

ORDINANCE NO. 9-21-2023-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN
OF BRISTOL, INDIANA ESTABLISHING A VOLUNTARY
ANNEXATION FEE AND AMENDING CHAPTER 110 OF THE
TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, the Town is experiencing significant residential and commercial development and is anticipating continued residential and commercial growth into the foreseeable future; and

WHEREAS, the growth of the Town is due in large part to voluntary annexations of previously unincorporated lands adjacent to the Town’s corporate boundaries; and

WHEREAS, the receipt, processing, and adjudication of a petition for voluntary annexation by the Council, in accordance with Indiana Code § 36-4-3-1, *et seq.*, causes the Town to incur substantial administrative costs, which are not paid for or otherwise subsidized by the landowner(s) petitioning for voluntary annexation into the Town; and

WHEREAS, the Code of Ordinances for the Town (the “Code”), Chapter 110, Section 100.005 provides for a schedule of Town Fees to be charged by the Town for certain regulated activities (the “Fee Schedule”); and

WHEREAS, the Council believes it is in the best interest of the Town to amend the Town’s Fee Schedule to provide for reasonable fees to be paid by the landowner(s) seeking voluntary annexation into the Town, and to update and harmonize the Fee Schedule consistent with other previous changes to the Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, as follows:

- Section 1. The foregoing Recitals are incorporated herein by this reference.
- Section 2. As of the effective date of this Ordinance, Chapter 98. Voluntary Annexation shall be added as a new chapter to Title IX of the Code and Chapter 100, Section 110.005 of Title XI of the Code shall be amended and replaced, each in accordance with Exhibit A attached hereto and incorporated herein.
- Section 3. The remaining portions of Title IX and Title XI of the Code are not affected by this Ordinance and shall remain in full force and effect.
- Section 4. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 5. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana.

Section 6. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts pursuant to the adoption of this Ordinance are hereby ratified.

* * * * *

ADOPTED THIS ____ DAY OF _____, 2023.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Andrew Medford

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy-Antonelli, Clerk-Treasurer

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EXHIBIT A

Title IX: General Regulations

CHAPTER 98. VOLUNTARY ANNEXATION

§ 98.01. Voluntary Annexation.

The Town Council may by annexation ordinance, and subject to Indiana law, annex property into the corporate limits of the Town. Voluntary annexation to the Town may be initiated by petition of one hundred percent (100%) of the owners of land within the territory that is proposed to be annexed, in accordance with Indiana Code §36-4-3-5.1, and on the form prescribed by the Town.

[For codification reference: (Ordinance No. _____, passed _____).]

§ 98.02. Voluntary Annexation Fee.

There is established an annexation fee in the amount of \$500 per annexation petition, which is a charge to be assessed against all unincorporated property to be annexed to the Town. Such annexation fee will be paid in full upon filing the application for voluntary annexation into the Town.

[For codification reference: (Ordinance No. _____, passed _____).]

CHAPTER 110: GENERAL LICENSING AND REGULATIONS

§ 110.005 TOWN FEES.

(A) The following fee schedule sets forth fees charged by the Town and shall be amended only by action of the Town Council.

(B) Until all applicable fees have been paid in full, no action shall be taken on any petition or application. No part of any fee paid pursuant to this Section shall be refundable.

(C) Schedule of Fees:

| <i>Activity Regulated</i> | <i>Fee</i> | <i>Code Section</i> |
|--------------------------------------|------------|---------------------|
| Accident report | \$5 | 110.030 |
| Amusement centers | \$100 | 110.047 |
| Renewal of license | \$20 | 110.050 |
| Transfer of license | \$50 | 110.050 |
| Annexation – Consensual or Voluntary | \$500 | 98.02 |
| Building fees | | Chapter 150 |

| <i>Activity Regulated</i> | <i>Fee</i> | <i>Code Section</i> |
|--|-------------------------|---------------------|
| Burial sites | \$200 to \$600 | 92.02 |
| Business and trades | \$5 | 110.047 |
| Copying public documents | \$.50 to \$1 | 110.002 |
| Fingerprints | \$5 | |
| Outdoor advertising displays | \$1 per sq. ft. | 110.101 |
| Outdoor theaters, carnivals, or street fairs | \$25 | 110.080 |
| Park bandstand rental | \$50 | 91.06 |
| Park pavilion rental | \$150 to \$175 plus tax | 91.06 |
| Precious metal dealers | \$25 | 110.065 |
| Returned check (NSF) | \$15 | 110.001 |
| Taxicabs | \$25 | 112.01 |
| Vehicle inspections | \$5 | 110.031 |
| Zoning fees | | Chapter 155 |

[For codification reference: ('97 Code, § 4-102); Am. Ord. _____, passed _____.]