

**ORDINANCE NO. 2024-18
OF THE TOWN OF
ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND THE
ZONING ORDINANCE FOR
THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**AND FIXING A TIME WHEN THE SAME SHALL TAKE
EFFECT**

**Plan Commission Petition No.
2024-45-OA**

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana (the “Town Council”) desires to promote positive development in the community; and,

WHEREAS from time to time it is necessary to review and update the Town of Zionsville Zoning Ordinance (the “Zoning Ordinance”); and,

WHEREAS, the Town Council desires to promote the health, safety, convenience, and general welfare of the community by amending the Zoning Ordinance; and,

WHEREAS, in accordance with Ind. Code § 36-7-4-600 *et seq.*, the Town of Zionsville Advisory Plan Commission, Boone County, Indiana (the “Plan Commission”) conducted a public hearing on June 17, 2024, to consider a proposal to amend the Zoning Ordinance; filed as petition 2024-45-OA; and,

WHEREAS, the Plan Commission certified the proposal to amend the Zoning Ordinance to the Town, with a unanimous Favorable (5-0) recommendation on June 17, 2024 (Exhibit A); and,

WHEREAS, the Town Council considered the Proposal to amend the Ordinance at its regular meeting on July 15, 2024; and,

WHEREAS, the Town Council accepts the recommendation of the Plan Commission and has decided to adopt the proposed amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH Ind. Code § 36 7-4-600 *et seq.*, AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

Section 1. The forgoing recitals are incorporated herein by this reference.

Section 2. Section 194.220 of the Zoning Ordinance is hereby amended as follows:

"§ 194.220 FEES.

In order to defray administrative costs associated with the processing of development petitions and improvement location permits, the Town Council shall establish a schedule of fees which are to be paid by the applicant at the time of filing a development petition or application for an improvement location permit. Said schedule of fees shall include fees for: improvement location permits; petitions for zone map changes; applications for development plan approvals; petitions for variance; and other administrative matters as determined by the Plan Commission, at a public hearing, which are in the best interest of providing required services at a reasonable fee to the general public."

Section 4. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 5. Construction of Clause Headings: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they pertain.

Section 6. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 7. Severability: If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 8. Duration and Effective Date: The provisions of this Ordinance shall become and remain in full force and effect upon adoption according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the 6th day of July, 2024. A motion to adopt on First Reading was sustained by a vote of 7 in favor and 0 opposed, pursuant to Ind. Code § 36-5-2-9.8.

DULY PASSED AND ADOPTED this 15th day of July 2024, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

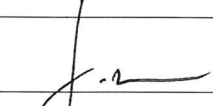
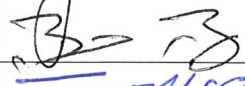
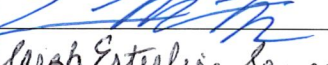
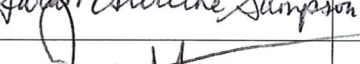
This Ordinance was prepared by Jon Oberlander, Chief Legal Counsel, on July 8, 2024, at 2:45 p.m. No subsequent revision to this Ordinance has been reviewed by Mr. Oberlander for legal sufficiency or otherwise.

Ordinance 2024-18

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA

YEA

NAY

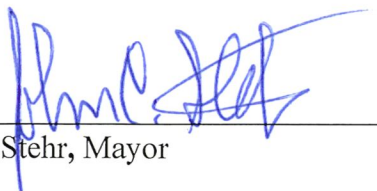
Jason Plunkett, President		
Brad Burk, Vice-President		
Tim McElderry		
Craig Melton		
Evan Norris		
Sarah Esterline Sampson		
Joseph Stein		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville mayor John Stehr on the 15th day of July, 2024 at _____ A.M./P.M.

ATTEST: _____

Amy Lacy, Municipal Relations Coordinator

MAYOR'S
APPROVAL


John Stehr, Mayor

7-15-24
DATE

MAYOR'S
VETO

John Stehr, Mayor

DATE

EXHIBIT A

Plan Commission Certification

[attached]



**CERTIFICATION TO THE TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

TO: Town of Zionsville Town Council
FROM: Mike Dale, Director of Planning and Building Development
DATE: June 17, 2024
RE: Plan Commission Docket # 2024-45-OA
Ordinance Amendment to Section 194.220 regarding fees

Be it advised that, pursuant to Indiana Code 36-7-4, on June 17, 2024, the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of five (5) in favor and zero (0) opposed, gave a favorable recommendation to proposal #2024-45-OA to amend the Zoning Ordinance of the Town of Zionsville. Proposal #2023-45-OA recommends that Section 194.220 Fees be amended to remove language directing the Zionsville Plan Commission to set certain administrative fees.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2024-45-OA to amend Section 194.220 of the Ordinance to the Town Council of Zionsville, Indiana, with a Favorable Recommendation.

TOWN OF ZIONSVILLE ADVISORY PLAN COMMISSION

Chris Lake
Vice President – Presiding Officer

Mike Dale, AICP
Secretary