

1 **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**

2
3 **ORDINANCE NO. 2018 – 29**

4
5 **An Ordinance to Amend the Municipal Code to**
6 **Require Expiration Dates on Building Permits**

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8 WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”)
9 has taken notice that the current Municipal Code of the City (“Code”) fails to provide for
10 expiration dates for building permits; and

11
12 WHEREAS, the residents of the City of Hobart typically embrace construction or other
13 types of projects that improve neighborhoods and the economics of the community in spite of
14 inconveniences and visual eye sores created from projects, as long as they know that the
15 associated problems are going to be temporary and short-lived; and

16
17 WHEREAS, the Council also notes instances where construction projects have been
18 started but never completed, leaving neighborhoods with eye sores for years because the issued
19 building permit did not contain any expiration date or date by which the City expected the
20 project to be complete; and

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22 WHEREAS, the Council also notes instances where construction projects have been
23 started and sometimes completed without a Building Permit being issued.

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25 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
26 Indiana as follows:

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29 *SECTION ONE:* The Municipal Code of the City of Hobart, Indiana
30 (“Code”) is hereby amended by striking out the title and entirety of the language
31 contained in §150.060 entitled “PERMIT; APPLICATION,” and inserting in lieu
32 thereof the following new title and language:

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34 **§150.060. PERMIT; APPLICATION AND DURATION.**

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36 (A) No property owner shall commence construction or
37 allow construction to commence upon any project which requires
38 the issuance of a Building Permit under §150.061 of the Code prior
39 to the issuance of such permit. Property Owners in violation of
40 this subsection are subject to prosecution and the imposition of a
41 fine whether the work has been done by the property owner or
42 others. The fine shall be determined by the Board of Public Works
43 and Safety, or the City Court, and shall not exceed \$1,000 per day
44 for each day during which the violation continues. If the work
45 being performed without a Permit is being done by a Licensed
46 Contractor, the Contractor, and not the property owner, shall be

47 liable for the fine or fines imposed. Additionally, should a
48 Licensed Contractor commence work on a project which requires
49 the issuance of a Building Permit under §150.061 of the Code prior
50 to the issuance of such permit, or should a Contractor fail to
51 complete work before the Building Permit for the project expires,
52 the Building Commissioner may refer the contractor to the
53 Contractors Licensing Board for disciplinary review which may
54 result in the imposition of an additional fine of up to \$2,500 or the
55 revocation of the Contractor's license, or both.
56

57 (B) Each Building Permit shall be issued with an expiration
58 date shown prominently on the face of the permit. The expiration
59 date shall be one year from the permit application date unless
60 otherwise approved by the Building Commissioner. The Building
61 Commissioner may extend the expiration date of a permit once
62 during the life of the permit upon the Commissioner's
63 determination of good cause.
64

65 (C) Should a Building Permit expire before all the work is
66 completed on the project for which the Permit was issued, work on
67 the project shall cease until a new Permit is issued. Failure to
68 apply for a new permit for an incomplete project within seven (7)
69 days of the expiration of the initial permit may result in the
70 imposition of a fine as determined by the Board of Public Works
71 and Safety or City Court which shall not exceed \$1,000 per day for
72 each day during which the violation continues. The replacement
73 permit shall be a completely new permit with a new expiration date
74 and new fees that reflect the incomplete work covered by the new
75 permit. Fees paid on the expired permit shall not be credited
76 toward the fee required for the new permit.
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78 (D) Building Permits shall expire before their expiration
79 date if work on the construction project stops for a period of more
80 than 180 days. Building Permits may be canceled by the applicant
81 at any time. The Building Permit expires if the Building Permit
82 was obtained by a Licensed Contractor and the Contractor's
83 License expires or is revoked before the work is complete.
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85 (E) Required inspections and any work required to correct
86 violations found during such inspections may be performed after
87 the Building Permit for the inspected project has expired.
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89 (F) Each person or entity applying for building permits for
90 multi-family structures, including, but not limited to, duplexes, 4-
91 plexes and other such structures, shall provide, as part of their
92 submission, a plan describing how the solid waste for the

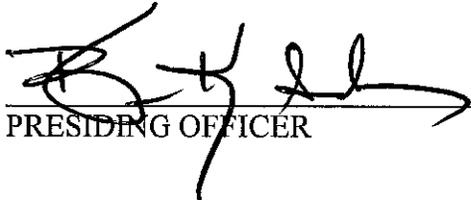
occupants of the structures will be managed, including reduction, reuse and recycling steps taken to reduce their waste stream, which plan shall be subject to approval as provided hereunder.

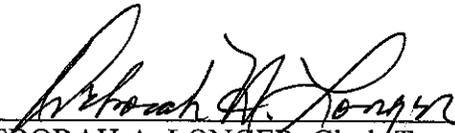
(G) Each person or entity applying for building permits shall provide, as part of their submission, a plan describing how the solid waste generated by the construction project will be disposed of, which plan shall be subject to approval as provided hereunder.

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication or promulgation pursuant to I.C. §36-4-6-14.

SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 7th day of November, 2018.


PRESIDING OFFICER

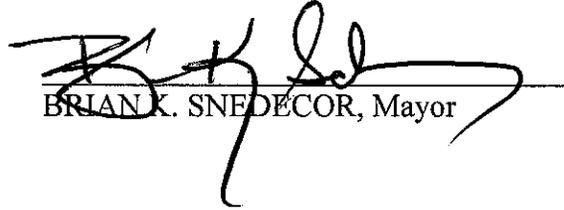
ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 7th day of November, 2018 at the hour of 7:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

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APPROVED, EXECUTED and RETURNED by me to the Common Council of
the City of Hobart on this 7th day of November, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer