

RESOLUTION NO. 99-79

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF HOBART, INDIANA REVISING POLICIES FOR THE
TAX ABATEMENT PROGRAM OF THE CITY OF HOBART

WHEREAS, the Common Council of the City of Hobart initially declared its intention of utilizing the provisions of state law for the purpose of encouraging development and occupancy of economic revitalization areas for commercial and industrial purposes by providing property tax deductions by adoption of Resolution No. 92-01; and,

WHEREAS, the Hobart Common Council has also adopted a policy to utilize residential property tax deductions in accordance with the provisions of the Indiana Code; and,

WHEREAS, the Hobart Common Council is the decision making body for requests for tax abatement within the City of Hobart which come to them from the Economic Development Commission; and,

WHEREAS, the Hobart Common Council held a joint work session of the Board of Zoning Appeals, the Plan Commission and the Economic Development Commission to review and discuss the tax abatement program in the City of Hobart on April 30, 1994; and,

WHEREAS, the Hobart Common Council initially established tax abatement policies for the City of Hobart by adoption of Resolution No. 94-52 as amended on June 1, 1994 and amended said policies by adoption of Resolution No. 98-09 on February 4, 1998 and the Hobart Common Council desires to repeal said resolutions combine all tax abatement policies into one resolution and revise the tax abatement policies herein; and,

WHEREAS, the Hobart Common Council initially established a limitation on reapplication of denied tax abatement applications by adoption of Ordinance No. 94-42 on June 1, 1994; and,

WHEREAS, satisfactory compliance with the established tax abatement policies will allow an application to be advanced to the Hobart Common Council for consideration but compliance with the policies does not guaranty approval by the Hobart Common Council; and,

WHEREAS, the Hobart Common Council will consider all tax abatement applications on a case by case basis; and,

WHEREAS, each application for tax abatement shall be evaluated to determine whether it meets or exceeds the standards of the surrounding development (including, but not limited to lot size, building value, etc.) and such determination shall be made by the Hobart Common Council on their approval or disapproval of such application; and,

WHEREAS, compliance with all aspects of the tax abatement application, statement of benefits, conditions of this Resolution and state statute shall be monitored by the City of Hobart and the Common Council may rescind any tax abatement should non-compliance exist.

WHEREAS, the Hobart Common Council revised its comprehensive policy regarding tax abatement by adoption of Resolution 98-33 on August 19, 1998 and adoption of Resolution 98-67 on January 20, 1999; and

WHEREAS, there is a need for further revision of the comprehensive tax abatement policy to include additional policies;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana that the revised policies for tax abatement program are as follows:

SECTION 1: No application for tax abatement may be filed with the Economic Development Commission (EDC) for property which has not been subdivided or for property which must be resubdivided unless the petitioner has received tentative plan approval from the Plan Commission. In the event that rezoning of the subject land is necessary, the rezoning must have received a favorable recommendation from the Plan Commission, or, if the rezoning has not been favorably recommended by the Plan Commission, the rezoning must have received City Council approval contingent upon approval of the tentative plan by the Plan Commission. The service impact analysis shall be routed and comments provided by department heads based upon the tentative plan and this information shall be distributed to EDC members prior to consideration of the tax abatement application. Additionally, the Statement of Benefits form shall be completed by the petitioner to provide information regarding job benefits and assessed valuation benefits and said Statement of Benefits form shall be distributed to EDC members prior to consideration of the tax abatement application. No application for tax abatement shall be considered by the City Council unless the above requirements have been met and unless the petitioner has received preliminary plat approval from the Plan Commission.

SECTION 2: No application for tax abatement may be filed with the Economic Development Commission (EDC) for property which has previously been subdivided unless the service impact analysis is routed and comments provided by department heads and this information shall be distributed to EDC members prior to consideration of the tax abatement application. Additionally, the Statement of Benefits form shall be completed by the petitioner to provide information regarding job benefits and assessed valuation benefits and said Statement of Benefits form shall be distributed to EDC members prior to consideration of the tax abatement application. No application for tax abatement shall be considered by the City Council unless the above requirements have been met.

SECTION 3: Tax abatement shall not be approved for a manufactured home.

SECTION 4. Residential tax abatement shall be considered for a single infill lot. Residential tax abatement shall be considered for other residential development only if said residential development is found to be an asset to the City of Hobart and is found to have a minimal impact on City services.

SECTION 5. The City Council may require the execution of a "clawback" agreement between the City of Hobart and the recipient of industrial and commercial real property tax abatement or personal property tax abatement. Such agreement shall be executed prior to the City Council's final action on tax abatement approval. The "clawback" agreement shall contain terms and conditions under which the City of Hobart may recover from the recipient of tax abatement any real property and personal property taxes which were abated during the tax abatement deduction period.

SECTION 6. For commercial and industrial tax abatement petitions which are not required by State Law to receive a favorable recommendation from the Economic Development Commission, no tax abatement application shall be considered by the City Council unless the petitioner has received preliminary plat approval from the Plan Commission for property which has not been subdivided or for property which must be resubdivided. The service impact analysis shall be routed and comments provided by department heads and this information shall be distributed to City Council members prior to final action on the tax abatement application. The financial impact analysis shall also be distributed to City Council members prior to final action on the tax abatement application.

SECTION 7: Development coverage within the City of Hobart shall not exceed forty percent (40%) of the total geographic area of the City (excluding right-of-ways) in order to preserve the existing character of the community and provide for open space. The status on the percentage of geographic area slated for development and the percentage of the allocated fifteen percent (15%) which may potentially receive tax abatement shall be part of the annual report prepared by the Director of Development as specified below.

SECTION 8: Twenty percent (20%) of the available fifteen percent (15%) tax abatement geographic area shall be reserved for industrial and commercial development and ten percent (10%) shall be reserved for individual single family lots.

SECTION 9: Except for applicants for residential tax abatement for developments with less than six (6) living units or buildable lots, all other applicants shall submit a financial impact analysis to the Hobart Common Council as part of the application requirements. Applicants shall submit a financial impact analysis in a form acceptable to the Hobart Common Council prior to final action on the tax abatement application.

SECTION 10: Portions of the city which cannot support additional demand on the existing infrastructure or transportation system shall be determined by the City Engineer and Plan Commission and shall not be eligible for tax abatement unless the applicant shall make such improvements to alleviate the negative condition of the infrastructure or transportation system.

SECTION 11: If an application for residential tax abatement is approved, it shall be approved for either a three (3) year or six (6) year deduction period. A ten (10) year deduction period for residential tax abatement shall not be granted unless a major benefit is realized to the City including, but not limited to, the upgrading of existing utilities or infrastructure or the removal of a significant blighting influence.

SECTION 12: All development proposals considered for tax abatement shall be in conformance with the Comprehensive Master Plan of the City of Hobart and such conformance shall be determined by the Plan Commission. All developments approved for tax abatement shall be in conformance with the Hobart Municipal Code and all city ordinances and failure to achieve such conformance may serve as a basis for revocation of tax abatement approval by the Hobart Common Council.

SECTION 13: All development proposals for tax abatement consideration shall be evaluated for impact on all City services and departments as well as School City services and such determination shall be considered by the Hobart Common Council in their approval or disapproval of such applications. The City of Hobart will develop a system to receive service impact input from the affected parties. A summary of the service impact analysis shall be forwarded to the Hobart Common Council by the Director of Development prior to final action on the tax abatement application.

SECTION 14: Residential and commercial tax abatement for real estate improvements shall be allowed until the total gross tax rate of each City of Hobart taxing district is below 140% of the average of the gross tax rates of the City's primary residential and commercial competition (Portage, Valparaiso, Merrillville, and Crown Point). If this rate is met, residential and commercial tax abatement shall not be allowed. This tax rate requirement shall be evaluated annually and taxing districts shall be added or deleted from eligibility for tax abatement in accordance with this requirement. Applications for industrial tax abatement for real estate improvements and personal property are excluded from this tax rate requirement.

SECTION 15: Because new growth places greater demand on park and recreation resources and the financial ability of the City of Hobart is limited, all recipients of residential tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart Parks Department as a condition of approval of tax abatement. At such time that a building permit is issued by the City, one percent (1%) of the total value of improvements per living unit (based on values as approved on the building permit as established by current State of Indiana Building Valuation Data) and not to exceed One Thousand Dollars (\$1,000.00) shall be paid to the City. These funds shall be deposited in the Park Improvement and Land Acquisition Fund earmarked for park improvements and park land acquisition only and shall not be used to support staff salaries or operation expenses.

SECTION 16: All recipients of commercial and industrial real property tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. At such time that a building permit is issued by the City, one percent (1%) of the total value of the improvements (based on values as approved on the building permit as established by current State of Indiana Building Valuation Data) shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

SECTION 17: All recipients of personal property tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. Upon submission of an invoice from the Clerk-Treasurer and within thirty (30) days from the date of tax abatement approval by the Hobart Common Council, one percent (1%) of the total value of the personal property (based on values as approved on the Statement of Benefits) shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

SECTION 18: Only those tax abatement applications required by State law to have a favorable recommendation from the Economic Development Commission shall be forwarded to the Economic Development Commission prior to consideration by the Hobart Common Council.

SECTION 19: A member of the Hobart Common Council shall serve as the Common Council's appointment to the Economic Development Commission in order to facilitate a better information exchange with the Common Council on all applications and the tax abatement program in general.

SECTION 20: An annual report on the status and impact of the tax abatement program shall be completed by the Director of Development for distribution by March 31 each year to the Mayor, Common Council, Economic Development Commission, Plan Commission and other interested parties.

SECTION 21: Residential tax abatement may be approved for no more than five hundred (500) lots per year. For large developments making use of the permitted "window of opportunity", a pro-rated number of lots shall be applied toward the annual maximum based on market estimates submitted by the developer. Said estimates shall be adjusted based on actual development.

SECTION 22: The Hobart Common Council shall review the policies adopted for tax abatement on an annual basis in order to determine whether modifications are desired or whether State legislative changes mandate modifications.

SECTION 23: If a request for an extension of time to commence construction or complete construction of a development is submitted in writing to the Director of Development and the appropriate fee is paid prior to the expiration of the deadlines previously established by the Hobart Common Council, the Hobart Common Council shall consider such request for the purpose of amendment to its prior action. Such amendment shall be considered

by the Hobart Common Council for approval without the requirement of a public hearing. If a request for an extension of time to commence construction or complete construction of a development is submitted in writing to the Director of Development after the deadlines previously established by the Hobart Common Council have expired, the Hobart Common Council shall not consider such request as an amendment, but shall require that a new tax abatement application be filed with the Hobart Common Council, a new application fee paid, all current policies applied, and a public hearing shall be required.

SECTION 24: "Project initiation" shall mean one of the following activities for a single lot residential development: Issuance of a building permit or application for septic system approval by Lake County. Land clearing shall not constitute "project initiation" for a single lot residential development. For multiple lot/unit residential developments and commercial and industrial developments, "project initiation" shall mean one of the following activities: initiation of installation of the required utilities or infrastructure, or issuance of a building permit. The Hobart Common Council may define other activities which constitute satisfactory project initiation within the language of its declaratory resolution.

SECTION 25: A "window of opportunity" shall be established for each real estate improvement proposed for tax abatement in accordance with the following schedule:

1 - 3 units	1 year window
4 - 19 units	2 year window
20 - 49 units	3 year window
50 - 99 units	4 year window
100 - 299 units	5 year window
300 - 499 units	6 year window
500 - 699 units	7 year window
700 - 899 units	8 year window
900 - 1000 units	9 year window
Over 1000 units	10 year window

The construction of the improvements approved for tax abatement must begin within the window of opportunity time period. Unit shall be defined as living units not building units unless modified by the Hobart Common Council in the declaratory resolution. The Hobart Common Council may also modify the standard window of opportunity time period on a case by case basis.

SECTION 26: No tax abatement application shall be considered by the City of Hobart if the real estate included in the application was part of a tax abatement application which was denied during the prior twelve months.

SECTION 27: A copy of this Resolution shall be provided to potential tax abatement applicants as part of the application package.

SECTION 28: If any section, clause, portion or provision of this Resolution shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not effect the validity of any other section, clause, portion or provision of this Resolution.

SECTION 29: This Resolution shall repeal all prior Resolutions or any part of any Resolution in conflict herewith and this Resolution supersedes all prior tax abatement policy Resolutions, in particular, Resolution No. 94-52 as amended, Resolution No. 98-09, Resolution No. 98-33 and Resolution No. 98-67 which are specifically repealed.

SECTION 30: The tax abatement policies contained in Resolution No. 94-52 as amended and Resolution No. 98-09 shall be applicable to all applications for tax abatement made to the Hobart Common Council after April 30, 1994 and prior to August 19, 1998. The tax abatement policies contained in Resolution No. 98-67 shall be applicable to all applications for tax abatement made to the Hobart Common Council after August 18, 1998 and prior to the effective date of this Resolution. The tax abatement policies contained in this Resolution shall be applicable to all applications for tax abatement made to the Hobart Common Council after the effective date of this Resolution.

SECTION 31: All amendments to previously approved tax abatement resolutions shall be governed by the current tax abatement policies adopted by the Hobart Common Council unless specifically waived by the Hobart Common Council.

SECTION 32: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approval by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

APPROVED AND ENACTED by the Common Council of the City of Hobart, Indiana on the 10th day of December, 1999.


LINDA BUZINEC
Presiding Officer

ATTEST:


RICHARD L. KOBZA
Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, this 1st day of December, 1999, at the hour of 7:59 o'clock p.m.

Richard L. Kobza
RICHARD L. KOBZA
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana, this 1st day of December, 1999.

Linda Buzinec
LINDA BUZINEC
Mayor

ATTEST:

Richard L. Kobza
RICHARD L. KOBZA
Clerk-Treasurer

Resolution 99-79

Resolution 99-79 is a Resolution of the Common Council of the City of Hobart, Indiana Revising the Tax Abatement Program of the City of Hobart.

Mrs. Buzinec explained that Resolution 99-79 established tax abatement policy. Section 3 of that Resolution, on page 2, states: "Tax abatement shall not be approved for a manufactured home". After tonight's work session, there was a consensus to change Section 3 to read: "Tax abatement shall not be considered for a mobile, manufactured or modular home, but shall be considered for a site built home." This was a recommendation and if anyone wishes to vote on it at this time they may.

Mr. Claussen commented that he is in favor of taking each tax abatement application on a case-by-case basis.

Common Council - October 2, 2002

4

Motion by Mrs. Juzwicky, seconded by Mrs. Wiley, to amend Section 3 of Resolution 99-79 as stated above. Roll Call Vote: Aye: Mrs. Wiley, Mrs. Galka, Mr. Ellenberger, Mrs. Juzwicky and Mr. Johnston. Nay: Mr. Claussen. Motion carried by a vote of five in favor and one opposed. (5-1)

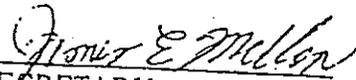
Announcements

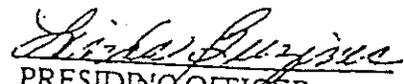
Mrs. Wiley commented that the Eagles parking lot is being used as a truck parking lot on weekends. "No Parking" signs are posted but are not being enforced.

Mrs. Buzinec responded that she will relay this information to Code Enforcement.

Adjournment

Motion by Mr. Claussen, seconded by Mr. Johnston, to adjourn the meeting. All aye, motion carried. (6-0)


SECRETARY


PRESIDING OFFICER

Common Council - October 16, 2002

5

RESOLUTION 2007- 10

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
HOBART, INDIANA, AMENDING RESOLUTION NO. 99-79
TO REVISE POLICIES FOR THE PROPERTY TAX
ABATEMENT PROGRAM OF THE CITY OF HOBART

WHEREAS, on October 19, 2005, the Common Council of the City of Hobart, Indiana, voted to suspend multi-lot residential property tax abatement with the exception of single in-fill residential lot applications which would be considered at the Council's discretion; and

WHEREAS, on October 2, 2006, February 7, 2007, and February 21, 2007, the Common Council of the City of Hobart, Indiana, met in work sessions to seek input from the public about the impacts of the property tax abatement program and the suspension of the multi-lot residential tax abatement program; and

WHEREAS, on February 21, 2007, the Common Council of the City of Hobart, Indiana, passed a motion to reinstate the multi-lot residential property tax abatement program under certain circumstances that meet specific objectives deemed desirable by the Common Council; and

WHEREAS, there is a need to revise the current policies adopted in Resolution 99-79 to reflect the Common Council's desires in regard to multi-lot residential property tax abatement applications;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana, that the below policies be amended or added to the property tax abatement program as follows:

SECTION 1: Replace Section 15 of Resolution 99-79 in its entirety to read as follows:

Because new growth places greater demand on park and recreation resources as well as other City services and the financial resources of the City of Hobart are limited, all recipients of residential property tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart as a condition of approval of property tax abatement. At such time that a building permit is issued by the City, a lump sum of \$1,250.00 shall be paid to the City per living unit. From this lump sum, \$600.00 shall be deposited in the Park Improvement and Land Acquisition Fund and \$650.00 shall be deposited in the City Enhancement and Improvement Fund. Neither fund shall be used to support staff salaries of operation expenses.

SECTION 2: Replace Section 4 of Resolution 99-79 in its entirety to read as follows:

Residential property tax abatement shall be considered for a single infill lot. Residential property tax abatement shall be considered for other residential development only if said residential development is found to be an asset to the City of Hobart and is found to have a minimal impact on City services. Developers of multi-lot residential property tax abatement proposals shall be required to submit responses to the EDC and Common Council in answer to the following questions which reflect Hobart's criteria for sustainable neighborhoods.

1. What are the unique benefits of the development to Hobart?
2. What forms of lifestyle amenities will be incorporated into the development?
(examples: trails, pavers, character lighting, water features, etc.)

3. What mechanisms will be in place to diversify housing within the development?
(examples: size, type, architecture, floor plan, builder, etc.)
4. What considerations will be implemented to minimize impacts to City services?
(examples: more years for street light maintenance bond, private plowing service, private garbage pick-up, etc.)
5. What is the difference in the price point of the surrounding homes compared to the price point of the proposed homes?
6. What environmental considerations will be implemented in the development?
(examples: riparian corridor protection, innovative storm water management, encouragement of native plant species, environmental awareness programs, etc.)
7. What initiatives will be undertaken for compatibility with adjacent property?
8. What ways will the proposed residential development exceed conventional development standards set by the City's zoning and subdivision ordinances?

SECTION 3: Replace Section 3 in its entirety to read as follows:

Property tax abatement shall not be considered for a mobile, manufactured or modular home, but shall be considered for a site built home.

SECTION 4: New Section 28 to Resolution 99-79 shall read as follows:

The City Council shall require the execution of a Development Agreement between the developer of a multi-lot residential development and the City of Hobart. The Development Agreement shall contain terms and conditions deemed necessary by the Common Council, Economic Development Commission, Plan Commission, and Board of Public Works and Safety. Any costs associated with the creation and execution of such Development Agreement shall be borne by the developer and shall be payable to the City upon billing.

SECTION 5: New Section 29 to Resolution 99-79 shall read as follows:

The developer of a multi-lot residential development that receives tax abatement approval shall submit to more frequent compliance reviews with the Common Council. The frequency of such reviews shall be contained within the Development Agreement.

SECTION 6: New Section 30 to Resolution 99-79 shall read as follows:

Tax abatement shall not be allowed for homes or living units that are advertised or offered by the developer or a builder as "rent to own" or are proposed in any way to be rental property in a multi-lot residential development that was portrayed by the developer during the approval process to be owner occupied.

SECTION 7: New Section 31 to Resolution 99-79 shall read as follows:

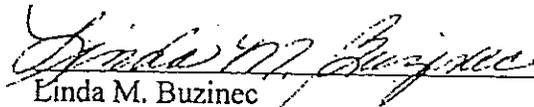
These policies shall be applied to all applications for multi-lot residential development submitted to the City after February 21, 2007.

SECTION 8: Existing Sections 28, 29, 30, 31, and 32 of Resolution 99-79 shall be renumbered as 32, 33, 34, 35, and 36.

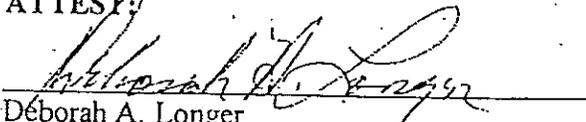
SECTION 9: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Lake County, Indiana on the

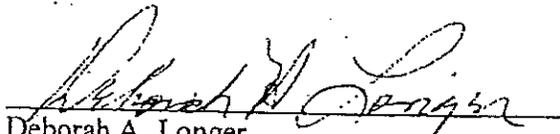
4th day of April, 2007, by a vote of 6 in favor and 0 opposed.


Linda M. Buzinec
Presiding Officer

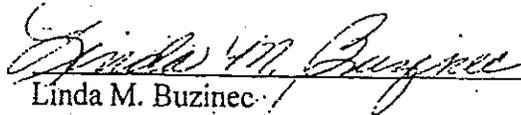
ATTEST:


Deborah A. Longer
Clerk-Treasurer

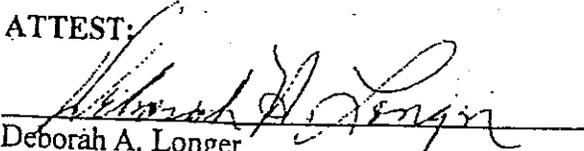
PRESENTED by me to Mayor of the City of Hobart, Indiana, on the 4th day of
April, 2007 at 6:14 a.m./p.m.


Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Lake
County, Indiana this 4th day of April, 2007.


Linda M. Buzinec
Mayor

ATTEST:


Deborah A. Longer
Clerk-Treasurer

RESOLUTION 2007-39

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF HOBART, INDIANA, AMENDING RESOLUTION 99-79,
AS AMENDED BY RESOLUTION 2007-10, TO REVISE POLICIES
FOR THE PROPERTY TAX ABATEMENT PROGRAM
OF THE CITY OF HOBART, INDIANA

WHEREAS, the Common Council adopted Resolution 99-79 on the 1st day of December, 1999 as revised policies for the tax abatement program; and

WHEREAS, the Common Council subsequently adopted Resolution 2007-10 on the 4th day of April, 2007, revising certain portions of Resolution 99-79 related to policies for the tax abatement program; and

WHEREAS, the Common Council sees a need for further revision of the tax abatement policies related to the exaction fees for commercial and industrial real property and personal property;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana that Resolution 99-79, as amended by Resolution 2007-10, be further amended as follows:

Section 1: That Section 16 of Resolution 99-79 be replaced in its entirety as follows:

All recipients of commercial and industrial real property tax abatement shall be required to pay a one-time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. At such time that a building permit is issued by the City, an exaction fee, calculated in accordance with the below table shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

<u>Total Value of Real Property Improvements *</u>	<u>Percentage of Exaction Fee</u>
Up to \$1,000,000	one-third percent (1/3%)
Up to \$5,000,000	two-thirds percent (2/3%)
Over \$5,000,000	full one percent (1%)

* based on values as approved on the building permit as established by current State of Indiana Building Valuation Data

If a business has been established in the City of Hobart for over ten years and is expanding its operation by virtue of the real property improvements, the Common Council may choose to reduce the fee to the next lower category.

Section 2: That Section 17 of Resolution 99-79 be replaced in its entirety as follows:

All recipients of personal property tax abatement shall be required to pay a one-time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. Upon submission of an invoice from the Clerk-Treasurer and within thirty (30) days from the date of the abatement approval by the Hobart Common Council, an exaction fee, calculated in accordance with the below table shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

<u>Total Value of Personal Property Improvements *</u>	<u>Percentage of Exaction Fee</u>
Up to \$1,000,000	one-third percent (1/3%)
Up to \$5,000,000	two-thirds percent (2/3%)
Over \$5,000,000	full one percent (1%)

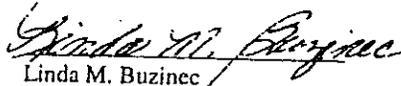
* based on values as approved on the Statement of Benefits

If a business has been established in the City of Hobart for over ten years and is expanding its operation by virtue of the personal property improvements, the Common Council may choose to reduce the fee to the next lower category.

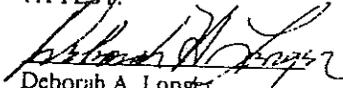
Section 3: This amendment to the Section 16 and 17 of Resolution 99-79, respectively, shall not be considered retroactive and shall not apply to any prior tax abatement approvals where the exaction fee has been imposed under the policies of Resolution 99-79 in its original form or as amended by Resolution 2007-10.

Section 4: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

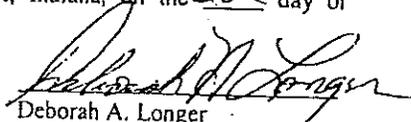
PASSED and ADOPTED by the Common Council of the City of Hobart, Lake County, Indiana on this 20th day of November, 2007, by a vote of 7 in favor and 0 opposed.


Linda M. Buzinec
Presiding Officer

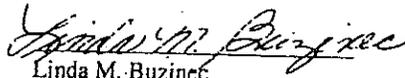
ATTEST


Deborah A. Longer
Clerk-Treasurer

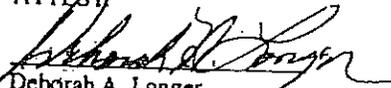
PASSED by me to the Mayor of the City of Hobart, Indiana, on the 20th day of November, 2007 at 6:04 p.m.


Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED and RETURNED by me to the Common Council of the City of Hobart, Lake County, Indiana, this 20th day of November, 2007.


Linda M. Buzinec
Mayor

ATTEST


Deborah A. Longer
Clerk-Treasurer

RESOLUTION 2008- 04

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
HOBART, INDIANA, AMENDING RESOLUTION NO. 99-79
TO REVISE POLICIES FOR THE PROPERTY TAX
ABATEMENT PROGRAM OF THE CITY OF HOBART**

WHEREAS, on January 23, 2008, the Ordinance Committee of the Common Council of the City of Hobart, Indiana, met to discuss the elimination of the residential property tax abatement program; and

WHEREAS, on January 23, 2008, the Director of Development presented information (refer to Exhibit "A" attached to this resolution) to the Ordinance Committee in regard to Section 14 of Resolution 99-79 which showed that the tax rates for the four Hobart taxing units (#27, #37, #42, and #43) were now below 140% of the average gross tax rate of the competing communities of Portage, Crown Point, Merrillville, and Valparaiso using 2006/pay 2007 tax rate data for the computations;

WHEREAS, the Ordinance Committee of the Common Council of the City of Hobart, Indiana, determined that the above analysis indicated that abatement is no longer allowed under their current policy for any applicants other than industrial applicants or those seeking personal property abatement; and

WHEREAS, the Common Council of the City of Hobart, Indiana, desires to still allow commercial abatement applications; and

WHEREAS, the Common Council of the City of Hobart desires to still allow consideration of residential abatement applications for only those applicants who are currently in the process of seeking such approval via payment of the application fee and submission of the application to Director of Development; and

WHEREAS, there is a need to revise the current policies adopted in Resolution 99-79 to reflect the Common Council's desires in regard to commercial property tax abatement applications;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana, that the below policies be amended or added to the property tax abatement program as follows:

SECTION 1: Replace Section 14 of Resolution 99-79 in its entirety to read as follows:

Residential tax abatement for real estate improvements shall be allowed until the total gross tax rate of each City of Hobart taxing district is below 140% of the average of the gross tax rates of the City's primary residential competition (Portage, Valparaiso, Merrillville, and Crown Point). If this rate is met, residential tax abatement shall not be

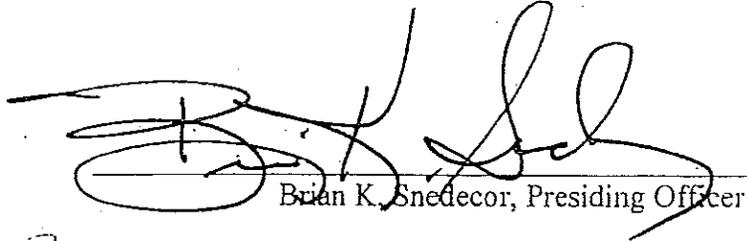
allowed. This tax rate requirement shall be evaluated annually and taxing districts shall be added or deleted from eligibility for tax abatement in accordance with this requirement. Applications for commercial and industrial real estate improvements and personal property are excluded from this tax rate requirement.

SECTION 2: Any applications for residential tax abatement that have been filed with the Director of Development prior to the date of the adoption of this resolution shall still be considered for approval by the Common Council of the City of Hobart, Indiana.

SECTION 3: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Lake County, Indiana on the

20th day of FEBRUARY, 2008, by a vote of 7 in favor and 0 opposed.



Brian K. Snedecor, Presiding Officer

ATTEST:



Deborah A. Longer
Clerk-Treasurer

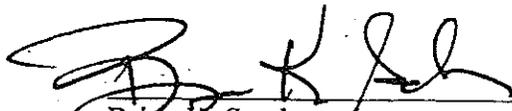
PRESENTED by me to Mayor of the City of Hobart, Indiana, on the 20th day of FEBRUARY, 2008 at 10:15 a.m./p.m.



Deborah A. Longer
Clerk-Treasurer

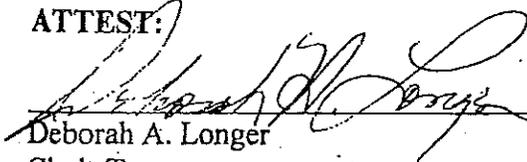
APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Lake

County, Indiana this 20th day of FEBRUARY, 2008.



Brian K. Snedecor
Mayor

ATTEST:



Deborah A. Longer
Clerk-Treasurer

RESOLUTION 2008-15

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA,
AMENDING RESOLUTION NO 2008-04 AND AMENDING RESOLUTION 99-79 AS
AMENDED TO REVISE POLICIES FOR THE PROPERTY TAX ABATEMENT PROGRAM
OF THE CITY OF HOBART, INDIANA.

WHEREAS, there have been ongoing discussions by the Common Council regarding an effort to revitalize the downtown business district in the City of Hobart; and

WHEREAS, the Common Council of the City of Hobart desires to continue to allow commercial abatement applications to be considered throughout the City; and

WHEREAS, the Common Council sees a need to revise the current policies as adopted in Resolution 99-79 and Resolution 2008-04 to reflect the Council's desire in regard to residential abatement applications in a B-2 (Central Business District) zone;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana, that the policy below be amended or added to the property tax abatement program as follows:

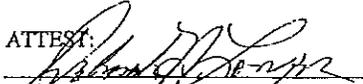
Section 1: Replace Section 14 of Resolution 99-79 (as Amended) in its entirety to read as follows:

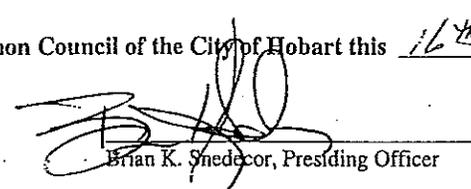
Residential tax abatement for real estate improvements shall be allowed until the total gross tax rate of each City of Hobart taxing district is below 140% of the average of the gross tax rates of the City's primary residential competition (Portage, Valparaiso, Merrillville, and Crown Point). If this rate is met, residential tax abatement shall not be allowed. This tax rate requirement shall be evaluated annually and taxing districts shall be added or deleted from eligibility for tax abatement in accordance with this requirement. Applications for commercial and industrial real estate improvements and personal property are excluded from this tax rate requirement. *In areas zoned B-2 (Central Business District), applications for tax abatement for residential abatement, except those for single-family homes, are also excluded from this tax rate requirement.*

Section 2: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

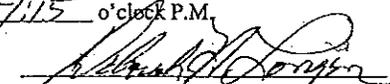
PASSED and ADOPTED by the Common Council of the City of Hobart this 16th day of July, 2008.

ATTEST:

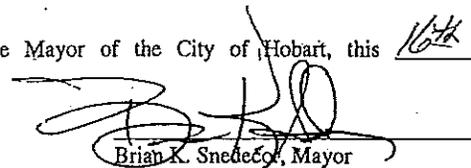

Deborah A. Longer, Clerk-Treasurer


Brian K. Snedecor, Presiding Officer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 16th day of July, 2008 at 7:15 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 16th day of July, 2008.


Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

RESOLUTION 2008-16

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA, AMENDING RESOLUTION 99-79, AS AMENDED BY RESOLUTION 2007-10 AND RESOLUTION 2007-39, TO REVISE POLICIES FOR THE PROPERTY TAX ABATEMENT PROGRAM OF THE CITY OF HOBART, INDIANA

WHEREAS, the Common Council adopted Resolution 99-79 on the 1st day of December, 1999 as revised policies for the tax abatement program; and

WHEREAS, the Common Council subsequently adopted Resolution 2007-10 on the 4th day of April, 2007, amending certain portions of Resolution 99-79 related to policies for the tax abatement program; and

WHEREAS, the Common Council subsequently adopted Resolution 2007-39 on the 20th day of November, 2007, amending certain portions of Resolution 99-79 related to policies for the tax abatement program; and

WHEREAS, the Common Council sees a need for further revision of the tax abatement policies related to the exaction fees for commercial and industrial real property and personal property.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana that Resolution 99-79, as amended by Resolution by 2007-10 and Resolution 2007-39, be further amended as follows:

Section 1. Section 16 of Resolution 99-79 shall be replaced in its entirety as follows:

All recipients of commercial and industrial real property tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. At such time that a building permit is issued by the City, one percent (1%) of the total value of the improvements (based on values as approved on the building permit as established by current State of Indiana Building Valuation Data) shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

Section 2. Section 17 of Resolution 99-79 shall be replaced in its entirety as follows:

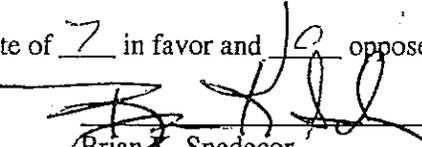
All recipients of personal property tax abatement shall be required to pay a one time, lump sum fee to the City of Hobart as a condition of approval of tax abatement. Upon submission of an invoice from the Clerk-Treasurer and within thirty (30) days from the date of tax abatement approval by the Common Council, one percent (1%) of the total value of the personal property (based on values as approved on the Statement of Benefits) shall be paid to the City. These funds shall be deposited in the City Enhancement and Improvement Fund and shall not be used to support staff salaries or operation expenses.

Section 3. These amendments to Sections 16 and 17 of Resolution 99-79 shall not be considered retroactive and shall not apply to any prior tax abatement approvals

for which the exaction fee had been imposed under the policies of Resolution 99-79 in its original form as amended by Resolution 2007-39.

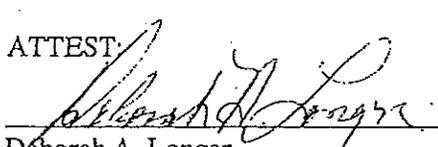
Section 4. Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Indiana on this 6th day of AUGUST, 2008, by a vote of 7 in favor and 0 opposed.



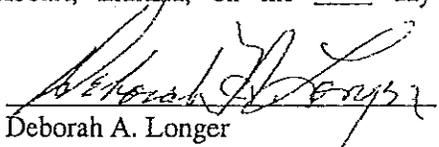
Brian K. Snedecor
Presiding Officer

ATTEST:



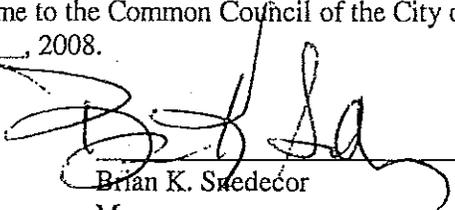
Deborah A. Longer
Clerk-Treasurer

PASSED by me to the Mayor of the City of Hobart, Indiana, on the 6th day of AUGUST, 2008, at 7:20 p.m.



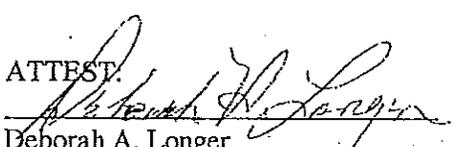
Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED and RETURNED by me to the Common Council of the City of Hobart, Indiana, this 6th day of AUGUST, 2008.



Brian K. Snedecor
Mayor

ATTEST:



Deborah A. Longer
Clerk-Treasurer

RESOLUTION NO. 2014- 03

A Resolution to Provide for Project Labor Agreements In Certain Construction Projects Receiving Economic Incentives from the City of Hobart

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") previously adopted Resolution 99-79 which, in part, allowed the Council to require "clawback" agreements between the City and the recipient of industrial and commercial real property tax abatement or personal property tax abatement, such agreement to be executed prior to the Council's final action on tax abatement approval and containing terms and conditions under which the City may recover from the recipient any real property and personal property taxes which were abated during the tax abatement deduction period; and

WHEREAS, the Council subsequently adopted Ordinance No. 2003-11 which requires Project Labor Agreements for all public works construction, alteration and repair projects on City-owned property; and

WHEREAS, the Council has determined that it is in the best interest of the City's economic health and welfare to allow for the execution of Project Labor Agreements for certain new construction projects performed on property granted tax abatements; and

WHEREAS, the Council desires to declare the policy of the City to allow for such agreements under the circumstances outlined below, and to make such policy effective through this Resolution.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Commencing with projects described in Section Five below, the Common Council may require the execution of a Project Labor Agreement (PLA) between the recipient of industrial and commercial real property tax abatement or personal property tax abatement and applicable labor organizations as determined by the Council. If required by the Council, the PLA shall be executed after final Council action on tax abatement approval. The requirement for execution of a PLA will be noted under item "G" ("Other limitations or conditions (specify)") of page two of State Form SB-1 (Statement of Benefits Personal Property or Statement of Benefits Real Estate Improvements).

SECTION TWO: In determining whether to require a PLA in each case, the Council will consider, among any other factors it deems relevant, whether a PLA would be helpful in assuring an adequate supply of skilled labor for the project, whether a PLA will likely avoid the effects of work stoppages due to imminent labor organization negotiations and job actions, whether the PLA is necessary in view of a recipient's prior history of cooperation with the City or

labor organizations, and whether a PLA will have a positive or negative effect on the economic viability of the project. The Council may exempt certain trades from a required PLA in its sound discretion.

SECTION THREE: The Council shall direct the Clerk-Treasurer to give reasonable written or e-mailed notice of the public hearing on a pending real or personal property tax abatement for industrial and commercial applications to the Northwest Indiana Building and Construction Trades Council.

SECTION FOUR: For those projects in which the Council has required the execution of a PLA, the Building Commissioner of the City shall not issue any building permit for the project unless a copy of the executed PLA is attached to and made a part of the permit application.

SECTION FIVE: The policy declared herein shall apply to all projects for which an abatement application has not yet been filed as of the date of this Resolution's adoption.

SECTION SIX: Nothing in this Resolution shall be interpreted as amending and repealing any provision of Resolution 99-79 or of Ordinance Number 2003-11. All other resolutions in effect prior to the effective date and in conflict with the provisions of this Resolution are hereby repealed.

ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 19th day of March, 2014.

PRESIDING OFFICER

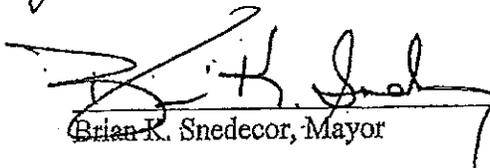
ATTEST:

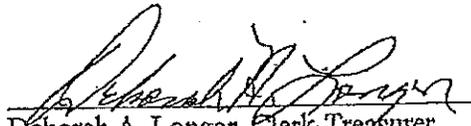
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of March, 2014 at the hour of 7:30 pm.

Deborah A. Longer, Clerk-Treasurer

94 APPROVED, EXECUTED and RETURNED by me to the Common Council of
95 the City of Hobart on this 20th day of MARCH, 2013.
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100 Brian K. Snedecor, Mayor

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102
103 ATTEST: 
104 Deborah A. Longer, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

RESOLUTION NO. 2014 - 26

A Resolution to Amend Resolution No. 2014-03 to add an Item Reference on Page Two of State Form SB-1/Real Property

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") previously adopted Resolution 2014-03 which, in part, allowed the Council to require project labor agreements (PLA) between the recipient of industrial and commercial real property tax abatement or personal property tax abatement, and applicable labor organizations as determined by the Council; and

WHEREAS, the Council desires to amend Resolution 2014-03 to make reference to the correct item on Page Two of State Form SB-1/Real property.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: The requirement for execution of a PLA for abatement of real property improvements will be noted under item "D" ("Other limitations or conditions (specify)") on page two of State Form SB-1/Real Property (Statement of Benefits Real Estate Improvements).

ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 19th day of November, 2014.

ATTEST: Deborah A. Longer
DEBORAH A. LONGER, Clerk-Treasurer

[Signature]
PRESIDING OFFICER

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of November, 2014 at the hour of 7:00 pm.

Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Lake County, Indiana on this 21st day of November, 2014.

[Signature]
Brian K. Snedcor, Mayor

ATTEST: Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer
Clerk-Treasurer



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51787 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

20__ PAY 20__

FORM SB-1 / Real Property

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer		
Address of taxpayer (number and street, city, state, and ZIP code)		
Name of contact person	Telephone number ()	E-mail address

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number	
Location of property	County	DLGF taxing district number
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary)	Estimated start date (month, day, year)	
	Estimated completion date (month, day, year)	

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values		
Plus estimated values of proposed project		
Less values of any property being replaced		
Net estimated values upon completion of project		

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
Other benefits	

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed (month, day, year)
Printed name of authorized representative	Title

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (*see below*). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (*specify*) _____
- E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (<i>signature and title of authorized member of designating body</i>)	Telephone number ()	Date signed (<i>month, day, year</i>)
Printed name of authorized member of designating body	Name of designating body	
Attested by (<i>signature and title of attester</i>)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17
Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

RESOLUTION NO. 2018- 03

**A Resolution to Amend Resolution Number 99-79 as Previously Amended
Concerning Property Tax Abatement Policies of the City Of Hobart**

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") desires to provide recipients of property tax incentives for industrial development with specific requirements for future compliance with commitments made to the City and recovery of lost tax revenue for failure to comply; and

WHEREAS, it is necessary and desirable that the terms related to such future compliance be memorialized in a Development Agreement between the City and such recipient of incentives for industrial development, and that such Agreement contain provisions providing for recovery of lost property taxes by the City for non-compliance.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Section 5 of Resolution No.99-79, as amended, is hereby stricken in its entirety and the following new section is inserted in lieu thereof as follows:

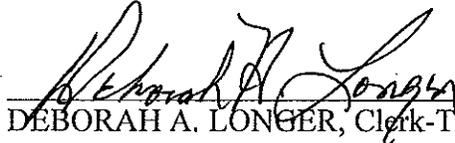
Section 5. All recipients of industrial real or personal property tax abatement incentives shall execute a Development Agreement with the City of Hobart which shall contain those terms necessary to protect the City of Hobart and assure compliance with commitments made to the City as a condition of the grant of such incentives. The Common Council may require that the Agreement contain a "clawback" provision under which the City may recover from the recipient any real property and personal property taxes which were abated during the tax abatement deduction period for the violation of one or more than one of the compliance terms stated in the Agreement.

SECTION TWO: All other provisions of Resolution No. 99-79 as previously amended which are not amended by this Resolution remain in full force and effect.

SECTION THREE: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 21st day of March, 2018.

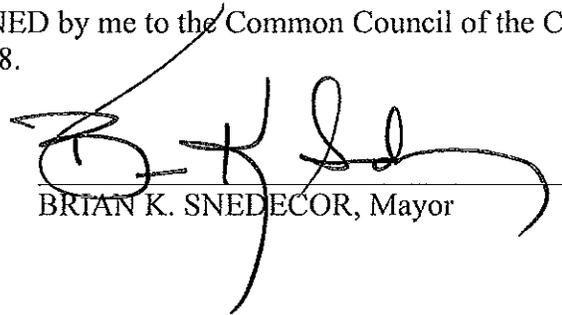

BRIAN K. SNEDECOR, Presiding Officer

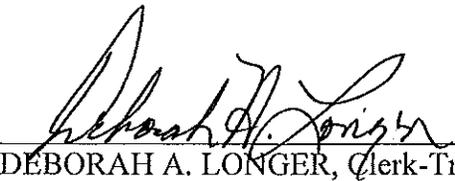
ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 21st day of March, 2018 at the hour of 6:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 21st day of March, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

RESOLUTION NO. 2018- 04

A Resolution to Revise the Policy Governing the Property Tax Abatement Program of the City of Hobart, Indiana

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") desires to increase residential housing development within the City; and

WHEREAS, the Council has previously adopted Resolution Nos. 2008-04, 2008-15 and 99-79, all of which have been previously amended, and which established, among other policies, a prohibition, now in effect, of eligibility for residential property tax abatement for certain taxing districts based on their prevailing tax rates; and

WHEREAS, after due consideration and discussion concerning the effectiveness of said prohibition by the Council and its Tax Abatement Committee ("Committee"), the Committee and Council desire to eliminate the current rule requiring that a district's tax rate be less than 140% of the average of the gross tax rates of the communities which are the City's primary competitors for residential development; and

WHEREAS, the Committee and the Council intend that through this change in policy, the entire City will be eligible for residential property tax abatement.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Resolution Number 2008-15 is hereby amended by striking out the language in Section 1 and inserting in lieu thereof the following new language:

Section 1. Residential, commercial, and industrial tax abatements for real property improvements shall be allowed in each of the City of Hobart's taxing districts. Industrial tax abatements for eligible personal property improvements shall be allowed in each of the City of Hobart's taxing districts.

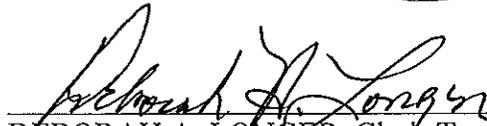
SECTION TWO: All other provisions of Resolution No. 2008-15 as previously amended which are not amended by this Resolution remain in full force and effect.

SECTION THREE: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

2018

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 21st day of March, 2018.

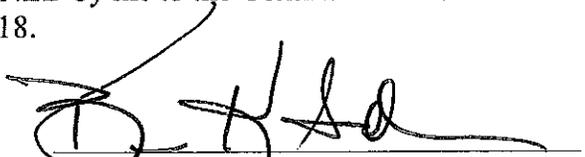

BRIAN K. SNEDECOR, Presiding Officer

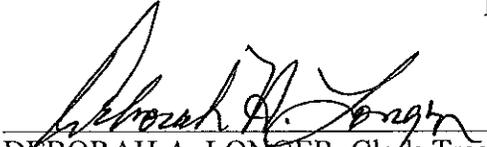
ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 21st day of March, 2018 at the hour of 6:45 p.m.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 21st day of March, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

RESOLUTION NO. 2018- 05

**A Resolution to Establish a Policy Governing Vacant Building Deductions
in Certain Areas of the City**

WHEREAS, the Common Council (“Council”) of the City of Hobart (“City”) desires to provide an economic incentive for the sale or business occupation of eligible vacant buildings within the area of zoning classification B-2 (Central Business District); and

WHEREAS, the owner of an eligible vacant building located in an economic revitalization area is entitled to a deduction from the assessed value of the building if the property owner or a tenant of the property owner occupies the eligible vacant building and uses it for commercial or industrial purposes pursuant to I.C. §6-1.1-12.1-4.8; and

WHEREAS, an eligible vacant building is defined under I.C. §6-1.1-12.1-1 (17) as follows: a building that is zoned for commercial or industrial purposes; and is unoccupied for at least one (1) year before the owner of the building or a tenant of the owner occupies the building, as evidenced by a valid certificate of occupancy, paid utility receipts, executed lease agreements, or any other evidence of occupation that the Indiana Department of Local Government Finance requires; and

WHEREAS, an abatement of real estate taxes on vacant buildings will provide an economic incentive to encourage the reuse of vacant buildings and the Council desires to establish its policy for the grant of such vacant building deductions through this Resolution; and

WHEREAS, the Council requests that the Hobart Redevelopment Commission provide a recommendation as to whether a vacant building deduction should be granted, and the amount and duration of the deduction, in all cases in which an application for such deduction is made to the City.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: A vacant building deduction for eligible vacant buildings within the area zoned B-2 (Central Business District) may be granted for a three (3) year period at a deduction schedule of 100% per each of the three years or other deduction schedule percentage and duration as determined to be appropriate by the Council and allowed by law.

SECTION TWO: The Hobart Redevelopment Commission will provide a recommendation to the Council as to whether a vacant building deduction should be granted, and the amount and duration of the deduction, in all cases in which an application for such deduction is made to the City.

SECTION THREE: Since an emergency exists for the immediate taking effect of this Resolution, the same shall be in full force and effect from and after its passage and approved by the Mayor of the City of Hobart or as soon thereafter as provided for by law.

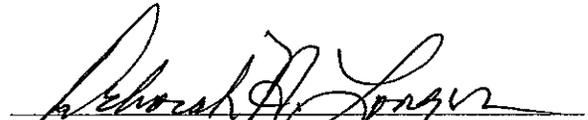
PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 21st day of March, 2018.


BRIAN K. SNEDECOR, Presiding Officer

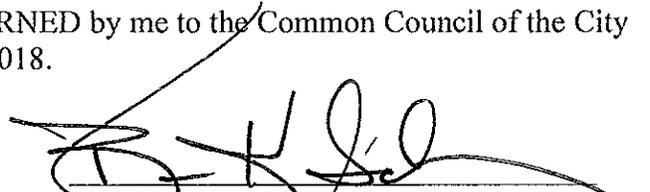
ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

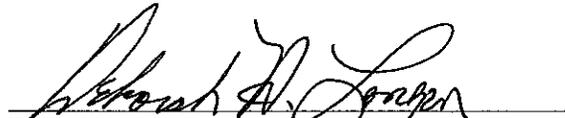
PRESENTED by me to the Mayor of the City of Hobart on the 21st day of March, 2018 at the hour of 6:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 21st day of March, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

Resolution Number 2019- 36

1003



A Resolution Amending Resolution No. 2015-15 to Provide for the Requirement of Responsible Bidding in Certain Construction Projects Receiving Economic Incentives from the City of Hobart

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) previously adopted Resolution 2015-15 which, in part, allowed the Council to require Responsible Bidding practices on new construction for the recipient of industrial and commercial real property tax abatement or personal property tax abatement; and

WHEREAS, the Council subsequently adopted Ordinance 2015-28 which requires Responsible Bidding of all public works construction, alteration and repair projects on City owned property; and

WHEREAS, the Council has determined that it is in the best interest of the City’s economic health and welfare to require Responsible Bidding for certain new construction projects performed on property granted tax abatements; and

WHEREAS, the Council desires to declare the policy of the City to allow for such Responsible Bidding under the circumstances outlined below, and to make such policy effective through this Resolution.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart as follows:

SECTION ONE: Commencing with projects described in Section Five below, the Common Council shall require, unless a project is specifically exempted by Resolution, the contractor performing new construction for the recipient of industrial and commercial real property tax abatement or personal property tax abatement to complete the requirements for Responsible Bidding in the same way, as though they were bidding on a City project as specified in Ordinance No. 2015-28. Unless exempted by the Council, the Responsible Bidding requirements shall be completed after final Council action on tax abatement approval. The requirement for Responsible Bidding will be noted under item “D” (“Other limitations or conditions (specify)”) of page two of State Form SB-1 (Statement of Benefits Personal Property or Statement of Benefits Real Estate Improvements).

SECTION TWO: In determining whether to exempt a project from Responsible Bidding in each case, the Council will consider, among any other factors it deems relevant, whether Responsible Bidding would be helpful in assuring an adequate supply of skilled labor for the project, whether requiring Responsible Bidding is necessary in view of a recipient’s prior history of cooperation with the City or labor organizations, and whether requiring Responsible Bidding will have a positive or negative effect on the economic viability of the project. The Council may exempt certain requirements from the required Responsible Bidding in its sound discretion.

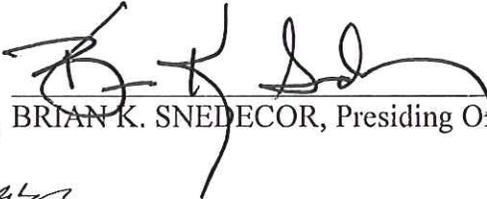
SECTION THREE: The Council shall direct the Clerk-Treasurer to give reasonable written or e-mailed notice of the public hearing on a pending real or personal property tax abatement for industrial and commercial applications to the Northwest Indiana Building and Construction Trades Council.

SECTION FOUR: For those projects which have not been exempted from the completion of Responsible Bidding by the project contractor, the Building Commissioner of the City shall not issue any building permit for the project if the completed required Responsible Bidding documents have not been filed with the City. The process for managing, tracking and verifying submitted Responsible Bidding documents shall be established by the Clerk-Treasurer and the Building Commissioner.

SECTION FIVE: The policy declared herein shall apply to all projects for which a Confirming Resolution for an abatement application has not yet been approved by the Council as of the date of this Resolution adoption.

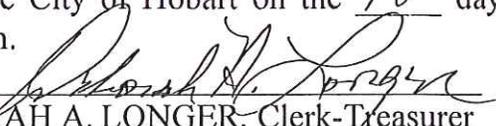
SECTION SIX: Noting in this Resolution shall be interpreted as amending and repealing any provision of Resolution 99-79 or of Ordinance Number 2003-11. All other resolutions in effect prior to the effective date and in conflict with the provisions of this Resolution are hereby repealed.

ALL OF WHICH is ADOPTED AND APPROVED by the Common Council of the City of Hobart, Indiana on this 18th day of December, 2019.


BRIAN K. SNEDECOR, Presiding Officer

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 18th day of December, 2019 at the hour of 7:15 a.m./p.m.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 18th day of December, 2019.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

ORDINANCE NO: 98-28

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF
HOBART, INDIANA REVISING FEES AND PUBLIC NOTICE
PROCEDURES FOR THE TAX ABATEMENT PROGRAM OF THE CITY OF HOBART

WHEREAS, the Hobart Common Council reviews requests for tax abatement in the City of Hobart which are forwarded by recommendation from the Economic Development Commission; and

WHEREAS, it is in the best interest of the citizens of the City of Hobart that a written application accompany each request for tax abatement to assist the Common Council in its review of the request for tax abatement; and

WHEREAS, the City of Hobart incurs administrative expenses, including but not limited to, the time of its employees to process tax abatement applications; and

WHEREAS, the Hobart Common Council deems it appropriate that the applicants bear said administrative expenses for processing of tax abatement applications; and

WHEREAS, the Hobart Common Council originally established a tax abatement application fee by adoption of Ordinance No. 93-18 as amended on May 5, 1993; and

WHEREAS, the Hobart Common Council established a limitation on reapplication of denied tax abatement applications by adoption of Ordinance No. 94-42 on June 1, 1994; and

WHEREAS, the Hobart Common Council revised the tax abatement application fees by adoption of Ordinance No. 95-45 on August 16, 1995; and

WHEREAS, the Hobart Common Council established tax abatement amendment fees by adoption of Ordinance No. 96-05 on February 21, 1996 and adoption of Ordinance No. 97-03 on March 19, 1997; and

WHEREAS, the Hobart Common Council deems it necessary to combine all tax abatement fee ordinances into one ordinance and also to establish a tax abatement public notice fee and procedure;

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

SECTION 1: Application Fee. There shall hereinafter be collected by the Clerk-Treasurer of the City of Hobart an application fee as set forth in the schedule below to be paid by every applicant for tax abatement at the time the application for tax abatement is filed unless the fee is reduced as hereinafter provided. The expense of providing legal notice for the Hobart Common Council public hearing shall be included in the application fee set forth in the schedule below.

SECTION 2: Amendment Fee. There shall hereinafter be collected by the Clerk-Treasurer of the City of Hobart an amendment fee as set forth in the schedule below to be paid by every applicant seeking an amendment to the tax abatement declaratory resolution, ordinance or confirmatory resolution.

SECTION 3: Public Notice Fee. There shall hereinafter be collected by the Clerk-Treasurer of the City of Hobart a public notice fee as set out in the schedule below to be paid by every applicant for tax abatement at the time the application for tax abatement is filed.

SECTION 4: Fee Schedule. The tax abatement fee schedule shall be as follows:

Application Fee for one (1) residential living unit:	\$150.00
Application Fee for more than one (1) residential living unit:	\$200.00
Application Fee for commercial or industrial project:	\$200.00
Amendment Fee:	\$200.00
Public Notice Fee:	\$ 30.00

SECTION 5: Deposit of Fees. All application fees and public notice fees collected pursuant to this Ordinance shall be deposited into the following designated funds of the City of Hobart, unless otherwise provided for by law: Twenty Dollars (\$20.00) shall be deposited into the legal advertising account; Twenty Dollars (\$20.00) shall be deposited into the public notice refund account; the balance shall be deposited into the non-reverting fund for local economic development purposes. All amendment fees collected pursuant to this Ordinance shall be deposited into the non-reverting fund for local economic development purposes.

SECTION 6: Public Notice Procedure. Upon receipt of a favorable recommendation from the Economic Development Commission, each applicant for tax abatement shall be provided a sign frame and sign indicating notice of the date, place and time of the Hobart Common Council public hearing on the application. Said sign with notice of the date, place and time of the Hobart Common Council public hearing shall be placed by the applicant in a conspicuous location on the property and maintained at said location for ten calendar (10) days prior to the Hobart Common Council public

hearing. An affidavit verifying that said actions have been completed shall be submitted to the Hobart Common Council prior to the public hearing. The sign shall read as follows:

NOTICE: A PUBLIC HEARING ON AN APPLICATION FOR TAX ABATEMENT FOR REAL ESTATE IMPROVEMENTS OR PERSONAL PROPERTY PROPOSED FOR THIS PROPERTY WILL BE HELD BEFORE THE HOBART COMMON COUNCIL ON _____ AT 7:30 P.M. IN THE COMMON COUNCIL CHAMBERS, HOBART CITY HALL, 414 MAIN STREET, HOBART, INDIANA.

SECTION 7. Nonrefundable Fees. Except as provided below, all fees paid pursuant to this Ordinance are one-time, nonrefundable fees regardless of whether the Economic Development Commission or Hobart Common Council take favorable or unfavorable action on the tax abatement application.

SECTION 8. Partial Refund of Public Notice Fee. Twenty Dollars (\$20.00) of the public notice fee shall be refunded by the Clerk-Treasurer to the applicant upon presentation of the receipt for initial payment of the public notice fee and the return of the sign frame in good condition.

SECTION 9. Reduction of Fees. The Board of Public Works and Safety, upon recommendation from the Director of Development or by separate request made to the Board, may determine the existence of a hardship or special circumstances which warrant reducing the amount of the application fee and public notice fee required by this Ordinance. The Board of Public Works & Safety may not waive the Twenty Dollar (\$20.00) portion of the application fee and public notice fee which is deposited into the legal advertising account.

SECTION 10. Copy of Fee Ordinance. A copy of this Ordinance shall be provided to potential tax abatement applicants as part of the application package.

SECTION 11. Severance Clause. If any section, clause, portion or provision of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect the validity of any other section, clause, portion or provision of this Ordinance.

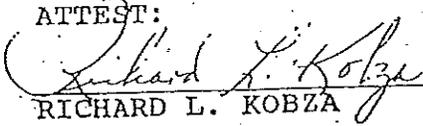
SECTION 12. Repeal of Prior Ordinances. This Ordinance shall repeal all prior Ordinances or any part of any Ordinance in conflict herewith and this Ordinance supersedes all prior tax abatement fee Ordinances in particular, Ordinance No. 93-18, as amended, Ordinance No. 94-42, Ordinance No. 95-45, Ordinance No. 96-05 and Ordinance No. 97-03 which are specifically repealed.

SECTION 13. Emergency Clause. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage and approval by the Mayor of the City of Hobart or as soon thereafter as otherwise provided for by law.

APPROVED AND ENACTED by the Common Council of the City of Hobart, on the 10th day of September, 1998.


LINDA BUZINEC
Presiding Officer

ATTEST:


RICHARD L. KOBZA
Clerk-Treasurer

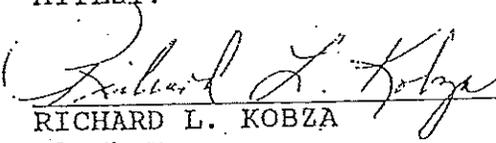
PRESENTED by me to the Mayor of the City of Hobart, Indiana,
this 16th day of September, 1998, at 7:39 o'clock p.m.


RICHARD L. KOBZA
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of
the City of Hobart, Indiana this 16th day of
September, 1998.


LINDA BUZINEC
Mayor

ATTEST:


RICHARD L. KOBZA
Clerk-Treasurer

ORDINANCE NO. 2000- 23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART,
INDIANA, AMENDING ORDINANCE NO. 98-28 TO CLARIFY THE PUBLIC
NOTICE PROCEDURE FOR THE TAX ABATEMENT PROGRAM

WHEREAS, the Hobart Common Council adopted Ordinance 98-28 on September 16, 1998; and

WHEREAS, Ordinance 98-28 contains the fees and public notice requirements for the tax abatement program for the City of Hobart; and

WHEREAS, there is a need to amend Section 6 of Ordinance 98-28 to clarify when the public notice sign is to be posted on the property proposed for tax abatement;

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

SECTION 1: Section 6 of Ordinance 98-28 is hereby amended to read as follows:

SECTION 6: Public Notice Procedure. Upon receipt of a favorable recommendation from the Economic Development Commission, each applicant for tax abatement shall be provided a sign frame and sign indicating the notice of the date, place and time of the Hobart Common Council public hearing on the application. Said sign with notice of the date, place and time of the Hobart Common Council public hearing shall be placed by the applicant in a conspicuous location on the property and maintained at said location for ten (10) consecutive calendar days immediately prior to the Hobart Common Council public hearing, the tenth day being the day of the public hearing. An affidavit verifying that said actions have been completed shall be submitted to the Presiding Officer of the Hobart Common Council prior to the public hearing. In the event that the above requirements are not met by the applicant, the Hobart Common Council may waive compliance with the requirements by majority vote prior to the commencement of the public hearing. The sign shall read as follows:

NOTICE: A PUBLIC HEARING ON AN APPLICATION FOR TAX
ABATEMENT FOR REAL ESTATE IMPROVEMENTS OR PERSONAL
PROPERTY PROPOSED FOR THIS PROPERTY WILL BE HELD BEFORE
THE HOBART COMMON COUNCIL ON _____
AT 7:30 P.M. IN THE COMMON COUNCIL CHAMBERS, HOBART CITY
HALL, 414 MAIN STREET, HOBART, INDIANA

SECTION 2: Severance Clause. If any section, clause, portion or provision of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect the validity of any other section, clause, portion or provision of this Ordinance.

SECTION 3: Emergency Clause. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage and approval by the Mayor of the City of Hobart or as soon thereafter as otherwise provided for by law.

APPROVED AND ENACTED by the Common Council of the City of Hobart, on the 6th day of September, 2000.

Linda Buzinec
Linda Buzinec
Presiding Officer

ATTEST:

James E. Mellon
James E. Mellon
Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, this 6th day of September, 2000, at 8:50 o'clock p. m.

James E. Mellon
James E. Mellon
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana, this 6th day of September, 2000.

Linda Buzinec
Linda Buzinec
Presiding Officer

ATTEST:

James E. Mellon
James E. Mellon
Clerk-Treasurer

ORDINANCE NO. 2001 - 49

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART,
INDIANA, AMENDING ORDINANCE NO. 98-28 TO INCREASE THE
APPLICATION FEES FOR THE TAX ABATEMENT PROGRAM

WHEREAS, the Hobart Common Council adopted Ordinance 98-28 on September 16, 1998; and

WHEREAS, the Hobart Common Council adopted Ordinance 2000-23 on September 6, 2000, which amended Ordinance 98-28; and

WHEREAS, Ordinance 98-28 contains the fees for the tax abatement program for the City of Hobart; and

WHEREAS, there is a need to amend Section 4 of Ordinance 98-28 to increase the tax abatement application fees in order to reflect the time spent on compliance review for the tax abatement program;

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

SECTION 1: Section 4 of Ordinance 98-28 is hereby amended to read as follows:

SECTION 4: Fee Schedule. The tax abatement fee schedule shall be as follows:

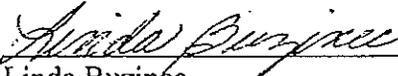
Application Fee for one (1) residential living unit:	\$200.00
Application Fee for more than one (1) residential living unit:	\$250.00
Application Fee for commercial or industrial project:	\$250.00
Amendment Fee:	\$200.00
Public Notice Fee:	\$30.00

SECTION 2: Severance Clause. If any section, clause, portion or provision of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect the validity of any other section, clause, portion or provision of this Ordinance.

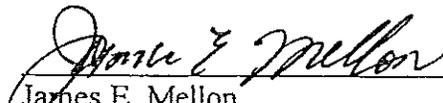
SECTION 3: Emergency Clause. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage and approval by the Mayor of the City of Hobart or as soon thereafter as otherwise provided for by law,

APPROVED AND ENACTED by the Common Council of the City of Hobart, on the

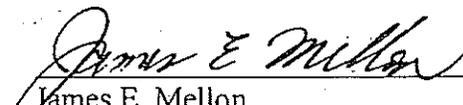
19th day of DECEMBER, 2001


Linda Buzinac
Presiding Officer

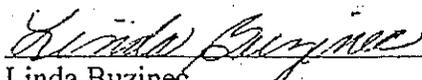
ATTEST:


James E. Mellon
Clerk-Treasurer

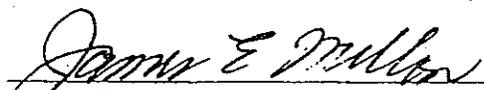
PRESENTED by me to the Mayor of the City of Hobart, Indiana, this 19th day of DECEMBER, 2001, at 7:36 o'clock P. M.


James E. Mellon
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana, this 19th day of DECEMBER, 2001.


Linda Buzinac
Presiding Officer

ATTEST:


James E. Mellon
Clerk-Treasurer

PH 9-3-03

ORDINANCE 2003-22

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA, AMENDING ORDINANCE 98-28 AND REVISING FEES FOR THE TAX ABATEMENT PROGRAM OF THE CITY OF HOBART

WHEREAS, the City of Hobart incurs various expenses in connection with the processing of property tax abatement applications;

WHEREAS, the Hobart Common Council deems it appropriate that the applicants bear said administrative expenses for the processing of property tax abatement applications;

WHEREAS, the Hobart Common Council approved Ordinance No. 98-28 on September 16, 1998 which established a tax abatement Fee Schedule for all property tax abatement fees;

WHEREAS, the Hobart Common Council approved Ordinance 2000-23 on September 6, 2000 which clarified the public notice procedure for the tax abatement program;

WHEREAS, the Hobart Common Council approved Ordinance 2001-49 on December 19, 2001 which revised the entire tax abatement Fee Schedule;

WHEREAS, the tax abatement Fee Schedule pertaining to the Public Notice Fee is in need of further revision;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA, as follows:

SECTION 1: Section 4 of Ordinance No. 98-28, as amended by Section 1 of Ordinance 2001-49, is hereby amended in its entirety to read as follows:

Fee Schedule. The tax abatement fee schedule shall be as follows:

Application Fee for one (1) residential living unit:	\$200.00
Application Fee for more than one (1) residential living unit:	\$250.00
Application Fee for commercial or industrial project:	\$250.00
Amendment Fee:	\$200.00
Public Notice Fee:	\$ 45.00

SECTION 2: Section 5 of Ordinance No. 98-28 is hereby amended in its entirety to read as follows:

Deposit of Fees. All application fees and public notice fees collected pursuant to this Ordinance shall be deposited into the following designated funds of the City of Hobart, unless otherwise provided for by law: Twenty-five Dollars (\$25.00) shall be deposited into the legal advertising account; Twenty Dollars (\$20.00) shall be deposited into the public notice refund account; the balance shall be deposited into the non-reverting fund for local economic development purposes. All amendment fees collected pursuant to this Ordinance shall be deposited into the non-reverting fund for local economic development purposes.

SECTION 3: section 6 of Ordinance 98-28 is hereby amended in its entirety to read as follows:

Public Notice Procedure. Upon receipt of a favorable recommendation from the Economic Development Commission, each applicant for tax abatement shall be provided a sign frame and sign indicating notice of the date, place and time of the Hobart Common Council public hearing on the application. Said sign with notice of the date,

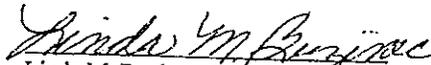
place and time of the Hobart Common Council public hearing shall be placed by the applicant in a conspicuous location on the property and maintained at said location for ten (10) calendar days prior to the Hobart Common Council public hearing. An affidavit verifying that said actions have been completed shall be submitted to the Hobart Common Council prior to the public hearing. The sign shall read as follows:

NOTICE: A PUBLIC HEARING ON AN APPLICATION FOR TAX ABATEMENT FOR REAL ESTATE IMPROVEMENTS OR PERSONAL PROPERTY PROPOSED FOR THIS PROPERTY WILL BE HELD BEFORE THE HOBART COMMON COUNCIL ON _____ AT 6:00 P.M. IN THE COMMON COUNCIL CHAMBERS, HOBART CITY HALL, 414 MAIN STREET, HOBART, INDIANA.

SECTION 4: Section 9 of Ordinance No. 98-28 is hereby amended in its entirety to read as follows:

Reduction of Fees. The Board of Public Works and Safety, upon recommendation from the Director of Development or by separate request made to the Board, may determine the existence of a hardship or special circumstances which warrant reducing the amount of the application fee and public notice fee required by this Ordinance. The Board of Public Works & Safety may not waive the Twenty-five Dollar (\$25.00) portion of the application fee and public notice fee which is deposited into the legal advertising account.

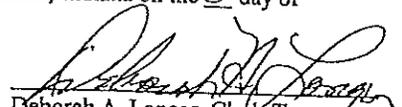
PASSED AND ADOPTED by the Common Council of the City of Hobart, Indiana this 30th day of September, 2003.


Linda M. Buzinec, Presiding Officer

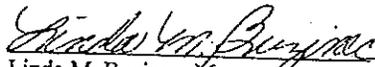
ATTEST:


Deborah A. Longer, Clerk-Treasurer

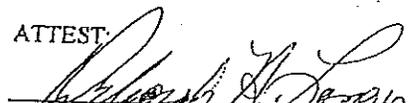
PRESENTED by me to the Mayor of the City of Hobart, Indiana on the 30th day of September, 2003, at 6:14 p.m.


Deborah A. Longer, Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana on the 30th day of September, 2003.


Linda M. Buzinec, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

ORDINANCE 2006-43 (As Amended)

AN ORDINANCE REGARDING COMMON CONSTRUCTION WAGES
IN THE CITY OF HOBART, LAKE COUNTY INDIANA

WHEREAS, the Common Council of the City of Hobart sees a need to protect and to promote economical, beneficial development of the City of Hobart;

NOW, THEREFORE, BE IT ORDAINED as a policy by the Common Council of the City of Hobart, as follows:

Section 1: Construction and Renovation Projects to Pay Common Construction Wages and Fringe Benefits. Any firm, individual, partnership or corporation which is hereafter given approval by the Common Council for the construction or renovation of projects to be funded or benefited totally or in part by: industrial revenue bonds, economic revitalization designation (tax abatement), urban development action grants, or any future economic development incentive shall be required to pay (as shall all contractors and subcontractors working on the funded or subsidized project) for each class of construction work on the project a scale of wages and fringe benefits set by the then most recent Indiana Common Construction Wage Act Wage Determination issued for a public project in Lake County, Indiana.

“Most recent” is defined as the time that a request for bid(s) to construct a particular phase of the project is made as long as the work continues to be governed by the rules of the Common Construction Wage Act.

The Common Construction Wage does not apply to economic incentives given to residential housing unless such housing is a commercial venture as determined by the Common Council.

Section 2: Payment of less than Common Construction Wages and Fringe Benefits Prohibited. It shall be considered unlawful for any contractor or subcontractor performing work to make payment of wages and fringe benefits less than the most current Indiana Department of Labor, Wage and Hour Division Common Construction Act Wage Determination.

Section 3: Filing Schedule of Wages and Fringe Benefits. It shall be required that any contractor or subcontractor performing work under the Common Construction Wage Act shall file a schedule of the wages and fringe benefits to be paid to such crafts, with the city in the Common Council Office and also with the Building Commissioner before any permits are issued. The schedule shall be filed before any work is performed.

Section 4: Certified Payroll. Any contractor or subcontractor performing the work identified herein is required, upon request, to file a certified payroll with the Common Council Office and the Building Commissioner. The certified payroll shall identify the name of each worker on the project, the worker's classification, wage and fringe benefit package and the number of hours worked on each day on the project by the employee. Each certified payroll shall be filed within fifteen (15) days of the request from the Common Council or Building Commissioner. The

certified payroll shall be available to the public for inspection during regular working hours in the Building Commissioner's Office.

Section 5: Penalty. A contractor or subcontractor who knowingly or willfully fails to pay the rate of wages and fringe benefits determined under this policy shall be fined not less than One Thousand Dollars (\$1,000.00) for each violation for each day the violation continues; plus payment of attorney's fees and costs incurred in enforcing this policy. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be fined as such. The enforcement action shall be initiated by the City Attorney or by the affected employee(s) or the employee's representative(s). Likewise, any failure to supply the certified payroll shall result in a One Thousand Dollar (\$1,000.00) per day fine, plus attorney's fees and costs and shall be enforced through a lawsuit initiated by the City Attorney. Additionally, if there are public monies still to be paid out at the time it is determined that the proper wage and fringe benefits are not being paid or the certified payroll is not being submitted as required, then such public monies shall be held in reserve until the contractor or subcontractor comes into compliance with the requirements of this policy.

This Ordinance shall be in full force and effect after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Indiana this 6th day of December, 2006.

ATTEST:
Deborah A. Longer
Clerk-Treasurer

Linda M. Buzinec
Presiding Officer

PRESENTED by me to the Mayor of the City of Hobart, Indiana on the 6th day of December, 2006, at 6:08 p.m.

Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Indiana on the 6th day of December, 2006.

ATTEST:
Deborah A. Longer
Clerk-Treasurer

Linda M. Buzinec
Linda M. Buzinec, Mayor

D. Kane

ORDINANCE NO. 2007- 05

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA,
AMENDING ORDINANCE NO. 2003-22 WHICH ESTABLISHED FEES FOR THE PROPERTY
TAX ABATEMENT PROGRAM OF THE CITY OF HOBART, INDIANA

WHEREAS, the Common Council of the City of Hobart, Indiana, adopted Ordinance 2003-22 on September 3, 2003, which revised the fees established for the property tax abatement program of the City of Hobart, Indiana, and

WHEREAS, the Common Council of the City of Hobart, Indiana, desires to add a fee for preparation of a Development Agreement which shall be executed between a Developer and the Common Council as a condition of real property tax abatement approval for multi-lot residential applications; and

WHEREAS, the Common Council of the City of Hobart, Indiana, also desires to deposit the fee collected for preparation of a Development Agreement into the General Fund to pay for services of the City Attorney in preparation of the Development Agreement; and

WHEREAS, the Common Council of the City of Hobart, Indiana, shall require the advance payment of said Development Agreement fee prior to preparation of the Development Agreement by the City Attorney; and

WHEREAS, the Developer shall provide all required information including, but not limited to, the Common Council Tax Abatement Application, Statement of Benefits, and covenants, to the City Attorney for purposes of preparation of the Development Agreement.

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

Section 1. Ordinance 2003-22, Section 1 shall be amended to add the following fee to the Fee Schedule:

Preparation of Development Agreement Fee: \$500.00

Section 2. Ordinance 2003-22, Section 2 shall be amended to add the following sentence:

All fees collected for preparation of Development Agreements shall be deposited into the General Fund.

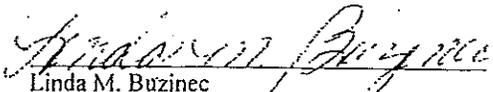
Section 3. New Section 5 to Ordinance 2003-22 shall read as follows:

Advance payment of the Development Agreement fee shall be made by the Developer to the City of Hobart, Indiana, prior to preparation of the Development Agreement by the City Attorney.

Section 4. New Section 6 to Ordinance 2003-22 shall read as follows:

The Developer shall provide all required information to the City Attorney including the Common Council Tax Abatement Application, Statement of Benefits, and covenants, for purposes of preparation of the Development Agreement.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Indiana, this 16th day of MAY, 2007.


Linda M. Buzinec
Presiding Officer

ATTEST:

Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, this 16th day of May, 2007 at
6:15 a.m./p.m.

Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Lake County,
Indiana this 16th day of May, 2007.

Linda M. Buzinec
Linda M. Buzinec
Mayor

ATTEST:

Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

ORDINANCE NO. 2007- 012

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART, INDIANA, AMENDING ORDINANCE NO. 98-39 WHICH ESTABLISHED THE CITY ENHANCEMENT AND IMPROVEMENT FUND, A NON-REVERTING FUND WITHIN THE BUDGET OF THE GENERAL FUND OF THE CITY OF HOBART, INDIANA

WHEREAS, the Common Council of the City of Hobart, Indiana, adopted Ordinance 98-39 on January 20, 1999, which established the City Enhancement and Improvement Fund, a non-reverting fund within the budget of the General Fund of the City of Hobart, Indiana, and

WHEREAS, the monies to be collected as a condition of commercial and industrial real property tax abatement approval and personal property tax abatement approval are deposited into this fund; and

WHEREAS, on APRIL 4th, 2007, the City of Hobart, Indiana, adopted Resolution 2007- 10, a Resolution of the Common Council of the City of Hobart, Indiana, revising the tax abatement policies of the City of Hobart; and

WHEREAS, the Common Council of the City of Hobart also desires to deposit monies to be collected as a condition of residential real property tax abatement into this fund.

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

Section 1, Ordinance 98-39, Section 2 shall be amended to read :

Monies collected as a condition of residential, commercial and industrial real property tax abatement approval and personal property tax abatement approval shall be deposited into this fund.

PASSED AND ADOPTED by the Common Council of the City of Hobart, Indiana, this 18th day of

APRIL, 2007.

Linda M. Buzinec
Linda M. Buzinec
Presiding Officer

ATTEST: Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart, Indiana, this 18th day of April, 2007 at

6:10 a.m./p.m.

Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

APPROVED, SIGNED AND RETURNED by me to the Common Council of the City of Hobart, Lake County,

Indiana this 16th day of April, 2007.

Linda M. Buzinec
Linda M. Buzinec
Mayor

ATTEST: Deborah A. Longer
Deborah A. Longer
Clerk-Treasurer

ORDINANCE 2008-16 (As Amended)

AN ORDINANCE INCREASING THE FEES CHARGED FOR CERTAIN PERMIT,
LICENSING AND OTHER FEES IN THE CITY OF HOBART,
LAKE COUNTY, INDIANA

WHEREAS, the Ordinance Committee of the Common Council has determined that certain fees charged by the City of Hobart for permits, licensing and other fees are in need of revision as they have not been increased for a number of years and recommended a 3% increase for certain permits, licensing and other fees; and

WHEREAS, the Common Council held further discussions regarding the proposed increase and recommended an increase of 3% or to the next whole dollar amount; and

WHEREAS, the Common Council recognizes the continuing increased costs associated with the administrative activities and supplies incurred by the City of Hobart in the processing of these permits, licensing and fees;

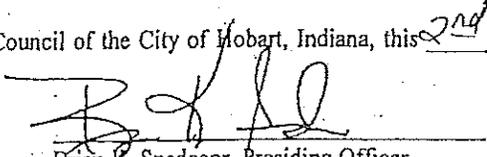
NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

Section 1. That the following attached list of certain permits, licensing and other fees noted as "Ordinance 2008-16 (As Amended) : Attachment A" be adopted, increasing the fees as individually listed in the column labeled "rounded to the next whole".

Section 2. That the City of Hobart Municipal Code Fee Schedule be amended to reflect the new fees as detailed in "Ordinance 2008-16 (As Amended) : Attachment A".

Section 3. That the effective date of these increased fees shall be August 1, 2008, unless otherwise specifically noted and upon publication and notice as required by law.

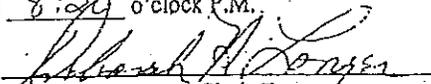
PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana, this 2nd day of July, 2008.


Brian K. Snedecor, Presiding Officer

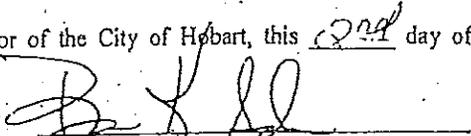
ATTEST:


Deborah A. Longer, Clerk-Treasurer

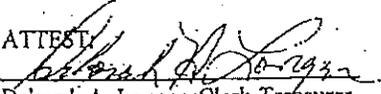
PRESENTED by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 2nd day of July, 2008 at 8:00 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 2nd day of July, 2008.


Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

"Ordinance 2008-16 (as Amended): Attachment A"

Hobart - Fee Schedule

05/26/08

EFFECTIVE 8/1/08

Fee	Current Charge	After 3% Increase	Rounded To Next Whole
Accident reports (per report)	5	5.15	6
Alarm systems, private (per year)	5	5.15	6
Ambulance service (per incident - basic)	unchanged		
Ambulance service (per incident - life support)	unchanged		
Ambulance service (per incident - refusal)	unchanged		
Ambulance service (per incident - non resident)	unchanged		
Benches at bus stops (per year)	2	2.06	3
Billiard parlors, pool rooms (first table per year)	10	10.3	11
Billiard parlors, pool rooms (additional table per year)	5	5.15	6
Building code reinspections (per hour)	35	36.05	37
Building Contractors, subcontractors (application fee)	100	103	103
Building Contractors, subcontractors (initial license fee)	100	103	103
Building Contractors, subcontractors (renewal fee per year)	50	51.5	52
Building moving (application fee > 400 sqft)	50	51.5	52
Building moving (application fee < 400 sqft)	10	10.3	11
Building permits (per \$1,000 of cost)	5	5.15	6
Building permits (occupancy permit)	20	20.6	21
Building permits (inspection fee after 3 inspections)	50	51.5	52
Dog fee - unaltered (per year)	10	10.3	11
Dog fee - spayed/neutered (per year)	2	2.06	3
Cat fee - unaltered (per year)	10	10.3	11
Cat fee - spayed/neutered (per year)	1	1.03	2
Cemetery lots (per lot)	100	103	103
Commercial animal establishments, kennels	10	10.3	11
Commercial animal breeding kennel (< 15 animals)	10	10.3	11
Commercial animal breeding kennel (16-40 animals)	15	15.45	16
Commercial animal breeding kennel (> 40 animals)	20	20.6	21
Concrete disposal permit	15	15.45	16
Construction trailers (application fee)	50	51.5	52
Construction trailers (inspection fee)	50	51.5	52
Contractors licensing (application fee)	100	103	103
Contractors licensing (initial license fee)	100	103	103
Contractors licensing (renewal fee)	50	51.5	52
Contractors licensing (non-licensed contractor)	2500	2575	2575
Debris on street, removal by city (minimum)	500	515	515
Debris on street, removal by city (labor per hour)	35	36.05	37
Debris on street, removal by city (equipment per hour)	8	8.24	9
Debris on street, removal by city (dump fees per truck)	78	80.34	81
Debris on street, removal by city (overhead percent of subtotal)	30.00%	30.90%	31.00%
Debris on street, removal by city (after hours additional percentage)	150.00%	154.50%	155.00%
Demolition permits (residential dwelling)	100	103	103
Demolition permits (residential accessory structure)	50	51.5	52
Demolition permits (commercial < 2000 sqft - first 2000 sqft)	200	206	206
Demolition permits (commercial > 2000 sqft - per square foot over 2000 sqft)	0.1	0.103	0.11
Dumping permit (Change is effective Jan 1, 2009)	5	5.15	6
Electric service, temporary (first 100 amps of service)	200	206	206
Electric service, temporary (each additional 100 amps of service)	150	154.5	155

← EFF. 1/1/09

"Ordinance 2008-16 (as Amended): Attachment A"

EFFECTIVE 8/1/08

Electrical contractors (application fee)	100	103	103
Electrical contractors (initial license fee)	100	103	103
Electrical contractors (renewal fee)	50	51.5	52
Electrical contractors (new construction per amp)	0.5	0.515	0.52
Electrical contractors (first 2 inspections)	50	51.5	52
Electrical contractors (reinspection residential)	30	30.9	31
Electrical contractors (reinspection commercial)	40	41.2	42
Electrical contractors (misc residential)	30	30.9	31
Electrical contractors (misc commercial)	40	41.2	42
Electrical contractors (temporary early service fee)	35	36.05	37
Excavations (application fee)	50	51.5	52
Excavations (deposit per parcel)	50	51.5	52
Fire sprinkler system inspection (base)	30	30.9	31
Fire sprinkler system inspection (per sprinkler head)	0.25	0.2575	0.26
Firefighter application	25	25.75	26
Garbage collection (commercial - once per week - per month)	18	18.54	19
Garbage collection (commercial - twice per week - per month)	28	28.84	29
Garbage collectors (per year)	100	103	103
HVAC permits, inspections (permit fee)	100	103	103
HVAC permits, inspections (heating inspection)	70	72.1	73
HVAC permits, inspections (AC inspection)	60	61.8	62
HVAC permits, inspections (ductwork inspection)	70	72.1	73
HVAC permits, inspections (exhaust system inspection)	70	72.1	73
HVAC permits, inspections (additional inspections)	20	20.6	21
Hawkers, peddlers, solicitors (per day)	5	5.15	6
Hawkers, peddlers, solicitors (per year)	100	103	103
Hawkers, peddlers, solicitors (application fee)	15	15.45	16
Industrial development bonds (percentage of amount of bond)	0.1000%	0.1030%	
Motor vehicle inspection (per inspection)	5	5.15	6
Offense reports (per report)	5	5.15	6
Open lot selling (application fee)	50	51.5	52
Open lot selling (inspection fee)	50	51.5	52
Open lot selling (per day)	25	25.75	26
Parking permits (per month)	10	10.3	11
Pet license (duplicate license tag)	0.5	0.515	1
Plumbing contractors (registration fee)	100	103	103
Plumbing contractors (renewal fee)	50	51.5	52
Plumbing permits (minimum fee)	100	103	103
Plumbing permits (> 15 fixtures - per fixture)	6	6.18	7
Plumbing permits (> 3 inspections - per inspection)	25	25.75	26
Plumbing permits (minimum fee for repair/alteration)	35	36.05	37
Plumbing permits (installation fee per fixture)	3	3.09	4
Plumbing permits (repair or alteration)	25	25.75	26
Plumbing permits (minimum fee)	25	25.75	26
Plumbing permits (additional city permit fee)	10	10.3	11
Police officer application	25	25.75	26
Sewers (connection inspection and permit - residential/commercial)	unchanged		
Sewers (connection inspection and permit - industrial)	unchanged		
Sewers (service connection of <= 6" - < 200ft)	unchanged		
Sewers (service connection of <= 6" - >= 200ft)	unchanged		
Sewers (service connection of > 6" - < 200ft)	unchanged		

"Ordinance 2008-16 (as Amended): Attachment A"

EFFECTIVE 3/1/08

Sewers (service connection of > 6" - >= 200ft)	unchanged		
Sewers (base connection charge)	unchanged		
Sewers (base fee per foot of lot width)	unchanged		
Sewers (minimum fee)	unchanged		
Sewers (district assessed tap-on fee per foot of lot width)	unchanged		
Sewers (local assessed tap-on fee per foot of lot width)	unchanged		
Sewers (additional fee for 3 to 6 family connections)	unchanged		
Sewers (additional fee for 7 to 12 family connections)	unchanged		
Sewers (construction permit and inspection fee)	unchanged		
Sewers (monthly base and treatment fees)	unchanged		
Stormwater management (residential 1 to 4 lots)	350	360.5	361
Stormwater management (residential 5 to 25 lots)	500	515	515
Stormwater management (residential 26 to 75 lots)	1000	1030	1030
Stormwater management (residential 76 to 150 lots)	1500	1545	1545
Stormwater management (residential over 150 lots)	2500	2575	2575
Stormwater management (commercial up to 5 acres)	500	515	515
Stormwater management (commercial up to 10 acres)	1200	1236	1236
Stormwater management (commercial up to 25 acres)	2000	2060	2060
Stormwater management (commercial over 25 acres)	2500	2575	2575
Subdivision lot approval (1 to 10 lots)	50	51.5	52
Subdivision lot approval (per lot over 10)	5	5.15	6
Tax abatement program (application for 1 residential unit)	200	206	206
Tax abatement program (application for over 1 residential unit)	250	257.5	258
Tax abatement program (application for commercial/industrial project)	250	257.5	258
Tax abatement program (amendment fee)	200	206	206
Tax abatement program (public notice fee)	45	46.35	47
Taxicabs, other vehicles for hire (per year first vehicle)	100	103	103
Taxicabs, other vehicles for hire (per year each additional vehicle)	5	5.15	6
Tree trimming	1	1.03	2
Vehicle towing; administrative	10	10.3	11
Wireless communications, application fee	500	515	515

ORDINANCE 2008-34 (as Amended)

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOBART,
INDIANA INCREASING THE FEES CHARGED FOR
CERTAIN PERMITS, LICENSING AND OTHER SERVICES
AND ESTABLISHING CERTAIN OTHER FEES**

WHEREAS, the Ordinance Committee of the Common Council has determined that certain fees charged by the City of Hobart for permits, licensing and other services are in need of revision due to the increased costs of providing municipal services to the public including costs of administration, fuel, supplies and equipment; and

WHEREAS, the Ordinance Committee also recognizes a need to charge new fees for permits and municipal services provided to the public that are not currently charged by the City of Hobart due to the increased costs of administration, fuel, supplies and equipment;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

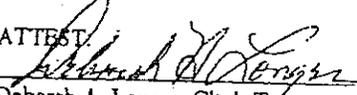
Section 1. That the following list of permits, licensing and other service fees be adopted, increasing the fees for services listed in the column labeled "new fee" and establishing the fees for services where a current fee is not listed:

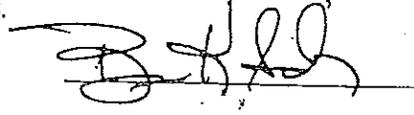
Description	Current Fee	New Fee
911 Audio CD (HPD)	\$ 50.00	\$ 52.00
Accident Reports (per report)	6.00	15.00
Accident Reports requiring Reconstruction (itemized below)	----	200.00 - 500.00
Single Vehicle Accident: \$200.00		
Two-Vehicle Accident: \$ 300.00		
Three or more Vehicle Accident: \$400.00		
Completion of Reconstruction Report: Additional \$100.00		
Ambulance Service (per incident - basic)	299.00	330.00
Ambulance Service (per incident - life support)	417.00	446.00
Ambulance Service (per incident - refusal)	100.00	140.00
Ambulance Service (per incident - basic - non-resident)	399.00	430.00
Ambulance Service (per incident - life support - non-resident)	517.00	546.00
Ambulance Service (per incident - refusal - non-resident)	100.00	140.00
Concrete Disposal Permit	16.00	30.00
Criminal History Background	----	20.00
Fingerprints (non-resident)	----	15.00
Fire Alarm Installation	----	100.00 + \$2.00 per device
Fire Inspections (1 st 2 are free / Fee is for 3 rd)	----	50.00
Fire Sprinkler System Inspection (base fee)	31.00	100.00
Fire Sprinkler System Inspection (per sprinkler head)	.26	.50 each up to 300 Additional \$50.00 for 301 to 500 Additional \$50.00 for 501 and over
Garbage Collection (commercial - once per week)	19.00/month	25.00/month <i>Effective 12/1/2008</i>
Garbage Collection (commercial - twice per week)	29.00/month	40.00/month <i>Effective 12/1/2008</i>
Knox box recording & processing fee	----	10.00
Offense Reports		.10 / page copy fee
Photo CD (HPD)	50.00	52.00
Photo - Single (HPD)	5.00	6.00
Salvage VIN Inspection	----	25.00
Street / Curb Cut Permit (longitudinal cuts)	50.00	250.00
Tax Abatement Amendment Fee	----	600.00
Tax Abatement Compliance Monitoring Fee (10 yr abatements)	----	500.00
Tax Abatement Financial Impact Analysis Fee	----	400.00
Vehicle towing: administrative fees	11.00	20.00
Video DVD	----	50.00

Section 2. That the City of Hobart Municipal Code Fee Schedule be amended to reflect the new fees as detailed above.

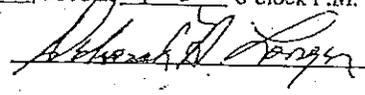
Section 3. That the effective date of these increased fees shall be October 9,
20 08, unless otherwise specifically noted and upon publication and notice as required
by law.

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana, this 8th
day of October, 2008.

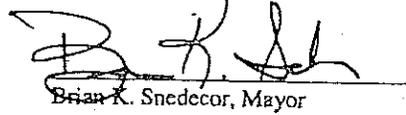
ATTEST:

Deborah A. Longer, Clerk-Treasurer

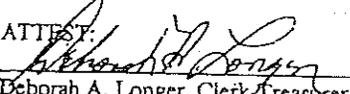


PRESENTED by me to the Mayor of the City of Hobart, Indiana, for his approval and signature
this 8th day of October, 2008 at 7:35 o'clock P.M.



APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 8th day of
October, 2008.


Brian K. Snedecor, Mayor

ATTEST:

Deborah A. Longer, Clerk/Treasurer

CITY OF HOBART, INDIANA
ORDINANCE NO. 2010-18

An Ordinance Amending the Municipal Code of the City of Hobart
To Provide for the Recovery of Professional Fees and Costs for Private
Developments within the City

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has taken notice of the fact that private developers of real estate and other commercial projects in the City frequently apply for incentives such as tax abatement, tax increment financing, special Planned Unit Developments ("PUDs"), certain variances and changes in zoning classifications that require the City to incur substantial expense for the professional fees and costs of the City Engineer and Assistant City Engineer, consulting engineers, architects, financial consultants, the City Attorney and other attorneys acting as special counsel to the City; and

WHEREAS, the amount of these expenses, together with the cost of legal advertising for public hearings and other matters required by law, and fees for the recordation of documents in the Office of the Lake County Recorder, are often substantial and cannot, in many cases, easily be satisfied from City resources; and

WHEREAS, the City is authorized under the provisions of the Indiana Home Rule Act, I.C. §36-1-3-8 (a)(5), to impose a license fee not greater than that reasonably related to the administrative cost of exercising a regulatory power; and

WHEREAS, the Council has concluded that the costs and expenses incurred by the City for its outside professionals who bill for their services on a *per diem* or project basis, and the legal advertising and recordation fees related to land use and financing incentive actions should ordinarily be subject to reimbursement to the City by the applicant developer as a necessary condition to the review of or grant of any application by the developer for tax abatement, tax increment financing, special Planned Unit Developments ("PUDs"), certain variances and changes in zoning classifications; and

WHEREAS, the Council desires to establish a program to require reimbursement to the City by applicant developers of said fees and costs to the City, and to provide for suitable conditions, limitations and procedures to govern same.

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

SECTION ONE. The Municipal Code of the City of Hobart, Indiana ("Code") is hereby amended by adding, to Title XV thereof on "LAND USAGE" a new chapter, to be designated "Chapter 155" and entitled "*REIMBURSEMENT OF PROFESSIONAL FEES AND COSTS*," as follows:

1 § 155.01. *STATEMENT OF POLICY.*
2

3 It is hereby declared to be the policy of the City to obtain
4 reimbursement of the professional fees and costs, including legal
5 advertising and recordation fees, it incurs in obtaining advice and
6 other professional services in connection with consultation
7 concerning, review, evaluation of and establishment or
8 implementation of official actions with respect to an application by
9 a developer for a land use approval or financing incentive for a
10 project within the City. It is also the policy of the City to limit its
11 reimbursement requirements under this chapter to the actual cost to
12 the City of the professional services, advertising and recordation of
13 documents required for a given project.
14

15 §155.02. *DEFINITIONS.*
16

17 The following terms shall have the meanings specified in
18 this section throughout this chapter:
19

20 *Developer* means an applicant for an official financing
21 incentive or official land use action before any council, agency,
22 board, commission or official of the City.
23

24 *Official land use action* means a zoning or rezoning, the
25 establishment or amendment of a Planned Unit Development
26 ("PUD"), Site Plan Review when required or allowed by City
27 Ordinance, subdivisions or re-subdivisions, and variances of use.
28

29 *Official financing incentive action* means the creation,
30 expansion or alteration of the boundaries of a tax increment
31 financing allocation area, the creation or alteration of an economic
32 development area or redevelopment area, any action required to
33 implement real or personal property tax abatement, the
34 establishment of a public-private partnership under state law, and
35 the adoption or amendment to a development agreement between
36 the City and the Developer for a project.
37

38 *Professional* means an attorney, engineer, or financial
39 consultant engaged by the City for the purpose of rendering advice,
40 consultation and other professional services to the City or
41 developer related to an application or project. This term also
42 includes the City Engineer, Assistant City Engineer and the City
43 Attorney, but only if they are compensated on a *per diem* basis.
44

45 *Project* means a proposed construction, improvement or
46 use of land within the City for which a developer seeks one or

1 more official land use actions or official financing incentive
2 actions.
3

4 **§155.03. FEES AND COSTS SUBJECT TO REIMBURSEMENT.**
5

6 A Developer who applies for an official land use action or
7 an official financing incentive action, as defined in §155.03 of this
8 chapter, shall reimburse the City for the actual fees and costs
9 charged for the services of professionals engaged by the City to
10 provide consultation, advice, the preparation of legal documents,
11 engineering or technical drawings or analyses, and financial
12 statements and analyses necessary or desirable in the review and
13 evaluation of such application by any board, council, commission,
14 or official of the City. In addition, the Developer shall reimburse
15 the City for the actual cost of any legal advertisements imposed by
16 newspapers and recording fees of the County Recorder for official
17 documents in connection with official land use or financing
18 incentive actions taken with respect to the application of the
19 developer. Said reimbursement shall be governed by and limited
20 to the amounts specified in the reimbursement agreement between
21 the City and the applicant required under §155.05 of this chapter,
22 and shall be subject to the deposit and payment requirements
23 contained in §155.06 of this chapter. The amounts subject to
24 reimbursement under this chapter shall be in addition to the
25 payment of the fee for financial impact analysis in connection with
26 the review of tax abatement applications, or any other fees required
27 by law.
28

29 **§155.04. NOTICE TO APPLICANTS.**
30

31 Whenever the City Planner, Zoning Administrator, Director
32 of Development, City Engineer, Assistant City Engineer or City
33 Attorney shall determine that a person desiring to apply for an
34 official land use action or official financing incentive action is a
35 developer of a project within the definitions of this chapter, such
36 official will cause written notice of the requirements of this chapter
37 to be hand delivered or delivered by mail, facsimile or e-mail to
38 such person. Such official will give said notice as soon as
39 practicable after the person makes or inquires of such official
40 concerning an application for one or more of such actions. The
41 notice shall be accompanied by a copy of the provisions of this
42 chapter. Said official shall respond to questions posed by the
43 person desiring to apply, and assist in the preparation of the
44 reimbursement agreement and other matters related to the
45 implementation and enforcement of the agreement.
46

1 §155.05. *REIMBURSEMENT AGREEMENTS.*
2
3

4 No application for an official land use action or official
5 financing incentive action may be considered by any board,
6 council, commission, or official of the City without the prior
7 execution of a reimbursement agreement pursuant to this section
8 and payment of deposit pursuant to §155.06 of this chapter. Prior
9 to the consideration of an application for an official land use action
10 or official financing incentive action by a developer of a project
11 within the definitions of this chapter, the City Planner, Zoning
12 Administrator, Director of Development, City Engineer, Assistant
13 City Engineer or City Attorney shall determine the likely
14 requirements of the City for professional services in the review and
15 evaluation of the application and shall solicit estimated total fees
16 and charges from each of the City's professionals whose services
17 will be required, in writing, on a "not to exceed" basis. The Clerk-
18 Treasurer shall provide to such official an estimate of legal
19 advertising and document recordation fees that will be required for
20 the application. Such official will prepare a reimbursement
21 agreement in letter form, using a form to be prepared by the City
22 Attorney, specifying the estimated "not to exceed" professional
23 fees and costs to be incurred by the City based upon such written
24 estimates, including legal advertising and recordation fees, and
25 requiring the developer to agree to reimburse the City for same in
26 the manner required by this chapter. In the event it is determined
27 that such fees appear to be insufficient as estimated, such City
28 official and developer shall enter into good faith negotiations to
29 amend the amount authorized for reimbursement in the agreement
30 or other conditions contained therein. The agreement shall also
31 require the payment of the deposit required under §155.06 of this
32 chapter, and provide for return of unused deposit or supplemental
33 billings as also authorized by that section. Reimbursement
34 agreements under this section shall contain provisions binding the
35 City and developer, providing for enforcement thereof, including
36 the recovery of attorney fees and costs of suit, and shall be
37 executed by the developer and the above-named official of the City
38 preparing the agreement.

39 §155.06. *RECEIPT AND DEPOSIT OF FUNDS; FINANCIAL*
40 *ARRANGEMENTS.*
41

42 Upon execution of the reimbursement agreement required
43 by §155.05 of this chapter, the developer shall deposit with the
44 Clerk-Treasurer of the City a sum equal to one-half of the total
45 estimated professional fees, legal advertising and recordation fees
46 and costs specified in the agreement. No consideration shall be

1 given by any board, council, commission or official of the City to
2 the application of the developer until such deposit is paid. Before
3 the final action of the City board, commission, council or official
4 on the developer's application for official land use action or an
5 official financing incentive action, the City shall give written
6 notice to the developer of the final sum of all fees and costs for
7 professional services incurred by the City in evaluation and review
8 of the application to the developer, and the developer shall pay the
9 City, in reimbursement thereof, the balance of all such fees and
10 costs incurred less deposits previously paid by the developer. No
11 final action shall be taken on the application until such payment is
12 made. If the sum of all deposits made by the developer with the
13 City exceed the sum of all of such professional fees and costs
14 incurred by the City, the City shall promptly reimburse the balance
15 to the developer. If, after final action is taken, fees or costs are
16 billed to the City for professional services or legal advertising or
17 recordation fees not previously billed, the applicant shall reimburse
18 the City for same promptly upon written invoice to the developer
19 by the Clerk-Treasurer.

20
21 **§155.07. ENFORCEMENT AND DAMAGES.**
22

23 The City shall be entitled to enforce the provisions of this
24 chapter, including the provisions of any reimbursement agreement
25 provided for in this chapter, by any remedy at law or in equity,
26 including, but not limited to , injunction, damages, special
27 performance and the recovery of attorney fees and costs.
28

29 **§155.08. LIMITATIONS AND WAIVERS.**
30

31 No amount paid by any developer in reimbursement of the
32 City under this chapter shall exceed the actual sum of professional
33 fees and costs, legal advertising and recordation fees incurred by
34 the City. For good cause shown, the Board of Public Works and
35 Safety of the City may reduce or waive any of the obligations
36 imposed upon a developer by this chapter. The term "good cause"
37 means the existence of a severe financial hardship upon the
38 developer if the provisions of this chapter were applied without
39 change, or the imposition upon a non-profit or governmental entity
40 of a substantial financial burden that would interfere with its
41 service to the community. The determination of the Board of
42 Public Works and Safety shall be final and binding.
43

44 **§155.09. SEVERABILITY.**
45

46 This chapter shall be deemed to be severable such that, in

1 the event any court determines that any provision of same is
2 unenforceable, the balance of the chapter shall be given effect to
3 the extent practicable.
4

5 SECTION TWO: All ordinances or portions thereof in effect prior to the effective
6 date and in conflict with the provisions of this ordinance are hereby repealed.
7

8 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
9 Hobart, Indiana on this 7TH day of JULY, 2010.
10

11
12
13 BRIAN K. SNEDECOR
14 Presiding Officer
15

16
17 ATTEST: DEBORAH A. LONGER
18 Deborah A. Longer, Clerk-Treasurer
19

20
21
22 PRESENTED by me to the Mayor of the City of Hobart on the 7th day of July,
23 2010 at the hour of 7:00pm.
24

25
26
27 Deborah A. Longer
28 Deborah A. Longer, Clerk-Treasurer
29

30
31
32 APPROVED, EXECUTED and RETURNED by me to the Common Council of
33 the City of Hobart on this 7th day of July, 2010.
34

35
36
37 Brian K. Snedecor
38 Brian K. Snedecor, Mayor
39

40
41
42 ATTEST: Deborah A. Longer
43 Deborah A. Longer, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

ORDINANCE NO. 2011-38

An Ordinance Amending the Municipal Code of the City of Hobart to Provide for Fees and Charges for Certain Municipal Services and Activities

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been advised that the fees and charges previously established and contained in the Municipal Code of the City are no longer sufficient to defray the actual costs of administering the various permit, licensure and certain other administrative activities related to them; and

WHEREAS, the Council has requested the Departments of the City to propose new fees sufficient to support the permitting, licensure and administrative activities of the Departments measured by their true cost of operating said permitting, licensing and administrative functions; and

WHEREAS, the Council has received said proposals and has considered same, and now desires to make its determination of new fees effective and to spread same upon the public record through this Ordinance.

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

SECTION ONE. Chapter 150 of the Municipal Code of the City of Hobart, Indiana ("Code"), entitled "BUILDING REGULATIONS; CONSTRUCTION," is hereby amended by striking out in its entirety the language appearing in §150.063 entitled "Fees," and inserting in lieu thereof, under the same title, the following new language:

§150.63 FEES. The fees required by this Chapter are hereby established as follows. The Common Council may prescribe and make effective other fees applicable to this Chapter which appear in other sections of the Municipal Code, or in other ordinances from time to time. The fees specified in this section are inclusive of zoning fees unless otherwise specified. Any fees in effect as of the date of enactment of this Section shall remain in effect unless specifically amended by this Section.

(A) *Building Permits for New Multi-Family Construction:* applies to four (4) or fewer units. \$20.00 for the first \$1,000.00 in construction value plus an additional \$6.00 for each additional \$1,000.00 in construction value over the first \$1,000.00, provided that, the minimum permit fee total shall be \$300.00. In addition, a \$50.00 zoning fee, shall be charged, so that

46 the total minimum fee, inclusive of the zoning fee shall be
47 \$350.00.
48

49 (B) Building Permits for New Commercial Buildings
50 and Additions: \$30.00 for the first \$1,000.00 in construction value
51 plus an additional \$10.00 for each additional \$1,000.00 in
52 construction value over the first \$1,000.00; provided that, the
53 minimum permit fee total shall be \$300.00. In addition, a \$50.00
54 zoning fee, shall be charged, so that the total minimum fee,
55 inclusive of the zoning fee shall be \$350.00.
56

57 (C) *Building Permits for Commercial Accessory*
58 *Structures*: \$30.00 for the first \$1,000.00 in construction value
59 plus an additional \$10.00 for each additional \$1,000.00 in
60 construction value over the first \$1,000.00; provided that, the
61 minimum permit fee total shall be \$120.00. In addition, a \$50.00
62 zoning fee, shall be charged, so that the total minimum fee,
63 inclusive of the zoning fee shall be \$170.00.
64

65 (D) *Building Permits for Commercial Remodeling*:
66 \$15.00 for the first \$1,000.00 in construction value plus an
67 additional \$6.00 for each additional \$1,000.00 in construction
68 value over the first \$1,000.00; provided that, the minimum permit
69 fee total shall be \$120.00. In addition, a \$50.00 zoning fee, shall
70 be charged, so that the total minimum fee, inclusive of the zoning
71 fee shall be \$170.00.
72

73 (E) *Building Permits for Signs*: Permit fees for the
74 erection of signs are established as follows:
75

76 (1) Temporary Signs and Banners pursuant to
77 Code §154.381: \$24.00. In addition, a \$12.00 zoning fee, shall be
78 charged, so that the total fee, inclusive of the zoning fee, shall be
79 \$36.00;

80 (2) Sign face change, only: \$24.00. In addition,
81 a \$12.00 zoning fee, shall be charged, so that the total fee,
82 inclusive of the zoning fee, shall be \$36.00;
83

84 (3) Permanent Signs: \$50.00 per sign plus an
85 additional \$10.00 for each 100 square feet of sign display area, or
86 fraction thereof, provided that, the minimum fee shall be \$ 50.00.
87 In addition, a \$50.00 zoning fee, shall be charged, so that the total
88 minimum fee, inclusive of the zoning fee shall be \$100.00.
89

90 (4) Billboards and New Multi-Tenant Pylon
91 Signs: \$30.00 for the first \$1,000.00 in construction value plus an

92 additional \$10.00 for each additional \$1,000.00 in construction
93 value over the first \$1,000.00; provided that, the minimum permit
94 fee shall be \$120.00. In addition, a \$50.00 zoning fee, shall be
95 charged, so that the total total minimum fee, inclusive of the
96 zoning fee shall be \$170.00.

97
98 (F) *Building Permits for Swimming Pools not Adjacent*
99 *to or part of Single Family Residence:* \$50.00. In addition, a
100 \$50.00 zoning fee, shall be charged, so that the fee, inclusive of the
101 zoning fee, shall be \$100.00.

102
103 (G) *Permits for Installation or Removal of underground*
104 *Storage Tank:* \$100.00. In addition, a \$50.00 zoning fee shall be
105 charged, so that the minimum fee, inclusive of the zoning fee shall
106 be \$100.00.

107
108 (H) *Building Permits for Commercial Fences:* \$50.00.
109 In addition, a \$50.00 zoning fee, shall be charged, so that the total
110 fee, inclusive of the zoning fee, shall be \$100.00.

111
112 (I) *Plot Plan review for Commercial Paving and*
113 *Flatwork (includes concrete, asphalt and other materials):* \$15.00
114 for the first \$1,000.00 in construction value plus an additional
115 \$6.00 for each additional \$1,000.00 in construction value over the
116 first \$1,000.00; provided that, the minimum permit fee shall be
117 \$30.00. In addition, a \$50.00 zoning fee, shall be charged, so that
118 the total minimum fee, inclusive of the zoning fee shall be \$80.00.

119
120 (J) *Building Permits for Residential Flatwork or*
121 *Paving:* \$24.00. In addition, a \$12.00 zoning fee, shall be
122 charged, so that the total fee, inclusive of the zoning fee, shall be
123 \$36.00;

124
125 (K) *Building Permits for Residential Fences, Pools,*
126 *Decks and Accessory Structures:* \$6.00 for each \$1,000.00 in
127 construction value or fraction thereof, provided that, the minimum
128 permit fee shall be \$24.00. In addition, a \$12.00 zoning fee, shall
129 be charged, so that the total minimum fee, inclusive of the zoning
130 fee, shall be \$36.00;

131
132 (L) *Heating, Ventilation and Air Conditioning Permits*
133 *and Inspections:* \$55.00 for initial inspection of up to five (5)
134 commercial exhaust fans, initial inspection to be allocated by the
135 City \$20.00 to the Inspector, \$35.00 to the City, plus \$5.00 per fan
136 for each fan in excess of five (5). Additional Inspections when

137 required: \$22.00 each inspection to be allocated by the City \$20.00
138 to the Inspector, and \$2.00 to the City.

139
140 (M) *Plumbing Permit Fees:*

141
142 (1) Hot Water Heater (Fee includes one inspection)
143 \$37.00 to be allocated by the City \$20.00 to the Inspector, and
144 \$17.00 to the City.

145
146 (2) Backflow Preventer: (Fee includes One
147 Inspection) \$37.00 to be allocated by the City \$20.00 to the
148 Inspector, and \$17.00 to the City.

149
150 (3) Each Additional Inspection: \$27.00 per
151 inspection to be allocated by the City \$20.00 to the inspector,
152 \$7.00 to the City.

153
154 (N) *Electrical Inspection Fees:*

155
156 (1) Residential reinspections: \$32.00 per
157 inspection to be allocated by the City \$20.00 to the Inspector, and
158 \$12.00 to the City.

159
160 (2) Commercial reinspections: \$43.00 per
161 inspection to be allocated by the City \$30.00 to the Inspector, and
162 \$13.00 to the City.

163
164 (3) Miscellaneous Residential Inspections:
165 \$32.00 per inspection to be allocated by the City \$20.00 to the
166 Inspector, and \$12.00 to the City.

167
168 (4) Miscellaneous Commercial Inspections:
169 \$43.00 per inspection to be allocated by the City \$30.00 to the
170 Inspector, and \$13.00 to the City.

171
172 (O) *Zoning Review Fee.* Fee to review City Zoning
173 Map and Ordinance and advise as to current zone of a parcel for
174 purposes of issuing occupancy permit: \$12.00.

175
176 (P) *Building Permits for Cell and Wireless*
177 *Communications Towers.*

178
179 (1) Application Fee for both new towers and co-
180 locates \$530.00. In addition, a \$50.00 zoning fee, shall be
181 charged, so that the total fee, inclusive of the zoning fee, shall be
182 \$580.00;

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(2) Fee for Maintenance or upgrade of existing tower: Zoning Fee only: \$50.00.

SECTION TWO. Chapter 154 of the Code entitled "ZONING," in the sub-chapter entitled "*SCHEDULE OF FEES*," is hereby amended by striking out in its entirety the language appearing in sub-section (A) of §154.531 entitled "ESTABLISHMENT," and inserting in lieu thereof, the following new language:

(A) The Common Council of the City shall establish a schedule of fees, charges and expenses and a collection procedure for applications or requests for the following activities: location improvement permits, certificates of occupancy, certificates of compliance, rezoning, variances, conditional uses, for appeal from the decision of the Administrator, special meeting of the Board of Zoning Appeals or Plan Commission, annexation, amendment to the Municipal Code or Comprehensive Plan, zoning compliance letter, amendment to the City zoning map, zoning for planned unit development (PUD), amendment of PUD, PUD subdivision replat, vacation or amendment, subdivision replat, vacation or amendment, and site plan review.

SECTION THREE. Chapter 154 of the Code entitled "ZONING," in the sub-chapter entitled "*SCHEDULE OF FEES*," is hereby amended by adding a new sub-section to §154.531 entitled "ESTABLISHMENT," to be designated sub-section (C), such sub-section to be entitled "*Zoning and Planning Schedule of Fees*," as follows:

(C) *Zoning and Planning Schedule of Fees.* The following fees shall apply to each request, application or petition for the actions listed below:

Board of Zoning Appeals matters:

Variance from Development Standards	\$100.00
Variance of Use	\$100.00
Conditional Use	\$100.00
Appeal from decision of the Administrator	\$100.00
Special meeting of the Board of Zoning Appeals	\$500.00

Late fee: Twice the amount of the established fee when the application, petition or request is submitted late under the laws of

229 the State of Indiana or under the Ordinances or Rules of the City of
230 Hobart.

231
232 Plan Commission matters:

233
234 Amendment to the City Zoning Map

235
236 Residential or Agricultural: \$100.00 plus \$5.00 per
237 acre or fraction thereof

238
239 Commercial or Industrial: \$200.00 plus \$5.00 per
240 acre or fraction thereof

241
242 Zoning for planned unit development (PUD): \$500.00 plus
243 \$10.00 per acre or fraction thereof

244
245 Amendment of PUD \$100.00

246
247 PUD subdivision: \$250.00 plus \$5.00 per lot in excess of
248 three (3) lots

249
250 PUD Subdivision replat, vacation or amendment: \$100.00

251
252 Subdivision: \$250.00 plus \$5.00 per lot in excess of
253 three (3) lots

254
255 Subdivision replat, vacation or amendment: \$100.00

256
257 Special meeting of the Plan Commission: \$500.00

258
259 Site Plan Review:

260 Minor \$ 50.00

261 Major 150.00

262 Major with Reimbursement Agreement: \$ 150.00

263 plus costs stated in Reimbursement

264 Agreement

265 Late fee: Twice the amount of the established fee when the
266 application, petition or request is submitted late under the laws of
267 the State of Indiana or under the Ordinances or Rules of the City of
268 Hobart.

269
270 Administrative Fees:

271
272 Annexation: \$ 500.00 plus costs stated in
273 Reimbursement Agreement

274

275 Amendment to the Municipal Code or Comprehensive
276 Plan:
277 \$ 250.00 plus costs stated in Reimbursement Agreement
278
279 Zoning Compliance Letter: \$ 25.00
280
281 Preparation of Resolution of Common Council
282 waiving non-compliance with filing of tax
283 abatement submissions pursuant to
284 I.C. §6-1.1.-12.1-9.5 (b) \$252.00
285

286 *SECTION FOUR:* Chapter 150 of the Code entitled "BUILDING
287 REGULATIONS; CONSTRUCTION" in the sub-chapter entitled
288 "*REGULATION AND PERMITTING OF FILL ACTIVITIES,*" is hereby amended
289 by striking out in its entirety the language appearing in sub-section (b) of
290 §150.103 entitled "PERMIT REQUIRED; APPLICATION," and inserting in lieu
291 thereof, the following new language:
292

293 (b) Application for a Fill Permit shall be filed with the
294 City Engineer and the Zoning Administrator, who shall prescribe
295 and distribute an application form meeting the requirements of this
296 sub-chapter. In those instances where the proposed fill activities of
297 the applicant will require Plan Commission action under §104 (c)
298 of this sub-chapter, a copy of the application shall be forwarded to
299 the city Stormwater Coordinator for comment prior to issuance of a
300 permit. The application for a Fill Permit may be made by a fill
301 contractor or operator in those instances where there will be only
302 one (1) operator stockpiling or filling on behalf of the land owner
303 or by the land owner. When more than one (1) contractor or
304 operator will be stockpiling or filling in connection with a project,
305 then application for a Fill Permit shall be made by the land owner.
306 At the time of filing, the City Zoning Administrator or City
307 Engineer shall collect a filing fee from the applicant in the
308 following amounts: for grading or fill activities proposed upon a
309 property with an actual residential use, \$50.00; for grading or fill
310 activities proposed upon a property with an actual agricultural,
311 commercial or industrial use, \$100.00.
312

313 *SECTION FIVE:* Chapter 150 of the Code entitled "BUILDING
314 REGULATIONS; CONSTRUCTION" in the sub-chapter entitled
315 "*REGULATION AND PERMITTING OF FILL ACTIVITIES,*" is hereby amended
316 by striking out in its entirety the language appearing in sub-section (e) of
317 §150.104 entitled "APPLICATION REVIEW; STANDARDS FOR APPROVAL;
318 INSPECTION," and inserting in lieu thereof, the following new language:
319

320 (e) The Zoning Administrator, City Engineer,
321 Stormwater Coordinator, or their designee may inspect the
322 premises upon which fill activities have been proposed or are in
323 progress at any reasonable time, and may observe such activities in
324 order to determine whether a permit should be issued under this
325 section, to determine whether compliance with the terms and
326 restrictions of any permit has been achieved under § 105 of this
327 sub-chapter, and otherwise to enforce the provisions of this sub-
328 chapter. The applicant shall pay an inspection fee, in those
329 instances where the Zoning Administrator, City Engineer or
330 Stormwater Coordinator, or any one of them, determines that an
331 inspection is necessary, in the following amounts: for grading or
332 fill activities proposed upon a property with an actual residential
333 use, \$25.00 per inspection after the first two inspections; for
334 grading or fill activities proposed upon a property with an actual
335 agricultural, commercial or industrial use, \$25.00 per inspection
336 after the first two inspections. Such fees shall be subject to billing
337 and collection in the same manner as building inspection fees. No
338 fee for inspections performed under this subsection shall exceed
339 the true cost to the City of performing the inspection and reporting
340 the results thereof.

341
342 *SECTION SIX:* Chapter 155 of the Code entitled "REIMBURSEMENT
343 OF PROFESSIONAL FEES AND COSTS" is hereby amended in §155.102
344 entitled "*DEFINITIONS*," by striking out in its entirety the language appearing in
345 the third paragraph of same beginning with "*Official land use action*," and
346 inserting in lieu thereof, the following new language:

347
348 *Official land use action* means a zoning or rezoning, the
349 establishment or amendment of a Planned Unit Development
350 ("*PUD*"), Site Plan Review when required or allowed by City
351 Ordinance, subdivisions or re-subdivisions, variances of use,
352 annexation, amendment of the Comprehensive Plan of the City,
353 and amendment of the Municipal Code when requested by a
354 developer.

355
356 *SECTION SEVEN:* Chapter 32 of the Code entitled "*GENERAL*
357 *PROVISIONS*" is hereby amended in §32.30 entitled "*AMBULANCE FUND*,"
358 by striking out in its entirety the language appearing in subsection (B) of said
359 section entitled "*Fee*," and inserting in lieu thereof, the following new language:

360
361 (B) *Fee.*

362
363 (1) The Fire Department shall collect the following fees for
364 emergency medical services:
365

366 Each incident of basic ambulance service: \$ 374.92
367
368 Each incident of Advanced Life Support service: \$ 504.70
369
370 Each incident of Advanced Life Support Service 2: \$ 718.94
371

372 (2) In addition to the foregoing fees, a medical services fee
373 in the amount of \$156.56 shall be collected for each incident
374 where:

- 375 (a) Ambulance service is requested by, or on behalf
376 of, a patient;
377
378 (b) Medical services are provided the patient by
379 emergency medical personnel;
380
381 (c) The patient refuses ambulance transport; and
382
383 (d) The Fire Chief determines such services are
384 beyond the scope of non-transport assistance
385 normally provided without charge.
386

387 (3) In addition to the foregoing fees, a mileage charge in
388 the amount of \$9.50 per mile or fraction thereof shall be collected
389 for each mile traveled by the City ambulance from its station point
390 immediately prior to the incident to its return to that station point
391 or another station point at the conclusion thereof.
392

393 (3) The fees established herein shall be increased by 3%
394 effective on January 1, 2013, and on each January 1, thereafter.
395

396 (4) The fees established herein shall be binding upon all
397 persons receiving such services as well as their successors in
398 interest, personal representatives, heirs and assigns. Revenue
399 generated by such ambulance and medical services fees shall be
400 remitted to the Clerk-Treasurer and deposited into the General
401 Fund of the City of Hobart.
402

403 (5) As the need arises, but not less often than annually, the
404 Clerk-Treasurer shall submit to the Board of Public Works and
405 Safety for its determination, a list of ambulance fees charged under
406 this section which he or she deems uncollectible. Such list shall
407 detail the reason for each fee being uncollectible; reasons may
408 include but not be limited to compliance with Medicare and
409 Medicaid regulations, agreements with insurance providers,
410 death of the debtor, or other good and practical business reasons.
411 Ambulance fees determined to be uncollectible by the Board of

412 Public Works and Safety shall be posted as "uncollectible
413 ambulance fees" and deleted from the city's Accounts Receivable
414 books.

415
416 *SECTION EIGHT:* Chapter 50 of the Code entitled "GARBAGE,
417 REFUSE AND WEEDS," in the sub-chapter entitled "*GENERAL PROVISIONS*,"
418 is hereby amended by striking out in its entirety the language appearing in sub-
419 section (C) of §50.009 entitled "COLLECTION; FREQUENCY," and inserting in
420 lieu thereof, the following new language:

421
422 (C) All residential properties containing 4 or more
423 dwelling units and non-residential properties, as described in §
424 50.008(A), may contract for collection of 1 cubic yard of refuse
425 once or twice weekly by the city. The fee for collection shall be
426 \$25.75 per month of a maximum one-yard container once weekly,
427 and \$41.20 per month of a maximum one-yard container twice
428 weekly. The fees established in this subsection shall be increased
429 by 3% effective on January 1, 2013, and on each January 1,
430 thereafter.

431
432 *SECTION NINE:* Chapter 50 of the Code entitled "GARBAGE, REFUSE
433 AND WEEDS," in the sub-chapter entitled "*GENERAL PROVISIONS*," is hereby
434 amended by striking out in its entirety the language appearing in sub-section (E)
435 of §50.005 entitled "REFUSE DISPOSAL," and inserting in lieu thereof, the
436 following new language:

437
438 (E) Residents of the City may deliver garbage, refuse or
439 trash to the City Public Works Department dump station only by permit
440 in writing obtained from the Office of the Clerk-Treasurer upon
441 furnishing satisfactory proof of residence in the City, and upon paying a
442 permit fee of \$10.00 for each year or fraction thereof. Concrete
443 delivered to the City Public Works Department dump station shall be
444 subject to a charge of \$20.00 per pickup-truck load. Concrete picked-up
445 by the City is subject to a charge of \$60.00 per load. The following
446 items will be collected by the city as a special pickup and billed based on
447 the actual cost in man-hours, equipment required for pickup and cost of
448 disposal. Costs of \$10 or less, as determined by the Department of Public
449 Works, shall be waived. Special pickups shall be made as soon as
450 practicable after request is made to the Department of Public Works:

- 451
452 (1) Large household appliances, water heaters and large or heavy
453 metal objects;
454
455 (2) Furniture and mattresses;
456
457 (3) Lumber and packing materials;
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459 (4) Lawn equipment;

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- (5) Bricks or cement blocks;
- (6) All brush or tree limbs;
- (7) Carpeting;
- (8) Automobile or truck tires; and
- (9) Additional items as authorized by the Commissioner of Public Works.

The fees established in this sub-section shall be increased by 3% effective on January 1, 2013, and on each January 1, thereafter.

SECTION TEN: This ordinance shall become effective upon adoption in the manner required by law.

SECTION ELEVEN: It is intended that this Ordinance repeal those provisions of Ordinance Number 2008-34 which are expressly in conflict with this Ordinance. All other provisions of Ordinance Number 2008-34 which are not in conflict with this Ordinance remain in full force and effect. All other 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 21st day of December, 2011.

BRIAN K. SNEDECOR
BRIAN K. SNEDECOR, Presiding Officer

ATTEST: DEBORAH A. LONGER
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 21 day of December, 2011, at the hour of 7:10.

Deborah Longer
DEBORAH A. LONGER, Clerk-Treasurer

506 .APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of
507 Hobart on this 21 day of December, 2011.

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Brian K. Snedecor

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BRIAN K. SNEDECOR, Mayor

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ATTEST: Deborah A. Longer

519

DEBORAH A. LONGER, Clerk-Treasurer

1 COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

2
3 ORDINANCE NO. 2013-25

4
5 An Ordinance Amending the Provisions of the Municipal Code of the City of
6 Hobart Relating to Fees to be Charged for
7 Special Meetings of Boards and Commissions of the City
8

9
10 WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been
11 advised by the City's Development Staff and others that the scheduling and holding of special
12 meetings of the City's Boards and Commissions, as well as the City Council, when necessary to
13 take action related to some private pecuniary or financing benefit or incentive, imposes an
14 additional cost on the City through the time and effort required of its professional and support
15 staffs; and
16

17 WHEREAS, the Council has received the request of several City Officials to impose a
18 fee upon persons who request or require special meetings of the City Council, Board of Public
19 Works and Safety, Redevelopment Commission, and Economic Development Commission for
20 the purpose of acting upon a financial incentive or private pecuniary benefit when such meetings
21 are held in a month in which there is a regular or other special meeting of said Board or
22 Commission, or the Common Council already scheduled; and
23

24 WHEREAS, the Council has carefully considered such request, and now desires to make
25 its determination providing for the imposition of special meeting fees effective and to spread
26 same upon the public record through this Ordinance.
27

28 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
29 Indiana as follows:
30

31 *SECTION ONE:* Chapter 30 of the Code entitled "*BRANCHES OF*
32 *GOVERNMENT*" is hereby amended in the Sub-Chapter entitled "*Legislative*" in
33 §30.28 thereof by adding the following language to the end of that section:
34

35 The Clerk-Treasurer shall impose and collect a fee in the amount
36 of \$750.00 from any person or organization who requests a special
37 meeting of the Common Council for the purpose of acting upon
38 some financial incentive or other action which confers upon such
39 person some private pecuniary benefit, in any month in which
40 there is already scheduled at least one (1) regular meeting of the
41 Common Council. The Clerk-Treasurer shall collect such fee, in
42 full, prior to scheduling the special meeting.
43

44
45 *SECTION TWO:* Chapter 31 of the Code entitled "*CITY*
46 *ORGANIZATIONS*" is hereby amended in the Sub-Chapter entitled "*General*

47 Provisions” by adding a new section, to be designated §31.005 and entitled
48 “Board of Public Works and Safety, Special Meetings” to read as follows:
49

50 §31.005 BOARD OF PUBLIC WORKS AND SAFETY, SPECIAL
51 MEETINGS.

52
53 The Clerk-Treasurer shall impose and collect a fee in the amount
54 of \$500.00 from any person or organization who requests a special
55 meeting of the Board of Public Works and Safety for the purpose
56 of acting upon some financial incentive or other action which
57 confers upon such person some private pecuniary benefit, in any
58 month in which there is already scheduled at least one (1) regular
59 meeting of the Board of Public Works and Safety. The Clerk-
60 Treasurer shall collect such fee, in full, prior to scheduling the
61 special meeting.
62

63
64 *SECTION THREE:* Chapter 31 of the Code entitled “CITY
65 ORGANIZATIONS” is hereby amended in the Sub-Chapter entitled
66 “DEPARTMENT OF REDEVELOPMENT” by adding a new section, to be
67 designated §31.036 and entitled “REDEVELOPMENT COMMISSION,
68 SPECIAL MEETINGS” to read as follows:
69

70 §31.036 REDEVELOPMENT COMMISSION, SPECIAL
71 MEETINGS.

72
73 The Clerk-Treasurer or Director of Development shall impose and
74 collect a fee in the amount of \$500.00 from any person or
75 organization who requests a special meeting of the Redevelopment
76 Commission for the purpose of acting upon some financial
77 incentive or other action which confers upon such person some
78 private pecuniary benefit, in any month in which there is already
79 scheduled at least one (1) other special or regular meeting of the
80 Redevelopment Commission. The Clerk-Treasurer shall collect
81 such fee, in full, prior to the Clerk-Treasurer or Director of
82 Development scheduling the special meeting.
83

84
85 *SECTION FOUR:* Chapter 31 of the Code entitled “CITY
86 ORGANIZATIONS” is hereby amended in the Sub-Chapter entitled “ECONOMIC
87 DEVELOPMENT COMMISSION” by adding a new section, to be designated
88 §31.056 and entitled “ECONOMIC DEVELOPMENT COMMISSION,
89 SPECIAL MEETINGS” to read as follows:
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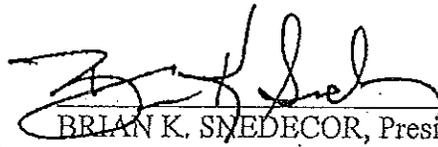
§31.036 ECONOMIC DEVELOPMENT COMMISSION,
SPECIAL MEETINGS.

The Clerk-Treasurer or Director of Development shall impose and collect a fee in the amount of \$500.00 from any person or organization who requests a special meeting of the Economic Development Commission for the purpose of acting upon some financial incentive or other action which confers upon such person some private pecuniary benefit, in any month in which there is already scheduled at least one (1) regular meeting of the Economic Development Commission. The Clerk-Treasurer shall collect such fee, in full, prior to the Clerk-Treasurer or Director of Development scheduling the special meeting.

SECTION FIVE: This ordinance shall become effective upon adoption in the manner required by law.

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

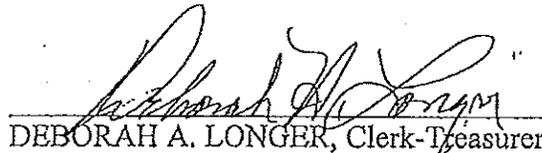
ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 17th day of July, 2013.


BRIAN K. SNEDECOR, Presiding Officer

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

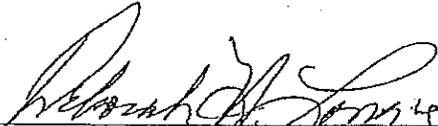
PRESENTED by me to the Mayor of the City of Hobart on the 17th day of July, 2013 at the hour of 7:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

138 APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
139 of Hobart on this 17th day of July, 2013.

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BRIAN K. SNEDECOR, Mayor

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148 ATTEST:


DEBORAH A. LONGER, Clerk/Treasurer

1 COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

2
3 ORDINANCE NO. 2013-39

4
5 An Ordinance Amending the Municipal Code of the City of Hobart to Provide for
6 Amended Fees and Charges for Certain Municipal Services and Activities
7

8
9 WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been
10 advised that the fees and charges previously established and contained in the Municipal Code of
11 the City are no longer sufficient to defray the actual costs of administering the various permit,
12 licensure and certain other administrative activities related to them; and
13

14 WHEREAS, the Council has requested the Departments of the City to propose new fees
15 sufficient to support the permitting, licensure and administrative activities of the Departments
16 measured by their true cost of operating said permitting, licensing and administrative functions;
17 and
18

19 WHEREAS, the Council has received said proposals and has considered same, and now
20 desires to make its determination of new fees effective and to spread same upon the public record
21 through this Ordinance.
22

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

26 SECTION ONE. Chapter 94 of the Code entitled "STREETS AND
27 SIDEWALKS," is hereby amended by striking out in its entirety the language
28 appearing in §94.22 entitled "APPLICATION FEE" and inserting in lieu thereof,
29 the following new language:
30

31 §94.22 APPLICATION FEE. The application for excavations in
32 a right-of-way must be accompanied by a permit application fee as
33 follows:
34

35 Lateral Cut--\$50.00
36 Longitudinal Cut--\$100.00.
37

38 SECTION TWO. Chapter 150 of the Municipal Code of the City of
39 Hobart, Indiana ("Code"), entitled "BUILDING REGULATIONS;
40 CONSTRUCTION," is hereby amended by striking out in its entirety the
41 language appearing in subsection (Q) of §150.063 entitled "Fees," and inserting in
42 lieu thereof, the following new language:
43

44 (Q) *Temporary or Partial Occupancy Permits.* \$100.00 for
45 each commercial permit issued; 50.00 for each residential permit
46 issued.

47
48 *SECTION THREE.* Chapter 150 of the Code entitled "BUILDING
49 REGULATIONS; CONSTRUCTION," is hereby amended by striking out in its
50 entirety the language appearing in sub-section (D) of §154.076 entitled "OFFICE
51 OF HEATING, VENTILATION AND AIR CONDITIONING INSPECTOR,"
52 and inserting in lieu thereof, the following new language:
53

54 (D) HVAC permit and inspection fees are as follows:

55 (1) *Heating Inspections:* \$73.00 for each inspection.

56 (2) *Permit Fee for Fireplaces:* \$44.00 (includes two (2)
57 inspections. The fee shall be distributed \$40.00 to inspector and
58 \$4.00 to the City.
59

60
61 *SECTION FOUR:* Chapter 150 of the Code entitled "BUILDING
62 REGULATIONS; CONSTRUCTION," is hereby amended by striking out in its
63 entirety the language appearing in §150.093 entitled "PERMIT; APPLICATION;
64 FEE," and inserting in lieu thereof, the following new language:
65

66 **§150.093 PERMIT; APPLICATION FEE:**

67
68 No such permit shall be issued unless and until the
69 applicant therefor has deposited with the Clerk-Treasurer the sum
70 of \$52.00 for each parcel of property to be excavated, which sum is
71 to be made payable to the City of Hobart.
72

73
74 *SECTION FIVE.* Chapter 150 of the Code entitled "BUILDING
75 REGULATIONS; CONSTRUCTION," is hereby amended by striking out in its
76 entirety the language appearing in §150.155 entitled "PLUMBING PERMIT;
77 FEES," and inserting in lieu thereof, the following new language:
78

79 **§150.156 PLUMBING PERMIT; FEES.** The following fees
80 shall apply to plumbing permits:

81 *Minimum Permit Fee:* \$103.00 (includes installation of water
82 heater, waste discharge devise, or plumbing fixtures, up to a
83 maximum of 15 features and includes three (3) inspections)

84 *Permits for greater than 15 fixtures:* \$7.00 per fixture.

85
86 *Additional Inspections in excess of three (3) inspections;* \$27.00
87 per inspection to be distributed \$20.00 to inspector and \$7.00 to
88 City.
89
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93 *Minimum Repair/Alteration Permit Fee:* \$37.00 (Includes
94 replacement of up to three (30 residential fixtures with one
95 inspection.
96

97 *Hot Water Heater:* \$37.00 per inspection to be distributed \$20.00
98 inspector, \$17.00 to City.
99

100 *SECTION SIX:* Ordinance No. 2011-29 on PCC Rentals is amended by
101 adding the following new language:
102

103 *For youth sports rentals (not involving tournaments or spectators):*
104 \$50.00 for two (2) hours; \$100.00 for four (4) hours. No cleaning
105 deposit is required on the first rental. A deposit may be required at
106 the discretion of management if the condition of the premises after
107 the first rental warrants it.
108

109 All other language of Ordinance no. 2011-29 not in conflict with the above
110 amendment is affirmed.
111

112
113 *SECTION SEVEN:* Ordinance No. 2008-34, which established fees for the
114 City Tax Abatement Program is amended by striking out the following language;
115 "Financial Impact Analysis Fee: \$400," and inserting in lieu thereof the
116 following new language:
117

118 Financial Impact Analysis Fees:

119
120 *For traditional real or personal property (either alone or*
121 *together) abatement requests: \$400.00;*
122

123 *For flexible real property abatement requests: \$1,000.00*
124

125 *For flexible personal property abatement requests where*
126 *there is existing abated personal property to take into account:*
127 \$1,500.00.
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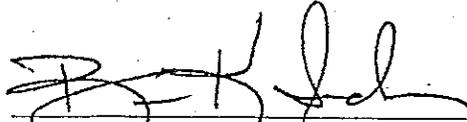
129 All other language of Ordinance no. 2008-34 not in conflict with the above
130 amendment is affirmed.
131

132 *SECTION EIGHT:* This ordinance shall become effective at 12:01 a.m.,
133 January 1, 2014.
134

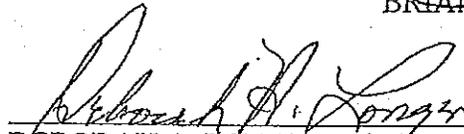
135 *SECTION NINE:* It is intended that this Ordinance repeal those
136 provisions of Ordinance Number 2008-34 and Ordinance Number 2011-38 which
137 are expressly in conflict with this Ordinance. All other provisions of Ordinance
138 Number 2008-34 and Ordinance Number 2011-38 which are not in conflict with

this Ordinance remain in full force and effect. All other ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

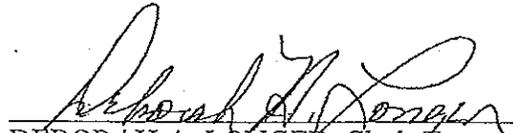
ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 18th day of December, 2013.


BRIAN K. SNEDECOR, Presiding Officer

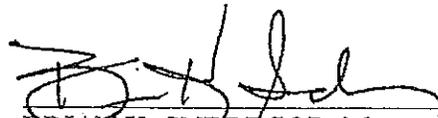
ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

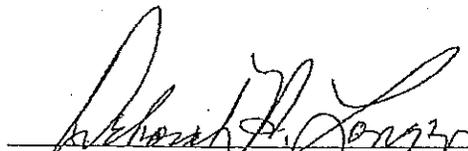
PRESENTED by me to the Mayor of the City of Hobart on the 18th day of December, 2013 at the hour of 7:55 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 18th day of December, 2013.


BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

ORDINANCE NO. 2016- 11

An Ordinance Amending the Municipal Code of the City of Hobart to Provide for Fees and Charges for Flexible Personal Property Abatement Requests

WHEREAS, the Common Council (“Council”) of the City of Hobart (“City”) has been advised that the fees and charges previously established and contained in the Municipal Code of the City pertaining to requests for tax abatement on personal property do not provide for fees for flexible personal property abatement requests which, like other types of abatement requests, require the preparation of a Financial Impact Analysis; and

WHEREAS, the Council has been requested by the Director of Economic Development for the City to add an appropriate fee for requests for flexible personal property abatements in the City; and

WHEREAS, the Council has received said proposal and has considered same, and now desires to make its determination of the new fee to be imposed for flexible personal property abatement requests and to spread same upon the public record through this Ordinance.

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

SECTION ONE. Ordinance No. 2008-34, which established fees for the City Tax Abatement Program, as amended by Section Seven of Ordinance No. 2013-39, is hereby further amended after the clause stating: “For flexible real property abatement requests: \$1,000.00” and before the clause beginning with the words “For flexible personal property abatement requests where there is existing abated personal property . . .” by adding the following new language:

“For flexible personal property abatement requests: \$1,000.00”

SECTION TWO: This ordinance shall become effective upon adoption in the manner required by law.

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 4/16 day of May, 2016.



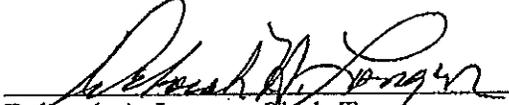
Presiding Officer

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ATTEST: 

Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 4th day of May, 2016
at the hour of 7:10 p.m.



Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 4th day of May, 2016.



Brian K. Snedecor, Mayor

ATTEST: 

Deborah A. Longer, Clerk-Treasurer

ORDINANCE NO. 2017 - 10

An Ordinance to Amend the Hobart Municipal Code and
City Fee Schedule Concerning Fees and Corrections to
Codification

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has been informed that several amendments to the Hobart Municipal Code are necessary to change a fee, and to correct several errors in the codification of prior ordinances; and

WHEREAS, the Council desires through this ordinance to make such changes to the fee matter set out below and to correct errors resulting from the enactment of prior ordinances amending the municipal code.

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

SECTION ONE: The Municipal Code of the City of Hobart ("Code"), in Chapter 31 entitled "*CITY ORGANIZATIONS*," in the Sub-Chapter entitled "*General Provisions*" is hereby amended by striking out the title and all of the language in §31.005, such section now entitled "*Board of Public Works and Safety, Special Meetings.*"

SECTION TWO: The Municipal Code of the City of Hobart ("Code"), in Chapter 30 entitled "*BRANCHES OF GOVERNMENT*" in the Sub-Chapter entitled "*Executive*," is hereby amended by striking out all of the language in §30.03, such section entitled "*Board of Public Works and Safety, Special Meetings*," and inserting in lieu thereof the following new language:

§30.03. BOARD OF FINANCE, BOARD OF PUBLIC WORKS AND SAFETY; MEETINGS

Meetings of the Board of Public Works and Safety shall be held at 3:30 p.m. on the same day as regular meetings of the Common Council. If a meeting of the Common Council is rescheduled under §30.21 (B), the meeting of the Board of Public Works and Safety will be held at 4:00 ~~3:30~~ p.m. on the day of the rescheduled meeting of the Common Council. When meetings of the Board of Finance are required by law, the Common Council shall designate the time and date of the meetings.

The Clerk-Treasurer shall impose and collect a fee in the amount of \$500.00 from any person or organization who requests a special meeting of the Board of Public Works and Safety for the purpose

47 of acting upon some financial incentive or other action which
48 confers upon such person some private pecuniary benefit, in any
49 month in which there is already scheduled at least one (1) regular
50 meeting of the Board of Public Works and Safety. The Clerk-
51 Treasurer shall collect such fee, in full, prior to scheduling the
52 special meeting.
53

54 *SECTION THREE:* Section One of Ordinance No. 2014-10 which
55 enacted §31.036 of the Code, is hereby amended by striking out the
56 section designation and inserting in lieu thereof a new designation of
57 §31.037. Accordingly, the Redevelopment Authority will henceforth be
58 located in §31.037. In Chapter 31 entitled "*CITY ORGANIZATIONS,*"
59 §31.036 remains "*REDEVELOPMENT COMMISSION, SPECIAL*
60 *MEETINGS*" without change.
61

62 *SECTION FOUR:* (a) Section Four of Ordinance No. 2013-25 which
63 enacted the section entitled "*ECONOMIC DEVELOPMENT COMMISSION,*
64 *SPECIAL MEETINGS*" as §31.036 of the Code, is hereby amended by striking out
65 the section designation and inserting in lieu thereof a new designation of §31.056.
66 Accordingly, the Economic Development Commission, Special Meetings section
67 will henceforth be located in §31.056.
68

69 (b) The body of said §31.056 is further amended by striking out the words
70 "other special meeting or regular" in the first sentence and inserting in lieu thereof
71 the word "special," so that such section will now read as follows:
72

73 **§31.056 ECONOMIC DEVELOPMENT COMMISSION,**
74 **SPECIAL MEETINGS.**
75

76 The Clerk-Treasurer or Director of Development shall impose and
77 collect a fee in the amount of \$500.00 from any person or
78 organization who requests a special meeting of the Economic
79 Development Commission for the purpose of acting upon some
80 financial incentive or other action which confers upon such person
81 some private pecuniary benefit, in any month in which there is
82 already scheduled at least one (1) ~~other special meeting or regular~~
83 special meeting of the Economic Development Commission. The
84 Clerk-Treasurer or Director of Development shall collect such fee,
85 in full, prior to scheduling the special meeting.
86

87 (c) In Chapter 31 entitled "*CITY ORGANIZATIONS,*" §31.036 remains
88 "*REDEVELOPMENT COMMISSION, SPECIAL MEETINGS*" without change.
89

90 *SECTION FIVE:* The City of Hobart Fee Schedule, as previously enacted,
91 is hereby amended to strike out the fee for Financial Impact Analysis of
92 "\$400.00" and insert in lieu thereof the new fee of "\$500.00."

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

2
3 **ORDINANCE NO. 2017-28**

4
5 **An Ordinance Amending the Municipal Code of the City of Hobart to Provide for**
6 **Fees and Charges for Certain Municipal Services and Activities**

7
8
9 WHEREAS, the Common Council (“Council”) of the City of Hobart (“City”) has been
10 advised that some of the fees the fees and charges previously established and contained in the
11 Municipal Code of the City are no longer sufficient to defray the actual costs of administering
12 the various permit, licensure and certain other administrative activities related to them; and

13
14 WHEREAS, two Departments of the City have proposed new fees or fee amendments
15 sufficient to support the operational and administrative activities of the Departments measured
16 by their true cost of operating said functions; and

17
18 WHEREAS, the Council has received said proposals and has considered same, and now
19 desires to make its determination of new fees effective and to spread same upon the public record
20 through this Ordinance.

21
22 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
23 Indiana as follows:

24
25 *SECTION ONE.* Chapter 50 of the Code entitled “GARBAGE, REFUSE
26 AND WEEDS,” in the sub-chapter entitled “*GENERAL PROVISIONS*,” §50.003
27 entitled “USE OF CITY DISPOSAL FACILITY BY NON-RESIDENTS” is
28 hereby amended by striking out the words “BY NON-RESIDENTS” in the title to
29 said section, and is further amended by striking the language appearing in sub-
30 section (B) of that Section and inserting in lieu thereof the following new
31 language:

32
33 **§50.003. USE OF CITY DISPOSAL FACILITY.**

34
35 * * *

36
37 (B) Any resident of the City desiring to deposit rubbish,
38 garbage or trash of any kind within any disposal facility established by
39 the City shall first obtain a City yard disposal permit. Such permit
40 shall be issued by the Clerk-Treasurer upon application for same in
41 writing by any person demonstrating his or her residency in the City
42 upon a form to be prescribed by the Clerk-Treasurer and upon payment
43 in full of the permit fee of \$15.00 for each year or fraction thereof.

44
45 *SECTION TWO.* In Chapter 154 of the Code entitled “ZONING,” in
46 §154.530, sub-section (C) entitled *Zoning and Planning Schedule of Fees* of the
47 sub-chapter entitled “*SCHEDULE OF FEES*,” the fee for the item “Preparation of

Resolution of Common Council waiving non-compliance with filing of tax abatement submissions pursuant to I.C. §6-1.1.-12.1-9.5 (b)” which appears under the heading Administrative Fees is hereby amended by striking out “\$252.00” and inserting in lieu thereof, “\$300.00.”

SECTION THREE: Section 1 of Ordinance Number 2008-34 as amended, enacted on October 9, 2008, is further amended by striking out the fee of “\$500.00” for “Tax Abatement Compliance Monitoring Fee (10 year abatements)” and inserting in lieu thereof “\$750.00.”

SECTION FOUR: Section 1 of Ordinance Number 2008-34 as amended, enacted on October 9, 2008, is further amended by adding the words “(Minor Amendment)” after “Tax Abatement Amendment Fee” and then adding the new item “Tax Abatement Amendment Fee (Major Amendment)” with a fee of “\$1,200.00.”

SECTION FIVE: Section 1 of Ordinance Number 2008-34 as amended, enacted on October 9, 2008, is further amended by striking out the item “Concrete Disposal Permit” and the accompanying fee of “\$30.00.”

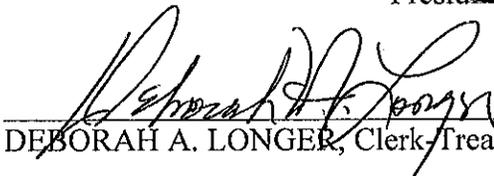
SECTION SIX: This ordinance shall become effective upon adoption in the manner required by law.

SECTION SEVEN: It is intended that this Ordinance repeal those provisions of Ordinance Numbers 2008-34 as previously amended and 2011-38 which are expressly in conflict with this Ordinance. All other provisions of Ordinance Numbers 2008-34 as previously amended and 2011-38 which are not in conflict with this Ordinance remain in full force and effect. All other 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 6th day of December, 2017.



Presiding Officer

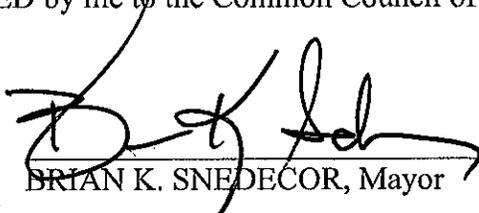
ATTEST: 

DEBORAH A. LONGER, Clerk-Treasurer

93 PRESENTED by me to the Mayor of the City of Hobart on the 6th day of December,
94 2017 at the hour of 7:00 p.m.
95
96

97 
98 _____
99 DEBORAH A. LONGER, Clerk/Treasurer

100
101
102 APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
103 of Hobart on this 6th day of December, 2017.
104

105 
106 _____
107 BRIAN K. SNEDECOR, Mayor

108
109
110 ATTEST:

111 
112 _____
DEBORAH A. LONGER, Clerk-Treasurer

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

2
3 **ORDINANCE NO. 2017- 32**

4
5 **An Ordinance to Establish a Fee to Defray the Cost of Obtaining Professional**
6 **Review of Annual Compliance Documents in Order to Assure that the Minimum**
7 **Assessed Valuation Requirements and the Resulting Tax Payments for Personal**
8 **Property Tax Abatements in the City have been Met**
9

10
11 WHEREAS, the Common Council (“Council”) of the City of Hobart (“City”) has been
12 advised by the City’s Department of Development that requests for personal property tax
13 abatements by local commercial and industrial concerns are increasing in number as well as size;
14 and
15

16 WHEREAS, it is necessary and desirable for the Council to have the benefit of expert
17 professional review of the documents submitted by a business applicant who has received the
18 abatement of taxes on qualifying personal property from the Council pursuant to the pertinent
19 provisions of I.C. 6-1.1-12.1, both at the time the abatement is granted, and annually thereafter
20 while the period of abatement is in effect; and
21

22 WHEREAS, the Council has been advised that the determination of whether or not an
23 abatement recipient has complied with the minimum assessed valuation requirements and the
24 resulting personal property tax payments for the abatement grant is a complex matter, requiring
25 an analysis best accomplished by professionals familiar with the personal property tax
26 assessment rules of the State of Indiana, and acquainted with the generally accepted
27 governmental accounting principles that apply; and
28

29 WHEREAS, the Council, in view of these considerations, desires to implement a fee
30 payable by applicants for personal property tax abatements, sufficient to cover the professional
31 fees and costs of the City’s independent government finance consultant in reviewing and
32 reporting on the compliance of abatement applicants and abatement holders with the minimum
33 assessed valuation requirements and the resulting personal property tax payments, and reporting
34 their findings to the Council.
35

36 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
37 Indiana as follows:
38

39 *SECTION ONE.* Chapter 32 of the Municipal Code of the City of Hobart
40 (“Code”) entitled “*GENERAL PROVISIONS,*” in §32.02 now entitled “*TAX*
41 *ABATEMENT POLICIES; ADOPTED BY REFERENCE*” is hereby amended
42 by striking out the title and all language contained in said section and inserting in
43 lieu thereof the following new title and language:
44

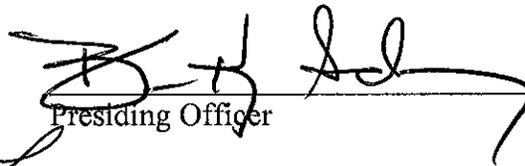
§32.02. TAX ABATEMENT POLICIES ADOPTED BY REFERENCE; FEE FOR COMPLIANCE REVIEW OF PERSONAL PROPERTY TAX ABATEMENTS.

(A) The tax abatement policies of the City enacted in resolution form are hereby adopted by reference and incorporated herein as if set out in full.

(B) An applicant for personal property tax abatement pursuant to I.C. 6-1.1-12.1, or a party that has been previously granted a personal property tax abatement under that chapter of the Indiana Code, prior to the action of the Common Council finalizing the abatement or approving annual compliance, for as long as the abatement remains in effect, shall annually pay to the Clerk-Treasurer of the City a fee in the amount of \$1,500 for the services of the City’s financial consultant in reviewing the documents and supporting information submitted by the applicant or party holding a personal property abatement, to determine whether the minimum assessed valuation requirements and the resulting personal property tax payments of the abatement have been satisfied.

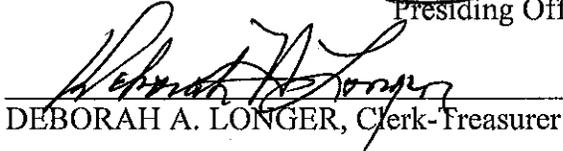
SECTION TWO. This Ordinance shall take effect upon its adoption in the manner required by law, and shall apply to every application for abatement pending but not yet approved by the Common Council, and to every annual compliance submission for a personal property abatement previously granted, but not yet approved, at the time of this Ordinance’s adoption.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 20th day of December, 2017.



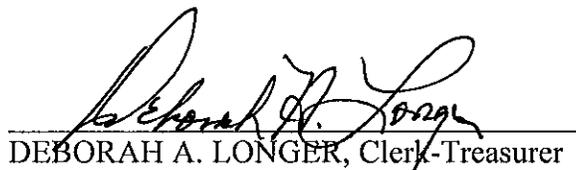
Presiding Officer

ATTEST:



DEBORAH A. LONGER, Clerk-Treasurer

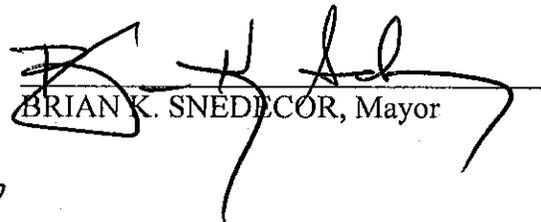
PRESENTED by me to the Mayor of the City of Hobart on the 20th day of December, 2017 at the hour of 7:15 pm.



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 20th day of December, 2017.


BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

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COMMON COUNCIL OF THE CITY OF HOBART

ORDINANCE NO. 2018 - 06

An Ordinance Amending the Ordinance No. 2013-39, which Established Fees for the City of Hobart Tax Abatement Program

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has been advised that the fees and charges previously established and contained in Section Seven of Ordinance 2013-39 as adopted on December 18, 2013, limit certain Financial Impact Analysis Fees; and

WHEREAS, the Council, being advised by the Director of Development that there is a need to expand the language of the Ordinance to include *traditional* personal property abatement requests where there is existing abated personal property to take into account in addition to the flexible personal property abatement requests as stated in Ordinance 2013-39; and

WHEREAS, the Council has received information and has considered same, now desires to make an amendment to Ordinance 2013-39 to include traditional personal property abatement requests where there is existing abated personal property to take into account in addition to the flexible personal property abatement as stated in Ordinance 2013-39;

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana that:

SECTION ONE. Ordinance No. 2013-39, which established certain fees for the City Tax Abatement Program is amended by striking out the following language:

“For flexible personal property abatement requests where there is existing abated personal property to take into account: \$1,500.00.”

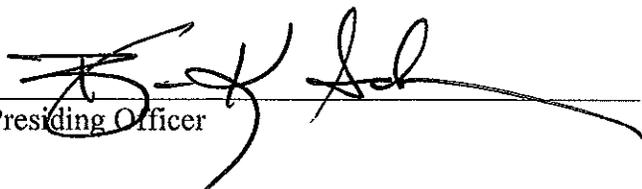
And inserting in lieu thereof the following new language:

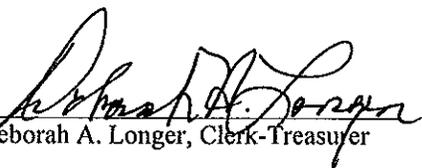
For flexible or traditional personal property abatement requests where there is existing abated personal property to take into account: \$1,500.00.

SECTION TWO. All other language of Ordinance No. 2013-39 not in conflict with the above amendment is affirmed.

SECTION THREE. This Ordinance shall become effective upon passage and publication as required by law.

46 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
47 Hobart, Indiana on this 21st day of MARCH, 2018.

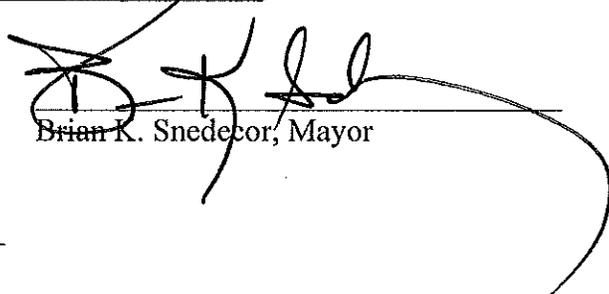
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51 Presiding Officer

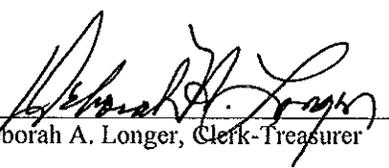
52
53 ATTEST: 
54 Deborah A. Longer, Clerk-Treasurer
55

56
57 PRESENTED by me to the Mayor of the City of Hobart on the 21st day of
58 MARCH, 2018 at the hour of 7:00 pm.

59
60 
61 Deborah A. Longer, Clerk-Treasurer
62
63
64

65 APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
66 of Hobart on this 21st day of MARCH, 2018.

67
68 
69 Brian K. Snedecor, Mayor
70
71
72

73 ATTEST: 
74 Deborah A. Longer, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

ORDINANCE NO. 2018- 09

An Ordinance to Establish Fees for Financial Impact Analysis and for Annual Compliance Review to be paid by Applicants for Vacant Building Real Estate Tax Deductions for Properties in the City of Hobart

WHEREAS, the Common Council (“Council”) of the City of Hobart (“City”) has been advised by the City’s Department of Development that it intends to use the availability of vacant building real estate tax deductions (“VDB”) as provided by I.C. §6-1.1-12.1-4.8 as a marketing strategy for downtown revitalization and new business attraction; and

WHEREAS, the financial impact analysis of applications for such Deduction requires the involvement of the City’s outside financial advisors so that the Council may be provided with a reliable and neutral analysis of the economic impact of the proposed deduction to the City; and

WHEREAS, a VDB may be granted for up to ten (10) years and is subject to requirements provided for in the above cited section of the Indiana Code and related sections, and a staff review must be made annually to assure compliance with such requirements as a condition of the continued maintenance of the deduction for the period designated by the Council; and

WHEREAS, the establishment of two (2) new fees should be considered to defray the cost of obtaining the consultant’s financial impact analysis and to cover the cost of staff time necessary to conduct the annual compliance review; and

WHEREAS, the Tax Abatement Committee of the Council has reviewed this matter and has authorized the preparation of this Ordinance to establish said fees.

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

SECTION ONE. Chapter 32 of the Municipal Code of the City of Hobart (“Code”) entitled “*GENERAL PROVISIONS,*” in §32.02 now entitled “TAX ABATEMENT POLICIES ADOPTED BY REFERENCE; FEE FOR COMPLIANCE REVIEW OF PERSONAL PROPERTY TAX ABATEMENTS” is hereby amended by striking out the title and inserting in lieu thereof the following new title and new sub-sections to be denominated sub-sections (C) and (D):

§32.02. TAX ABATEMENT POLICIES ADOPTED BY REFERENCE; FEE FOR COMPLIANCE REVIEW OF PERSONAL PROPERTY TAX ABATEMENTS; FEES FOR VACANT BUILDING DEDUCTION APPLICATIONS.

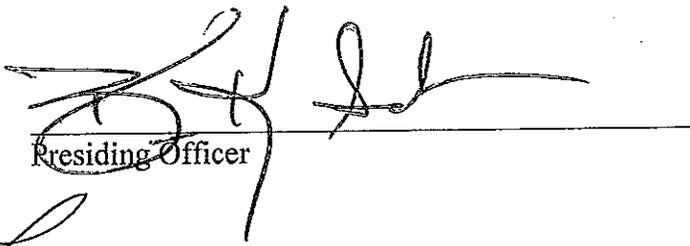
* * *

(C) An applicant for a vacant building real estate tax deduction, as provided by I.C. §6-1.1-12.1-4.8, shall, at the time of application, and as a condition precedent to the grant thereof, pay a fee to the Clerk-Treasurer, in addition to any other applicable fees, in the amount of One Thousand and no/100 Dollars (\$1,000.00) to be used to defray the cost of professional fees incurred by the City in obtaining a financial impact analysis of the application from the City's designated financial advisor. Such fee shall not be refundable whether the Council grants the deduction applied for or not.

(B) An applicant for a vacant building real estate tax deduction, as provided by I.C. §6-1.1-12.1-4.8, shall, prior to the grant of the deduction by the Council, and as a condition precedent to the grant thereof, pay a fee to the Clerk-Treasurer, in addition to any other applicable fees, in the amount of Fifty and no/100 Dollars (\$50.00) for each year for which the applicant has requested such deduction, not to exceed ten (10) years, in a lump sum, for the purpose of defraying the cost of the City Development staff's annual compliance review for the deduction. In the event the deduction is either denied by the Council or is granted for a number of years fewer than the number applied for, this fee may be refunded to the applicant, in whole or in part, as the case may be.

SECTION TWO. This Ordinance shall take effect upon its adoption in the manner required by law, and shall apply to every application for vacant building deduction pending but not yet approved by the Common Council, and to every annual compliance submission for a vacant building deduction previously granted, but not yet approved, at the time of this Ordinance's adoption.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 18th day of April, 2018.

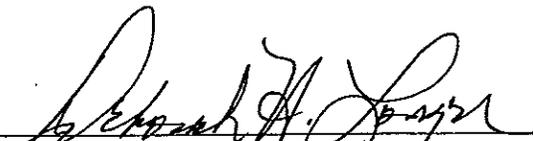

Residing Officer

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

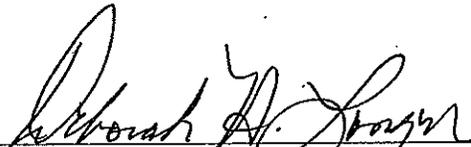
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PRESENTED by me to the Mayor of the City of Hobart on the 18th day of April, 2018
at the hour of 7:15 pm


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 18th day of April, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

ORDINANCE NO. 2018- 12

**An Ordinance Amending the Municipal Code of the City of Hobart
On the Recovery of Professional Fees and Costs for
Private Developments within the City**

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") previously enacted Ordinance No. 2010-18 which added Chapter 155 to the Hobart Municipal Code ("Code" or "HMC") establishing a procedure for the recovery by the City of professional fees and costs incurred for the City Engineer, consulting engineers, architects, financial consultants, the City Attorney and other attorneys acting as special counsel along with legal advertising and recordation fees to the City through the use of reimbursement agreements; and

WHEREAS, said Ordinance was subsequently amended by Ordinance Nos. 2011-38 and 2012- 35; and

WHEREAS, the Council has received the request of the Department of Development to further amend said chapter to require the full amount of the total anticipated fees to be incurred by a developer for the City's professionals and legal advertising and recordation costs to be deposited upon execution of the reimbursement agreement, rather than one-half of that amount as required in the current language of the above ordinances, in order to save staff time in later collecting the balance of the fees and costs owed, and to avoid the need to delay final action on projects until the balance of the fee is collected; and

WHEREAS, the City Attorney has also requested the Council to correct a scrivener's error which appears in said Chapter; and

WHEREAS, the Council now wishes to amend said Chapter of the Code accordingly.

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

(Deleted words are ~~stricken through~~; added words are underlined.)

SECTION ONE. The Municipal Code of the City of Hobart, Indiana ("Code") is hereby amended in Title XV thereof on "LAND USAGE," in §155.06 of "Chapter 155," said section being entitled "*RECEIPT AND DEPOSIT OF FUNDS; FINANCIAL ARRANGEMENTS*," by striking the words "one-half of" so that said section now reads as follows:

§155.06. *RECEIPT AND DEPOSIT OF FUNDS; FINANCIAL ARRANGEMENTS.*

Upon execution of the reimbursement agreement required by §155.05 of this chapter, the developer shall deposit with the Clerk-Treasurer of the City a sum equal to ~~one-half~~ of the total

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estimated professional fees, legal advertising and recordation fees and costs specified in the agreement. No consideration shall be given by any board, council, commission or official of the City to the application of the developer until such deposit is paid. Before the final action of the City board, commission, council or official on the developer's application for official land use action or an official financing incentive action, the City shall give written notice to the developer of the final sum of all fees and costs for professional services incurred by the City in evaluation and review of the application to the developer, and the developer shall pay the City, in reimbursement thereof, the balance of all such fees and costs incurred less deposits previously paid by the developer. No final action shall be taken on the application until such payment is made. If the sum of all deposits made by the developer with the City exceed the sum of all of such professional fees and costs incurred by the City, the City shall promptly reimburse the balance to the developer. If, after final action is taken, fees or costs are billed to the City for professional services or legal advertising or recordation fees not previously billed, the applicant shall reimburse the City for same promptly upon written invoice to the developer by the Clerk-Treasurer.

SECTION TWO: The Municipal Code of the City of Hobart, Indiana ("Code") is hereby further amended in Title XV thereof on "LAND USAGE," in §155.07 of "Chapter 155," said section being entitled "*ENFORCEMENT AND DAMAGES*," by striking the word "special" in line four, and inserting in lieu thereof the word "specific," so that said section now reads as follows:

§155.07. ENFORCEMENT AND DAMAGES.

The City shall be entitled to enforce the provisions of this chapter, including the provisions of any reimbursement agreement provided for in this chapter, by any remedy at law or in equity, including, but not limited to, injunction, damages, ~~special~~ specific performance and the recovery of attorney fees and costs.

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 6th day of June, 2018.

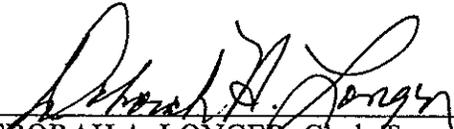

PRESIDING OFFICER

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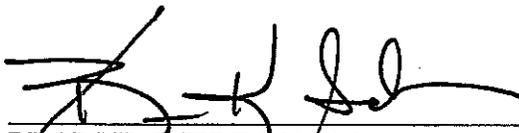
ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

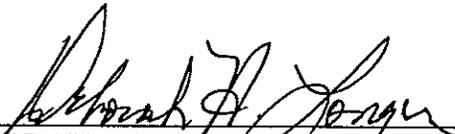
PRESENTED by me to the Mayor of the City of Hobart on the 6th day of
June, 2018 at the hour of 7:00 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of
the City of Hobart on this 6th day of June, 2018.


BRAIN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

ORDINANCE NO. 2018- 13

**An Ordinance to Amend the Municipal Code of the City of Hobart
to Provide for Compliance Monitoring Fees for Property Tax Abatements
of Less than Ten (10) Years**

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") previously established a Tax Abatement Monitoring Compliance Fee in Ordinance No. 2008-34 which was subsequently amended by Ordinance No. 2017 -28, Section Three, which provided that such fee is in the amount of \$750.00 for a 10 year abatement; and

WHEREAS, the Council has been advised that some property tax abatements may be granted for shorter periods than ten (10) years, and that the current fee does not explicitly provide for or apply this fee for shorter abatement intervals; and

WHEREAS, the Council now wishes to apply such fee to all property tax abatements granted by the City at the rate of \$75.00 per year, multiplied by the number of years the abatement is in effect, payable in a lump sum in advance at time of application for the abatement.

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

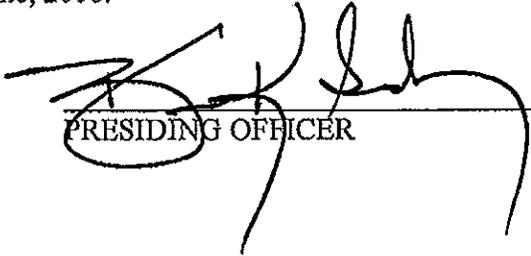
SECTION ONE: Section Three of Ordinance Number 2017-28, enacted on December 6, 2017, is amended by striking out the language of such section in its entirety and inserting in lieu thereof the following new language:

"Tax Abatement Compliance Monitoring Fee (10 year abatements) \$750.00; for abatements of less than ten years, a sum equal to \$75.00 multiplied by the number of years for which the abatement will be in effect, in a lump sum, due and payable at the time of application for abatement."

SECTION TWO: This ordinance shall become effective upon adoption in the manner required by law.

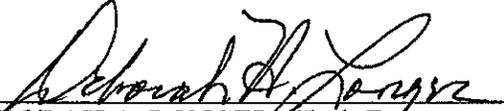
SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 6th day of June, 2018.

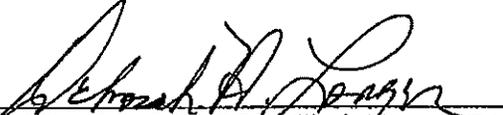

PRESIDING OFFICER

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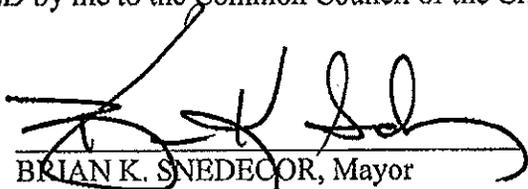
ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 6th day of June, 2018
at the hour of 7:00 p.m.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 6th day of June, 2018.


BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

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

2
3 **ORDINANCE NO. 2018 - 34**

4
5 **An Ordinance Amending the Municipal Code of the City of Hobart to Provide for**
6 **Fees and Charges for Certain Municipal Services and Activities**

7
8
9 WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been
10 advised that some of the fees and charges previously established and contained in the Municipal
11 Code of the City are no longer sufficient to defray the actual costs of administering the various
12 permit, licensure and certain other administrative activities related to them; and

13
14 WHEREAS, entities of the City have proposed new fees or fee amendments sufficient to
15 support the operational and administrative activities of the Departments measured by their true
16 cost of operating said functions; and

17
18 WHEREAS, the Council has received said proposals and has considered same, and now
19 desires to make its determination of new fees effective and to spread same upon the public record
20 through this Ordinance.

21
22 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,
23 Indiana as follows:

24
25 *SECTION ONE.* The Fee Schedules for the City of Hobart, 2018, are
26 hereby amended as follows:

27
28 Under Tax Abatement Program, (page 13) Tax Abatement Application Fees:
29 For more than one (1) residential living unit: \$350.00

30
31 For Commercial or Industrial project: \$350.00
32 Based on staff assistance required for these types of applications.

33
34 Under Compliance Monitoring Fee for Abatement (page 13):
35 For 10-year abatements \$1,000.00; or \$100.00 per year if less than 10
36 years, to better cover the time spent by staff to perform compliance review
37 work.

38
39 Under Preparation of Resolution of Common Council waiving non-compliance
40 with filing of tax abatement submissions under I.C. §6-1.1-12.1-9.5 (b)
41 (page 14): \$600.00.

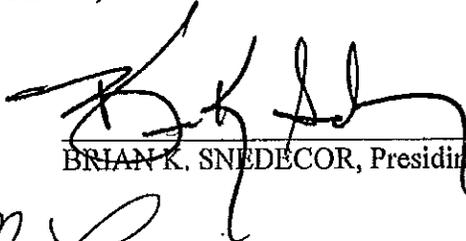
42
43 Under Financial Impact Analysis Fee for Abatements (page 14): For Traditional
44 Real or Personal Property abatement requests (either alone or together) to
45 cover Umbaugh & Associates expense to prepare analysis: \$750.00
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SECTION SIX: This ordinance shall become effective January 1, 2019.

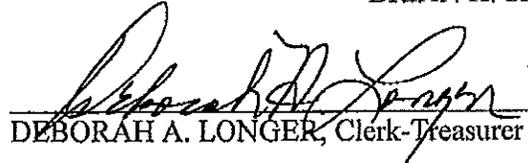
SECTION THREE: All other ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 19th day of December, 2018.

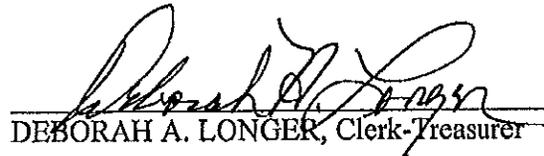


BRIAN K. SNEDECOR, Presiding Officer

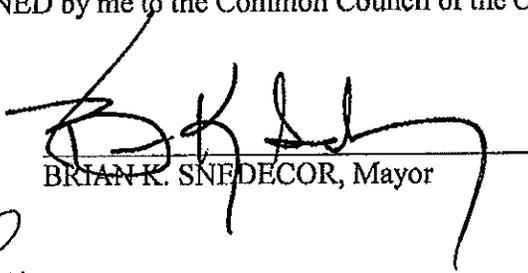
ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of December, 2018 at the hour of 6:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 19th day of December, 2018.



BRIAN K. SNEDECOR, Mayor

ATTEST:


DEBORAH A. LONGER, Clerk-Treasurer

COMMON COUNCIL OF THE CITY OF HOBART, INDIANA



ORDINANCE NO. 2020 - 06

An Ordinance Amending the Municipal Code of the City of Hobart to Provide for Fees and Charges for Certain Municipal Services and Activities

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been advised that some of the fees and charges previously established and contained in the Municipal Code of the City are no longer sufficient to defray the actual costs of administering the various permit, licensure and certain other administrative activities related to them; and

WHEREAS, entities of the City have proposed new fees or fee amendments sufficient to support the operational and administrative activities of the Departments measured by their true cost of operating said functions; and

WHEREAS, the Council has received said proposals and has considered same, and now desires to make its determination of new fees effective and to spread same upon the public record through this Ordinance.

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

SECTION ONE. The Fee Schedule for the City of Hobart, 2020, are hereby amended as follows:

Under Tax Abatement Program, (page 13)

Based on current rates charged by news publications for legal notices.

Includes \$31.00 for legal ad and \$20.00 refundable sign deposit

Public Notice Fee: \$51.00

Under Financial Impact Analysis Fee for Abatements (page14):

To cover expenses for the preparation of analyses by Baker Tilly Municipal Advisors LLC:

For Traditional Real or Personal Property Abatement requests (either alone or together): \$1,000.00

For Flexible Real Property Abatement requests: \$1,250.00

For Flexible Personal Property Abatement requests: \$1,250.00

For Flexible or Traditional Personal Property Abatement requests where there is existing abated personal property to take into account: \$2,000.00

For Vacant Building Real Estate Tax Deduction requests: \$1,250.00

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SECTION SIX: This ordinance shall become effective August 1, 2020.

SECTION THREE: All other 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 12th day of July, 2020.


BRIAN K. SNEDECOR, Presiding Officer

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 12th day of July, 2020 at the hour of 6:45 pm.


DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 12th day of July, 2020.


BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

**CHECKLIST FOR SUPPORTING DOCUMENTATION REQUIRED FOR
EVALUATION OF COMPLIANCE WITH STATEMENT OF BENEFITS**

4/19/07 rev

Description of real property improvements and/or new manufacturing equipment:

_____ Petitioner shall provide photo(s) of new building constructed with a written description of square footage, building type, exterior finishes, and other pertinent information.

and/or

_____ Petitioner shall provide photo(s) of installed new manufacturing equipment with a list itemizing type, purchase price, and installation date.

Estimated Starting and Completion Dates (for buildings only)

_____ Petitioner shall provide proof of starting date through a copy of the Building Permit.

_____ Petitioner shall provide proof of completion date through a copy of the Certificate of Occupancy.

Estimated Starting and Completion Dates (for new manufacturing equipment only)

_____ Petitioner shall provide proof of starting and completion date through a signed affidavit.

Employment and Salaries (for permanent jobs created for a commercial or industrial business)

_____ Provide payroll amounts related to a listing of all employees both part-time and full-time by identification number not name.

Employment and Salaries (for temporary construction jobs associated with building activity)

_____ Provide a written summary from all contractors employed in the construction stating their work provided and payroll amounts with a listing by identification number or job classification the employees who worked on the project. Certified payroll from each employee may be required to check compliance with common construction wage if such was promised.

Values of Proposed Project (for buildings only)

_____ Petitioner shall provide verification of cost of construction through either building permit data or receipts showing payment for labor and materials.

Values of Proposed Project (for new manufacturing equipment only)

_____ Petitioner shall provide verification of cost of new manufacturing equipment through receipts showing payment for purchase, shipping, and installation.

Assessed Values of Proposed Project (for buildings and new manufacturing equipment)

_____ Petitioner shall provide proof of assessed value as obtained from either the Township Assessor or Lake County Auditor. For real property, this will be the Form 11/ Notice of Assessment.

Other Benefits Promised

_____ Petitioner shall be required to document through receipt that supplies or services were bought or engaged from the vendors named or cash donations made to organizations named.

_____ Petitioner shall be required to submit additional proof of compliance for other benefits promised depending upon the nature or the benefits as deemed appropriate by the Common Council.

Consideration of Assessed Value Documentation required for Initial Tax Abatement Compliance Submission: Denarie Kane noted the current County Auditor is allowing the filing of Deduction Application form without the Form 11 but they instruct the public to bring the form in to the County once it arrives. Staff is recommending that the Council not accept a compliance unless the Form 11 is

Common Council – May 21, 2008

2

available at the time it is being considered, at least for the initial compliance filing. Motion by Mr. Mendez, seconded by Mr. Vinzant, to direct the staff not to accept the initial Compliance with Statement of Benefits until the Form 11 is attached to it before it is forwarded to the Council for its review and approval. All aye, motion carried. (7-0)

Mr. Mendez requested that the Tax Abatement Committee meet in the near future to discuss the two Resolutions presented for consideration.

Common Council – May 21, 2008

3

Discussion: Senior Discounts for Garbage Collection Fees: Mr. Rosenbaum stated there are various scenarios to be considered when granting discounts to seniors for garbage collection fees including renters, dual residency citizens, disabled residents under the age of 65 and the proof of residency requirement as intended by the Ordinance. Mrs. Longer stated that 1135 seniors had applied for the discount to date. Motion by Mr. Rosenbaum to allow proof of residency to be shown by a paid sewage or water bill instead of a driver's license. Continued discussion followed as to other issues that may arise in the future and the desire of the Council to get the first billing out in November on schedule. Mr. Rosenbaum withdrew his motion.

Mr. Vinzant called for an Ordinance Committee meeting on November 5th at 5:00 p.m. to discuss this issue further toward possibly amending the ordinance later in the year or early next year.

New Business:



Waiver of May 21, 2008 Directive to Staff re: CF-1 & Form 11: Denarie Kane provided information to the Council that the Form 11's are not being mailed out for 2007 per the order of the DLGF and the Township Assessor is not sure about the issuance of them in the future. It is recommended that the Council waive its May 21, 2008 directive to the staff and approve the submitted CF-1's without proof of assessed value so petitioners can make deduction filings with the Lake County Auditor. Motion by Mr. Vinzant, seconded by Mr. Brezik, to waive the May 21, 2008 directive and not require the Form 11's but will consider the CF-1 forms being submitted. All aye, motion carried. (7-0)

Compliance with Statement of Benefits:

2007 Effective Assessments:

JBT Realty (Hobart Animal Clinic), re: 2650 E. St. Rd. 130

Carole Gilbert, Gilbert's Grove

2008 Effective Assessments:

B&A Construction: Bob Kaufman, re: 1117 High Street

Andjelich Group, re: 1119 High Street

Ed Duncan, re: 830 13th St.

Motion by Mr. Rosenbaum, seconded by Mr. Vinzant, to approve all five (5) Compliance with Statement of Benefits as presented. All aye, motion carried. (7-0)

Ordinance 2008-44: An Ordinance Transferring Appropriations within the 2008 Budget of the General Fund: Various Departments and the MVH Fund.: The first reading of the ordinance was held. Motion by Mr. Mendez, seconded by Mrs. Wiley, to pass Ordinance 2008-44 to second reading. Roll Call Vote taken. All aye, motion carried. (7-0)

Motion by Mr. Mendez, seconded by Mr. Herzog, to suspend the rules, declare an emergency and hold the 2nd reading of the ordinance this evening. All aye, motion carried. (7-0)

Ordinance 2008-44: An Ordinance Transferring Appropriations within the 2008 Budget of the General Fund: Various Departments and the MVH Fund.: The second reading of the ordinance was held. Motion by Mr. Herzog, seconded by Mr. Mendez, to adopt Ordinance 2008-44 as presented. Roll Call Vote taken. All aye, motion carried. (7-0)

Ordinance 2008-45: An Ordinance providing that the Zoning Ordinance of the City of Hobart be Amended by Changing an Established B-3 Zone to a M-1 Zone Classification: Mirko Gros, re: 5112 E. US Hwy 30.: The Ordinance was read. Motion by Mr. Herzog, seconded by Mr. Vinzant, to pass Ordinance 2008-45 to second reading. Roll Call Vote taken. All aye, motion carried. (7-0)

RESOLUTION NO. 2015- 15

A Resolution to Provide for Responsible Bidding in Certain Construction Projects Receiving Economic Incentives from the City of Hobart

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") previously adopted Resolution 99-79 which, in part, allowed the Council to require "clawback" agreements between the City and the recipient of industrial and commercial real property tax abatement or personal property tax abatement, such agreement to be executed prior to the Council's final action on tax abatement approval and containing terms and conditions under which the City may recover from the recipient any real property and personal property taxes which were abated during the tax abatement deduction period; and

WHEREAS, the Council subsequently adopted Ordinance No. 2015 - 26 which requires Responsible Bidding for all public works construction, alteration and repair projects on City owned property; and

WHEREAS, the Council has determined that it is in the best interest of the City's economic health and welfare to allow for Responsible Bidding for certain new construction projects performed on property granted tax abatements; and

WHEREAS, the Council desires to declare the policy of the City to allow for such Responsible Bidding under the circumstances outlined below, and to make such policy effective through this Resolution.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Commencing with projects described in Section Five below, the Common Council may require the contractor performing new construction for the recipient of industrial and commercial real property tax abatement or personal property tax abatement to complete the requirements for Responsible Bidding in the same way as though they were bidding on a City project as specified in Ordinance No. 2015 - 26. If required by the Council, the Responsible Bidding requirements shall be completed after final Council action on tax abatement approval. The requirement for Responsible Bidding will be noted under item "G" ("Other limitations or conditions (specify)") of page two of State Form SB-1 (Statement of Benefits Personal Property or Statement of Benefits Real Estate Improvements).

SECTION TWO: In determining whether to require Responsible Bidding in each case, the Council will consider, among any other factors it deems relevant, whether Responsible Bidding would be helpful in assuring an adequate supply of skilled labor for the project, whether requiring Responsible Bidding is necessary in view of a recipient's prior history of cooperation with the City or labor organizations, and whether requiring Responsible Bidding will have a positive or negative effect on the economic viability of the project. The Council may exempt certain requirements from the required Responsible Bidding in its sound discretion.

SECTION THREE: The Council shall direct the Clerk-Treasurer to give reasonable

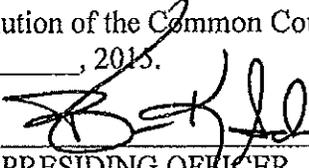
written or e-mailed notice of the public hearing on a pending real or personal property tax abatement for industrial and commercial applications to the Northwest Indiana Building and Construction Trades Council.

SECTION FOUR: For those projects in which the Council has required the completion of Responsible Bidding by the project contractor, the Building Commissioner of the City shall not issue any building permit for the project if the completed required Responsible Bidding documents have not been filed with the City. The process for managing, tracking and verifying submitted Responsible Bidding documents shall be established by the Clerk-Treasurer and the Building Commissioner.

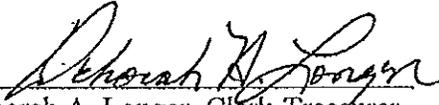
SECTION FIVE: The policy declared herein shall apply to all projects for which an abatement application has not yet been filed as of the date of this Resolution's adoption.

SECTION SIX: Nothing in this Resolution shall be interpreted as amending and repealing any provision of Resolution 99-79 or of Ordinance Number 2003-11. All other resolutions in effect prior to the effective date and in conflict with the provisions of this Resolution are hereby repealed.

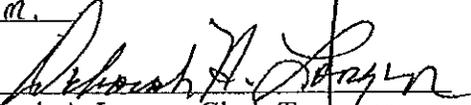
ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 7th day of October, 2015.


PRESIDING OFFICER

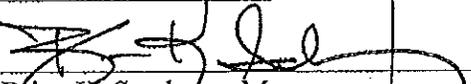
ATTEST:


Deborah A. Longer, Clerk-Treasurer

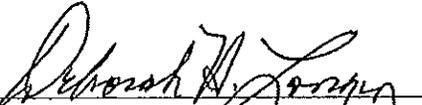
PRESENTED by me to the Mayor of the City of Hobart on the 7th day of October, 2015 at the hour of 7:00 p.m.


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 7th day of October, 2015.


Brian K. Snedgor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

1 COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

2
3 Ordinance Number 2015-28

4
5 An Ordinance to Establish Submission Requirements for Bidders on City
6 Public Works Projects and Responsible Bidder Determinations

7 WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City")
8 has noted that the City is required by law (I.C. §36-1-12-4 (b) (8)) to award certain contracts
9 for public works projects to the "lowest responsible and responsive" bidder, and

10 WHEREAS, the law (I.C. §36-1-12-4 (b) (11)) further requires that the City entity
11 awarding a public works contract where bids are required, in determining whether a bidder is
12 a "responsible bidder," may consider the following factors: (A) The ability and capacity of
13 the bidder to perform the work; (B) The integrity, character, and reputation of the bidder; and
14 (C) The competence and experience of the bidder; and

15 WHEREAS, the Indiana General Assembly has enacted legislation (Public Law 252-
16 2015, §9) which took effect on July 1, 2015 to, *inter alia*, repeal the Common Construction
17 Wage Act (I.C. § 5-16-7-1, *et seq.*) and which also amended certain of Indiana's procurement
18 laws. As a result, the Common Construction Wage Act no longer applies to public works
19 contracts awarded after June 30, 2015 and references to the Act was deleted from twenty-nine
20 (29) different procurement statutes. Furthermore, the repealing legislation (Public Law 252-
21 2015, §11) enacted I.C. §5-16-7.2-5 which prohibits a public agency from establishing,
22 mandating or otherwise requiring a wage schedule on a public works project; and

23
24 WHEREAS, the City of Hobart, based upon its experience, has determined that
25 quality workmanship, efficient operation, safety, and timely completion of projects requires
26 all bidders meet certain minimum requirements in order to be a "responsible" bidder, and are
27 essential to the determination of whether a bidder has the ability and capacity as well as the
28 competence and experience to perform the work; and

29
30 WHEREAS, as noted above, applicable state law also requires that bidders meet
31 certain minimum requirements in order to be a "responsive and responsible" bidder;

32
33 WHEREAS, the City of Hobart seeks to enhance its ability to identify "responsible
34 and responsive" bidders on all City public works construction projects by the institution of
35 comprehensive submission requirements which are in compliance with Indiana State law,
36 and which are consistent with the exercise of the City's Home Rule powers pursuant to I.C.
37 36-1-3; and

38
39 WHEREAS, this "Responsible Bidding Practices and Submission Requirements"
40 Ordinance will preserve administrative resources by insuring that only qualified contractors
41 and subcontractors are awarded contracts on public works construction projects; and

42
43 WHEREAS, this "Responsible Bidding Practices and Submission Requirements"
44 Ordinance will assure efficient use of taxpayer dollars, will promote public safety and is in
45 the public interest; and

46
47 WHEREAS this "Responsible Bidding Practices and Submission Requirements"
48 Ordinance will help ensure that no contractor awarded work under this Ordinance or any

49 subcontractor at any tier working on a project awarded pursuant to this ordinance engages in
50 payroll fraud, including the misclassification of employees as independent contractors to
51 avoid paying state, federal or local payroll taxes, workers compensation insurance,
52 unemployment insurance premiums and failing to pay overtime and wages as required by
53 law.

54
55 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart
56 that:

57
58 *SECTION ONE:* The Municipal Code of the City of Hobart, Indiana
59 (“Code”) is hereby amended by adding a new sub-chapter to be entitled
60 “*Responsible Bidding Practices and Submission Requirements*”
61 commencing with new section 33.200 and the subsequent other sections, as
62 follows:

63
64 **§33.200. BID SUBMISSION REQUIREMENTS.**

65
66 Contractors proposing to submit bids on any City of Hobart (“City”) project which are governed by City of Hobart bidding rules and policy, estimated to have a total construction cost of at least one hundred fifty thousand dollars (\$150,000.00) or more must, prior to the opening of bids, submit a statement made under penalty of perjury, on a form designated by the City and must include:

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73 (1) A copy of a print-out of the Indiana Secretary of State’s on-line records
74 for the bidder dated within sixty (60) days of the submission of said
75 document showing that the bidder is in existence, current with the
76 Indiana Secretary of State’s Business Entity Reports, and eligible for a
77 certificate of good standing. If the bidder is an individual, sole
78 proprietor or partnership, this subsection shall not apply;
- 79
80 (2) A list identifying all former business names.
- 81
82 (3) Any determinations by a court or governmental agency for violations
83 of federal, state, or local laws including, but not limited to violations of
84 contracting or antitrust laws, tax or licensing laws, environmental laws,
85 the Occupational Safety and Health Act (OSHA), or federal Davis-
86 Bacon and related Acts;”
- 87
88 (4) A statement on staffing capabilities, including labor sources;
- 89
90 (5) Evidence of participation in apprenticeship and training programs,
91 applicable to the work to be performed on the project, which are
92 approved by and registered with the United States Department of
93 Labor’s Office of Apprenticeship, or its successor organization. The
94 required evidence includes a copy of all applicable apprenticeship
95 certificates or standards for these training programs.
- 96
97 (6) A copy of a written plan for employee drug testing that: (i) covers all
98 employees of the bidder who will perform work on the public work

99 project; and (ii) meets, or exceeds, the requirements set forth I.C. § 4-
100 13-18-5 or I.C. § 4-13-18-6;

101
102 (7) The name and description of the management experience of each of the
103 bidder's project managers and superintendents that bidder intends to
104 assign to work on the project;

105
106 (8) Proof of any professional or trade license required by law for any trade
107 or specialty area in which bidder is seeking a contract award; and,
108 disclosure of any suspension or revocation within the previous five
109 years of any professional or trade license held by the company, or of
110 any director, office or manager employed by the bidder;

111
112 (9) Evidence that the contractor is utilizing a surety company which is on
113 the United States Department of Treasury's Listing of Approved
114 Sureties; and

115
116 (10) A written statement of any federal, state or local tax liens or tax
117 delinquencies owed to any federal, state or local taxing body in the last
118 five years.

119
120 (11) A statement that individuals who will perform work on the public
121 work project on behalf of the bidder will be properly classified as
122 either (i) an employee or (ii) an independent contractor, under all
123 applicable state and federal laws and local ordinances;

124
125 (12) A list of projects of similar size and scope of work that the bidder has
126 performed in the State of Indiana within three (3) years prior to the
127 date on which the bid is due;

128
129 (13) For the last three years, provide copies of the surety/performance
130 bonds in which you are the named Insured and surety/performance
131 bonds where you were covered under the name of another Insured.

132
133 The City reserves the right to require the submission of additional written
134 supplemental information, from the bidder, including additional verification of
135 any of the information provided by the bidder and may also conduct random
136 inquiries on the bidder's qualifications with the bidder's current and prior
137 customers.

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139
140 **§33.201. POST-BID SUBMISSIONS FROM SUBCONTRACTORS.**

141
142 All bidders shall provide a written list that discloses the name, address,
143 and type of work for each first-tier subcontractor from whom the bidder has
144 accepted a bid and/or intends to hire on any part of the public work project,
145 including individuals performing work as independent contractors, within five
146 (5) business days after the date the bids are due.

147
148 In addition, each such first-tier subcontractor shall be required to adhere to the

149 requirements of §33.200 of this sub-chapter as though it were bidding directly
150 to the City, except that first-tier subcontractors shall submit the required
151 information (including the name, address, and type of work for each of their
152 first-tier subcontractors) to the successful bidder no later than five (5) business
153 days after the subcontractor's first day of work on the public work project and
154 the bidder shall then forward said information to the City. Payment shall be
155 withheld from any first-tier subcontractor who fails to timely submit said
156 information until such information is submitted and approved by the City.

157
158 Upon request, the City may require any second and lower-tier subcontractors
159 to provide the required information (including name, address, type of work on
160 the project and the name of the higher-tier subcontractor). Payments shall be
161 withheld from any second or lower-tiered contractor who fails to timely
162 submit this information until this information is submitted and approved by
163 the City. Additionally, the City may require the successful bidder and relevant
164 subcontractor to remove the second or lower-tier subcontractor from the
165 project and replace it with a responsive and responsible subcontractor.

166
167 Failure of a subcontractor to submit the required information shall not
168 disqualify the successful bidder from performing work on the project and shall
169 not constitute a contractual default and/or breach by the successful bidder.
170 However, the City may withhold all payments otherwise due for work
171 performed by a subcontractor, until the subcontractor submits the required
172 information and the City approves such information. The City may also
173 require that successful bidder to remove the subcontractor from the project and
174 replace it with a responsive and responsible subcontractor.

175
176 The disclosure of a subcontractor ("Disclosed Subcontractor") by a bidder or a
177 subcontractor shall not create any rights in the Disclosed Subcontractor. Thus,
178 a bidder and/or subcontractor may substitute another subcontractor
179 ("Substitute Subcontractor") for a Disclosed Subcontractor by giving the City
180 written notice of the name, address, and type of work of the Substitute
181 Subcontractor. The Substitute Subcontractor is subject to all of the obligations
182 of a subcontractor under this Ordinance.

183
184
185 **§33.202. VALIDITY OF PRE-QUALIFICATION CLASSIFICA-**
186 **TION.**

187
188 Upon designation by the City that a contractor's or subcontractor's
189 submission in anticipation of a bid is complete and timely, and upon any
190 further consideration deemed necessary by the City, the contractor or
191 subcontractor may be pre-qualified for future City public works projects. A
192 contractor's classification as "qualified" shall exempt the contractor or sub-
193 contractor from the comprehensive submission requirements contained herein
194 for the remainder of the calendar year. Thereafter, contractors or
195 subcontractors who are pre-qualified must submit a complete application for
196 continuation of "pre-qualified" standing, on a form provided by the City, (also
197 referred to as the "short form") by December 31st for the upcoming calendar
198 year. Failure by any pre-qualified contractor or subcontractor to timely submit

199 its complete application for continuation of "pre-qualified" standing shall
200 result in automatic removal of the designation, effective January 1 of the
201 upcoming year. However, the "removed" contractor or subcontractor shall still
202 be permitted to bid on City public works projects by including the required
203 documents with their bid.
204

205 Any material changes to the contractor's status, at any time, must be reported
206 in writing within ten (10) days of its occurrence to the City. The pre-
207 qualification designation is solely within the discretion of the City and the
208 City specifically reserves the right to change or revoke the designation for a
209 stated written reason(s).
210

211 Denial of pre-qualification shall be in writing and shall be forwarded to the
212 contractor within seven (7) working days of such decision. Any contractor
213 denied or losing pre-qualification status may request reconsideration of the
214 decision by submitting such request in writing to the City within five (5)
215 business days of receipt of notice of denial.
216

217
218 **§33.203. INCOMPLETE SUBMISSIONS BY BIDDERS.**
219

220 It is the sole responsibility of the potential bidder to comply with all
221 submission requirements applicable to the bidder in section I above by no later
222 than the public bid opening. Post-bid submissions must be submitted in
223 accordance with section II above. Submissions deemed inadequate,
224 incomplete, or untimely by the City may result in the automatic
225 disqualification of the bid.
226

227
228 **§33.204. RESPONSIVE AND RESPONSIBLE BIDDER**
229 **DETERMINATION.**
230

231 The City, after review of complete and timely submissions, shall, in its
232 sole discretion, after taking into account all information in the submission
233 requirements, determine whether a bidder is responsive and responsible. The
234 City specifically reserves the right to utilize all information provided in the
235 contractor or subcontractor's submission or any information obtained by the
236 City through its own independent verification of the information provided by
237 the contractor.
238

239 **§33.205. CERTIFIED PAYROLL.**
240

241 For projects in which the estimated cost is at least \$250,000, the successful
242 bidder and all subcontractors working on a public work project shall submit a
243 certified payroll report utilizing the federal form now known as a WH-347
244 which must be prepared on a weekly basis and submitted to the City within
245 ten (10) calendar days after the end of each week in which the bidder or
246 subcontractor performed its work on the public work project. These certified
247 payroll reports shall identify the job title and craft of each employee on the
248 project, e.g. journeyman electrician or apprentice electrician. In the event any

contractor or subcontractor uses independent contractors to perform work on the project, such individual must be identified on the WH-347 form with the same information as is required for employees.

The City may withhold payment due for work performed by a bidder if the bidder fails to timely submit its certified payroll reports until such time as such certified payroll reports are submitted. The City may also withhold payment due for work performed by a subcontractor if the subcontractor fails to timely submit its certified payroll reports until such time as such certified payroll reports are submitted. The City shall not withhold payment to a bidder for work performed by the bidder or for work performed by subcontractors who have submitted their certified payroll reports, because one or more other subcontractors failed to timely submit their certified payroll reports.

§33.206. PUBLIC RECORDS.

All information submitted by a bidder or a subcontractor pursuant to this Ordinance, including certified payrolls, are public records subject to review pursuant to the Indiana Access to Public Records IACT(IC 5-14-3-1, et seq.).

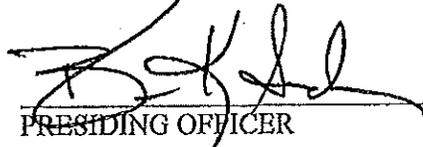
§33.207. PENALTIES FOR FALSE, DECEPTIVE OR FRAUDULENT STATEMENTS.

Any bidder that willfully makes, or willfully causes to be made, a false, deceptive or fraudulent statement, or willfully submits false, deceptive or fraudulent information in connection with any submission made to the City shall be disqualified from bidding on all City projects for a period of three years and shall be subject to fine in an amount not to exceed \$2,500.00 for each false, deceptive or fraudulent statement or submitted information.

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36-3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

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 October, 2015.


PRESIDING OFFICER

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

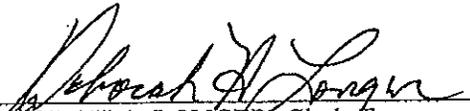
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PRESENTED by me to the Mayor of the City of Hobart on the 7th day of October,
2015 at the hour of 7:00 pm.

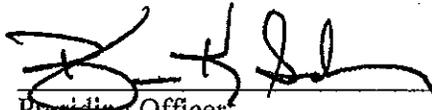

DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council
of the City of Hobart on this 7th day of October, 2015.

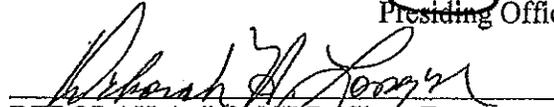

BRIAN K. SNEDECOR, Mayor

ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

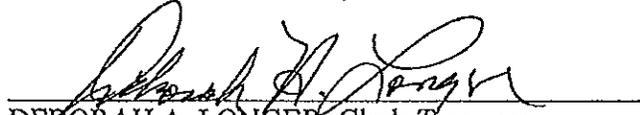
1
2 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
3 Hobart, Indiana on this 16th day of March, 2016.

4
5
6 
7 _____
8 Presiding Officer

9 ATTEST:

10 
11 _____
12 DEBORAH A. LONGER, Clerk-Treasurer

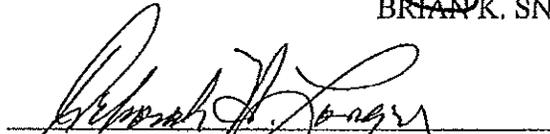
13 PRESENTED by me to the Mayor of the City of Hobart on the 16th day of March,
14 2016 at the hour of 6:35 pm.

15
16 
17 _____
18 DEBORAH A. LONGER, Clerk-Treasurer

19
20 APPROVED, EXECUTED and RETURNED by me to the Common Council of
21 the City of Hobart on this 16th day of March, 2016.

22
23 
24 _____
25 BRIAN K. SNEDECOR, Mayor

26
27 ATTEST:

28 

DEBORAH A. LONGER, Clerk-Treasurer

1 **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**
2 **Ordinance No. 2022- 02**

3
4 **An Ordinance Amending the Municipal Code of the City of Hobart Concerning**
5 **the Submission Requirements for Bidders on City Public Works Projects and Responsible**
6 **Bidder Determination**

7
8 WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”)
9 previously adopted Ordinance 2015-28, amended by Ordinance Number 2016-06, which in
10 accordance with the applicable Indiana State Law, requires that the City, when awarding a public
11 works contract where bids are required, to ensure that all bidders meet certain minimum
12 requirements in order to be a “responsive and responsible” bidder; and

13
14 WHEREAS, the Council now seeks to enhance its ability to identify “responsive and
15 responsible” bidders on all City construction projects by institution of more comprehensive
16 submission requirements which are in compliance with state law including enhanced standards
17 regarding apprenticeship and training programs and reporting requirements related to certified
18 payroll reports; and

19
20 WHEREAS, the Council, through this Ordinance, desires to amend Ordinance 2015-28,
21 under Sections 33.200 (5) regarding “responsive and responsible” bidder submission
22 requirements in the interest of the public to assure the efficient use of taxpayer dollars and
23 promote public safety.

24
25 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as
26 follows:

27
28 *SECTION ONE:* The Municipal Code of the City of Hobart
29 (“Code”), in CHAPTER 33, CITY POLICIES under the Sub-Chapter entitled
30 *Responsible Bidding Practices and Submission Requirements*, under §33.200 (E)
31 entitled “Bid Submission Requirements” and inserting the following new language
32 in lieu thereof to read as follows:

33
34 ***RESPONSIBLE BIDDING PRACTICES AND SUBMISSION REQUIREMENTS***

35
36 **§ 33.200 **BID SUBMISSION REQUIREMENTS.****

37
38 Contractors proposing to submit bids on any City of Hobart (“City”) project which are governed
39 by City of Hobart bidding rules and policy, estimated to have a total construction cost of at least one hundred
40 fifty thousand dollars (\$150,000.00) or more must, prior to the opening of bids, submit a statement made
41 under penalty of perjury, on a form designated by the City and must include:

42
43 (A) A copy of a print-out of the Indiana Secretary of State’s on-line records for the bidder dated
44 within sixty (60) days of the submission of said document showing that the bidder is in existence, current
45 with the Indiana Secretary of State’s Business Entity Reports, and eligible for a certificate of good standing.
46 If the bidder is an individual, sole proprietor or partnership, this subsection shall not apply;

47
48 (B) A list identifying all former business names;

49
50 (C) Any determinations by a court or governmental agency for violations of federal, state, or
51 local laws including, but not limited to violations of contracting or antitrust laws, tax or licensing laws,
52 environmental laws, the Occupational Safety and Health Act (OSHA), or federal Davis-Bacon and related
53 Acts;

54
55 (D) A statement on staffing capabilities, including labor sources;

56
57 ~~(E) Evidence of participation in apprenticeship and training programs, applicable to the work~~
58 ~~to be performed on the project, which are approved by and registered with the United States Department of~~
59 ~~Labor's Office of Apprenticeship, or its successor organization. The required evidence includes a copy of~~
60 ~~all applicable apprenticeship certificates or standards for these training programs;~~

61
62 (E) Evidence of participation in apprenticeship and training programs applicable to the
63 work to be performed on the project, which are approved by and registered with the United States
64 Department of Labor's Office of Apprenticeship, or its successor organization. The required evidence
65 includes but is not limited to a copy of all applicable apprenticeship standards or Apprenticeship
66 Agreement(s) for any apprentice(s) who will perform work on the public works project, and evidence
67 that each apprenticeship program has graduated at least five (5) apprentices in each of the past five
68 (5) years for each construction craft the bidder will perform work on the project;

69
70 (F) A copy of a written plan for employee drug testing that: (i) covers all employees of the
71 bidder who will perform work on the public work project; and (ii) meets, or exceeds, the requirements set
72 forth in I.C. §4-13-18-5 or I.C. §4-13-18-6;

73
74 (G) The name and description of the management experience of each of the bidder's project
75 managers and superintendents that bidder intends to assign to work on the project;

76
77 (H) Proof of any professional or trade license required by law for any trade or specialty area in
78 which bidder is seeking a contract award; and, disclosure of any suspension or revocation within the
79 previous five years of any professional or trade license held by the company, or of any director, office or
80 manager employed by the bidder;

81
82 (I) Evidence that the contractor is utilizing a surety company which is on the United States
83 Department of Treasury's Listing of Approved Sureties; and

84
85 (J) A written statement of any federal, state or local tax liens or tax delinquencies owed to any
86 federal, state or local taxing body in the last five years;

87
88 (K) A statement that individuals who will perform work on the public work project on behalf
89 of the bidder will be properly classified as either (i) an employee or (ii) an independent contractor, under
90 all applicable state and federal laws and local ordinances;

91
92 (L) A list of projects of similar size and scope of work that the bidder has performed in the
93 State of Indiana within three (3) years prior to the date on which the bid is due;

94
95 (M) For the 36-month period preceding the date for submission of bids subject to this section,
96 provide copies of any performance bonds supported by qualified sureties covering you or your work for
97 another named insured as to which a claim or bond foreclosure was asserted, providing details of the
98 circumstances surrounding the claim or foreclosure and the resolution of same.

99 (Ord. 2016-06)

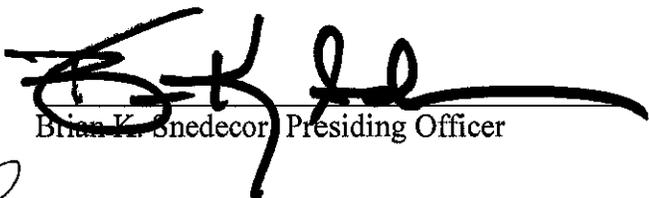
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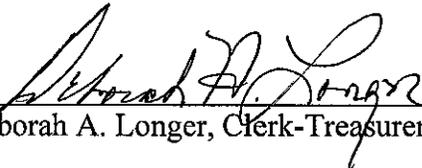
The City reserves the right to require the submission of additional written supplemental information, from the bidder, including additional verification of any of the information provided by the bidder and may also conduct random inquiries on the bidder's qualifications with the bidder's current and prior customers.
(Ord. 2015-28)

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36- 3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

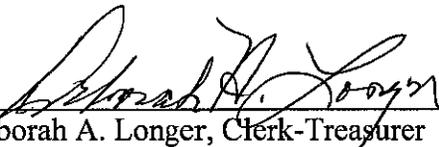
SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 19th day of January, 2022.

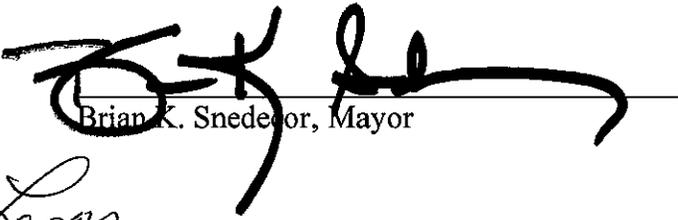

Brian K. Snedecor, Presiding Officer

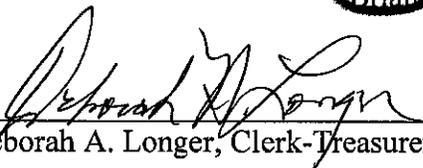
ATTEST: 
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of September, 2021 at the hour of 6:55 pm


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 19th day of January, 2022.


Brian K. Snedecor, Mayor

ATTEST: 
Deborah A. Longer, Clerk-Treasurer