

ORDINANCE NO. 2019 - 5A

AN ORDINANCE AMENDING TITLE XV, CHAPTER 156 OF THE HANCOCK COUNTY CODE OF ORDINANCES: A) ESTABLISHMENT OF THE FORTVILLE DIVISION OF HANCOCK COUNTY AREA WIDE BOARD OF ZONING APPEALS, AND B) ESTABLISHMENT OF MEMBERSHIP FOR THE FORTVILLE DIVISION OF THE HANCOCK COUNTY AREA WIDE BOARD OF ZONING APPEALS.

WHEREAS, a request has been made by the Town of Fortville, Indiana, for the creation of a division of the Hancock County Area Wide Board of Zoning Appeals; and

WHEREAS, the creation of such a division is authorized by Indiana Code 36-7-4-901(b); and

BE IT THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF HANCOCK COUNTY, as follows:

SECTION I

There shall be added to Title 15, Chapter 156.190 GENERAL PROVISIONS the following:

(C) Effective July 1, 2019, there is hereby created a separate division of the Hancock County Area Wide Board of Zoning Appeals to be known as the Fortville Division of the Hancock County Area Wide Board of Zoning Appeals, whose duty it shall be to hear all petitions and issues authorized by Indiana law to be heard and determined by such a Board of Zoning Appeals within the limited territorial jurisdiction comprised of the incorporated boundaries of the Town of Fortville, Indiana and subject to the General Provisions of this Chapter as set forth above and whose membership shall be appointed pursuant to Indiana Code § 36-7-4-902(a) and (g) with the further provision that the executive, fiscal body, and legislative body referred to therein shall be considered as the Town Council President and the Town Council of the Town of Fortville, Indiana, respectively. The initial term for the members of the Fortville Division of the Hancock Area Wide Board of Zoning Appeals shall be as follows after which each member's term shall be for a period of four (4) years:

- (1) One year for the citizen member appointed by the Plan Commission from its membership or by the legislative body, should the Plan Commission be unable to make its appointment;
- (2) Two years for the citizen member appointed by the fiscal body of the municipality who must not be a member of the Plan Commission;
- (3) Three years each for the two citizen members appointed by the executive of the municipality who are not members of the Plan Commission;
- (4) Four years for the citizen member appointed by the executive of the municipality who is to be a Plan Commission member.

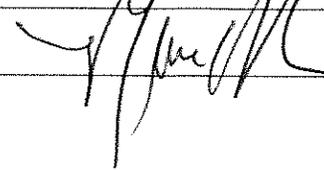
SECTION II

This Ordinance shall remain in full force and effect from and after its passage and due publication of said Ordinance within Hancock County, Indiana and approval by the Town Council of the Town of Fortville, Indiana.

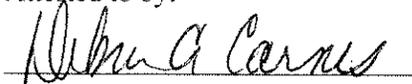
Adopted this 6th day of May, 2019 by the Hancock County Commissioners, Indiana.

BOARD OF COMMISSIONERS
HANCOCK COUNTY, INDIANA





Attested to by:



Approved this 6th day of May, 2019 by the Fortville Town Council.

TOWN OF FORTVILLE, INDIANA
BY ITS TOWN COUNCIL



Michael Frischkorn, President


Robert Holland, Vice President

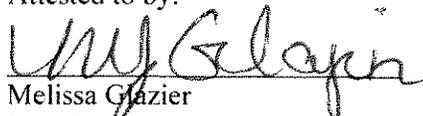

Tim Hexamer, Member

Lenzy Hendrix, Member



Fred ("Fritz") Fentz, Member

Attested to by:



Melissa Glazier
Fortville Clerk Treasurer