

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1603

AN ORDINANCE ESTABLISHING A TEMPORARY PERMIT FEE PAYMENT DEFERRAL POLICY FOR THE "2015 PARADE OF HOMES", AMENDING ALL ORDINANCES AND TOWN CODE SECTIONS RELEVANT THERETO, DECLARING AN EMERGENCY EXISTS, AND ALL MATTERS RELATED HERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter the "Town Council"), has undertaken certain Economic Development Programs for the Town of St. John, including, but not limited to, the creation of an Economic Development Committee, development of a Town Marketing Brochure, and promotion of the Town of St. John through the International Council of Shopping Centers; and

WHEREAS, the Town Council has been informed and advised that the Building Industries Association (BIA) is considering reinstating the "Parade of Homes"; and

WHEREAS, the "Parade of Homes" Event for calendar year 2015, is being scheduled to be held in The Gates of St. John, during the month of September, 2015; and

WHEREAS, the Town Council has been contacted by the developer of The Gates of St. John regarding a possible permit fee deferral that would apply only to the structures of The Parade of Homes, to serve as an incentive for potential builders; and

WHEREAS, the Town Council, upon its review, has determined that it is appropriate, advisable, and in the best interests of the residents of the Town of St. John, Lake County, Indiana, to declare an emergency at this time pertaining to construction and completion of new residential structures for the 2015 Parade of Homes, in the Town, and to establish a specific temporary permit fee payment deferral policy to aid and assist the participating contractors that are constructing the new residential "Parade Homes" in the "Parade of Homes" Event.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That there is hereby established a temporary permit fee payment deferral policy for the Town of St. John 2015 Parade of Homes. This specific temporary permit fee payment deferral policy shall only pertain to the new residential structures built in The Gates of St. John, and to be featured in the 2015 Parade of Homes, as described herein.

SECTION TWO: That the specific Temporary Permit Fee Payment Deferral Policy established hereby is to be implemented instanter by the Town of St. John Building and Planning Department. For purposes of the specific Temporary Permit Fee Payment Deferral Policy established hereby, the following permit fees and/or charges are included, namely:

- A. Building Permit;
- B. Electrical Permit;
- C. Early Service;
- D. Temporary Pole;
- E. Plumbing Permit;
- F. Sewer Permit;
- G. Zoning Permit;
- H. Storm Water Permit;
- I. Impact Fee;
- J. Water Recapture Fee;
- K. Sewer Recapture Fee;
- L. Building Escrow Fee;
- M. Water Connection Fee;
- N. Water System Development Fee;
- O. Lotton 36" Transmission Line Fee;
- P. Sewer System Development Fee;
- Q. Sewer Expansion and Capacity Fee; and
- R. Lotton Sewer Interceptor Fee.

That the Town Building and Planning Department shall hereafter under the established Temporary Permit Fee Deferral Policy charge each Applicant for a new residential or commercial structure the entire amount of the required fee for such Permit under the current applicable Rules, Regulations and Ordinance requirements for the Town of St. John, Lake County, Indiana. However, the Building and Planning Department shall be authorized and directed to defer at the time of such Application and Permit Issuance an amount equal to One Hundred Percent (100%) of the required permit fees, comprised of some or all of the above-referenced fees and charges as are applicable for each permit application. The balance of such Permit Fee shall remain due and owing to the Town of St. John, Lake County, Indiana, by the property owner, developer, contractor or Applicant, with the balance of said Permit Fee to be paid to the Town at or before the time of issuance of a Certificate of Occupancy, or for a period of one (1) calendar year from the date of the permit issuance, which ever should first occur.

No Certificate of Occupancy shall be issued without payment in full of the entire balance to be paid under the Permit Application for such residential improvement and structure constructed.

The balance owed for the permit shall constitute and be a lien owing the Town of St. John, Lake County, Indiana which shall be evidenced by an instrument to accompany the Permit Application, which shall be a recordable document for such lien preservation purposes. All other requirements of the Town and Applicant pursuant to the relevant and pertinent provisions of St. John Town Ordinances and Town Code provisions shall remain in full force and effect, including compliance with such Code and Ordinance provisions for construction activities and improvements.

SECTION THREE: That all Town Code Sections and Ordinances, or parts thereof, whereby the Fees collected by the Town of St. John Building and Planning Department referenced in **SECTION TWO** hereinabove are established, are each amended to provide for the Temporary Permit Fee Payment Deferral Policy established hereby. Further, that the provisions of this Ordinance shall only and specifically apply to the 2015 Parade Homes located in the Town of St. John, in the subdivision known as **The Gates of St. John Unit (Pod) Eight (8), Lots 779, 781, 782, 783, 784, 785, 786, 787, 798, 799, 800, 801, 802 and 803.** There shall be no amendment by the provisions of this Temporary Permit Fee Payment Deferral Policy Enabling Ordinance herein for an amendment or modification of Fees or charges, but only for the manner, method, and timing of payment of such Fees upon application for construction of new residential improvements and structures in the Town as set forth hereinabove. All other terms and provisions of such affected Town Code provisions and Ordinances not amended hereby are ratified and reaffirmed in all respects.

SECTION FOUR: That the Town Manager, as Administrator of the Town Building and Planning Department, is hereby directed to establish within the Department, the Specific Temporary Permit Fee Payment Deferral Policy established hereby, including the exact procedures for the one hundred percent (100%) amount of the Fee to be collected at the time of issuance of a Certificate of Occupancy, or at the time of one (1) year from the date of permit issuance, whichever occurs first. The Town Manager is hereby directed to report such regulations established to the Town Council in the next regular Monthly Public Meeting of this legislative body. The Town Manager is further directed to prepare and present a report to the Town Council of the results of establishment of said Specific Temporary Permit Fee Payment Deferral Policy in a year-end Report to be made each year this Temporary Policy remains in effect

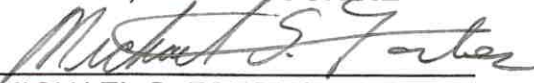
SECTION FIVE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION SIX: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

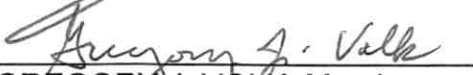
SECTION SEVEN: That an emergency exists for the immediate taking effect of this Ordinance by virtue of the economic and real estate market conditions presently in existence and as described herein, and therefore, as a consequence of said emergency circumstances, this Ordinance shall take effect, and be in full force and effect, immediately upon its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 26th DAY OF MARCH, 2015, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL


MICHAEL S. FORBES, President

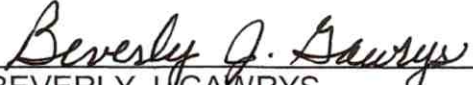

LARRY BUSTAMANTE, Vice President


GREGORY J. VOLK, Member


MARK BARENIE, Member


KENNETH D. GEMBALA, Member

ATTEST:


BEVERLY J. GAWRYS,
Chief Deputy Clerk-Treasurer,
For and on behalf of Clerk-Treasurer, Sherry P. Sury