

please sign

TRAFALGAR PLANNING COMMISSION MEETING – JANUARY 8, 2024

Attorney Jacob Bowman called meeting to order at 6:03 P.M. Members present are Jacob Bowman (attorney, non-voting), Mary Wilkerson, Mark Carpenter, Bryan Gregg, Jessica Jones, and Kyle Siegfred by way of phone.

All recited Pledge to the American Flag.

As the first meeting of 2024, Jacob Bowman presided over the election of officers. He requested nominations for President of the Plan Commission. Mary Wilkerson nominated Bryan Gregg for President and Mark Carpenter 2nd the motion. All agreed. Motion passed 5-0.

Next Jessica Jones nominated Kyle Siegfred for Vice-President of the Plan Commission. Bryan Gregg 2nd the nomination. All agreed. Motion passed 5-0.

Bryan Gregg nominated Mary Wilkerson for Secretary of the Plan Commission, Jessica Jones 2nd the motion. All agreed. Motion passed 5-0.

Having elected officers, Jacob Bowman turned the meeting over to President, Bryan Gregg, as presiding officer.

Kyle was asked to sign for the last two months meeting minutes, since he was present by phone and unavailable to sign.

Minutes were reviewed for December 11, 2023. Mark Carpenter made a motion to accept the December 11, 2023, meeting minutes as printed, while Bryan Gregg 2nd the motion. Motion passed 4-0-1. Minutes from December 11, 2023, were signed.

The Plan Commission further discussed changes to its fee schedule, in part, to defray the administrative costs connected with processing and hearing administrative appeals and petitions for rezoning, special exceptions, special uses,

contingent uses, and variances, issuing permits, and other official action taken by the Plan Commission, all as part of the Town's efforts to create a comprehensive fee schedule. Following discussion, Kyle Siegfred made a motion for a favorable recommendation to the Town Council regarding planning and zoning fees. Bryan Gregg 2nd the motion. Copies of the recommendation and recommended fee schedule are attached to the minutes.

Following discussion on the fee schedule, the Plan Commission discussed ways to protect the Town and its residents against unlicensed/not bonded builders and contractors. In 1997, an ordinance adopting requirements for a listing of contractors was passed, though it is unclear whether the ordinance has ever been enforced. The Plan Commission discussed revisiting the requirements for contractors working within the Town municipal boundaries, insurance, licensing, and bonding requirements, and clearly delineating who within the Town will be charged with enforcement.

In late 2023, the Town Council, through recommendation of the Plan Commission, adopted new Planned United Development and Mixed Use zoning classifications. The Plan Commission discussed how and when these zoning classifications can be used in the future. Currently, there are no plans to modify the Town's zoning map, and rezone certain properties, however, should a Town resident wish to rezone their property to a Mixed Use zoning classification, they may petition for a rezone through the Plan Commission.

Bryan Gregg discussed public notices of variances and when they should be sent out pursuant to the appropriate provisions of the Indiana Code. The Plan Commission will defer to the BZA to address issues of notices when residents are petitioning for variances.

Bryan Gregg made motion to adjourn, and Jessica Jones 2nd the motion at 7:25 P.M. All agreed.

NO NEW SIGN OR BUILDING PERMITS:


Next meeting is February 12, 2024, at 6 PM.

**Trafalgar Planning Commission
Meeting – January 8, 2024
Submitted by Mary Wilkerson**

These minutes were adopted and signed by the Trafalgar Planning Commission on
This 12th day of ~~February~~ ^{March}, 2024 IN THE Town of Trafalgar,
County of Johnson and State of Indiana.



President, Bryan Gregg



Vice-President, Kyle Siegfred



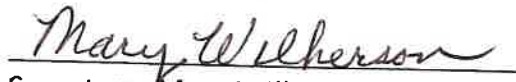
Mark Carpenter

[Vacant]



~~Jessica Jones~~ Jackie Bryant

[Vacant]



Secretary, Mary Wilkerson

Town of Trafalgar

P.O Box 57
Phone 317-878-5194

2770 W. State Road 252

Trafalgar, IN 46181-0057
Fax 317-878-4402

The Town of Trafalgar Advisory Plan Commission (the "Plan Commission") met on Monday, January 8, 2024, to consider amendments for the increase of building permits and zoning petitions for the Town of Trafalgar, to be consistent with neighboring municipalities.

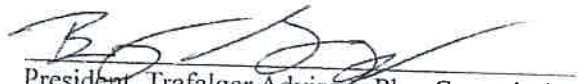
After due consideration from its regular public meeting on the 8th day of January 2024, the Plan Commission voted 5 approval and 0 opposed with 0 abstentions to forward to the Council of the Town of Trafalgar ("Town Council") the proposed changes, attached as **Exhibit A** to this correspondence, with the following recommendation. A quorum of members of the Plan Commission was in attendance for the meeting.

 + FAVORABLE

 UNFAVORABLE

 FAVORABLE WITH MODIFICATIONS

The Plan Commission recommends the attached fees for Planning and Zoning, in part, to defray the administrative costs connected with processing and hearing administrative appeals and petitions for rezoning, special exceptions, special uses, contingent uses, and variances, issuing permits, and other official action taken by the Plan Commission under I.C. Title 36. While the Plan Commission acknowledges that certain fees are within its discretion and others within the discretion of the Town Council, the Plan Commission's experience and knowledge has allowed it to thoroughly review the Town's Planning and Zoning Fee Schedule for clarity for the Town's residents, and administration by the Town's employees/staff.


President, Trafalgar Advisory Plan Commission

Attest: Mary Whelton
Secretary, Trafalgar Advisory Plan Commission

Dated: 1-8-2024

**TRAFALGAR TOWN COUNCIL
ORDINANCE NO. 2024-0__**

**AN ORDINANCE AMENDING THE TRAFALGAR PLANNING
AND ZONING FEE SCHEDULE AND TOWN FEE SCHEDULE**

WHEREAS, the Town Council (“Town Council”) for the Town of Trafalgar (“Town”) deems it desirable and in the best interests of the Town to revisit and revise its current administrative fees, planning and zoning fees, nuisance fees, permit fees, and all other fees issued by the Town for the collection of a reasonable return on its services (the “Town Fees”);

WHEREAS, the Town Council deems it desirable and in the best interests of the Town to adopt an Ordinance for an updated Comprehensive Fee Schedule, providing a clear and convenient location for all of the Town’s fees;

WHEREAS, the Trafalgar Plan Commission (the “Plan Commission”) conducted a comprehensive review of the current Planning and Zoning fee schedule and has recommended the Planning and Zoning fees as set forth in **Exhibit A**; and

WHEREAS, the Town Council has reviewed the current Town Fees and finds it appropriate to adopt the fees presented as set forth in **Exhibit A**.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF TRAFALGAR, INDIANA, THAT:**

1. The above recitals are incorporated herein by reference as though fully set forth herein below.
2. Title I: General Provisions, Chapter 10 General Code Construction; General Penalty, Section 10.99 General Penalty, is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
3. Title III: Administration, Chapter 35: Ordinance Violations Bureau, Section 35.04 Schedule of Ordinances Subject to Ordinance Violations Bureau, is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
4. Title III: Administration, Chapter 36: Town Fee Schedule, Section 36.01 Fee Schedule is hereby repealed and replaced by the Comprehensive Fee Schedule in the form attached hereto as **Exhibit A**.
5. Title V: Public Works, Chapter 52: Water Regulations, Section 52.34 is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].

6. Title V: Public Works, Chapter 52: Water Regulations, Section 52.35 Impact and Capacity Fees is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
7. Title V: Public Works, Chapter 52: Water Regulations, Section 52.36 Service Charges is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
8. Title V: Public Works, Chapter 53: Sewer Rates and Charges, Section 53.04(B)(2) is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
9. Title V: Public Works, Chapter 53: Sewer Rates and Charges, Section 53.53 is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
10. Title V: Public Works, Chapter 53: Sewer Rates and Charges, Section 53.54 Tap and Capacity Fees is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
11. Title V: Public Works, Chapter 53: Sewer Rates and Charges, Section 53.55 Nonrecurring Charges and Service Charges is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
12. Title V: Public Works, Chapter 53: Sewer Rates and Charges, Section 53.56 Inspection Fees is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
13. Title V: Public Works, Chapter 53: Sewer rates and Charges, Section 53.60 Sewer Connection Fees is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
14. Title V: Public Works, Chapter 54: Storm Water Management User Fees and Rates, Section 54.01(A) Storm Water Management User Fees is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
15. Title VII: Traffic Code, Chapter 71: Traffic, Street and Sidewalk Regulations, Section 71.99 Violations is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
16. Title VII: Traffic Code, Chapter 72: Parking Regulations, Section 72.07 Parking Schedules is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].

17. Title VII: Traffic Code, Chapter 72: Parking Regulations, Section 72.99 Penalty is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
18. Title X: General Regulations, Chapter 91: Nuisances, Section 91.21 Abatement; Fees and Fines is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
19. Title XI: Business Regulations, Chapter 110: Business Licensing, Section 110.01 Sales of Liquor at Retail is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
20. Title XV: Land Usage, Chapter 150: Building Codes, Section 150.38 Fees, is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
21. Title XV: Land Usage, Chapter 150: Building Code, Section 150.01 Sewer Inspections Required for New Residential and Commercial Buildings, is hereby repealed and shall be replaced with the following language: [Please refer to Title III: Administration, Chapter 36: Town Fee Schedule].
22. Title XV: Land Usage, Chapter 152: Zoning, Section 152.135 and Section 152.136 of the Trafalgar Town Code are repealed and shall be replaced with a new § 152.135 to refer the reader to the new Title III: Comprehensive Fee Schedule.
23. All ordinances and sections of ordinances in conflict herewith are repealed to the extent that they conflict with any provision contained herein.
24. This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

[Remainder of page intentionally left blank]

DULY PASSED AND FINALLY ADOPTED on the _____ day of _____,
2024, by a vote of ____ in favor and ____ against.

Jason Ramey, President

Voting In Favor

Voting Opposed

Jason Ramey, President

Jason Ramey, President

Jessica Jones, Vice President

Jessica Jones, Vice President

Mike Peters

Mike Peters

Jackie Bryant

Jackie Bryant

Ashley Chaney

Ashley Chaney

Attest:

Donna J. Moore, Clerk-Treasurer

EXHIBIT A

COMPREHENSIVE FEE SCHEDULE

GENERAL FEES AND PENALTIES	
Request for copying of any public record	\$12.00, or \$0.12 per page, whichever is greater
For facsimile transmission	\$0.25 per page for local transmissions; \$0.40 per page for long distance transmissions; and a cover sheet may be required at the discretion of the Town to be included in the fee
For standard audio recording	\$12.00 per disc
Accident reports and police reports	The fee for each accident or police report shall be \$7.00 for each report up to two pages in length, with an additional charge of \$1.00 per page for any page thereafter.
<p>General Penalty.</p> <p>(A) Any person, firm or corporation who violates any provision of the Trafalgar Town Code for which another penalty is not specifically provided shall be subject to the following:</p> <p>(1) A fine not exceeding \$2,500 for the first violation; and</p> <p>(2) A fine not exceeding \$7,500 for second and subsequent violations, except for violations of ordinances regulating traffic and parking.</p> <p>(B) A separate violation shall be deemed committed upon each day during which a violation occurs or continues.</p> <p>(C) Statutory Reference: Ind. Code 36-1-3-8(a)(10)</p>	

BUILDING, PLANNING AND ZONING FEE SCHEDULE		
<p>(A)(1) Applications filed pursuant to the provisions of this chapter shall be accompanied by the filing fees hereinafter specified, which shall be collected by the Building Commissioner or his/her designee, and paid to the Town, the receipt for which shall accompany the application.</p> <p>(2) The Building Commissioner shall in all cases designate the stage of construction when each required inspection must be requested by the permit holder. No electrical, mechanical, plumbing or thermal insulation work shall be covered without prior inspection. Where additional inspections are required due to failure of permit holder to have work ready for inspection at a designated state of construction, the Building Commissioner or Inspector shall have the power to reassess inspection fees.</p> <p>(3) All permit and processing fees shall be paid to the Town when filing for a building permit, including but not limited to the applicable water and sewer fees.</p> <p>(4) Inspection fees are paid when picking up the building permit.</p> <p>(5) All fees are nonrefundable.</p> <p>(6) A Certificate of Occupancy will not be issued unless all required inspections are completed.</p>		
Processing Fee for all Permits	Fee (General Fund)	\$12.00
RESIDENTIAL PERMITS and INSPECTIONS:		
Single Family Dwelling Including Manufactured or Mobile Homes built on slab	Permit Fee (General Fund)	\$360.00 +.12/sq. ft
	Inspection Fee (Insp. Fund)	\$65.00 per inspection
Two Family & Multifamily Dwelling <small>(Rough In and Final inspection are required for</small>	Permit Fee (General Fund)	\$360.00 +.12/sq. ft
	Inspection Fee (Insp.)	\$90.00 per inspection

each tenant/space)	Fund)	
Additions to existing Single family dwellings, including Manufactured or Mobile home, two family and multifamily dwellings	Permit (General Fund)	\$90.00
	Inspection Fee (Insp. Fund)	\$90.00 per inspection
Storage Shed (max. 140 sq.ft.)	Permit Fee (General Fund)	\$60.00
	Inspection Fee (Insp. Fund)	\$55.00
Sewer Permit	Permit Fee in addition to then applicable tap/connection fee (General Fund)	\$90.00
	Inspection Fee (Insp. Fund)	\$90.00
	<p>Sewer inspections are required for new residential and commercial buildings.</p> <p>(A) A contractor building a new residential or commercial structure in the town shall be required to inspect any new sewer system. The contractor shall be responsible for contacting the Town within 24 hours of installation to ensure an inspection can be completed in due course. If a contractor fails to inspect the sewer system as prescribed above the following fees and penalties shall apply:</p> <p>(1) Residential: \$2,500; and</p> <p>(2) Commercial: \$5,000.</p> <p>(B) If after inspection the sewer system does not meet the town's requirements, the penalties for each failed inspection shall be as follows:</p> <p>(1) Residential: \$100 per day until the system is replaced; and</p> <p>(2) Commercial: \$250 per day until the system is replaced.</p> <p>(C) A contractor shall have ten days from the date of the first failed inspection to replace the system in compliance with the town's requirements. If the system is not replaced within said allotted time period, then the applicable daily fee shall commence on the eleventh day.</p>	
Alterations, Modifications and Remodeling. (Includes All structural changes except additions)	Permit Fee (General Fund)	\$30.00
	Inspection Fee (Insp. Fund)	\$55.00 per inspection
Driveways	Permit Fee (General Fund)	\$75.00
	Inspection Fee (Insp. Fund)	\$55.00 per inspection
Detached Garages & Carports, or Detached Buildings (over 140 sq. ft.)	Permit Fee (General Fund)	\$ 150.00
	Inspection Fee (Insp. Fund)	\$90.00 per inspection
Re-roof (only if replacing truss or rafters)	Permit Fee (General Fund)	\$50.00
	Inspection Fee (Insp. Fund)	\$90.00 per inspection
Swimming Pools (Over 36" aboveground)	Permit Fee (General Fund)	\$78.00
	Inspection Fee (Insp. Fund)	\$55.00 per inspection
Swimming Pools (In Ground)	Permit Fee (General Fund)	\$78.00
	Inspection Fee (Insp. Fund)	\$90.00 per inspection

Demolition (all buildings and structures)	Permit Fee (General Fund)	\$ 125.00 per structure
	Inspection Fee following demolition (Insp. Fund)	\$ 65.00 per inspection
Sidewalk and Street Cut (Required Bond for Cut)	Permit Fee (General Fund)	\$90.00 (and \$15,000.00 Bond)
	Inspection Fee (Insp. Fund)	\$90.00 per inspection
Electrical	Permit Fee (General Fund)	\$50.00
	Inspection Fee (Insp. Fund)	\$65.00 per inspection
\$100.00 fine for beginning construction before obtaining a building permit per day of violation and double Permit Fee.		
COMMERCIAL PERMITS and INSPECTIONS:		
New Building-Single tenant, including addition (Rough In and Final inspections are required for each tenant-space)	Permit Fee (General Fund)	\$480.00 + .12/sq. ft
	Inspection Fee (Insp. Fund)	\$125.00 per inspection
Land Alteration	Permit Fee (General Fund)	\$360.00
	Inspection Fee (Insp. Fund)	\$120.00 per inspection
Billboards/Signs	Permit Fee (General Fund)	a) Pole - \$3.00/sq. ft. with \$300.00 minimum b) Ground - 3.00/sq. ft. with \$150.00 minimum c) Wall - \$3.00/sq. ft. with \$60.00 minimum d) Billboard - \$3.00/sq. ft. with \$750.00 minimum e) Temporary (60 day duration) - \$40.00
	Inspection Fee for All Signs (Insp. Fund)	\$60.00
Alterations, Modifications and Remodeling. (Includes All structural changes except additions)	Permit Fee (General Fund)	\$200.00
	Inspection Fee (Insp. Fund)	\$100.00 per inspection
Accessory Structures and Structures other than buildings, i.e. (canopies, permanent signs, including subdivision entrance signs)	Permit Fee (General Fund)	\$120.00
	Inspection Fee (Insp. Fund)	\$120.00 per inspection
Sewer Permit and Inspection	Permit Fee in addition to then applicable tap/connection fee (General Fund)	\$90.00
	Inspection Fee (Insp. Fund)	\$90.00 per inspection
Demolition (all buildings and structures)	Permit Fee (General Fund)	\$125.00 per structure
	Inspection Fee (Insp. Fund)	\$ 65.00 per inspection
Construction Trailers	Permit Fee (General Fund)	\$250.00
Electrical Permit	Permit Fee (General Fund)	\$120.00
	Inspection Fee (Insp. Fund)	\$100.00 per inspection

Right of Way/Street Cut/Sidewalk Cut (Required Bond for Cut)	Permit Fee (General Fund)	\$90.00
	Inspection Fee (Insp. Fund)	\$90.00 (\$15,000.00 Bond)
\$500.00 fine for beginning construction before obtaining a building permit per day of violation and double Permit Fee.		
AGRICULTURAL PERMITS and INSPECTIONS: (Structures on land over 10 acres)		
New Building (other than dwelling)	\$120 + \$.12/sq foot (General Fund)	
\$100.00 fine for beginning construction before obtaining a building permit per day of violation and double Permit Fee.		

PETITIONS (General Fund):		
Petition for Annexation	\$360.00 + \$18.00 per acre	
Petition for Variance	\$260.00	
Petition for Special Exception	\$130.00	
Petition for Rezoning	\$350.00	
Sketch Plan for Minor Subdivision	\$380.00	
Sketch Plan for Major Subdivision	\$550.00	
PUD Filing Fees	Concept Plan	\$600.00
	Preliminary Plat Approval & ReZoning	\$600.00 + \$16.00 per lot
	Master Plan	\$300.00 + \$16.00 per lot
	Final Plat	\$300.00 + \$16.00 per lot
Preliminary Plat for Minor Subdivision	\$300.00	
Preliminary Plat for Major Subdivision	\$660.00 + \$18.00 per lot	
Secondary Plat for Major Subdivision	\$660.00 + \$18.00 per lot	
OTHER PLANNING AND ZONING FEES (General Fund):		
Application for an appeal from the decision of the Building Commissioner to the applicable Board	\$75.00	
Request for zoning map	\$12.00, or \$0.12 per page, whichever is greater	
Request for copying of any other public record	\$12.00, or \$0.12 per page, whichever is greater	

WATER RATES AND CHARGES	
There shall be and there is hereby established for the use of and the service rendered by the municipal water system, the following schedule of rates and charges: each customer shall pay for each service connection a	

monthly rate which shall be a flow charge based on the amount of water consumed, but in no event less than the minimum monthly service charge established for the customer's applicable size meter.

(A) Flow charge.

<i>Consumption per Month</i>	<i>Rate per 1,000 Gallons</i>
First 2,000 gallons	\$11.54
Next 2,000 gallons	\$11.54
Next 2,000 gallons	\$11.08
Next 2,000 gallons	\$10.77
Next 2,000 gallons	\$9.45
Next 5,000 gallons	\$8.08
Next 35,000 gallons	\$5.38
Over 50,000 gallons	\$4.03

(B) *Minimum charge per month.* Each metered user shall pay a minimum monthly service charge in accordance with the following applicable size meter installed and for such charge he, she or they are entitled to the applicable minimum gallons allowed.

<i>Meter Size</i>	<i>Gallons Allowed For Minimum</i>	<i>Minimum Monthly Charge</i>
5/8 in. meter	2,000	\$23.08
3/4 in. meter	3,000	\$34.62
1 in. meter	5,000	\$57.24
1-1/2 in. meter	10,000	\$108.76
2 in. meter	15,000	\$149.16
3 in. meter	30,000	\$229.86
4 in. meter	45,000	\$310.56
6 in. meter	60,000	\$377.76

(C) *Unmetered monthly charge.* Water furnished to unmetered residential and commercial users shall be charged on the basis of the metered gallon rates hereinbefore set forth as estimated and established by the town's professional engineer, but in no event shall the monthly charge be less than the minimum charge imposed on customers with a similar-sized line.

(D) *Temporary users.* Water furnished to temporary users such as contractors and the like shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Superintendent of the Municipal Water Utility.

WATER IMPACT, CAPACITY FEES, AND SERVICE CHARGES

(A) *Impact fee.*

(1) The impact fee reflects the costs associated with connecting or impacting each customer to the town's system. Where a single customer shall make multiple connections, an appropriate multiple of the single impact fee shall be charged.

(2) A single impact fee for each customer connecting to the system shall be \$550, exclusive of excavation, for the installation of a five-eighths or three-fourths inch residential water meter service. All other services shall

be installed at the town's actual cost, but at not less than \$550.

(B) *Capacity fee.*

- (1) The capacity fee reflects the cost of the capacity in the town's water facilities which must be permanently allocated to real estate requiring water service.
- (2) The capacity fee for each equivalent dwelling unit (EDU) or single residential unit connecting to the town's water system shall be \$3,000.
- (3) The capacity fees will be determined on the basis of the total number of EDUs with a residential unit considered one EDU. All other parcels of land not used for residential dwelling units shall be converted to EDUs on the basis of the anticipated water usage from such real estate as compared to the anticipated water for residential dwelling units. When calculations of EDUs result in a fraction, the result shall be rounded up to the next whole number. For example, an EDU calculation of 3.3 for a property will be rounded up to four EDUs for purposes of calculating the capacity fee for such property. For no reason shall any structure connecting to the system (including but not limited to mobile homes, apartments and condominiums) be treated as less than one EDU for purposes of any of the town's rates and charges.

(C) *Miscellaneous.*

- (1) The town shall not allow final and permanent connection or connections to the town's potable water facilities of any structure requiring water service until a permit is obtained and payment has been made to the town for the appropriate impact and capacity fees.
- (2) Any developer of real estate applying for service shall pay the applicable fees by platted sections before the sections are submitted for approval and recording, or otherwise enter into an acceptable developer's agreement which shall provide for the future payment of the impact and capacity fees prior to final and permanent connection.
- (3) Impact and capacity fees shall be non-refundable.

Service Charges

<i>Type</i>	<i>Charge</i>
(A) Deposit for establishing an account	\$50
Visit to the premises resulting in disconnection of service (disconnect charge)	\$15.00
Penalty charge for tampering with a meter or any of the town's regulating or measuring equipment, or for access and use of the town's water supply without a meter	\$275.00
Service call (including special meter reading and other service calls)	\$15.00 per hour
(B) Subsequent test of meter at customer's request to the town within 36 months of the first test	Actual cost of test (including time and materials)
(C) Charge for reconnection of service after disconnection	\$15.00
(D) Reprocessing of customer account due to payment not honored (matter shall also be referred for prosecution to prosecuting attorney of county within 90 days)	Greater of \$27.50 or 5% of amount due, but not more than \$250.00
(E) Temporary hydrant connection (exclusive of water consumption)	\$100.00
(F) Repair of damaged meter or hydrant for all meter sizes and replacements.	Actual cost of repair and replacement.
(G) Inspection fees (per trip)	\$15.00

SEWER RATES AND CHARGES

There shall be and there is hereby established for the use of and the service rendered by the municipal sewage works system, the following schedule of rates and charges.

(A) *Base charge for metered users.* Each metered user shall pay a minimum monthly service charge according to the following schedule:

<i>Metered User Category</i>	<i>Phase 1 Base Charge Effective with the bills to be first issued in October 2022 until completion of construction of the treatment plant expansion initiated in August 2022</i>	<i>Phase 2 Base Charge Effective with the bills first issued upon completion of construction of the treatment plant expansion initiated in August 2022</i>
5/8 in. - 3/4 in. meter	\$48.29	\$51.91
1 in. meter	\$138.35	\$148.73
1-1/2 in. meter	\$314.44	\$338.03
2 in. meter	\$556.14	\$597.86
3 in. meter	\$1,262.25	\$1,356.94
4 in. meter	\$1,500.60	\$1,613.17
6 in. meter	\$3,241.62	\$3,484.79

(B) *Additional flow charge for metered users.* In addition to the minimum base service charge set forth in division (A) above, as the Phase 1 monthly flow charge, effective with the bills to be first issued in October 2022 and due in November 2022 until completion of construction of the treatment plant expansion initiated in August 2022, all metered users shall pay a flow charge based upon the users actual monthly usage, in the amount of \$7.61 for every incremental 1,000 gallons of monthly consumption, and as the Phase 2 monthly flow charge, effective with the bills first issued upon completion of construction of the treatment plant expansion initiated in August 2022, all metered users shall pay a flow charge based upon the users actual monthly usage, in the amount of \$8.18 for every incremental 1,000 gallons of monthly consumption. By way of example, under the Phase 1 monthly flow charge, a user with between 4,001 and 5,000 gallons of monthly consumption will pay a flow charge in the amount of \$38.05.

(C) *Monthly rates for non-metered users.*

(1) All non-metered users shall pay a monthly combined charge based upon 5,000 gallons per month for each equivalent dwelling unit ("EDU") of anticipated wastewater flow and a meter size of a similar property use with metered usage, as reasonably determined by the town. Single-family dwellings shall pay a monthly charge based upon an anticipated wastewater flow of one EDU and a 5/8 in. - 3/4 in. sized meter category. Thus, as the Phase 1 monthly charge for single-family dwellings, effective with the bills to be first issued in October 2022 and due in November 2022, until completion of construction of the treatment plant expansion initiated in August 2022, single-family dwellings shall pay a combined monthly charge of \$86.32; and as the Phase 2 monthly charge for single-family dwellings, effective with the bills first issued upon completion of construction of the treatment plant expansion initiated in August 2022, single-family dwellings shall pay a combined monthly charge of \$92.80. In no event shall any single connection be judged to use less than one EDU.

(2) The estimated flow for all users other than single-family dwellings shall be calculated in accordance with 327 I.A.C. 3-6-11 and equated to EDUs by dividing the estimated daily flow by 310 gpd. If there is no appropriate estimated flow factor listed in 327 I.A.C. 3-6-11(b), then the town shall determine the estimated flows based upon good engineering judgment and reasonable information. The estimated flows include domestic type wasteload estimates only and do not include processed water used in industrial or commercial operations. The town shall have the right to reevaluate wasteloads at any time and take corrective action to assess for actual usage levels.

Tap and Capacity Fees.

(A) *Tap fee.*

(1) The tap fee reflects the costs associated with connecting or tapping each customer to the town's system. Where a single customer shall make multiple connections, an appropriate multiple of the single tap fee shall be charged.

(2) A single tap fee for each customer connecting to any portion of the system shall be \$550, exclusive of excavation, for the installation of a five-eighths or three-fourths inch residential meter service. All other services shall be installed at the town's actual cost, but not less than \$550.

(B) *Capacity fee.*

(1) The capacity fee reflects the cost of the capacity in the town's sewage works system which must be permanently allocated to real estate producing wastewater and connecting to the system.

(2) A capacity fee for each equivalent dwelling unit (EDU) or single residential unit connecting to the system shall be \$3,500.

(3) The capacity fees will be determined on the basis of total number of EDUs with a residential unit considered one EDU. All other parcels of land not used for residential dwelling units shall be converted to EDUs on the basis of the anticipated sewage from such real estate as compared to the anticipated sewage for residential dwelling units. Residential units have been determined by the town to produce 310 gallons of wastewater per day. For no reason shall any waste-producing structure connecting to the system (including but not limited to mobile homes, apartments and condominiums) be treated as less than one EDU for purposes of any of the town's rates and charges. When calculations of EDUs result in a fraction, the result shall be rounded up to the next whole number. For example, an EDU calculation of 3.3 for a property will be rounded up to four EDUs for purposes of calculating the capacity fee for such property.

(4) Capacity fees may, at the town's discretion, be excluded for parcels zoned agricultural or platted for use as cemeteries, golf courses or parks or other non-wastewater producing real estate.

(C) *Miscellaneous.*

(1) The town shall not allow final and permanent connection or connections to the town's sewage facilities of any real estate producing wastewater until a permit is obtained and payment has been made to the town for the appropriate tap and capacity fees.

(2) Any developer of real estate applying for service shall pay the applicable fees by platted sections before the sections are submitted for approval and recording, or otherwise enter into an acceptable developer's agreement which shall provide for the future payment of the tap and capacity fees prior to final and permanent connection.

(3) Tap and capacity fees shall be nonrefundable.

Nonrecurring Charges and Service Charges.

The following nonrecurring charges are hereby established for the municipal sewage works system:

<i>Type</i>	<i>Charge</i>
(A) Deposit for establishing an account	\$15
Disconnection or reconnection of service (disconnect charge) (reconnect charge)	\$15 each
Penalty charge for tampering with a meter or any of the town's regulating or measuring equipment, or for access and use of the town's sewage works without a meter	\$175
Service call (including special meter reading and other service calls)	\$15 flat fee
(B) Subsequent test of meter at customer's request to the town within 36 months of the first test	Actual cost of test (including time and materials)
(C) Reprocessing of customer account due to check not being honored (matter shall also be referred for prosecution to prosecuting attorney of county within 90 days)	Greater of \$27.50 or 5% of amount due, but not more than \$250
(D) Repair or replacement of damaged meter (all meters)	Actual cost

STORM WATER MANAGEMENT USER FEES

(A) Storm water management user fees shall be imposed on each and every lot and parcel of real property within the Town of Trafalgar and assessed against the owner thereof who shall be considered a storm water management customer as follows:

<i>User Fee Rates</i>	<i>Monthly</i>
Residential-single family	\$5.00
Residential-Apartments (per unit)	\$2.50
Non-Residential	\$5.00
Penalty	\$10% of bill

NUISANCE FEES AND PENALTIES

(A) The Police Chief, Building Commissioner, or his or her designee may at any time require the owner and/or occupant of any property upon which a nuisance as herein defined exists to do all things necessary to remove the nuisance from such property by giving the owner and/or occupant ten days' written notice to the existence of the nuisance. The notice as herein required shall state the nature of the alleged nuisance and the action deemed necessary to correct the condition, and shall fix a date not sooner than ten days from the date of the receipt of the notice when said property owner and/or occupant may appear before the Town Council to be heard on the question of the nuisance. All notices as herein required shall be sent by first-class U.S. mail, postage prepaid, to the occupant or owner at the address of the owner as reflected in the tax rolls of the town, township or the county. Upon the failure of the owner and/or occupant to cause the abatement of a nuisance as required by this section and after notice and opportunity for hearing before the Town Council, the Town Council, upon a finding that a nuisance exists and that it has not been abated, may proceed at once to cause to be abated the nuisance. shall charge the costs thereof against the owner and/or occupant of said property. The liability created herein shall be joint and several as to the owners and any occupants or tenants.

(B) In the event the Town Council shall cause to be abated a nuisance on any property, as compensation to the town for its services in causing the abatement, the owner and/or occupant shall be charged the following fees:

- (1) A fee of \$25 for each inspection necessary to determine compliance with the provisions of this subchapter;
- (2) A fee of \$50 for determining private property ownership when necessary;
- (3) A fee of \$10 for each time a first-class letter is written to the occupant or owners;
- (4) A fee of \$50 per man-hour, or fraction thereof, for labor necessary to abate the nuisance; and
- (5) A fee of \$75 per machine-hour, or fraction thereof, for the use of each piece of equipment used in abating the nuisance.

(C) The Town Council shall, upon completion of all acts necessary to abate the nuisance, send a statement to the owner and/or occupant of the property notifying said owner and/or occupant of the fees and charges owing to the town for its services. Upon the failure of the owner and/or occupant to pay said fees and charges in full within 30 days, the Town Council may cause such charges and fees to be placed upon the tax duplicate and collected the same as taxes. The Town Council may, in the alternative, refer said charges and fees to the Town Attorney, who shall forthwith collect the fees and charges by civil process, including all reasonable attorneys' fees in connection with the collection.

(D) Any person who fails to remove or abate such nuisance or otherwise comply with this subchapter, after receiving notice within the time prescribed in the notice given pursuant to division (A) of this section, shall be fined a sum not exceeding \$300; provided, however, that the Town Council in addition may cause such nuisance to be abated in any manner authorized under this subchapter or by law, including an action pursuant to I.C. 36-8-2-4 and the initiation of an action to abate a nuisance in a court of competent jurisdiction.

TRAFFIC, STREET, AND PARKING FEE VIOLATIONS		
Code § No.	Parking Violations	Fine
72.02(D)	Obstructing a fire hydrant or connection	\$50
72.02	All other parking violations under Section 72.02	\$35
72.03	No parking by special order	\$50
72.04	Parking during snow removal street repair or street cleaning	\$50
72.05	Unregistered or improperly plated vehicles	\$50
72.07(A)	No parking on Pleasant Steet other than designated parking spaces	\$35 for the first offense and \$70 for each subsequent offense
72.07(B)	Restricted overnight parking on any street in the Town	\$35 for the first offense and \$70 for each subsequent offense
72.07(B)	Restricted parking on Illinois Street, either side	\$35 for the first offense and \$70 for each subsequent offense
72.07(B)	Restricted parking on Pearl Street, on the north side	\$35 for the first offense and \$70 for each subsequent offense

LICENSES
<p>Sales of Liquor.</p> <p>(A) It shall hereafter be unlawful for any person, firm or corporation to engage in the sale of spirituous, vinous, malt and other intoxicating liquors without first having obtained from the Town Clerk Treasurer a license to so engage in the sale.</p> <p>(B) For each license to engage in the sale of said spirituous, vinous, malt and other intoxicating liquors, each person, firm or corporation shall, before opening for business, procure from the Town Clerk Treasurer a license to so operate, which said license fee shall be \$250, which said license fee is for the period of one year from the date of the issuance thereof.</p> <p>(C) Should it be ascertained by the proper officers of the town, that the management of said business engaged in the sale of said spirituous, vinous, malt and other intoxicating liquors is permitting minors to purchase said liquors, or is permitting disorderly conduct or gambling in the same, the Town Council members shall have the power to revoke the license granted to the owners or managers of said business.</p> <p>(D) This section shall be in full force and effect from and after its passage, approval by the Town Council and publication according to law.</p> <p>(E) Pursuant to I.C. 7.1-3-9-3 consent is hereby given that liquor retailer's permits may be issued to applicants in respect to premises located within the corporate boundaries of the town.</p>