40	$123.40	$0.00
Total LIFE INSURANCE		$123.40	$123.40	$0.00
COBRA				
PAYROLL FUND	G 802-2110	$0.00	$0.00	$0.00
Total COBRA		$0.00	$0.00	$0.00
OTHER				

ORDINANCE NO._____

ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION BY THE CROWN POINT COMMUNITY LIBRARY FROM ITS RAINY DAY FUND, FUND 201-1006, PURSUANT TO I.C. 6-1.1-18-5, IN THE SUM OF $223,590.00

WHEREAS, the Crown Point Community Library (Library) has accumulated the sum of $223,590.00 in its Rainy Day Fund, Fund Number 201-1006 (Fund); and

WHEREAS, the Crown Point Community Library desires to make an additional appropriation of $223,590.00 from the Fund for Certain Capitol Projects; and

WHEREAS, pursuant to I.C. 6-1.1-18-5(k), the additional appropriation would result in the Budget for the Library for the 2023 calendar year increasing by a percentage that is greater than the result of the assessed value growth quotient determined under I.C. 6-1.1-18.5-2, for 2023 minus one (1); and

WHEREAS, pursuant to I.C. 6-1.1-18-5, due to the additional appropriation exceeding the average growth quotient under I.C. 6-1.1-18.5-2 it is necessary to hold a public hearing on the proposed additional appropriation; and

WHEREAS, pursuant to I.C. 6-1.1-18-5, the public hearing to consider the additional appropriation was properly advertised and held on April 11, 2023, at 10:00 a.m., by the Lake County Council, the fiscal and legislative body of Lake County in the Lake County Commissioners Court Room/Council Chambers in the Lake County Government Center located at 2293 N. Main Street, Crown Point, Indiana 46307.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That pursuant to I.C. 6-1.1-18-5(k), the Lake County Council is the proper fiscal body to hold a public hearing on a proposed additional appropriation by the Crown Point Community Library, and to approve the additional appropriation requested.

2. That pursuant to I.C. 6-1.1-18-5, on April 11, 2023, the Lake County Council held a public meeting on the proposed additional appropriation of $223,590.00 by the Crown Point Community Library from its Rainy Day Fund, Fund No. 201-1006.

3. That pursuant to I.C. 6-1.1-18-5, the Lake County Council now approves the additional appropriation of $223,590.00 by the Crown Point Community Library from its Rainy Day Fund, Fund No. 201-1006, for certain capital expenditures.

SO ORDAINED THIS_____DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

Formerly: Acts 1975, P.L.47, SEC.1.

IC 6-1.1-18-5 Proposed additional appropriations; public hearing; appropriation for which the underlying purpose is a bond issue

Sec. 5. (a) If the proper officers of a political subdivision desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined under this article, they shall give notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be given once in accordance with IC 5-3-1-2(b).

(b) If the additional appropriation by the political subdivision is made from a fund for which the budget, rate, or levy is certified by the department of local government finance under IC 6-1.1-17-16, the political subdivision must report the additional appropriation to the department of local government finance in the manner prescribed by the department of local government finance. If the additional appropriation is made from a fund described under this subsection, subsections (f), (g), (h), and (i) apply to the political subdivision.

(c) However, if the additional appropriation is not made from a fund described under subsection (b), subsections (f), (g), (h), and (i) do not apply to the political subdivision. Subsections (f), (g), (h), and (i) do not apply to an additional appropriation made from the cumulative bridge fund if the appropriation meets the requirements under IC 8-16-3-3(c).

(d) A political subdivision may make an additional appropriation without approval of the department of local government finance if the additional appropriation is made from a fund that is not described under subsection (b). However, the fiscal officer of the political subdivision shall report the additional appropriation to the department of local government finance.

(e) Subject to subsections (j) and (k), after the public hearing, the proper officers of the political subdivision shall file a certified copy of their final proposal and any other relevant information to the department of local government finance not later than fifteen (15) days after the additional appropriation is adopted by the appropriate fiscal body. If the additional appropriation is not submitted to the department of local government finance within fifteen (15) days after adoption, the department of local government finance may require the political subdivision to conduct a readoption hearing.

(f) When the department of local government finance receives a certified copy of a proposal for an additional appropriation under subsection (e), the department shall determine whether sufficient funds are available or will be available for the proposal. The determination shall be made in writing and sent to the political subdivision not more than fifteen (15) days after the department of local government finance receives the proposal.

(g) In making the determination under subsection (f), the department of local government finance shall limit the amount of the additional appropriation to revenues available, or to be made available, which have not been previously appropriated.

(h) If the department of local government finance disapproves an additional appropriation under subsection (f), the department shall specify the reason for its disapproval on the determination sent to the political subdivision.

(i) A political subdivision may request a reconsideration of a determination of the department of local government finance under this section by filing a written request for reconsideration. A request for reconsideration must:

(1) be filed with the department of local government finance within fifteen (15) days of the receipt of the determination by the political subdivision; and

(2) state with reasonable specificity the reason for the request.

The department of local government finance must act on a request for reconsideration within fifteen (15) days of receiving the request.

(j) This subsection applies to an additional appropriation by a political subdivision that must have the political subdivision's annual appropriations and annual tax levy adopted by a city, town, or county fiscal body under IC 6-1.1-17-20 or IC 36-1-23 or by a legislative or

fiscal body under IC 36-3-6-9. The fiscal or legislative body of the city, town, or county that adopted the political subdivision's annual appropriation and annual tax levy must adopt the additional appropriation by ordinance before the department of local government finance may approve the additional appropriation.

(k) This subsection applies to a public library that is not required to submit the public library's budgets, tax rates, and tax levies for binding review and approval under IC 6-1.1-17-20 or IC 6-1.1-17-20.4. If a public library subject to this subsection proposes to make an additional appropriation for a year, and the additional appropriation would result in the budget for the library for that year increasing (as compared to the previous year) by a percentage that is greater than the result of the maximum levy growth quotient determined under IC 6-1.1-18.5-2 for the calendar year minus one (1), the additional appropriation must first be approved by the city, town, or county fiscal body described in IC 6-1.1-17-20.3(c) or IC 6-1.1-17-20.3(d), as appropriate.

(l) This subsection applies to an appropriation for which the underlying purpose is a bond issue. The political subdivision shall include the appropriation for the bond proceeds in the budget of the political subdivision for the ensuing year adopted under IC 6-1.1-17. If the political subdivision does not include the appropriation for the bond proceeds as required by this subsection, the political subdivision shall comply with the requirements of this section in the year in which the bond proceeds are received, but may not take an action pursuant to this section in a year before the year in which the bond proceeds are received.

[Pre-1975 Property Tax Recodification Citation: 6-1-1-24 part.]

Formerly: Acts 1975, P.L.47, SEC.1. As amended by Acts 1981, P.L.46, SEC.2; P.L.69-1983, SEC.5; P.L.57-1991, SEC.1; P.L.17-1995, SEC.4; P.L.90-2002, SEC.161; P.L.137-2012, SEC.29; P.L.184-2015, SEC.9; P.L.184-2016, SEC.13; P.L.252-2019, SEC.3; P.L.257-2019, SEC.49; P.L.156-2020, SEC.19; P.L.159-2020, SEC.27; P.L.38-2021, SEC.30.

ORDINANCE NO._____

ORDINANCE AMENDING ORDINANCE NO. 1430A, THE ORDINANCE ESTABLISHING THE PROCEDURE TO APPROVE TRANSFERS WITHIN MAJOR BUDGET CLASSIFICATIONS OR SERIES DURING THE CALENDAR YEAR

WHEREAS, on March 12, 2019, the Lake County Council adopted Ordinance No. 1430A, the Ordinance Establishing the Procedure to Approve Transfers Within Major Budget Classifications or Series During the Calendar Year; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

Lake County Ordinance No. 1430A, the Ordinance Establishing the Procedure to Approve Transfers Within Major Budget Classifications or Series During the Calendar Year shall be amended as follows:

DELETE:

4. Notwithstanding the above, transfers within the major budget classification or series, Personnel Services/100 Series, Supplies/200 Series, Services/300 Series, and Capital/400 Series, made in the fourth quarter of the calendar year shall come before the Lake County Council for approval, regardless of the amount.

INSERT:

4. Notwithstanding the above, only transfers within the major budget classification or series, Personnel Services/100 Series, Supplies/200 Series, Services/300 Series, and Capital/400 Series, made in the fourth quarter of the calendar year that are more than One Thousand ($1,000.00) Dollars shall come before the Lake County Council for approval.

SO ORDAINED THIS 11th DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

DAVID HAMM	CHRISTINE CID
RANDELL C. NIEMEYER	CLORIUS L. LAY
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

ORDINANCE NO. 1430A

ORDINANCE ESTABLISHING THE PROCEDURE TO APPROVE TRANSFERS WITHIN MAJOR BUDGET CLASSIFICATIONS OR SERIES DURING THE CALENDAR YEAR

WHEREAS, pursuant to I.C. 36-2-3.5-3, the Lake County Council is the County legislative body as well as the County fiscal body; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the Lake County Council shall appropriate money to be paid out of the County treasury, and money may be paid out of the County treasury only under an appropriation made by the Lake County Council, except as otherwise provided by law; and

WHEREAS, pursuant to I.C. 36-2-3.5-5(b)(3), the Lake County Council may pass all ordinances, orders, resolution and motions for the government of the County, in a manner prescribed by I.C. 36-2-4; and

WHEREAS, the County Council desires to establish a procedure to approve transfers within major budget classifications or series during the calendar year.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

Transfers within a major budget classification or series during the calendar year shall be approved as follows:

1. All transfers within major budget classification or series made during the calendar year, in a budget funded by a grant, shall come before the Lake County Council for approval.

2. All transfers of Five Thousand ($5,000.00) Dollars or more in the major budget classification of Personnel Services/100 Series, made during the calendar year, shall come before the Lake County Council.

3. All transfers of less than Five Thousand ($5,000.00) Dollars in the major budget classification of Personnel Services/100 Series, made during the calendar year, need not come before the Lake County Council for approval.

4. Notwithstanding the above, transfers within the major budget classification or series, Personnel Services/100 Series, Supplies/200 Series, Services/300 Series, and Capital/400 Series, made in the fourth quarter of the calendar year shall come before the Lake County Council for approval, regardless of the amount.

5. That the Auditor shall prepare for the Lake County Council a list of all transfers made within major budget classification or series on a monthly basis.

THIS ORDINANCE RESCINDS AND REPLACES ORDINANCE NO. 1297A and all its amendments.

SO ORDAINED THIS 12th DAY OF March, 2019.

TED F. BILSKI, President

DAVID HAMM

CHRISTINE CID

PRESENTED TO
BOARD OF COMMISSIONERS
BY LAKE COUNTY AUDITOR

MAR 13 2019

CHRISTIAN J. JORGENSEN

ELSIE FRANKLIN

DANIEL E. DERNULC

CHARLIE BROWN

Members of the Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

APPROVED THIS 12TH DAY OF March 2019

RESOLUTION NO._____

RESOLUTION OF THE LAKE COUNTY COUNCIL
OPPOSING CUTS TO SOCIAL SAFETY NET PROGRAMS
INCLUDING BUT NOT LIMITED TO SOCIAL SECURITY, MEDICARE OR MEDICAID

WHEREAS, the United States is the only major country with an artificial debt "ceiling" that requires political action after Congress has already approved spending; and

WHEREAS, the debt "ceiling does not authorize any new spending commitments; it simply allows the government to finance existing spending obligations that previous Congresses and Presidents of both parties have made in the past; and

WHEREAS, since 1960, the U.S. Congress has raised the debt ceiling 78 separate times under majorities of both parties; and

WHEREAS, on January 19, 2023, the United States officially reached that borrowing limit and Congress must act by this summer to prevent the United States from defaulting on its debts; and

WHEREAS, certain members of the U.S. Congress have stated that they will not agree to raise the debt "ceiling" without changes to Social Security, Medicare, and/or Medicaid programs such as cuts to benefits, raising the retirement age, or even privatization; and

WHEREAS, in 2022, Social Security provided benefits to 65.8 million people, including hundreds of thousands of retired union members; and

WHEREAS, without social Security, the U.S. poverty rate for our seniors would be nearly 41 percent; instead of just under nine percent; and

WHEREAS, the Lake County Council opposes cuts to Social Safety Net Programs including but not limited to Social Security, Medicare and/or Medicaid Programs and desires to call upon our congressional delegation to oppose the same.

NOW, THEREFORE, LET IT BE RESOLVED as follows:

1. That the Lake County Council representing the citizens and voters of Lake County oppose cuts to Social Safety Net Programs including but not limited to Social Security, Medicare and/or Medicaid.

2. The County Council of Lake County, Indiana, respectfully calls upon Senator Todd Young, Senator Mike Braun and Representative Frank Mrvan to oppose cuts to Social Safety Net Programs including but not limited to Social Security, Medicare and/or Medicaid;

3. That a copy of this Resolution be provided to Senator Todd Young, Senator Mike Braun and Representative Frank Mrvan.

SO RESOLVED THIS_____DAY OF APRIL, 2023.

_____
CHARLIE BROWN - President

_____	_____
DAVID HAMM	CHRISTINE CID
_____	_____
RANDELL C. NIEMEYER	CLORIUS L. LAY
_____	_____
PETE LINDEMULDER	TED F. BILSKI

Members of the Lake County Council

19) County Domestic Violence Fatality Review Team (Created 7-12-11-Ord. 1337A)

County Council **SHALL** appoint 8 members to a 2-year term; a survivor of domestic violence, a domestic violence direct service provider agency, a representative of law enforcement from the area served by the review team, the prosecuting attorney or his/her designee from Lake County, an expert in the field of forensic pathology or coroner or deputy coroner, a medical practitioner with expertise in domestic violence, a Judge who hears civil or criminal cases, and an employee of child protective services agency. County Council **MAY** appoint 11 additional members; member of the clergy, a representative from a Lake County Government Agency, a representative from the Lake County Health Department, a representative from the Lake County Bar Association, a defense Attorney, an educator, a Lake County Probation Officer, a representative from the business community, a lake County animal Control officer, an Attorney who represents victims of domestic violence, and a provider of a batter's intervention program.

Current Appointment	Date Appointed	Term	Next Appointment
Anne Herbert Survivor of Domestic Violence	January 11, 2022	2 years	January, 2024
Pam Serrano DV Direct Service Provider	January 10, 2023	2 years	January, 2025
Larry Thurmond Law Enforcement	January 10, 2023	2 years	January, 2025
Nadia Wardrip Prosecuting Attorney/Designee	January 10, 2023	2 years	January, 2025
David Pastrick Forensic/Coroner/Deputy	November 9, 2021 (Effective 1/1/2022)	2 years	November, 2023
Michelle Resendez Medical Practitioner	March 14, 2023	Bal.of Term	January, 2024

19) County Domestic Violence Fatality Review Team (Created 7-12-11-Ord. 1337A)(continued)

	Current Appointment	Date Appointed	Term	Next Appointment
	Honorable Calvin Hawkins Civil/Criminal Judge	December 14, 2021	2 years	December, 2023
Shall ->	Ellis Dumas Protective Service Employee:	December 10, 2019	2 years	December, 2021
May ->	Pastor Tom Shanahan Clergy	February 13, 2018	2 years	February, 2020
	Christine Cid Government Agency	January 11, 2022	2 years	January, 2024
	Health Dept. PPP			
	Bar Association.			
	Defense Attorney			
	Andrea Graciano Educator	October 12, 2021	2 years	October 2023
	Jacob Fadely Probation Officer	July 12, 2022	2 years	July, 2024
May ->	Business Community Terence Fife	February 6, 2020	2 years	February, 2022
May ->	Elizabeth Koeppen Animal Control Officer	November 10, 2020	2 years	November, 2022
	Jerry Ezell Domestic Violence Attorney	January 11, 2022	2 years	January, 2024
	John Toigo Intervention Program Provider	January 10, 2023	2 years	January, 2025

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JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF CROWN POINT, INDIANA AND LAKE COUNTY, INDIANA FOR INFRASTRUCTURE IMPROVEMENTS WITHIN THE I65 CORRIDOR LOCATED IN CENTER TOWNSHIP, LAKE COUNTY, INDIANA

THIS JOINT INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF CROWN POINT, INDIANA AND LAKE COUNTY, INDIANA FOR INFRASTRUCTURE IMPROVEMENTS WITHIN THE I65 CORRIDOR IN CENTER TOWNSHIP (hereinafter referred to as this "Agreement") is made and entered into in accordance with Indiana Code §36-1-7, *et seq.,* as amended from time to time, by and between the CITY OF CROWN POINT, Lake County, Indiana, a Municipal Corporation, by its MAYOR as its executive and its CITY COUNCIL as its fiscal body (hereinafter referred to as "CROWN POINT"), and LAKE COUNTY, INDIANA, a unit of local government, by its BOARD OF COUNTY COMMISSIONERS as its executive and its COUNTY COUNCIL as its fiscal body (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, CROWN POINT is a unit of local government located in Lake County, Indiana, with jurisdiction over real property located within the Municipal Corporate Boundaries of CROWN POINT; and

WHEREAS, COUNTY is a unit of local government located in Lake County, Indiana, with jurisdiction over certain real property located within the corporate boundaries of Lake County; and

WHEREAS, CROWN POINT and COUNTY have each been advised that the provisions of Indiana Code §36-1-7-1, *et seq.* (Interlocal Cooperation Act and referred to hereinafter as the "Act"), as amended from time to time, permit local governmental units and entities to make the most efficient use of their powers by enabling governmental units to mutually contract and utilize services for the mutual benefit of the participating governmental entities; and

WHEREAS, CROWN POINT and COUNTY are political subdivisions empowered by the Act with authority to contract on behalf of each other on a basis of mutual advantage so as to better provide public services and facilities at a lesser cost; and

WHEREAS, CROWN POINT and COUNTY each seek to enter into a joint interlocal cooperation agreement based upon the terms and provisions of the Act, as amended from time to time, together, to provide for infrastructure improvements within the I65 Corridor hereafter referred to as the I65 CORRIDOR PROJECT; and

WHEREAS, CROWN POINT, and COUNTY have determined that entry into a joint interlocal cooperation agreement for the I65 CORRIDOR PROJECT is a public improvement in the best interests of the residents of CROWN POINT and COUNTY, and therefore, have determined that it is advisable to enter into and become a participating unit under such a joint

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interlocal cooperation agreement pursuant to the applicable provisions of State Law, as amended from time to time.

COVENANTS

NOW, **THEREFORE, CROWN POINT** and **COUNTY**, in consideration of the terms and conditions set forth herein, all of which are hereby acknowledged, do hereby agree as follows:

SECTION 1: DURATION.

The duration of this Agreement shall be from its effective date to completion and acceptance of the Project as defined herein.

SECTION 2: PURPOSE.

The purpose of this Agreement is to set forth and establish the responsibilities and obligations of CROWN POINT and COUNTY concerning the I65 CORRIDOR PROJECT.

SECTION 3: EFFECTIVE DATE

The effective date of this act shall be after the agreement has been signed by a majority of the elected officials of each party necessary to constitute an official act and a copy of the executed agreement is placed on record and filed with the Lake County Recorder.

SECTION 4: PROJECT DEFINED.

This Project is infrastructure improvements within the I65 Corridor that will improve public health and economic conditions which will benefit the citizens of Lake County, Indiana. *See attached Exhibit "A", Resolution No. 2022-95*

SECTION 5: PROJECT FUNDING.

COUNTY agrees to pay to CROWN POINT within thirty (30) days of CROWN POINT commencing the Project, the amount of TWO HUNDRED TWELVE THOUSAND ONE HUNDRED FORTH THREE DOLLARS and NO CENTS ($212,143.00) to help fund the Project. This contribution of COUNTY is solely for improvement costs CROWN POINT will incur for the I65 CORRIDOR PROJECT improvement.

SECTION 6: ADMINISTRATION AND AUTHORITY DELEGATION.

A. This Agreement shall be administered as follows:

1) CROWN POINT shall contract with a company to perform all duties associated with the I65 CORRIDOR PROJECT. With the $212,413.00 received from LAKE COUNTY, CROWN POINT shall pay its contractors

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for performing work associated with infrastructure improvements within the I65 Corridor.

B. The CLERK-TREASURER OF THE CITY OF CROWN POINT, LAKE COUNTY is hereby designated to receive, disburse, and account for all funds pursuant to this Agreement.

C. CROWN POINT shall supervise all work performed by its contractor as part of the project and determine if the work meets reconstruction standards.

D. CROWN POINT shall contract with a company to perform the improvements and pay for all claims for supplies, materials, services or other expenses for the project.

E. Because the COUNTY will have no supervisory responsibility for the work performed by the contractor employed by CROWN POINT, project, will not be in privity of contract with any person or company contracted by CROWN POINT to perform the work, and COUNTY'S only involvement during the improvements is to provide funding, the County of Lake and any and all of its elected officials, appointed officials, offices, departments, divisions, employees, to include those of the Lake County Highway Department shall not be liable for and CROWN POINT shall hold the aforementioned unit, bodies, and persons harmless from any loss or damage to any party that may occur from the start of the reconstruction to the completion of the project.

F. The project will be deemed completed when CROWN POINT has accepted the work of their contractor and the COUNTY has certified to CROWN POINT that it has been completed.

SECTION 7: ASSIGNMENT OF RIGHTS.

No Party shall assign, delegate, or otherwise transfer its rights and obligations as set forth in this Agreement to any other entity.

SECTION 8: AMENDMENTS.

The terms of this Agreement may not be amended, supplemented, waived or modified without the prior written approval of all Parties.

SECTION 9: FORCE MAJEURE.

Except as otherwise provided in this Agreement, CROWN POINT and COUNTY, shall not be deemed in default or in breach of this Agreement to the extent it is unable to perform due to an event of Force Majeure. For the purpose of this Agreement, Force Majeure shall mean and include any act of God, accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of public enemy, failure of transportation facilities, enactment, rule, order, or act of government or governmental instrumentality (whether domestic or international and whether federal, state or local, or the international equivalent thereof), failure of technical difficulties, or

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any other cause of any nature whatsoever beyond the control of CROWN POINT and COUNTY, which was not avoidable in the exercise of reasonable care and foresight.

SECTION 10: NOTICES.

All notices required to be given under this Agreement shall be in writing, and deemed sufficient to each Party when sent by United States Mail, postage prepaid, or hand-delivered, to the following:

Mayor Peter Land Municipal Building 101 North East Street Crown Point, In 46307	Commissioner Mike Repay 2293 North Main Street Crown Point, In 46307	Councilman Charlie Brown 2293 North Main Street Crown Point, In 46307

SECTION 11: CAPTIONS.

The captions and section designations herein set forth are for convenience only, and shall have no substantive meaning.

SECTION 12: SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

SECTION 13: ENTIRETY OF AGREEMENT.

This Agreement represents the entire understanding between the Parties and supersedes all other negotiations, representations, or agreements, whether written or verbal, relating to this Agreement. This Agreement shall inure to the benefit of, and shall be binding upon the Parties, and their respective assigns and successors in interest.

SECTION 14: MATERIAL DISPUTE.

The parties agree that CROWN POINT and COUNTY shall meet for resolution purposes. Thereafter, if the dispute is unable to be resolved, the Parties agree that the dispute will be governed by the laws of the State of Indiana in a court of competent jurisdiction. The Parties agree that each Party shall be responsible for its own attorney fees, absent any applicable provision of law to the contrary.

SECTION 15: COUNTERPARTS.

This Agreement shall be signed in counterparts and each of said counterparts shall be considered an original.

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SECTION 16: RECORDING AND FILING.

A. Before this Agreement takes effect, it must be recorded with the Office of the Lake County Recorder.

B. No later than sixty (60) days after it takes effect and is recorded, the Agreement must be filed with the Office of the State Board of Accounts for audit purposes all pursuant to I.C. §36-1-7-6.

SECTION 17: PUBLIC ACTION AND RATIFICATION.

A. Because there exists a situation where time is of the essence, the parties will have their respective elected officials sign the agreement to make it effective and then ratify it at a subsequent public meeting.

B. To be effective with a retroactive ratification, the following must occur at a public meeting:

1) The City Council as the fiscal body of the City of CROWN POINT, Lake County, Indiana, a Municipal Corporation.

2) The Mayor as the executive of the City of CROWN POINT, Lake County, Indiana, a Municipal Corporation.

3) The Lake County Council has the fiscal body of the County of Lake, Indiana.

4) The Board of Commissioners as the county executive of the County of Lake, Indiana.

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IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this 22nd day of March, 2023.

LAKE COUNTY, INDIANA
BOARD OF COMMISSIONERS:

Kyle Allen, Sr., 1st District

Jerry Tippy, 2nd District

Michael C. Repay, 3rd District

ATTEST:

Peggy Katona, Auditor

LAKE COUNTY, INDIANA
COUNTY COUNCIL:

David Hamm, 1st District

Clorius Lay, 2nd District

Charlie Brown, 3rd District

Pete Lindemulder, 4th District

Christine Cid, 5th District

Ted Bilski, 6th District

Randy Niemeyer, 7th District

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IN WITNESS WHEREOF, the Parties, by their duly authorized Officials and Representatives have caused this Agreement to be executed this _____ day of _____, 2023.

MAYOR CITY OF CROWN POINT, INDIANA:

Peter D. Land, Mayor

ATTEST:

Dave Benson, Clerk-Treasurer

CROWN POINT, INDIANA CITY COUNCIL:

Scott D. Evorik, At Large

Zack Bryan, At Large

Chad J. Jeffries, 1st District

Dawn Stokes, 2nd District

Andrew S. Kyres, 3rd District

Laura J. Sauerman, 4th District

Carol Drasga, 5th District