

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;

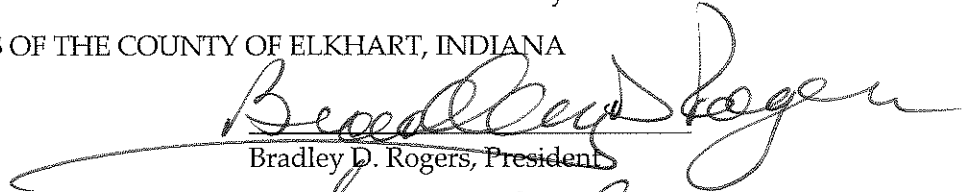
WHEREAS the Elkhart County Board of Health has recommended that the fee schedule for the Elkhart County Health Department be amended;

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:

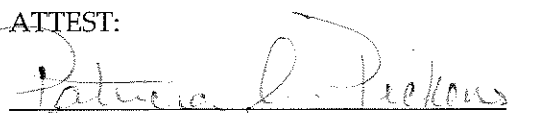

Patricia A. Pickens, Elkhart County Auditor

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.	