

WELLS COUNTY ORDINANCE NO. 2023-07

**AN ORDINANCE RE-ESTABLISHING FEE SCHEDULE
PERTAINING TO THE WELLS COUNTY DRAINAGE BOARD AND
OFFICE OF WELLS COUNTY SURVEYOR**

WHEREAS, Indiana Code 36-1-3, et. seq. ("the Indiana Home Rule Act"), 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 is the county legislative and executive body and is authorized to adopt ordinances and resolutions concerning Wells County governmental operations; and

WHEREAS, the Indiana Home Rule Act allows Wells County to impose license fees not greater than that reasonably related to the administrative cost of exercising a regulatory power, and service charges or user fees not greater than that reasonably related to reasonable and just rates and charges for the services provided.

NOW, THEREFORE, be it ordained by the Board of Commissioners of the County of Wells, Indiana that:

SECTION 1. The Board of Commissioners of the County of Wells hereby adopts the following schedule of certain fees, amending and replacing Wells County Ordinance No. 2013-03,* pertaining to the Wells County Drainage Board and the Office of Wells County Surveyor:

**Misc. Book 71 Page 248*

RESIDENTIAL

CROSSING OF A REGULATED DRAIN -----\$ 50.00
All fees collected shall be distributed to and paid into the Wells County General Drain Improvement Fund.

ENCROACHMENT OF A REGULATED DRAIN -----\$ 50.00
(Actual Cost to Review by PE/LS). All fees collected shall be distributed to and paid into the Wells County General Fund.

FINE

APPROVAL AFTER COMPLETION REGULATED DRAIN-----\$300.00
(Plus cost of actual damage if any).

All fees collected shall be distributed to and paid one-half into the Wells County General Fund and one-half into the Wells County General Drain Improvement Fund.

SUBDIVISION/COMMERIAL/INDUSTRIAL

CROSSING OF A REGULATED DRAIN PER AFFECTED LOT-----\$150.00

ENCROACHMENT OF A REGULATED DRAIN PER AFFECTED LOT-----\$150.00
(Actual Cost to Review by PE/LS)

FINE

APPROVAL AFTER COMPLETION REGULATED DRAIN----- \$300.00
(Plus cost of actual damage if any)

All fees collected shall be distributed to and paid into the Wells County General Drain Improvement Fund.

UTILITY

CROSSING OF A REGULATED DRAIN----- \$150.00
ENCROACHMENT OF A REGULATED DRAIN----- \$150.00 PER 500 FEET

FINE

APPROVAL AFTER COMPLETION REGULATED DRAIN-----\$300.00
(Plus cost of actual damage if any).

All fees collected shall be distributed to and paid into the Wells County annual maintenance fund.

STORM WATER NUISANCE

INVESTIGATE SITE ----- \$50.00

All fees collected shall be distributed to and paid into the Wells County General Drain Improvement Fund.

OBSTRUCTION

REMOVAL OF OBSTRUCTION APPLICATION -----\$750.00

All fees collected shall be distributed to and paid into the Wells County General Drain Improvement Fund.

ALCOHOLIC BEVERAGE

REVIEW AND CERTIFY LOCATION----- \$100.00

All fees collected shall be distributed to and paid into The Section Corner Perpetuation Fund #81-99.

SIZING OF CULVERTS

CROSSING OF A REGULATED DRAIN ----- \$100.00

All fees collected shall be distributed to and paid into the Wells County General Drain Improvement Fund.

MISCELLANEOUS FEES:

20 LB COPY PAPER

8½X11 OR 8½ X14-----.10
11X17----- .20
COLOR ADD .50

VELLUM

18X24-----\$3.75
24x36----- \$7.50
COLOR ADD \$2.00

BOND

18X24 ----- \$2.00
24x36 ----- \$4.00
36x48 ----- \$8.00
COLOR ADD \$1.00

MYLAR

18X24 ----- \$6.00
24x36 ----- \$12.00
36x48 ----- \$24.00
COLOR ADD \$3.00

All fees collected shall be distributed to and paid into the Wells County General Fund

ALL FEES ARE NON-REFUNDABLE UNLESS WAIVED BY THE DRAINAGE BOARD OR SURVEYOR

All as Passed and Ordained this 20th day of June, 2023.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WELLS, INDIANA:

Absent
Michael K. Vanover, President

Blake Gerber
Blake Gerber, Vice President

Jeff Stinger
Jeff Stinger, Member

ATTEST:

Lisa McCormick
Lisa McCormick, Auditor

This instrument was prepared by Wells County Attorney, Theodore T. Storer, Beers Mallers LLP 110 West Berry St. Ste. 1100, Fort Wayne, IN 46802. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Theodore T. Storer

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing ordinance was unanimously waived, and the ordinance shall be deemed effective immediately.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WELLS, INDIANA:

Absent
Michael K. Vanover, President

Blake Gerber
Blake Gerber, Vice President

Jeff Stringer
Jeff Stringer, Member

ATTEST:

Lisa McCormick
Lisa McCormick, Auditor