

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**  
**ORDINANCE NO. 1804**

**AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1671, BEING "AN ORDINANCE AMENDING AND REPLACING ORDINANCE NOS. 1295, 1471, AND 1573, THE SAME BEING AN ORDINANCE ESTABLISHING AN EQUITABLE IMPACT FEE FOR THE PURPOSE OF PLANNING AND FINANCING PARK AND RECREATIONAL INFRASTRUCTURE NEEDED TO SERVE NEW DEVELOPMENT IN THE TOWN OF ST. JOHN PURSUANT TO I.C. § 36-7-4-1300, *ET SEQ.*, AND ALL MATTERS RELATED THERETO."**

**WHEREAS**, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter "Town Council"), did, on the 26<sup>th</sup> day of July, 2018, pass and adopt Town Ordinance No. 1671, which Ordinance established an equitable impact fee for the purpose of planning and financing park and recreational infrastructure needed to serve new development pursuant to I.C. §36-7-4-1300, *et seq.*, as amended from time to time; and

**WHEREAS**, the Town Council has reviewed Town Ordinance Nos. 1671, 1573, 1471, and 1295, which Ordinances previously established an equitable impact fee for the purpose of planning and financing park and recreational infrastructure needed to serve new development; and

**WHEREAS**, the Town Council is aware that pursuant to the provisions of Town Ordinance No. 1671, the park and recreational impact fee per equivalent dwelling unit was the amount of One Thousand Eight Hundred Sixty-Eight and 01/100 Dollars (\$1,868.01), and that pursuant to the provisions of I.C. §36-7-4-1340, Town Ordinance No. 1671 was valid for a period of five (5) years from said effective date after passage and adoption; and

**WHEREAS**, the Town Council, has been advised that pursuant to the provisions of I.C. §36-7-4-1340, an amendatory ordinance is now necessary and required to continue the collection of the park and recreational impact fee; and

**WHEREAS**, the Impact Fee Advisory Committee, established pursuant to the provisions of I.C. §36-7-4-1312 by the Town Council, has favorably recommended by favorable certification to the Town Council that an increase is recommended in the impact fee for park and recreational infrastructure based upon the applicable criteria for establishment of same and based upon the St. John Zone Improvement Plan of June 2023, prepared by American Structurepoint, Inc., and said plan has been adopted by the Plan Commission; and

**WHEREAS**, the Plan Commission of the Town of St. John, Lake County, Indiana (hereinafter "Plan Commission"), pursuant to the provisions of I.C. §36-7-4-1311, has held a Public Hearing on this Ordinance on July 5, 2023, after publication of said Public Hearing in accordance with I.C. §5-3-1 *et seq.*; and

**WHEREAS**, the Town Council, has been duly advised that the Plan Commission of the Town has approved this Ordinance by the way of motion on July 5, 2023, as required by I.C. §36-7-4-1311; and

**WHEREAS**, the Town Council, based upon its review of the aforementioned Ordinances, recommendation for increase from the Impact Fee Advisory Committee, and favorable Ordinance approval recommendation by the Town Plan Commission, has determined that it is advisable, necessary, and in the best interests of the residents and property owners of the Town of St. John to amend and replace Town Ordinance No. 1671 for the purposes identified hereinabove.

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

**SECTION ONE:** That based upon the St. John Zone Improvement Plan of June 2023, the Certification of the Advisory Committee, and Town Plan Commission Resolution Favorable Recommendation for approval of this Ordinance, the Town Council now determines that the Park and Recreational Impact Fee cost per equivalent dwelling unit is as follows:

<u>Period</u>	<u>Fee</u>
January 26, 2024 (“Effective Date”) to January 25, 2025:	\$1,961.41
January 26, 2025 to January 25, 2026:	\$2,059.48
January 26, 2026 to January 25, 2027:	\$2,162.45
January 26, 2027 to January 25, 2028:	\$2,270.58
January 26, 2028 to January 25, 2029 (“Statutory End Date”):	\$2,384.11

**SECTION TWO:** That all remaining terms and provisions of Town Ordinance No. 1671, and all prior Ordinances as aforesaid not replaced, amended, clarified, or repealed herein, are hereby ratified, and reaffirmed in all respects in conformance with applicable law.


**SECTION THREE:** 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.

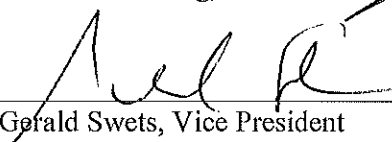
**SECTION FOUR:** That all existing Ordinances and Town Code provisions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.


**SECTION FIVE:** That this Ordinance shall take effect, and be in full force and effect, six (6) months after its passage and adoption by the Town Council, and publication in conformance with applicable law. This Ordinance shall be effective for five (5) years from the effective date pursuant to I.C. §36-7-4-1340.

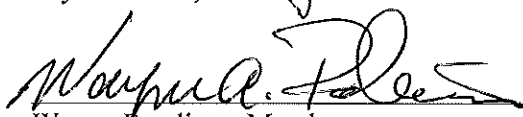
ALL OF WHICH IS PASSED AND ADOPTED THIS 26th DAY OF JULY,  
2023, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

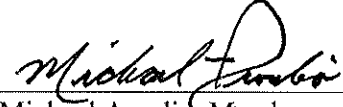
TOWN OF ST. JOHN, LAKE COUNTY, INDIANA  
BY ITS TOWN COUNCIL:

  
\_\_\_\_\_  
Michael Schilling, President

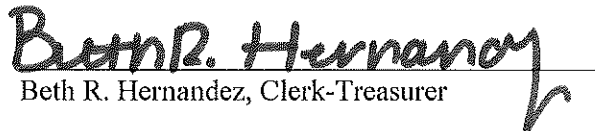
 NAY  
\_\_\_\_\_  
Gerald Swets, Vice President

  
\_\_\_\_\_  
Bryan Blazak, Member

 NAY  
\_\_\_\_\_  
Wayne Pondinas, Member

  
\_\_\_\_\_  
Michael Aurelio, Member

ATTEST:

  
\_\_\_\_\_  
Beth R. Hernandez, Clerk-Treasurer

3 In Favor  
2 Opposed