

ORDINANCE NO. 2008-11

**AN ORDINANCE ESTABLISHING CERTAIN FEES PERTAINING TO THE WELLS  
COUNTY GEOGRAPHIC INFORMATION SYSTEM**

WHEREAS Indiana Code 36-1-3, et. seq., permits any county in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Wells, Indiana is the county legislative and executive body and is authorized to adopt ordinances and resolutions concerning Wells County governmental operations.

WHEREAS Wells County has developed and is implementing a Geographic Information System ("GIS") in order to provide a more efficient, coordinated, and technologically up-to-date computer information storage and retrieval system for geographically based information;

WHEREAS the Indiana Home Rule Act allows Wells County to impose service charges or user fees which are reasonably related to reasonable and just rates and charges for the services provided;

WHEREAS the Indiana Access to Public Records Act allows Wells County to establish a uniform fee for providing electronic maps consisting of copyrighted data from an electronic geographic information system based upon a reasonable percentage of Wells County's direct cost of maintaining, upgrading, and enhancing the electronic map and for the direct cost of supplying the electronic map;

WHEREAS the Board of Commissioners of the County of Wells, Indiana desire to have a fair, reasonable, appropriate, and understandable system in place governing the use and access to the Wells County GIS.

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, and ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WELLS, INDIANA, AS FOLLOWS:

1. PRINTING FEES. On and after the date of adoption, each of the following prints created by the Wells County GIS Office shall be assessed printing fee in the amounts listed below:

PAPER SIZE	PRINTING FEE
8 ½" X 11"	\$1.00
8 ½" X 14"	\$1.00
11" X 17"	\$1.00
24" X 36"	\$15.00
36" X 36"	\$22.50
36" X 48"	\$30.00
36" X 60"	\$37.50
36" X 72"	\$45.00


All other paper sizes will be charged a printing fee of \$2.50 per square foot.

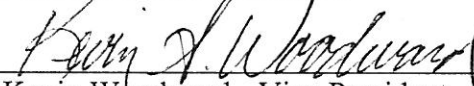
This printing fee established under this Ordinance shall be a supplementary fee for the Printing Costs accrued by the Wells County GIS Office.

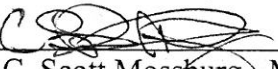
2. GIS DATA LAYER CREATION OR MODIFICATION FEES. On and after the date of adoption, requests for customized map projects will be assessed a fee of \$25.00 per hour spent on the project. This GIS data layer creation or modification fee established under this Ordinance shall be a supplementary fee for the staff salary, computer software licensing fees, and the cost of the data collection equipment needed to complete the customized map projects accrued by the Wells County GIS Office.
3. GIS DATA LAYER SALES FEE. On and after the date of adoption, requests for electronic GIS data layer sales will be assessed a fee of \$200.00 per GIS data layer. This GIS data layer sales fee established under this Ordinance shall be a supplementary fee for the staff salary, computer software licensing fees, cost of the data collection equipment, shipping costs, and cost of packaging materials needed to create, maintain, enhance, and ship the electronic data layers accrued by the Wells County GIS Office.
4. USE OF FEES. All fees collected pursuant to this Ordinance for the Wells County GIS shall be distributed to and paid into the Wells County General Fund.
5. EFFECTIVE DATE. Provided this Ordinance has been approved by the Wells County Council and the Board of Commissioners of the County of Wells, Indiana on or before January 1, 2009, this Ordinance shall be effective on the date of adoption. Otherwise, this Ordinance shall be effective upon its approval by the Wells County Council following adoption by the Board of Commissioners of the County of Wells, Indiana.

Duly adopted the 1 day of December, 2008

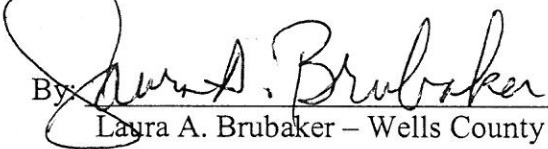
BOARD OF COMMISSIONERS OF THE  
COUNTY OF WELLS, INDIANA

By:   
Paul I. Bonham - President

By:   
Kevin Woodward - Vice President

By:   
C. Scott Mossburg - Member

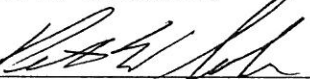
Attest:

By:   
Laura A. Brubaker - Wells County Auditor

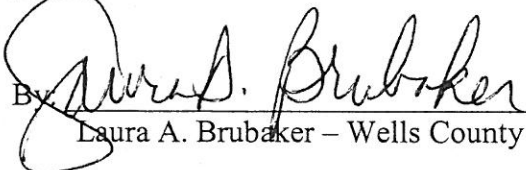
**APPROVAL**

Pursuant to Indiana Code Section 5-14-3-8(j), the GIS Fees as provided in this Ordinance are hereby approved the 1 day of December 2008 by the Wells County Council.

WELLS COUNTY COUNCIL,  
STATE OF INDIANA

By:   
Pete Cole - President

Attest:

By:   
Laura A. Brubaker - Wells County Auditor