

**AN ORDINANCE
OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF CARROLL
ADOPTING AN AMENDED AND RESTATED SCHEDULE OF FEES FOR
STORM WATER MANAGEMENT**

WHEREAS, Indiana Code chapter 36-9-28.5 requires units to adopt policies for the management of storm water and authorizes the adoption of fees by ordinance or resolution for the services required to manage storm water within the unit's jurisdictional area; and

WHEREAS, the Carroll County Drainage Ordinance, heretofore adopted by the Board of Commissioners of Carroll County, omitted definitions; and

WHEREAS, the provisions of Carroll County Drainage Ordinance for depositing fees require a change to make the ordinance consistent with another ordinance of Carroll County; and

WHEREAS, the Carroll County Drainage Board has approved an amended schedule of fees recommended by the Carroll County Surveyor and has recommended passage by The Board of Commissioners of the County of Carroll of an Ordinance adopting an amended and restated schedule of fees, as presented to this Board in the form of a document entitled "Amended Carroll County Drainage Ordinance";

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CARROLL, OF THE STATE OF INDIANA, THAT:

1. The Carroll County Code is hereby amended by the repeal and replacement of chapter 34 with a new chapter, chapter 34, entitled "Storm Water Management".

2. The provisions of the "Amended Carroll County Drainage Ordinance" presented to this Board are hereby approved, adopted and incorporated by reference in this ordinance and shall be codified in the foregoing entitled chapter of the Carroll County Code.

3. All fees collected under the authority of this Ordinance shall be remitted to the office of the Auditor of Carroll County by the end of the business day in which said fees are collected and shall be credited to the Drainage Fees and Fines Fund.

4. Finding that an emergency exists, this ordinance shall be in effect from and after its adoption.

ADOPTED by the Board of Commissioners of the County of Carroll, State of Indiana, on this 6th day of November, 2017, with unanimous consent of the members of the Board to its consideration on the day of its introduction.

**BOARD OF COMMISSIONERS
OF THE COUNTY OF CARROLL, STATE OF INDIANA**

William R. Brown
William R. Brown, Chairman

John C. Brown 11-6-17
John C. Brown, Vice Chairman

ABSENT -
Steve Pearson

ATTEST:

Beth M. Myers
Beth M. Myers, Auditor

AMENDED CARROLL COUNTY DRAINAGE ORDINANCE

WHEREAS, It is recognized that the streams, drainage channels, regulated drains, and storm sewers serving Carroll County may not have sufficient capacity to receive and convey excess storm water runoff resulting when land use changes from open or agricultural use to a use that may result in increased imperviousness; and

WHEREAS, IC 36-9-28. 5-3 Requires Carroll County to adopt a policy for the management of storm water runoff from developed real property.

WHEREAS, The Board of Commissioners of Carroll County, State of Indiana, and the Carroll County Drainage Board has established and enacted Carroll County Chapter 34 as part of the comprehensive Carroll County Storm water Quality Management Plan, to provide a uniform schedule of fees for the Carroll County Drainage Board and Carroll County Surveyor.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Carroll County, State of Indiana, and the Carroll County Drainage Board, that the Board of Commissioners hereby adopts and approves the new Chapter 34, reading as follows:

A. Definitions. For the purpose of this Section, the following definitions shall apply:

Direct Outlets

Any surface drain, subsurface drain or combination thereof which discharges into a regulated drain.

Indirect Outlets

Any surface drain, subsurface drain or combination thereof which has as its outlet another existing tile, open drain or watercourse which discharges into a regulated drain.

Crossing

Any type of structure or bridge for the conveyance of pedestrians, vehicles or equipment over a tile or open regulated drain.

Fill

Any type of fill material placed or deposited on or within the right of way of a regulated drain.

Building Permit Review

An in office drainage review of an application to the office of the Area Plan Commission for an Improvement location permit.

Encroachment

Any type of vegetative planting (including trees, and other woody vegetation, but excepting grain crops) or any temporary, permanent, moveable or immovable structure, fixture or device which has been constructed, moved or installed above or below grade within the right of way of a regulated drain and for which no written permit is on file in the office of the Surveyor.

Utility Encroachment

The construction, location or relocation of any utility line or structure, including, but not limited to, natural gas, oil, pipeline, aerial or buried telephone lines or cables, television cable, fiber optic cable, electric power line or cable, sanitary sewer, water line or septic system component within the right of way of a tile or open regulated drain.

Site Plan Review

The review of drainage for any proposed industrial, commercial, or residential subdivision development.

Terms Defined or Described By Indiana Statute

“Regulated drain”, “tile”, and “open”, drains, “right of way”, and “Surveyor”, shall have the same meanings as those terms are defined or referred to in the Drainage Code of Indiana, IC 36-9-27.

B. Findings. The Board of Commissioners of the County of Carroll does hereby find that the owners of property in Carroll County who are addressed for the maintenance of the regulated drains of Carroll County support the services of the office of the Surveyor.

Outlets

The county surveyors office shall charge the following application/permit fees to any person, partnership, corporation, or any other entity filing an application to discharge private or mutual drains into a regulated drain under jurisdiction of the County Drainage Board,

Direct Outlets

Individual Residences and Agricultural uses	\$ 25.00
Subdivision, Multi-family, or Commercial uses	\$ 150.00
Industrial Uses	\$ 250.00

Indirect Outlets

Subdivisions, Multi-family, Commercial or Industrial Uses	\$ 150.00
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No fee shall be required to those discharges to be made indirectly to a regulated drain for individual residential lots and agricultural drains. However, any such indirect discharge within the drainage shed of regulated drain shall be required to file an application.

Crossings

Individual Residence and Agricultural uses	\$ 75.00
Subdivision, Multi-family, or Commercial uses	\$ 150.00
Industrial Uses	\$ 250.00

These rates shall be set for both permanent crossings and temporary crossings.

Fill Permit Fees

The fee for individual fill permit reviews shall be:	\$75.00
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Building Permit Review

The fee for Building permit shall be:	\$ 25.00
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The fee for review of each individual site plan for sites disturbing one (1) acre or more, or for individual site plan reviews authorized by the Drainage Board shall be: \$75.00

Obstruction Petitions

The filing fee for Obstruction Petitions filed in accordance with

Indiana Code 36-9-27.4 shall be: \$250.00

Ponds

5000 sq. ft. to 20,000 sq. ft. surface area disturbed	\$100.00
20,001 sq. ft. to 40,000 sq. ft. surface area disturbed	\$300.00
40,001 sq. ft. or more surface area disturbed	\$400.00

Alcoholic Beverage Verification Permits

The fee for certification of Alcoholic Beverage Permit locations,

For new locations \$50.00

For renewals at the same location \$25.00

Stop Work Orders

Permit Re-instatement Fee \$100.00

Or two (2) times the filing fee, whichever is greater

Fine for Continued Construction after Stop Work Order \$ 1000.00 first day

Up to \$500.00 each additional day

Carroll County Surveyors Office
Donald Shockley- County Surveyor
Office-765-564-3310

Carroll County Courthouse
101 West Street
Delphi, Indiana 46923

Early Bird Fee (start of construction prior to issuance)

Two (2) times the filling fee

Engineering Review Fee

All engineering projects will require a review fee above and beyond the application fee(s). The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$ 150.00/hour. This fee shall be paid to the Carroll County Drainage Board and shall be paid in full before any project approval is given.

This ordinance and all ordinances supplemental or amendatory hereto, shall be known as the "Carroll County Drainage Ordinance."

Carroll County Surveyors Office
Donald Shockley- County Surveyor
Office-765-564-3310

Carroll County Courthouse
101 West Street
Delphi, Indiana 46923

Permit Number: _____

CARROLL COUNTY MISCELLANEOUS DRAINAGE PERMIT

Property Owner: _____ Date: _____

Address: _____ Permit Exp Date: _____

Phone: _____

Project Location: _____

Project Description: _____

Ponds		Stop Work Orders	
___ 5,000 – 20,000 sq. ft. surface area	\$100.00	___ Reinstatement Fee	\$100.00 or 2x Filing Fee
___ 20,001 – 40,000 sq. ft.	\$300.00	___ Continued Const. Fine	\$1000.00 first day
___ 40,001 sq. ft. or more	\$400.00		Up to \$500.00 each additional day

Alcoholic Beverage Verification		Miscellaneous	
		___ Fill Permit	\$75.00
___ New Location	\$50.00	___ Building Review Permit	\$25.00
___ Renewal	\$25.00	___ Individual Site Plan Review	\$150.00
		___ Obstruction Petition	\$250.00
		___ Early Bird Fee	2x Filing Fee
		___ Engineering Review	≤ \$150.00/hour

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Delphi, Indiana 46923

The applicant agrees to indemnify, defend, exculpate and hold harmless the County of Carroll, its officials and employees from any liability due to loss, damage, injuries or other casualties of whatsoever kind, or by whomsoever caused to the person or property of anyone on or off the County Regulated drainage right-of-way arising out of, or resulting from the issuance of this permit or the work connected therewith.

In consideration of the issuance of this permit, applicant further agrees to and shall abide by the special conditions of this permit and the general conditions.

Signature of Permit Applicant

Date

Name Printed

Telephone Number

Name of Company or Organization

Address

The Above application is hereby approved and permit hereby issued:

By: _____

Date: _____

Permit Fee: _____

Receipt # _____

**CARROLL COUNTY SURVEYOR'S OFFICE
GENERAL CONDITIONS OF
UTILITY ENCROACHMENT PERMIT**

All work described in the permit shall be subject to the inspection of the Carroll County Surveyor's Office and the permittee shall adjust or stop operations upon directions of any police officer or Authorized employee.

1. The permit may be revoked at any time by the Surveyors Office for non-compliance with any and/or all provisions of said permit.
2. The permittee shall notify Surveyor's Office two (2) working days preceding the beginning of any work activity.
3. The permittee shall notify the Surveyor's Office that the work is complete as soon as possible after completion.
4. The permit is valid through the stated expiration date. If the work is not completed within the allotted time, the permit is automatically canceled unless an extension is requested prior to the expiration date and said request is approved by the Surveyor's Office. If a permit is canceled, a new application must be submitted and approved before the proposed work can be accomplished.
5. The permittee shall erect and maintain all necessary signs, barricades, detour signs, and warning devices required to safely direct traffic over and around the part of the right-of-way where permitted operation are to be.
6. The permittee shall restore the regulated right -of-way to as good or better condition as before work under this permit.
7. Any operations authorized by the permit shall not interfere with any existing structure within the right-of-way. In the event that any structures are damaged, the cost shall be borne by the permittee.
8. This permit applies only to County regulated open ditches and subsurface drainage tiles.
9. Approval of the permit application shall be subject to the permittee obtaining all necessary authorizations from local authorities and complying with all applicable laws.

STANDARDS FOR REGULATED DRAIN CROSSING AND ENCROACHMENTS

1. Drawings of project must be provided to the Surveyor's Office.
2. Facility shall be a minimum of 36 inches below any open drain flow line.
3. Facility shall be a minimum of 24 inches below any subsurface drain.
4. Facility shall be a minimum of 12 inches above any subsurface drain.
5. Installer shall contact the Surveyor's Office for inspection of installation.

TILE REPAIR REQUIREMENTS

1. Tile shall be installed on undisturbed soil or on a minimum 4 inch bed of aggregate.
2. Connections shall be completed with manufactured pipe connectors or the connection may be wrapped in construction fabric and covered in concrete.
3. Backfill shall be done by hand under the spring line of the pipe and up to the spring line of the pipe.
4. Spring line backfill shall be compacted.
5. Trench shall be backfilled with appropriate material.
6. Rocks, stones and hard packed soil over 1 inch in diameter are not permitted backfill material.
7. Tile shall be replaced with the same size pipe. If not available, use the next size larger.
8. Installer shall contact the Surveyor's Office for inspection of installation.

ACCEPTABLE PIPE MATERIALS

1. HDPE double wall pipe
2. SDR35 PVC
3. Scheduled 40 PVC

REGULATED RIGHT-OF-WAY RESTORATION

1. Right-of-way shall be restored to as good or better condition as before work under this permit.
2. Roadway seeding mix shall include tall fescue, ryegrass, and Kentucky blue and red fescue.
3. Waterway seeding mix shall include orchard grass, timothy grass and medium red clover.
4. Spring seeding shall include oats.
5. Fall seeding shall include winter wheat.
6. Straw blanket shall be used on all seeded areas.
7. Installer shall contact the Surveyor's Office for inspection.

*Carroll County Surveyors Office
Donald Shockley- County Surveyor
Office-765-564-3310*

*Carroll County Courthouse
101 West Street
Delphi, Indiana 46923*

UTILITY ENCROACHMENT FEES

Per Ordinance No. 2015-07

Underground construction, grading, trenching, boring or excavation parallel and /or perpendicular to the drain for up to 400 feet of continuous construction; \$150.00
For each 400 feet or part thereof of continuous construction parallel and /or perpendicular to the drain thereafter; \$75.00

The above fees shall apply to all overhead Utility Encroachments.

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Carroll County Courthouse
101 West Street
Delphi, Indiana 46923

Permit Number: _____

UTILITY ENCROACHMENT PERMIT

Name of Drain: _____ Expiration Date: _____

Project Location: _____

Project Description: _____

Special Conditions: _____

The applicant agrees to indemnify, defend, exculpate and hold harmless the County of Carroll, its officials and employees from any liability due to loss, damage, injuries or other casualties of whatsoever kind, or by whomsoever caused to the person or property of anyone on or off the County Regulated drainage right-of-way arising out of, or resulting from the issuance of this permit or the work connected therewith.

In consideration of the issuance of this permit, applicant further agrees to and shall abide by the special conditions of this permit and the general conditions.

Signature of Permit Applicant

Date

Name Printed

Telephone Number

Name of Company or Organization

Address

The Above application is hereby approved and permit hereby issued:

By: _____ Date: _____

Permit Fee: _____