

COMMISSIONER ORDINANCE NO. CO 2023- 50

AN ORDINANCE AMENDING THE ELKHART COUNTY CODE REGARDING
CHAPTER 41: FEES OF TITLE III: ADMINISTRATION

WHEREAS Indiana Code Sections 36-1-3-1 et seq. permit any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana is the county legislative body and is by law authorized to adopt ordinances and resolutions with respect to public health, safety, and welfare;

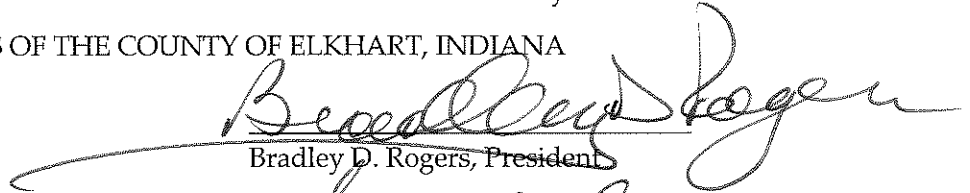
WHEREAS the Elkhart County Board of Health has recommended that the fee schedule for the Elkhart County Health Department be amended;

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, RESOLVED, AND ORDAINED by the Board of Commissioners of the County of Elkhart, Indiana as follows:

1. Amendment of Elkhart County Code. Chapter 41: Fees of Title III: Administration of the Elkhart County Code Section 41.005 is hereby amended by replacing the Section 41.005 Fee Schedule with the Section 41.005 Fee Schedule attached hereto as Exhibit A.
2. Effective Date. The new Fee Schedule addition will be effective November 10, 2023.

ORDAINED this 30th day of October 2023.

BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA


Bradley D. Rogers, President


Suzanne M. Weirick, Vice President


Bob Barnes, Member

ATTEST:

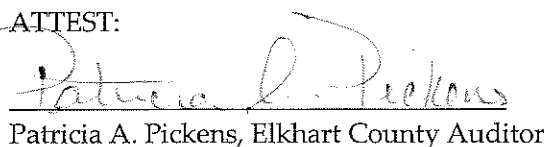

Patricia A. Pickens, Elkhart County Auditor

EXHIBIT A

SECTION 41.005 FEE SCHEDULE

The fee schedule is hereby established and approved for the services and records provided by the Elkhart County Health Department.

A. Environmental Health Services

SERVICE	PERMIT FEE IF OBTAINED ON TIME	PERMIT FEE IF OBTAINED LATE
Retail Food Establishment Permit (Annual License)		
▪ Full Service Establishment (Includes establishments that prepare or handle potentially hazardous foods)	\$225.00	\$675.00
▪ Limited Service Establishment (Includes establishments selling only pre-packaged food items or repackaging of only non-potentially hazardous foods)	\$140.00	\$420.00
Mobile Food Establishment Permit – Full Service		
▪ Commissary	\$225.00	\$675.00
▪ First Mobile Unit	\$115.00	\$345.00
▪ Second and Each Subsequent Mobile Unit	\$ 65.00 per unit	\$195.00 per unit
Mobile Food Establishment Permit – Limited Service		
▪ Commissary	\$140.00	\$420.00
▪ First Mobile Unit	\$ 65.00	\$195.00
▪ Second and Each Subsequent Mobile Unit	\$ 35.00 per unit	\$105.00 per unit
Outdoor Food Operation (as defined in 410 IAC 7-26)	\$115.00 each	\$345.00 each
Vending Establishment License (Annual)		
▪ Commissary Vending License — Full Service	\$225.00	\$675.00
▪ Commissary Vending License — Limited Service	\$140.00	\$420.00
▪ Vending Permit (1-30 Machines)	\$160.00	\$480.00
▪ Vending Permit (31-50 Machines)	\$175.00	\$525.00
▪ Vending Permit (51-100 Machines)	\$250.00	\$750.00
▪ Vending Permit (101+ Machines)	\$325.00	\$975.00
▪ Vending Involving On-Site Preparation	\$225.00 each	\$675.00 each

Not-for-Profit (NFP) Food Service Establishment Licenses (Annual):	\$112.50	\$337.50
▪ Full Service Establishment (Includes establishments that prepare or handle potentially hazardous foods)		
▪ Limited Service Establishment (Includes establishments selling only pre-packaged food items or repackaging of only non-potentially hazardous foods)	\$ 70.00	\$210.00
NFP Mobile Food Establishment Permit – Full Service		
▪ Commissary	\$112.50	\$337.50
▪ First Mobile Unit	\$ 57.50	\$172.50
▪ Second and Each Subsequent Mobile Unit	\$ 32.50 per unit	\$ 97.50 per unit
NFP Mobile Food Establishment Permit – Limited Service		
▪ Commissary	\$ 70.00	\$210.00
▪ First Mobile Unit	\$ 32.50	\$ 97.50
▪ Second and Each Subsequent Mobile Unit	\$ 17.50 per unit	\$ 52.50 per unit
NFP Outdoor Food Operation (as defined in 410 IAC 7-26)	\$ 57.50 each	\$172.50 each
NFP Vending Establishment License (Annual)		
▪ Commissary Vending License — Full Service	\$112.50	\$337.50
▪ Commissary Vending License — Limited Service	\$ 70.00	\$210.00
▪ Vending Permit (1-30 Machines)	\$80.00	\$240.00
▪ Vending Permit (31-50 Machines)	\$87.50	\$262.50
▪ Vending Permit (51-100 Machines)	\$125.00	\$375.00
▪ Vending Permit (101+ Machines)	\$162.50	\$487.50
▪ Vending Involving On-Site Preparation	\$112.50 each	\$337.50 each
Replacement Copy of Food License	\$ 10.00	
Reinstatement of Retail Food Establishment Permit after Suspension or revocation.	\$225.00	\$675.00
Temporary Food Establishment Permit with more than 10 days Confirmed Notice of Intent to Operate to Environmental Health:		
▪ 1 – 2 Day Events	\$ 55.00	
▪ 3 – 7 Day Event	\$ 75.00	
▪ 8 – 14 Day Event	\$125.00	

<p>Temporary Food Establishment License with between 2 days and 10 Days Confirmed Notice of Intent to Operate to Environmental Health:</p> <ul style="list-style-type: none"> ▪ 1— 2 Day Events ▪ 3 — 7 Day Events ▪ 8 —14 Day Events <p>Temporary Food Establishment License with less than 48 hours of Confirmed Notice of Intent to Operate to Environmental Health:</p> <ul style="list-style-type: none"> ▪ 1— 2 Day Events ▪ 3 — 7 Day Events ▪ 8 —14 Day Events <p>All temporary fees owed after at least 2 days Confirmed Notice of Intent to Operate is given must be paid to the Elkhart County Office of Environmental Health no later than 3:00 pm two business days prior to the event. If Confirmed Notice of Intent to Operate is given less than 48 hours in advance of the event, the applications and fees received must be immediately paid to the office at the time such Notice is given. Fees paid after office hours must be paid by check or credit card. Licenses are NOT transferable. Fees are NOT refundable.</p>	<p>\$110.00</p> <p>\$150.00</p> <p>\$250.00</p> <p>\$165.00</p> <p>\$225.00</p> <p>\$375.00</p>	
<p>Retail Food Establishment Construction/ Remodel and Procedure Plan Review:</p> <ul style="list-style-type: none"> ▪ Prior to Construction ▪ After Construction Commences <p>Retail Food Establishment Procedure Only Plan Review</p> <ul style="list-style-type: none"> ▪ Prior to Procedure Implementation ▪ After Procedure Implementation 	<p>\$200.00</p> <p>\$600.00</p> <p>\$100.00</p> <p>\$300.00</p>	
<p>Commercial Swimming Pool Licenses</p> <ul style="list-style-type: none"> ▪ Initial Pool at One Location ▪ Second & each subsequent pool at same location <p>Not-for-Profit Organization Pool License</p> <ul style="list-style-type: none"> ▪ Initial Pool at One Location ▪ Second & each subsequent pool at same location 	<p>\$150.00</p> <p>\$ 90.00</p> <p>\$ 75.00</p> <p>\$ 45.00</p>	<p>\$450.00</p> <p>\$270.00</p> <p>\$225.00</p> <p>\$135.00</p>

Commercial Swimming Pool Plan Review		
▪ Prior to Construction	\$200.00	
▪ After Construction Commences	\$600.00	
Replacement Copy of Pool License	\$ 10.00	
Peizometer Studies (each)	\$250.00	
Septic or Well Evaluation (each)	\$100.00	
Well Drinking Water Sample Testing (E.coli, total coliforms, Nitrates and Arsenic)	Cost of test rounded to next highest dollar plus a \$5.00 processing fee.	
Septic System Permits		
▪ Residential Septic Construction Permit	\$225.00	\$675.00
▪ Commercial Septic Construction Permit	\$225.00	\$675.00
▪ Repair of Septic Construction Permit	\$225.00	\$675.00
▪ Holding Tank Installation Permit	\$500.00	\$1,500.00
▪ ATU, TNI and Septic Component Operating/Maintenance Permit (once per 3 years)	\$ 50.00	\$150.00
▪ Holding Tank Operating/Maintenance Permit (Annual Permit)	\$750.00	\$2,250.00
▪ All other Septic System Operating/Maintenance Permit (once every 5 years)	\$ 25.00	\$ 75.00
Septic Professional Registration	\$ 40.00	\$120.00
Water Well Construction Permit	\$100.00	\$300.00
Lead		
▪ Comprehensive environmental lead investigation, not including laboratory analysis, per dwelling (initial).	\$300.00	
▪ Comprehensive environmental lead investigation, not including laboratory analysis, per dwelling (follow-up).	\$110.00	
Radon Test	Cost of the test rounded to the next nearest dollar plus a \$5.00 processing fee.	

B. Healthy Beginnings

SERVICE		AMOUNT			
Pregnancy Testing		\$5.00 per test			
Dental Fees – Sliding Scale: Refer to Sliding Fee Scale Policy for category explanation. Medicaid will be billed according to federal law and dental clinic policies.					
Code	Treatment	A	B	C	Full Fee
D0120	Periodic Oral Exam	\$13.75	\$27.50	\$41.25	\$55.00
D0140	1st Oral Exam - Limited	\$19.00	\$38.00	\$57.00	\$76.00
D0150	1st Oral Exam - Comprehensive	\$21.75	\$43.50	\$65.25	\$87.00
D1110	Prophylaxis (Adult)	\$24.50	\$49.00	\$73.50	\$98.00
D1120	Prophylaxis (Child)	\$18.25	\$36.50	\$54.75	\$73.00
D1206	Flouride Treatment (Varnish)	\$10.50	\$21.00	\$31.50	\$42.00
D1208	Flouride Treatment (Gel)	\$10.00	\$20.00	\$30.00	\$40.00
D1351	Sealant - Per Tooth	\$14.25	\$28.50	\$42.75	\$57.00
D0210	Intraoral Complete Series	\$35.75	\$71.50	\$107.25	\$143.00
D0220	Intraoral X-Rays - Periapical	\$7.75	\$15.50	\$23.25	\$31.00
D0230	Intraoral X-Rays - Periapical (each addt'l)	\$6.25	\$12.50	\$18.75	\$25.00
D0240	Intraoral X-Rays - Occlusal	\$7.25	\$14.50	\$21.75	\$29.00
D0270	Bitewing - 1 single film	\$5.00	\$10.00	\$15.00	\$20.00
D0272	Bitewing X-Rays 2 films	\$12.25	\$24.50	\$36.75	\$49.00
D0273	Bitewing X-Rays 3 films	\$14.75	\$29.50	\$44.25	\$59.00
D0274	Bitewing = 4 films	\$17.50	\$35.00	\$52.50	\$70.00
D0330	Panoramic Series	\$30.75	\$61.50	\$92.25	\$123.00
D2140	Amalgam 1 surface - Primary	\$36.50	\$73.00	\$109.50	\$146.00
D2150	Amalgam 2 surfaces - Primary	\$45.50	\$91.00	\$136.50	\$182.00
D2160	Amalgam 3 surfaces - Primary	\$54.50	\$109.00	\$163.50	\$218.00
D2161	Amalgam 4 surfaces - Primary	\$64.25	\$128.50	\$192.75	\$257.00
D2140	Amalgam 1 surface - Permanent	\$36.50	\$73.00	\$109.50	\$146.00
D2150	Amalgam 2 surfaces - Permanent	\$45.50	\$91.00	\$136.50	\$182.00
D2160	Amalgam 3 surfaces - Permanent	\$54.50	\$109.00	\$163.50	\$218.00
D2161	Amalgam 4 surfaces - Permanent	\$64.25	\$128.50	\$192.75	\$257.00
D2930	Stainless Steel Crown - Primary	\$71.00	\$142.00	\$213.00	\$284.00
D2931	Stainless Steel Crown - Permanent	\$84.25	\$168.50	\$252.75	\$337.00
D3220	Pulpotomy	\$5.25	\$10.50	\$15.75	\$21.00
D2330	Resin Based 1 Surface	\$43.50	\$87.00	\$130.50	\$174.00
D2331	Resin Based 2 Surfaces	\$53.00	\$106.00	\$159.00	\$212.00
D2332	Resin Based 3 Surfaces	\$64.00	\$128.00	\$192.00	\$256.00
D2390	Anterior Resin Based Comp. Crown	\$113.75	\$227.50	\$341.25	\$455.00
D2920	Recement Crowns	\$28.75	\$57.50	\$86.25	\$115.00

D2940	Sedative Filling	\$31.50	\$63.00	\$94.50	\$126.00
D1510	Space Maintainer - Fixed (Unilateral)	\$82.25	\$164.50	\$246.75	\$329.00
D1550	Space Maintainer Recement of Fixed	\$9.13	\$18.25	\$27.38	\$36.50
D1555	Space Maintainer Removal of Fixed	\$9.13	\$18.25	\$27.38	\$36.50
D7140	Extraction	\$47.50	\$95.00	\$142.50	\$190.00
D9920	Behavioral Management	\$31.75	\$63.50	\$95.25	\$127.00
D4355	Full Mouth Debridement	\$46.75	\$93.50	\$140.25	\$187.00
D1354	Silver Diamine flouride	\$13.75	\$27.50	\$41.25	\$55.00
D9230	Inhalation of nitrous oxide	\$22.00	\$44.00	\$66.00	\$88.00
D7111	Extraction, coronal remnants - primary tooth	\$33.75	\$67.50	\$101.25	\$135.00
WIC Services			No Charge		

C. Health Education

SERVICE	AMOUNT
Education Programs at Work-Sites	\$ 50.00 per staff member per Program for up to 4 hours. \$ 10.00 per staff member per hour after the initial 4 hours.

D. Community Health Nursing

SERVICE	AMOUNT
Private Purchase Vaccine	Actual cost of the vaccine administered rounded up to the nearest dollar plus \$15.00 administration fee.
Private Purchase Medications	Acquisition cost rounded up to nearest dollar.
Tuberculosis Skin Tests	\$25.00 per test
Vaccine for Children and 317 Vaccines	\$15.00 Administration fee per vaccine
Health screening and evaluation for previous tuberculosis skin test reactor.	\$25.00
Sexually Transmitted Infection Clinic	\$25.00 per episode
Venipuncture Fee	\$15.00 per blood draw
Miscellaneous Laboratory Fees	Actual cost of the laboratory test rounded up to the next dollar.
Immigration Clinic	\$35.00 per visit plus applicable fees for other services provided.

Physician Visits for Breast and Cervical Cancer Screening	1.2 times the state established fee schedule.
Other Clinic Visits	<u>New Client</u> <u>Returning Client</u>
▪ Level I	\$ 40.00 \$ 20.00
▪ Level II	\$ 60.00 \$ 35.00
▪ Level III	\$ 90.00 \$ 60.00
▪ Level IV	\$140.00 \$ 90.00
▪ Level V	\$180.00 \$120.00
	A sliding scale will be in effect similar to the MCH grant contract.
Pregnancy Testing	\$ 5.00 per test
Submission of animal heads to State Department of Health for Rabies Exam.	\$ 25.00 per head
Immunization Certified Record Copy	\$5.00
Certification Training Program	\$ 25.00 per student for programs up to 2 hrs plus the cost of supplies rounded up to the nearest dollar. \$ 45.00 per student for programs for 2-4 hours plus the cost of supplies rounded up to the nearest dollar.
Lead:	
▪ Case management each 15 minutes (lead)	\$ 10.00 per unit

E. Vital Records Services

SERVICE	AMOUNT
Birth Certificate	\$15.00 each
▪ Plastic Pouch	\$ 2.00
Death Certificate	\$15.00 each
▪ Non-Certified Death Certificate.	\$ 8.00
▪ Large Pouch	\$ 5.00
Genealogy Records	
▪ Genealogy Records – Non-Certified	\$ 8.00 each
▪ Genealogy Records – Certified	\$15.00
Paternity and Legitimations	\$75.00
▪ Certified Paternity Affidavit	\$ 5.00
Corrections to Birth Certificates:	
▪ By Notification	\$15.00
▪ Affidavit of Amendment	\$20.00

F. Administrative Services

SERVICE	AMOUNT
Certification/Notarization Fee for out-of-country documents	\$ 2.00

<p>Copy Fee</p> <ul style="list-style-type: none"> ▪ Black and white copy ▪ Color copy 	<p>Except for circumstances where a specific amount is provided by Indiana law, the costs for copies by the Health Department will match the amount in effect at the time pursuant to Elkhart County Code § 41.095.</p>
<p>No general admission may be charged to anyone attending a meeting in the Conference Center. Groups may, however, restrict meetings to their own members and make normal collection of the duties/ fees from their own members. No buying or selling of products or services is permitted on the Health Department property, except in support of Health Department or Elkhart County activities. The application and agreement for the use of the Conference Center needs to be completed and returned along with fees. The fee Structure for the use of the Conference Center is as follows:</p>	<p>\$150.00 per use of the Conference Center</p> <p>\$100.00 refundable deposit for the use of Health Department equipment such as projectors, screens, etc.</p>

G. Sewer Determination Service Requested Under Indiana Code § 13-26-5-2.5(b)(2)

SERVICE / EXPENSES	AMOUNT
<p>Services performed by Elkhart County employees to make its written determination.</p>	<p>\$0.00</p>
<p>Reimbursement for out-of-pocket expenses incurred by the Elkhart County Health Department for goods used or services retained to make its written determination.</p> <p>Direct payment to third-party designees of Elkhart County to perform services to make a written determination.</p>	<p>If already incurred by Elkhart County, property owner must reimburse Elkhart County at cost for such goods and services.</p> <p>If requested by Elkhart County, property owner must pay the third-party designee directly in advance of services being performed.</p> <p>The total costs owed by a property owner for these reimbursable and direct pay expenses will not exceed \$600.00. These costs are waived for property owners that completed installation of their new system, with an Elkhart County permit, within 3 calendar years of requesting a written determination under Indiana Code § 13-26-5-2.5(b)(2).</p>

Cost necessary to return the property to a condition satisfactory to property owner.	Property owner is solely responsible for paying a third-party contractor for all applicable expenses necessary to return the property to a condition satisfactory to property owner. (See Ind. Code § 13-26-5-2.5(b)(2)).
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H. Refunds.

Please note that no refunds will be granted for any fees listed in the ECHD Fee Schedule.