

ORDINANCE NO. 09-469

AN ORDINANCE TO ESTABLISH FEES UNDER THE BATTLE GROUND STORMWATER CODE

WHEREAS, the Town Council of the Town of Battle Ground has previously enacted the Battle Ground Stormwater Code which established a regulatory mechanism for stormwater quality management including the issuance of stormwater management permits and stormwater management review; WHEREAS, the Stormwater Code contains a provision for the reimbursement of Battle Ground's actual costs of issuing such permits and conducting such reviews; and WHEREAS, Battle Ground has investigated its costs and computed uniform costs of reimbursement which would be more appropriate to charge.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BATTLE GROUND that:

The following shall be added to the Battle Ground Comprehensive Stormwater Management Ordinance, adopted under [Ordinance No. 12-493](#) (2-12-2012), to read as follows: Editor's Note: The preceding paragraph was modified by [Ordinance No. 12-493](#) to apply the following permit fees to the revised Stormwater Ordinance.

Chapter 8, Section 1, Permit Fees

Together with the application and Accompanying materials for stormwater management permit or for A. Stormwater review, the applicant shall also submit Review Fees in accordance with the following schedule:

Base Permit Fees

Acreage	Residential (per unit)	Commercial	Industrial
0 up to less than 1/2	\$150	\$250	\$250
Equal to or greater than 1/2 up to less than 1	\$200	\$300	\$300
Equal to or greater than 1 up to less than 3	\$350	\$500 + \$40 per acre	\$500 + \$40 per acre
Equal to or greater than 3 up to less than 5	\$500	\$750 + \$40 per acre	\$750 + \$40 per acre
Equal to or greater than 5	\$500 + \$20 per lot	\$750 + \$40 per acre	\$750 + \$40 per acre

B. Additional Fees. The applicant shall also agree to pay when applicable the following fees:

Additional Permit Fees

Stormwater Pollution Prevention Plan	For third and subsequent	\$100 each
--------------------------------------	--------------------------	------------

Review	submissions only	
Additional Inspections	Required by inadequate site conditions during or post-construction	\$50 each
Grading or Drainage Revision	Each revision during construction based on differing site conditions after a permit has been issued	\$25 each
Engineering Review	Only applicable if review is outsourced	At cost
Projects Disturbing < 5,000 square feet	Small projects, including accessory structures	\$30 - residential \$60 - commercial

Upon approval of the applicant's final stormwater management plan, the Town Engineer will furnish a written statement to the applicant specifying the total Additional Fees.

As a condition of approval of final drainage plans by the Town of Battle Ground, Applicant shall pay to the Town of Battle Ground Clerk-Treasurer the sum set forth in the statement. The Town of Battle Ground may issue such a billing statement before the project advances to the final stage, and such payment is due by applicant upon receipt of the billing statement regardless of whether the project has advanced to the final approval stage.

The Town of Battle Ground has the right to not accept the drainage improvements or to not approve the advancement of any project for which the Additional Fees have not been paid.

This ordinance shall be in full force and effect from and after its passage and signing by the Town Council.

INTRODUCED AND FILED ON June 8 , 2009.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BATTLE GROUND, INDIANA ON June 8 , 2009, HAVING BEEN PASSED BY A VOTE OF 4 IN FAVOR AND 0 OPPOSED.

Steven C. Egly
Presiding Officer

Attested:

Phyllis Hall
Clerk-Treasurer

PRESENTED BY ME TO THE TOWN COUNCIL OF THE TOWN OF BATTLE GROUND, INDIANA June 8 , 2009, AT THE HOUR OF 9:00 P.M.

Phyllis Hall

Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON July 13 , 2009, AT THE HOUR OF _____ .M.

Becky Holladay

Attested:

Phyllis Hall
Clerk-Treasurer

A MOTION TO CONSIDER ON FIRST READING WAS SUSTAINED BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED, PURSUANT TO IC 36-5-2-9.8.