

**Improvement Location Permits
Town of Moores Hill, Indiana**

1. ADMINISTRATION

- 1.1. Administration and Enforcement Authority. The Plan Commission of the Town of Moores Hill or its appointed representative is vested hereby with the duty to administer and enforce the regulations in this ordinance.
- 1.2. Territorial Jurisdiction. The geographic territory over which these regulations apply shall be the planning and zoning jurisdiction of the Plan Commission as that jurisdiction is defined in the Town's Zoning Regulations.
- 1.3. Violations and Fines. Any person violating any of the provisions of this ordinance shall be fined twenty-five dollars (\$25) for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

2. PERMITS

- 2.1. Permit Required. Within the territorial jurisdiction of this ordinance, no structure, improvement to property, or use of land may be placed, constructed or altered unless:
 - 2.1.1. The structure, improvement and/or use, and the location thereof, comply with the requirements in this ordinance; and
 - 2.1.2. An Improvement Location Permit has been issued by the Permit Review Committee for the proposed work.
- 2.2. Permit Exemptions. The following work is exempt from the requirement to obtain an Improvement Location Permit:
 - 2.2.1. Any work performed by or on behalf of the federal government or the State of Indiana on property that they own (not leased property); however, a permit shall be required for work performed by or on behalf of any political subdivision of the State of Indiana, including but not limited to the Town of Moores Hill, Dearborn County, and any public school or public library.
 - 2.2.2. Any work in the right-of-way of a street owned by a unit of government, or in the right-of-way of a railroad.
 - 2.2.3. The construction in a factory of any part of a manufactured structure that is regulated under IC 22-15-4 or 42 USC 5401.
 - 2.2.4. The installation of a manufactured structure, including foundations and any steps to exterior entrance doors of the manufactured structure, when the manufactured structure is to be installed in an approved or legally non-conforming manufactured housing/mobile home park, and where the installation satisfies all of the following conditions:
 - 2.2.4.1. The structure will be a manufactured structure as defined in the Zoning Regulations of the Town of Moores Hill;
 - 2.2.4.2. The structure qualifies as and will be used only as a single dwelling unit;

- 2.24.3. The structure is to be installed on a temporary foundation as that term is defined in the Zoning Regulations of the Town of Moores Hill; and
- 2.24.4. The lot on which the structure is to be located will be rented to the owners or lessees of the residential manufactured structure that is to be placed on the lot.
- 2.25. The following types of work shall be exempt; however, the work must still comply with the requirements of all Town ordinances and regulations:
 - 2.25.1. Interior and exterior finish work, including but not limited to painting, and installation, repair or replacement of carpeting, flooring, cabinetry, roof decking, shingles, siding, gutters, downspouts, insulation, windows and doors.
 - 2.25.2. Installation on private property of fences, non-load-bearing exterior wall systems, landings, patios, slabs, stoops, sidewalks, and driveways.
 - 2.25.3. Installation, replacement or repair of mechanical systems including but not limited to heating systems, HVAC systems, furnaces, water heaters, water softeners, toilets, sinks and showers.
- 2.3. Compliance with Other Regulations. All proposed work and the plans for the work must comply with the requirements of the Town's Zoning Regulations and the Town's Subdivision Regulations. The applicant is advised that other regulations of the Town of Moores Hill, Dearborn County, the State of Indiana and the federal government may apply to the proposed work. It is the responsibility of the person doing the work to ensure that plans for a project and the work on the project comply with all regulations.
- 2.4. Proof of Ownership of Property. It shall be the responsibility of the person who proposes to perform work on any structure or improvement to demonstrate that the land on which the structure or improvement is to be undertaken is owned by or under their control. Whenever ownership or control is indeterminate or in dispute, the Permit Review Committee may require at the expense of the person proposing the work that a physical survey be conducted by a licensed professional land surveyor and that a plan drawn to scale be produced from that survey showing property lines and the relationship of the existing and proposed improvements to those property line, and may require that evidence in the form of deeds and/or other documents demonstrating ownership and/or control of property be produced.
- 2.5. Applications for Permits. All permit applications shall be in the form required by the Town Council and shall be accompanied by all required attachments including a site plan drawn to scale that provides the information necessary for the Permit Review Committee to render a decision. An application is not considered to be a complete application until all forms have been completed as required and all required attachments have been delivered with the application.
- 2.6. Application Submission and Permit Approval.
 - 2.6.1. Completed applications shall be delivered to Town Hall in person, or by U.S. Postal delivery or its equivalent.
 - 2.6.2. The Town Secretary shall contact the President of the Plan Commission at the earliest reasonable opportunity to advise the President of the receipt of a Permit application.

- 2.6.3. The President shall contact, appoint and call for a meeting of the Permit Review Committee, for the purpose of reviewing and considering the Permit application.
- 2.6.4. Additional members of the Plan Commission may attend and participate in a meeting of the Committee; however, when four (4) or more members of the Plan Commission are to be in attendance at any time, notice to the public about the meeting shall be provided pursuant to IC 5-14-1.5 prior to the meeting.
- 2.6.5. The Improvement Location Permit shall be issued only upon the approving signatures of all three members of the Permit Review Committee on the permit application. When all three members of the Committee disapprove the application, or when fewer than three members approve the application, the application is disapproved and a permit shall not be issued.
- 2.6.6. In the event that an application is disapproved, the Permit Review Committee shall describe in writing the reason(s) for disapproval.
- 2.6.7. It shall be the goal of the Permit Review Committee to issue or deny an Improvement Location Permit as soon as practicable after receipt of the application, and in no event more than ten (10) days after the date that the complete application including all required attachments is received at Town Hall.
- 2.7. Permit Fee. There shall be no fee charged for application review or issuance of a Permit under this ordinance.
- 2.8. Term of Permit. All Improvement Location Permits shall be valid for a period of one (1) year from the date of issue.
- 2.9. Permit Renewal. The Committee may renew a permit one (1) time for a term that is not longer than the term of the original permit, upon a showing by the property owner that the work has not been completed in the time allowed due to conditions not under the control of the property owner, including but not limited to seasonal or other weather conditions, lack of building materials, or shortage of labor. The renewal permit shall be issued only for work that was included in the original permit.
- 2.10. Re-Filing of Applications. Where an applicant is able to amend an application to comply with the requirements for which the Permit Review Committee disapproved an application, the applicant may submit a revised application in the same manner as for the original application and the Committee or a successor Committee shall consider the amended application in the same manner as a new application. An applicant shall not re-file an application that is identical to the original application except when the Committee has determined that the reason(s) for disapproval were in error, or when the Plan Commission reverses a disapproval on appeal.
- 2.11. Appeals. Any decision of the Permit Review Committee may be appealed to the full Plan Commission by any person claiming to be adversely affected by the decision. The appeal must describe and specify in writing the Town law or regulation that has been violated. All appeals shall be delivered in person, or by U.S. Postal delivery or its equivalent, to the attention of the Secretary of the Plan Commission. The Secretary shall as soon as reasonably possible advise the President of the Plan Commission. If the appeal has been filed by someone other than the Permit holder, the President shall immediately notify the Permit holder that an appeal has been filed, and there shall be no further work conducted on the project for which the Permit was issued until the matter is resolved. A meeting of the full Plan Commission shall be called by the President to be held not more than ten (10) days after receipt of the appeal by the Secretary, for the purpose of hearing the appeal. Notice of

this meeting shall be provided pursuant to IC 5-14-1.5. The Plan Commission may confirm the Permit, revoke the Permit, or amend the Permit. A decision of the Plan Commission on appeal shall be final and may be reviewed by certiorari procedure in the manner provided for the appeal of decisions of the Board of Zoning Appeals.

3. CONSTRUCTION AND INSPECTIONS

- 3.1. Inspections and Right-of-Entry. The owner of the property on which work is being completed is responsible for requesting any inspections of the work that are required by a Permit. Twenty-four (24) hour notice is requested. In addition, one or more representatives of the Plan Commission may, upon presentation of proper credentials, enter at reasonable times any building, structure, or premises to inspect work for which a Permit has been issued to determine compliance with this ordinance.
- 3.2. Stop Work Order. Whenever it is determined that any work at a site is not in compliance with the provisions of this ordinance, the President of the Plan Commission may order the work stopped by notice posted at the building site, and all persons performing any work at the site shall forthwith stop until authorized by the President to proceed with the work.

4. DEFINITIONS

- 4.1. The following definitions shall have their associated meanings throughout this ordinance:
- 4.1.1. "Improvement Location Permit" A document that is required to be obtained prior to the start of work on any structure or any other improvement to property, which structure or improvement is regulated by the adopted Zoning Regulations of the Town of Moores Hill. The term "Permit" shall have the same meaning.
- 4.1.2. "Permit Review Committee" A committee of any three (3) voting members of the Plan Commission composed as follows:
- 4.1.2.1. All three members are appointed by the President of the Plan Commission, or by the Vice President in the absence of the President.
- 4.1.2.2. The President does not have to be a member of the Committee.
- 4.1.2.3. Appointment to the Permit Review Committee is not a permanent appointment, and members may be changed as often as determined to be necessary by the President of the Plan Commission.
- The term "Committee" shall have the same meaning.
- 4.1.3. "Person" An individual, agency, partnership, corporation, group, organization, governmental entity, trust, estate, or any other legal or commercial entity.
- 4.1.4. "Plan Commission" The Advisory Plan Commission of the Town of Moores Hill, Indiana. The term "Commission" shall have the same meaning.
- 4.1.5. "President of the Plan Commission" The President of the Plan Commission, or in the absence of the President, the Vice President of the Commission. In the absence of both the President and Vice President, the President of the Town Council shall fulfill the requirements of the Plan Commission President for the purposes of this ordinance. The term "President" shall have the same meaning.

- 4.1.6. "Structure" Anything constructed, installed or erected which requires location on the ground or attachment on something having location on the ground, including but not limited to buildings, walls, fences, towers, swimming pools and signs.
- 4.1.7. "Town" The Town of Moores Hill, Indiana.
- 4.1.8. "Town Council" The elected Council of the Town of Moores Hill, Indiana. The term "Council" shall have the same meaning.
- 4.1.9. "Work" Changes made to or on improved or unimproved property, including but not limited to construction, alteration, repair or installation activities, and related grading, excavating and clearing activities.

