

ORDINANCE NO. 7-18-2024- 15

AN ORDINANCE OF THE TOWN OF BRISTOL, INDIANA, APPROVING THE
PLANNING AND ZONING ORDINANCES OF THE COUNTY OF ELKHART, INDIANA

WHEREAS Indiana Code Chapter 36-1-3 permits any unit in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental 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 Town Council of the Town of Bristol, Indiana, is the municipal legislative body and authorized by law to adopt ordinances and resolutions governing the administration of planning and zoning within the Town of Bristol, Indiana;

WHEREAS the County of Elkhart, Indiana, has an advisory plan commission and board of zoning appeals;

WHEREAS pursuant to Indiana Code Section 36-7-4-410, the legislative body of any municipality located in a county having an advisory plan commission may, by ordinance, designate the county plan commission as the municipal plan commission and also provide that the county board of zoning appeals has jurisdiction within the corporate boundaries of the municipality;

WHEREAS the Town of Bristol, Indiana, has previously delegated and consented to the exercise of municipal authority and jurisdiction to administer local planning and zoning under Indiana Code Chapter 36-7-4 by the County of Elkhart, Indiana, pursuant to Ordinance No. 12-1-2022(2);

WHEREAS, the County of Elkhart has changed its planning and zoning ordinances since the adoption of Ordinance No. 12-1-2022(2), and Ordinance No. 12-1-2022(2) expressly provides that any such changes will be binding upon the Town of Bristol, Indiana, upon approval of the Town of Bristol, Indiana;

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, DETERMINED, AND ORDAINED by the Town of Bristol, Indiana, as follows:

1. Pursuant to Ordinance No. 12-1-2022(2) Sec. 1(c) and Indiana Code Section 36-7-4-410, the Town of Bristol, Indiana, approves Elkhart County Commissioner Ordinance No. PC-2024-04, otherwise known as the Elkhart County Development Ordinance.

2. The Town of Bristol, Indiana, revokes its prior approval for the previous Elkhart County Zoning Ordinance, Ordinance No. PC 2014-20, as amended, and the previous Elkhart County

Subdivision Ordinance, Ordinance No. 2009-67, as amended, both of which were repealed by the Elkhart County Development Ordinance.

3. This Ordinance does not modify Ordinance No. 12-1-2022(2) in any other aspect.

ORDAINED AND ADOPTED this ____ day of _____, 2024.

Town Council of the Town of Bristol, INDIANA

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

By: _____

ATTEST:

Printed Name: _____

By: _____

Title: _____

Printed Name: _____

Title: Town Clerk-Treasurer

ACCEPTANCE

The Board of Commissioners of the County of Elkhart, Indiana, does hereby accept the above-referenced Ordinance on behalf of the Town of Bristol, Indiana, with respect to the planning and zoning laws this ____ day of _____, 2024.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: _____

Bradley D. Rogers, President

ATTEST:

By: _____

Patricia A. Pickens, Auditor