PORTER COUNTY CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:


See the Code Comparative Table and Disposition List for further information.

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Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.
PREFACE

The Porter County, Indiana Municipal Code, originally published by Book Publishing Company, has been kept current by regular supplementation by Matthew Bender & Company, Inc., its successor in interest.

Beginning with No. Supplement 8, Municipal Code Corporation will be keeping this code current by regular supplementation.

During original codification, the ordinances were compiled, edited and indexed by the editorial staff of Book Publishing Company under the direction of Gwenn Rinkenberger, county attorney.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the Title, chapter, and section. Thus, Section 2.12.040 is Section .040, located in Chapter 2.12 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification; and beginning with Supplement No. 8, legislation can be tracked using the "Code Comparative Table and Disposition List."

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

This supplement brings the Code up to date through Ordinance No. 14-03, passed February 4, 2014.

Municipal Code Corporation
1700 Capital Circle SW
Tallahassee, FL 32310
800-262-2633
SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code Book and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code Book and are considered "Omitted."

By adding to this table with each supplement, users of this Municipal Code will be able to gain a more complete picture of the Code's historical evolution.

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Chapter 2.04

COUNTY FISCAL BODY DISTRICTS

Sections:

2.04.010 Districts established.

2.04.010 Districts established.

The following four county fiscal body districts are established:

District I: All precincts located in Jackson, Liberty, and Pine Townships and all precincts located in Westchester Township including U.S. Census Bureau blocks 181270504071049, 181270504071050 and 181270504071051 in Westchester Precinct 17 and excluding the remainder of Precinct 17 and included as well, Precincts 04 and 06 in Portage Township and Precincts 11 and 25 in Center Township.

District II: All precincts in Portage Township with the exception of Precincts 04, 06, 15, 28 and 33 in Portage Township and included as well all of Precinct 17 in Westchester Township with the exception of U.S. Census Bureau blocks 181270504071049, 181270504071050 and 181270504071051 which are included in District I.

District III: All precincts located in Center Township, with the exception of Precincts 11 and 25 in Center Township.

District IV: All precincts located in Boone, Morgan, Pleasant, Porter, Washington and Union Townships as well as Precincts 15, 28, and 33 in Portage Township.

(Ord. No. 14-01; 1-29-2014; Ord. No. 13-17, 12-17-2013)

Chapter 2.08

DRAINAGE BOARD

Sections:

2.08.010 Established.

2.08.020 Composition—Appointment—Terms.

2.08.010 Established.

The board of commissioners establishes a civilian county drainage board for Porter County, Indiana, in accordance with the following sections.

The board established in this chapter shall act in and be known by the name of the Porter County drainage board. (Ord. 84-31 (part), § 1)

2.08.020 Composition—Appointment—Terms.

The Porter County drainage board shall consist of five voting members and the Porter County surveyor who shall serve on the board as an ex-officio non-voting member.

A. The five voting members of the Porter County drainage board shall consist of the following:

1. One board member shall be a member of the board of commissioners. Said member shall be appointed to the Porter County drainage board by a majority vote of the board of commissioners.

2. The remaining four members shall consist of resident free-holders of Porter County who are knowledgeable in drainage matters. Said board members shall be appointed by the board of commissioners. The board of commissioners shall provide geographical balance to the board by appointing one resident free-holder from each county commissioner district to the board and by appointing one resident free-holder on an at-large basis.

B. The term of those persons appointed to the Porter County drainage board shall be for three years with the initial appointments made so as to provide for the staggering of terms on an annual basis. (Ord. 84-31 §§ 2—4)
3.45 Sunset Hill Farm Park Educational Center Fund
3.46 Fund of Receipt of Gross Taxes Collected by Tax Management Associates, Inc.
3.47 Take Me Fishing Project Fund
3.48 Memorial Donation Fund
3.49 Charitable Donation Fund for County Central Communications
3.50 Building, Planning and Zoning Fund
3.51 Fund for Deposit of Proceeds from an Arcelor Mittal Grant to Enhance Park Programming
3.52 Police Department Charitable Donation Fund
3.53 Fund for Deposit of Proceeds from Lake Michigan Coastal Program Grant
3.54 Immunization Donation Fund
3.55 Board of Health Administration of Antabuse Program and Establishing User Fee
3.56 Memorial Opera House Management Fund
3.58 Court Ordered Detention Services Fund
3.62 Special Fund
3.64 Debris and Refuse Fund
3.66 Fixed Asset Capitalization and Inventory Policy
3.68 Nonreverting Fund for Telephone Rebate Monies Deposit
3.70 Disposition of Surplus Personal Property for ITS Department
3.74 County Identification Security Protection Fee and Fund
3.76 Video Tape Duplication Fee and Fund
3.78 Porter County Sheriff's Department Civil Division Fees and Fund
3.80 Calumet Trail Donation Fund
3.82 Purchasing Agency and Purchasing Agents
3.84 Purchasing Rules and Policies
3.86 Prisoner Reimbursement of Incarceration Costs
3.88 South County Highway Garage Fund
3.90 Juvenile Detention Center Charitable Donation Fund
3.92 Memorial Opera House Donation Fund
3.94 Paul C. Zona, Sr. Wildlife Sanctuary Donation Fund
3.96 Investigative Photograph Duplication Fee and Fund
3.98 Nonreverting Porter County Police Training Fund
Any funds contained in the building, planning and zoning fund shall be appropriated only upon recommendation from the board of county commissioners and after the Porter County council approves the appropriation pursuant to the rules for budget appropriations. The funds shall be appropriated only for the specific purposes set forth in this chapter.

If the balance of the building, planning and zoning fund is insufficient the Porter County council will be requested to provide additional monies from the general fund to continue operation of the building department and plan commission.

Expenditures from the building, planning and zoning fund for the purposes stated herein shall commence effective January 1, 2004. (Ord. 03-13 § 3)

3.50.030 Termination of funds—Transfer of funds.

The Porter County building, planning and zoning fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of county commissioners of Porter County; and if and when a subsequent ordinance is passed to terminate the life of the Porter County building, planning and zoning fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund. (Ord. 03-13 § 4)
Chapter 3.51

FUND FOR DEPOSIT OF PROCEEDS FROM AN ARCELOR MITTAL GRANT TO ENHANCE PARK PROGRAMMING

Sections:

3.51.010 Fund established.

3.51.020 Use of revenues.

3.51.030 Termination of fund.

3.51.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceeds from an Arcelor Mittal grant for utilization in enhancing Porter County park department programming to middle school students.

(Ord. No. 13-09, § 1, 9-7-2013)

3.51.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from an Arcelor Mittal grant to Porter County park department shall be used only for the exclusive and limited purpose of the enhancing park programming to middle school students.

(Ord. No. 13-09, § 1, 9-7-2013)

3.51.030 Termination of fund.

The fund for deposit of proceeds from an Arcelor Mittal grant for utilization in enhancing Porter County park department programming to middle school students shall remain in existence and remain perpetual in its terms under amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 13-09, § 1, 9-7-2013)
Chapter 3.52

POLICE DEPARTMENT
CHARITABLE DONATION FUND

Sections:

3.52.010 Fund established.
3.52.020 Use of donations.
3.52.030 Termination of fund—Transfer of funds.

3.52.010 Fund established.

A Porter County sheriff’s police department charitable donation fund is established whereby all charitable donations received by the Porter County sheriff’s police department for law enforcement needs shall be deposited in this special fund. (Ord. 96-38 § 1)

3.52.020 Use of donations.

The charitable donations received and deposited in the Porter County sheriff’s police department charitable donation fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for utilization by the Porter County sheriff’s police department to purchase educational materials and equipment; to help provide law enforcement training and assistance; and for other costs which are incurred relating to the duties and functions of the Porter County sheriff's police department.

The donations generated and deposited in the charitable donation fund and expenditures therefrom will be made by the Porter County sheriff for the purposes of purchasing educational materials and equipment; to help provide law enforcement training and assistance; and for other costs which are incurred relating to the duties and functions of the Porter County sheriff’s police department.

3.52.030 Termination of fund—Transfer of funds.

The Porter County sheriff’s police department charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County sheriff’s police department charitable donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund. (Ord. 96-38 § 5)
Chapter 3.53

FUND FOR DEPOSIT OF PROCEEDS FROM LAKE MICHIGAN COASTAL PROGRAM GRANT

Sections:

3.53.010 Fund established.
3.53.020 Use of revenues.
3.53.030 Termination of fund.

3.53.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceeds from a Lake Michigan Coastal Program grant to the Porter County park department for the prairie and lake restoration project within Sunset Hill Farm Park.

(Ord. No. 13-10 § 2, 9-17-2013)

3.53.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from Lake Michigan Coastal Program grant to Porter County park department shall be used only for the exclusive and limited purpose of the prairie and lake restoration project within Sunset Hill Farm Park.

(Ord. No. 13-10 § 2, 9-17-2013)

3.53.030 Termination of fund.

The fund for deposit of proceeds from Lake Michigan Coastal Program grant to Porter County park department for purposes of the prairie and lake restoration project within Sunset Hill Farm Park shall remain in existence and remain perpetual in its terms under amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 13-10 § 2, 9-17-2013)
Chapter 3.54

IMMUNIZATION DONATION FUND

Sections:

3.54.010 Fund established.
3.54.020 Use of revenues.
3.54.030 Transfer of fund—
Transfer of funds.

3.54.010 Fund established.
The board of commissioners does determine that a need exists for the creation of
an immunization donation fund whereby all charitable donations and revenues re-
ceived by the Porter County board of health for the benefit and advancement of the Por-
ter County health department immunization program shall be deposited in the fund.
(Ord. 03-11 § 1)

3.54.020 Use of revenues.
The funds received and deposited in the immunization donation fund can be used
only for the specific purposes set forth in this chapter. The funds received and depos-
ited in the immunization donation fund will be expended exclusively for the Porter
County health department immunization program. (Ord. 03-11 § 2)

3.54.030 Termination of fund—
Transfer of funds.
The immunization donation fund shall remain in existence and remain in perpetual
in its terms until amended or terminated by subsequent ordinance enacted by the board
of commissioners; and if and when a sub-
sequent ordinance is passed to terminate
the existence of the immunization donation fund, fund balance existing and if not oth-
ewise provided for ordinance if any at that
time shall be transferred to the health gen-
eral fund. (Ord. 03-11 § 3)
Chapter 3.55

BOARD OF HEALTH
ADMINISTRATION OF ANTABUSE PROGRAM AND ESTABLISHING USER FEE

Sections:

3.55.010 Antabuse Program administration.

3.55.020 User fee.

3.55.010 Antabuse Program administration.

The Porter County board of health by and through the Porter County health officer and the Porter County health department staff shall assume responsibility for all aspects of the administration of the Porter County Antabuse Program. The Porter county board of health by and through the Porter County health officer and the Porter County health department staff is hereby authorized and empowered to implement appropriate policies, practices and procedures for participation and utilization of the Porter County Antabuse Program.

(Ord. No. 13-16, 12-3-2013)

3.55.020 User fee.

The Porter County Antabuse Program shall operate on the collection of user fees which shall be adequate and sufficient to fully fund all aspects of the Antabuse Program including but not necessarily limited to the cost of purchasing the Antabuse drug; nursing staff and security costs at the Antabuse distribution centers and other related administrative expenses.

Pursuant to IC 16-20-1-27 and IC 36-1-3-8(a)(6), the user fee for participation in the Porter County Antabuse Program shall be in the amount of one hundred and twenty dollars ($120.00) per month per participant.

(Ord. No. 13-16, 12-3-2013)
Chapter 3.56

MEMORIAL OPERA HOUSE
MANAGEMENT FUND

Sections:

3.56.010 Fund established.
3.56.020 Use of revenues.
3.56.030 Termination of fund—Transfer of funds.

3.56.010 Fund established.
A special nonreverting Memorial Opera House management fund be established whereby all revenues generated and received from the management of the Memorial Opera House by the Porter County convention, recreation and visitors commission as a result of the Memorial Opera House management and promotion agreement shall be deposited in this special fund.

More specifically, all revenues received from all events at the Memorial Opera House and all revenues generated as a result of the management and promotion agreement between the Porter County board of commissioners and the Porter County convention, recreation and visitors commission shall be deposited in this special fund. (Ord. 97-7 §§ 1, 2)

3.56.020 Use of revenues.
The revenues generated from events at the Memorial Opera House shall be received and deposited in the special nonreverting Memorial Opera House management fund, said funds to be used only for the specific purposes set forth in this chapter.

The revenues generated and deposited in the special nonreverting Memorial Opera House management fund shall be utilized specifically and exclusively for expenditures related to the operation of the Memorial Opera House, said expenditures to be approved by the Porter County board of commissioners.

3.56.030 Termination of fund—Transfer of funds.
The specific expenditures approved pursuant to this chapter to be paid from the Memorial Opera House management fund include payment of management costs associated with the implementation of the terms and conditions set forth in the Memorial Opera House management and promotion agreement, including budget supplements to the Porter County convention, recreation and visitors commission to defray costs incurred by it in the promotion, management, staffing, and scheduling of activities at the Memorial Opera House. (Ord. 97-7 §§ 3—5)

The special nonreverting Memorial Opera House management fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the special non-reverting Memorial Opera House management fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund. (Ord. 97-7 § 6)
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<tr>
<td>8.38</td>
<td>Maintenance and Monitoring of Drop Off Recycling Sites</td>
</tr>
<tr>
<td>8.40</td>
<td>Sale or Use of Synthetic Cannabinoids Prohibited</td>
</tr>
<tr>
<td>8.44</td>
<td>Tattoo Parlor/Body Piercing Facility Regulations</td>
</tr>
<tr>
<td>8.48</td>
<td>Safe Schools Commission</td>
</tr>
</tbody>
</table>
Chapter 8.04

COUNTY BOARD OF HEALTH FEES

Sections:

8.04.010 Individual or private sewage disposal system—Permit required—Fee.
8.04.020 Food service establishment permit—Fee.
8.04.030 Birth and death certificate issuance—Genealogical research request—Fee.
8.04.040 Well permit—Fee.
8.04.041 Adult immunization and tuberculosis screening programs—Fee.
8.04.042 Food service—Fee.
8.04.050 Deposit of collected fees.

8.04.010 Individual or private sewage disposal system—Permit required—Fee.

No individual or private sewage disposal system consisting of a septic tank and an acceptable form of field absorption system shall be placed, maintained or installed on any premise in the unincorporated area of Porter County, Indiana, prior to the issuance of a permit therefor by the Porter County health officer.

A. The Porter County health officer by and through the Porter County health department shall collect a fee for the issuance of individual permits as described in this section according to the following schedule:

For each initial installation of a private sewage disposal system: one hundred eighty-two dollars ($182.00);

For each repair of a private sewage disposal system: one hundred sixty-eight dollars ($168.00).

B. The Porter County health officer is empowered to modify the fee charged for the permitting and inspection of a private sewage disposal system when, in the opinion of the health officer, the system presents unique and special circumstances justifying a reduction of the permit and inspection fee due to the modified nature of the proposed system and the resulting substantial reduction in time and manpower committed by the health department to the permit issuance and system inspection process.

C. Any appeal of the denial of the issuance of a permit for an individual or private sewage disposal system pursuant to Chapter 8.32 shall be accompanied by a filing fee in the amount of twenty dollars ($20.00).

D. The Porter County health officer by and through the Porter County health department shall make a charge of sixty dollars ($60.00) for each inspection of an individual or private sewage disposal system as such may from time to time be requested by financial institutions and lending agencies in connection with a loan approval.

E. Each permit issued by the Porter County health officer for an individual or private sewage disposal system as above described shall be valid for two calendar years after its issuance, after which expiration of time the permit shall lapse and expire. (Ord. 96-26 § 1; Ord. 95-6 § 1)

8.04.020 Food service establishment permit—Fee.

A. The Porter County health officer, by and through the staff of the Porter County health department, is authorized to and shall collect a fee in the amount of three hundred dollars ($300.00) for the annual permitting of a retail food establishment as defined in 410 IAC 7-24-79 which occupies less than three thousand (3,000)
square feet. A retail food establishment which occupies between three thousand (3,000) square feet and less than ten thousand (10,000) square feet shall be assessed an annual permit fee of four hundred dollars ($400.00). A retail food establishment occupying ten thousand (10,000) square feet or more shall be assessed an annual permit fee of five hundred dollars ($500.00).

B. The Porter County health officer by and through the Porter County health department is authorized to and shall collect a fee in an amount of two hundred forty dollars ($240.00) for the issuance of a partial annual retail food establishment permit. A partial retail food establishment permit shall be issued to those retail food establishments operating for six months or less during any calendar year.

C. The Porter County health officer by and through the Porter County health department is authorized to and shall collect a fee in the amount of twenty dollars ($20.00) per day up to a maximum of one hundred dollars ($100.00) per calendar year for a temporary food establishment as defined in 410 IAC 7-24-98.

D. The Porter County health officer by and through the Porter County health department is authorized to and shall collect a fee in the amount of one hundred dollars ($100.00) for the issuance of a limited retail food establishment permit for those establishments without a full service kitchen and limited sales to prepackaged food.

E. The Porter County health officer, by and through the staff of the Porter County health department is authorized to and shall establish the annual renewal date for all retail food establishment permits and shall establish a system of penalties includ-

ing potential closure of any retail food establishment failing to comply with the permitting requirements.

(Ord. No. 13-12, § 1, 10-15-2013; Ord. 99-22 § 1; Ord. 98-26 § 1; Ord. 96-26 § 2; Ord. 95-6 § 2)

8.04.030 Birth and death certificate issuance—Genealogical research request—Fee.

Pursuant to I.C. 16-20-1-27, the Porter County health officer, by and through the Porter County health department is authorized and directed to collect a fee for providing vital records as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Standard birth certificate</td>
<td>$6.00</td>
</tr>
<tr>
<td>B. Wallet birth certificate</td>
<td>$10.00</td>
</tr>
<tr>
<td>C. Combination standard/wallet birth certificate</td>
<td>$15.00</td>
</tr>
<tr>
<td>D. Death certificate</td>
<td>$9.00</td>
</tr>
<tr>
<td>E. Paternity of affidavit</td>
<td>$25.00</td>
</tr>
<tr>
<td>F. Affidavit of amendment</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

The Porter County health officer, by and through the Porter County health department is authorized and directed to collect a fee of two dollars ($2.00) per each genealogical research request.

(Ord. No. 13-03, § 1, 4-2-2013; Ord. 07-10 § 1; Ord. 02-05 § 1; Ord. 96-26 § 3; Ord. 95-6 § 3)

Editor's note—Ord. No. 13-03, § 2, adopted April 2, 2013, provides that this new schedule of fees to be collected by the Porter County health department shall become effective as of July 1, 2013, and shall remain in full force and effect until subsequently amended by the Porter County board of commissioners.

8.04.040 Well permit—Fee.

The Porter County health officer by and through the Porter County is authorized and directed to collect a fee of twenty-
five dollars ($25.00) for the issuance of a well permit under the provisions of Section 18.08.020A. (Ord. 96-26 § 4: Ord. 95-6 § 4)

8.04.041 Adult immunization and tuberculosis screening programs—Fee.

The Porter County health officer, by and through the Porter County health department, is hereby authorized to and shall collect a fee from participants in the adult immunization and tuberculosis screening programs. The Porter County health officer shall establish a fee schedule. The fee shall not exceed the costs of the vaccine, serum and other biologicals plus a maximum ten dollar ($10.00) administration fee. (Ord. 00-5 § 1)

8.04.042 Food service—Fee.

The Porter County health officer, by and through the Porter County health department, is authorized to and shall collect a fee for the review of food service establishment site plans as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 3,000 square feet</td>
<td>$50.00</td>
</tr>
<tr>
<td>3,000 to 10,000 square feet</td>
<td>100.00</td>
</tr>
<tr>
<td>More than 10,000 square feet</td>
<td>200.00</td>
</tr>
</tbody>
</table>

(Ord. 05-19 § 1)

8.04.050 Deposit of collected fees.

All fees collected under the terms of this chapter shall be deposited in the Porter County health fund. (Ord. 96-26 § 5: Ord. 95-6 § 5)
Chapter 8.08

RETAIL FOOD STORES

Sections:

8.08.010 Definitions.
8.08.020 Permit/license.
8.08.030 Minimum sanitation requirements for retail food stores.
8.08.040 Sale, examination and condemnation of unwholesome, adulterated or misbranded food.
8.08.050 Disease control.
8.08.060 Inspection of retail food stores—Revocation and suspension of permit.
8.08.070 Approval of plans.
8.08.080 Violations—Penalties.

8.08.010 Definitions.

The definitions contained in 410 IAC 7-16.1-1 are adopted herein and made a part of this chapter. The following additional definitions shall apply in the interpretation and enforcement of this chapter:

"Employee" means any person who comes in contact with any utensil or equipment in which food is prepared or stored, or who is employed in a room or place in which food is prepared, processed, displayed or sold.

"Food" includes all articles used for food, drink, confectionery or condiment, whether simple, mixed or compound, and all substances or ingredients used in the preparation thereof.

"Health officer" means the county health officer, or his authorized representative.

"Person" means but is not limited to, any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate or municipality, or his or its legal representative or agent.

"Porter County" means those rural and urban areas which are under the jurisdiction of the Porter County health officer.

"Retail food store" means any establishment or section of an establishment where food and food products are offered to the consumer and intended for off-premises consumption. The term includes delicatessens that offer prepared food in bulk quantities only. The term does not include establishments which handle only prepackaged, nonpotentially hazardous foods; roadside markets that offer only fresh fruits and fresh vegetables for sale; food-service establishment; or food and beverage vending machines.

"Utensil" includes all containers, or any equipment of any kind or nature with which food comes in contact after delivery to a retail food store, during storage, preparation, processing, display or sale. (Ord. 96-49 § 1)

8.08.020 Permit/license.

A. Permit-License. It is unlawful for any person to operate a retail food store in Porter County, who does not possess a valid permit/license from the health officer. Such permit/license shall be posted in a conspicuous place in such retail food store. Only persons who comply with the applicable requirements of this chapter shall be entitled to receive and retain such a permit/license. The permit/license for a retail food store shall be for a term of one year beginning January 1st and expiring December 31st of the same year and shall be renewed annually. Any permit/license issued...
Chapter 8.40

SALE OR USE OF SYNTHETIC CANNABINOIDS PROHIBITED

Sections:

8.40.010 Established.
8.40.020 Enforcement.
8.40.030 Violations and penalties.

8.40.010 Established.

A. Products containing synthetic cannabinoids ("products"), such as K1/Spice, or similar products which contain one or more of the following chemical compounds:

1. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;

2. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;

3. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073; or

4. Any other equivalent compound or derivative;

Shall not be sold, marketed or offered for sale within Porter County, Indiana; and

B. Products containing synthetic cannabinoids ("products") may not be burned, incinerated or ignited in any public place or on any property owned, leased or controlled by Porter County.

(Ord. No. 10-13, § 2, 9-21-2010)

8.40.020 Enforcement.

A. Enforcement of this chapter shall be by the Porter County sheriff's police.

B. It shall be the duty of the Porter County prosecuting attorney, to whom the Porter County sheriff's police shall report any violation of the provision of this chapter, to cause proceedings to commence against the person violating the provision of this chapter and to prosecute to final termination.

(Ord. No. 10-13, § 3, 9-21-2010)

8.40.030 Violations and penalties.

A. Persons or entities violating the provisions of this chapter shall be subject to penalties set forth at I.C. 36-1-3-8(10)(B).

B. Violations of this chapter in unincorporated areas of Porter County shall be punishable by a fine of up to two thousand five hundred dollars ($2,500.00) for a first violation and up to seven thousand five hundred dollars ($7,500.00) for a second or any subsequent violation of this chapter.

C. The Porter County prosecutor's office is authorized to bring a civil action pursuant to I.C. 36-1-6-4 to enjoin any person or business from violating this chapter.

(Ord. No. 10-13, § 4, 9-21-2010)
Chapter 8.44

TATTOO PARLOR/BODY PIERCING FACILITY REGULATIONS

Sections:

8.44.010 Definitions.
8.44.020 Minimum operating requirements for tattoo parlor/body piercing facility.
8.44.030 Permit and fee requirements.
8.44.040 Inspection of tattoo parlors/body piercing facilities; authority to inspect and copy records.
8.44.050 Penalties.

8.44.010 Definitions.

The definitions contained in 410 IAC 1-5 are adopted herein and made a part hereof. The following additional definitions shall apply to the interpretation and enforcement of this section:

"Health officer" means the Porter County health officer or his/her authorized representative.
(Ord. No. 13-13, § 1, 11-5-13)

8.44.020 Minimum operating requirements for tattoo parlor/body piercing facility.

All persons owning or operating a tattoo parlor/body piercing facility in Porter County shall comply with the minimum sanitation and operation requirements specified by the Indiana state board of health as now provided in 410 IAC 1-5 or as the same may be hereafter changed, modified or amended. Such regulation and any changes and amendments thereto which may be hereafter adopted or promulgated by the Indiana state board of health are by reference incorporated herein and made a part hereof.

The currently applicable regulatory provisions of 410 IAC 1-5 are on file for public inspection in the office of the Porter County health department.
(Ord. No. 13-13, § 2, 11-5-13)

8.44.030 Permit and fee requirements.

A. Permit. It shall be unlawful for any person to engage in body tattooing and/or body piercing at any location and/or facility which does not possess a valid permit issued by the Porter County health officer. Such permit shall be posted in a conspicuous place on the premises where body tattooing and/or body piercing is being offered to the public. Each owner or operator of a body tattooing and/or piercing facility shall be responsible for securing and maintaining a valid Porter County health department permit and shall be responsible for compliance with the provisions of this section for all such activity performed on the premises. The permit shall be for a term of not more than one year and renewed annually on or before January 1. Any permit issued by the Porter County health officer shall contained the name and address of the owner/operator of the facility for which the permit is issued and contained such other data as the Porter County health officer may deem necessary.

B. Permit Fee. The Porter County health officer is hereby authorized and empowered to collect an annual permit fee from each tattoo parlor/body piercing facility in the amount of one hundred dollars ($100.00). The authorized permit fee shall be payable with the initial and/or annual permit renewal application which shall be due on or before January 1. The Porter County health officer is further authorized and empowered to collect a late fee in the amount of ten dollars ($10.00) if a permit renewal application is submitted after the permit expiration date of January 1.
8.44.040 Inspection of tattoo parlors/body piercing facilities; authority to inspect and copy records.

A. Any owner and/or operator of a regulated tattoo parlor/body piercing facility in Porter County shall, upon the request of the Porter County health officer, permit such health officer or his/her authorized representative access to the tattoo parlor/body piercing facility during regular business hours and shall permit the Porter County health officer or his/her authorized representative to collect evidence and/or exhibits and to copy any and all records relative to the enforcement of this section.

B. Inspection of Facilities. The Porter County health officer or his/her authorized representative shall implement a regular program of inspecting tattoo parlors/body piercing facilities regulated under the provisions of this section. If upon such an inspection, the Porter County health officer or his/her authorized representative finds that the permitted tattoo parlor/body piercing facility is violating any of the provisions of this section, then and in that event, the Porter County health officer or his/her authorized representative shall provide the owner/operator of the permitted tattoo parlor/body piercing facility with written notice of such violations and shall give the owner/operator of the tattoo parlor/body piercing facility reasonable time to rectify the section violations. If upon a second inspection, the Porter County health officer or his/her authorized representative finds that the permitted tattoo parlor/body piercing facility remains in violation of the provisions of this section, the Porter County health officer or his/her authorized representative may promptly issue a written order to the permit holder of such tattoo parlor/body piercing facility to appear at a certain time, no later than ten days from the date of the second inspection and at a place in Porter County fixed and said notification to show cause why the permit issued under the provisions of this section should not be revoked. At said hearing, the permitted shall be given an opportunity to show cause and upon failure to do so, the permit issued under the provisions of this section shall be revoked until such time as the permittee is in full compliance with the terms and provisions of this section. The Porter County health officer shall maintain a permanent record of the proceeding revoking any permit issued under the provisions of this section under the provisions of the Porter County health department.

C. Suspension of Permit. Any permit issued under this section may be temporarily suspended by the Porter County health officer without notice or hearing for a period not to exceed thirty (30) days for any of the following reasons:

1. Unsanitary or other conditions which in the health officer's opinion present an immediate and present danger of seriously exposing the public to a health hazard.

2. Interference with the health officer or any of his/her authorized representatives in the performance of their duties under the provisions of this section.

Provided, however, upon written application from the permittee, served upon the health officer within fifteen (15) days after such suspension, the health officer shall conduct a hearing upon the matter after giving at least five days written notice of the time, place and purpose thereof to the suspended permittee.

Provided further, that any such suspension order shall be issued by the health officer in writing and served upon the permittee by leaving a copy at the permittee's
usual place of business or by delivering of certified or registered mail to such address. Such person whose permit has been suspended may at any time make application to the local health officer for the reinstatement of his/her permit.
(Ord. No. 13-13, § 4, 11-5-13)

8.44.050 Penalties.
The Porter County health officer is hereby authorized and empowered to impose a civil penalty on any person or entity found to be in violation of the regulatory provisions of this section. Upon a finding of a violation, the violator may be assessed and penalized for the first offense by a fine of not more than five hundred dollars ($500.00); for the commission of a second offense within twelve (12) calendar months by a fine of not more than one thousand dollars ($1,000.00); and for a third offense and each subsequent offenses within twelve (12) calendar months by a fine of not to exceed two thousand five hundred dollars ($2,500.00). Each day of operation of a permitted tattoo parlor/body piercing facility in violation of this section or after the expiration of the time limit for abating an unsanitary condition as ordered by the Porter County health officer shall constitute a distinct and separate offense.
(Ord. No. 13-13, § 5, 11-5-13)
Chapter 8.48

SAFE SCHOOLS COMMISSION

Sections:

8.48.010 Porter County safe schools commission.

8.48.020 Commission members.

8.48.030 Organization of commission.

8.48.040 Administration.

8.48.010 Porter County safe schools commission.

Pursuant to IC 5-2-10.1-10, the Porter County safe schools commission (commission) is hereby established. The commission will be governed by applicable statutes and regulations governing a county school safety commission.

(Ord. No. 13-11, § 1, 10-1-2013)

8.48.020 Commission members.

The members of the commission will, at a minimum, be as follows:

1. School safety specialists for each school corporation in Porter County, Indiana;

2. The judge of the Porter County circuit court, juvenile division, or the judge's designee;

3. Porter County sheriff;

4. Chief officer (or their designee) of every other law enforcement agency in Porter County, Indiana;

5. A representative of the Porter County juvenile probation system appointed by the Porter County circuit court judge;

6. Representative of such community agencies that work with children in Porter County, Indiana as selected and appointed by the board of commissioners of Porter County, Indiana;

7. A representative of the Indiana state police district that serves Porter County, Indiana as appointed by the state police superintendent;

8. A representative of the prosecuting attorney's council of Indiana specializing in the prosecution of juveniles as appointed by the prosecuting attorney's council of Indiana;

9. Such other appropriate individuals selected by the commission;

10. Members of the commission serving as an appointee or designee for another shall serve at the pleasure of the appointing authority;

11. Members of the commission who serve by virtue of their position will serve on the commission as long as they retain their position.

(Ord. No. 13-11, § 2, 10-1-2013)

8.48.030 Organization of commission.

The school safety specialist for the school corporation in Porter County, Indiana having the largest average daily membership (as defined in IC 20-18-2-2) shall convene the initial meeting of the commission. The members of the commission shall annually elect a chairperson and a secretary. Each member of the commission will be entitled to vote on matters under consideration by the commission. The affirmative votes of the majority of the voting commission members are required for the commission to take action.

(Ord. No. 13-11, § 3, 10-1-2013)

8.48.040 Administration.

The commission shall carry out such duties as are required by the state of Indiana and Indiana law pursuant to IC 36-2-2. The administrative functions of the commission shall be performed and fulfilled by the school safety specialists for the school corporations serving the commission.

(Ord. No. 13-11, § 4, 10-1-2013)
"Arterial street" means an arterial street interconnects with expressways providing a continuous high mobility network which primarily serves regional and intra-county traffic.

"Board" means the board of commissioners of the county of Porter, Indiana.

"Boulevard street" means two or more distinct lanes of traffic, flowing in opposite directions, which are separated by a physical barrier, grassed median or landscaped island.

"Collector street" means a collector street distributes traffic from the arterial system to neighborhood street systems (minor collectors and local), generally operating with a moderate service level and traffic volume.

"Commission" means the Porter County plan commission.

"Construction access road" means a temporary, nondedicated, unplatted right-of-way, other than a street, alley or easement designed to provide sole ingress and egress for all development and construction equipment as well as all laborers and materials in connection with the improvements of a platted subdivision of land including but not limited to the construction of dwellings, buildings and other improvements which right-of-way is constructed and maintained by the developer and owner at either's sole expense or their cumulative expense and continuously in the absolute ownership and/or exclusive control of the developer and owner until such time as ninety (90) percent of the record lots have dwelling completed for occupancy or other buildings located thereon, and/or unless by prior release by the Porter County plan commission.

"County highway administration" means government bodies that include all aspects of construction, maintenance, re-
pairs and operation of a county highway system from planning to the final execution.

"County highway system" includes all roads, bridges, culverts and the necessary supports thereto of earth, masonry or other material, and further includes drainage facilities, as well as roadside development within the rights-of-way within Porter County, Indiana.

"Cul-de-sac street" means a dead-end street that terminates in a circular right-of-way and does not provide more than one access point onto another street, nor act as a collector, or means of access to lots not fronting thereon.

"Dead-end street" means a street having one of its termini closed.

"Developer" means any person or organization who lays out and subdivides land.

"Easements" are strips of ground shown on the plat marked "drainage easements," "sewer easements" and "utility easements," either separately or in any combination of the three, which are reserved for the use of public utility companies and governmental agencies. Drainage easements are created to provide paths and courses for area and local storm drainage, either overland or in the public drainage system. Responsibility of maintenance placed on the property owner, the homeowner association, or the local agency bearing jurisdiction over an urban drainage system. Sewer easements are created for the use of the local agency bearing jurisdiction over the storm and sanitary waste disposal system for the purpose of installation and maintenance of sewers that are part of the system. Utility easements are created for the use of all utility companies, not including transportation companies, for the installation of mains, ducts, poles, lines, wires and also all rights and uses specified for sewer easements above designated.

"Expressway-freeway" means an expressway-freeway operates at a high service level, consists of limited land access, carries region-wide traffic and is generally classified as part of the interstate system.

"Highway supervisor" means the person employed by the board to administer the affairs of the highway maintenance department.

"Highway engineer" means the person employed by the board to undertake all of the engineering duties required in operating the county highway and related drainage systems pursuant to statute.

"Industrial street" or "commercial street" means a street which, by virtue of its location or design, primarily serves as an access to industrial or commercial property or serves to conduct traffic from industrial or commercial land to a higher classification street.

"Local street" means a residential street designed to provide access to adjacent property and to conduct traffic from low volume streets to an activity center or higher classification street.

"Lot" means a parcel of land of specific form and dimension, situated within a legally recorded plat, and is designated by number or letter for convenience or accuracy, in legal conveyance of the title thereto.

"Lot corner" means a lot abutting two or more streets at their intersection where the interior angle of the intersection does not exceed one hundred thirty-five (135) degrees.

"Low volume street" means a residential street having a maximum number of twenty (20) lots.

"Master plan" means the complete plan or any of its parts for the development of the county as prepared by the commission and adopted in accordance with chapter
"Minor collector street" means a minor collector street serves as a connecting link between collector streets and local streets, primarily serving internally to residential communities.

"Parcel" means a part or portion, a piece of land described and taken from a larger area.

"Pavement width" means the width of the paved surface measured from the outer edges of that surface, or in the case of a curbed surface, measured from the back of the curb to the back of the opposite curb.

"Person" means a corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

"Proposed plat" means the map or drawing on which the subdividers plan of subdivision is presented.

"Structure" means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include bridges, culverts, sewers, service pipes, under drains, foundation drains, buildings, mobile homes, fences, billboards and pools.

"Subdivision" (including the word "subdivide") means the division, or act thereof, by conveyance, of a parcel of land into lots or other parcels therefrom and approved by the Porter County plan commission, when applicable.

"Subgrade" means the top of the roadbed upon which the pavement structure and shoulders are constructed.

"T-turn around" means a dead-end street that terminates at a 'T'. It shall be used only when a street is expected to be extended in the future. It shall be included inside the phase, unit or section improved. The curb-

ing shall end twenty-four (24) feet from the lot line of the last lot to be developed. The T-turn around is to be placed within the twenty-four (24) feet from the right-of-way line to right-of-way line. See Standard Plan Sheet Number 62.

"Valley gutter" means a shallowly-depressed, paved surface, (generally concrete), which ordinarily crosses a cul-de-sac street at its intersection with a local street or minor collector street, which facilitates continuous gutter flow across the cul-de-sac street to the receiving gutter of the local or minor collector street, and without requiring the interception of the gutter flow by a surface inlet that otherwise would be located at the upstream quadrant in the intersection.

(Ord. 90-3, § 1)

12.04.020 Reserved.


12.04.030 Dedication of street right-of-way by metes and bounds.

The dedication shall be granted to the board of commissioners on a form acceptable to the board and on file with the Porter County highway department. No dedication will be accepted until the road and drainage comply to standards.

The legal description for the right-of-way shall be prepared and certified by a land surveyor registered in the state of Indiana.

The right-of-way width shall conform to the standards of the board as specified in sections 12.04.100 and 12.04.110.

Two sets of plans and specifications for the proposed improvement shall be submitted to the Porter County highway department and approved by the Porter County engineer, and the Porter County surveyor,
who shall take action within forty-five (45) days and notify the petitioner by letter of that action.

The proposed name of the street shall be approved by the executive secretary of the plan commission of Porter County.

Upon execution of the dedication form and subsequent approvals by the involved agencies, the dedication shall be recorded by the Porter County highway department, the cost paid by the petitioner, and copies of the recorded document will be distributed to the grantor and to all county agencies having a probable interest in the dedication. (Ord. 90-3, § 2(B))

12.04.040 Reserved.


12.04.050 Plan submission including performance bond.

Submission of engineering plans for a platted subdivision or metes and bounds dedication shall be made to the Porter County highway engineering department. All streets intended for the use by the public, shall be constructed in accordance with the above approved engineering plans submitted by the developer and in accordance with the most recently approved construction standards and specifications. (Ord. No. 13-14, 11-19-2013; Ord. 90-3, § 2(D))


12.04.270 Standard plans and typical cross sections.

Reference should be made to the standard plans and typical cross sections for any miscellaneous design items not covered in the supplemental design and construction standards/specifications within the Porter County Unified Development ordinance. Other designs not covered or any proposed alternate designs may be submitted to the Porter County highway department for review and approval. (Ord. No. 13-14, 11-19-2013; Ord. 90-3, § 3(R))

12.04.280—12.04.450 Reserved.


12.04.460 Highway maintenance system—Acceptance procedures.

A. Any metes and bounds dedication of public right-of-way submitted after the effective date of the ordinance codified in this chapter shall include the following:

1. A properly executed dedication of public right-of-way in a form agreeable to the Porter County board of commissioners. This dedication shall contain the following statement:

   Maintenance provision notice by the board of commissioners

   Until such time as the above described street is constructed according to the engineering and drainage plans as approved by and on file with the Porter County highway engineer's office and other related agencies, said street will not be included in the Porter County maintenance system.

2. A survey for the proposed public right-of-way prepared and certified by a land surveyor registered in the state of Indiana;

3. A set of engineering plans which include a plan, profile, cross section and any required additional details or information. These plans are to be reviewed by the
Porter County plan commission prior to review and approval by the Porter County highway department.
(Ord. No. 13-14, 11-19-2013; Ord. 90-3, § 5)

12.04.470 Reserved.


12.04.480 Permit bond and liability insurance.

A permit bond and liability insurance are required to do any type of construction work within the right-of-way.

A. Contractors.
   1. Permit Bond. Minimum: two thousand dollars ($2,000.00) blanket coverage or each job may be bonded separately. This bond is required for a period of one year and may be renewed with a continuation certificate.
   2. Liability Insurance. Minimum: fifty thousand dollars ($50,000.00).

B. Private Property Owners.
   1. Permit bond. Minimum: one thousand dollars ($1,000.00) (per address). This bond is required for a period of one year.
   2. Liability insurance. Minimum: It is recommended that a rider to the homeowner's policy naming Porter County as additionally insured, be obtained.

   The purpose of the permit bond is to assure that county specifications will be adhered to, including workmanship. This bond and liability insurance must be on file in the Porter County highway engineering department before any right-of-way permits will be issued.
   (Ord. 90-3, § 7(A))

12.04.490 Sidewalk permits.

A. Sidewalk permits are not required to replace or install new sidewalks in the county. However, the contractor must call for inspection before any concrete is poured.

B. The county inspector may be contacted by calling 465-3574 at least twenty-four (24) hours before inspection is needed.
   (Ord. 90-3, § 7(B))

12.04.500 Drive and utility permits.

A. A driveway or road right-of-way cut permit is required prior to the issuance of a building permit. This includes all properties described by metes and bounds description, whether residential or commercial, and all building lots in recorded platted subdivision, industrial parks, etc. as each individual lot is developed. The issuance of this permit on a public record is conditional upon a cut approval to be conducted by a representative of the Porter County highway engineering department. This permit will be issued by the Porter County highway engineering department for a lump sum fee, which is set depending upon particular circumstances set forth in the permit. The base fee will be one thousand dollars ($1,000.00) for a residential construction; one thousand five hundred dollars ($1,500.00) for commercial use; forty dollars ($40.00) for a farm field entrance; forty dollars ($40.00) for a secondary residential drive; forty dollars ($40.00) for the alteration of a driveway cut on a public road; and for utility service there will be a fifty dollar ($50.00) fee for the first quarter (¼) mile and a twenty five dollar ($25.00) fee for each quarter (¼) miles thereafter, with an additional fee to cross or intersect a county road in the amount of fifty dollars ($50.00) for a bore. The Porter County board of commissioners may waive or adjust at its discretion a fee for the specific reason or reasons set forth in elsewhere in this chapter.

B. A driveway permit may be denied at the discretion of the Porter County board of commissioners if a determination is made
that the public road to be accessed is not passable by emergency vehicles. The road permit will be granted if the county road is upgraded to the extent necessary to assure safe passage by emergency vehicles. The cost of the upgrade of the county is a cost that must be incurred by the applicant.

C. Any driveway installed must be constructed in such a manner as to provide for reasonable emergency vehicles access to the property located there. (Ord. No. 13-14, 11-19-2013; Ord. 90-3, § 7(C))

12.04.510 Permit to cut into the county right-of-way—Road cuts.

A. Who needs a permit. Anyone cutting into or tunneling under any portion of the county right-of-way must obtain a R/W cut permit before any construction is started. Emergency permits must be submitted the next business day.

The permit application must be filed in duplicate.

B. Information needed on a permit:
1. Date;
2. Physical address or location and township;
3. Type of street surface;
4. Length, width and depth of the cut;
5. Name of applicant (same as on bond), address, telephone number and signature;
6. Plot plan showing the exact location of the cut.

C. Where to Obtain a Permit. Road cut permits may be obtained from or mailed to the Porter County highway department, 1955 S. State Road 2, Valparaiso Indiana, 46383. However, construction may not start until the permit is approved by the Porter County engineer.

D. Procedure for Restoration of Cuts.
1. All restoration must be inspected by the Porter County highway department.

2. The county inspector may be contacted by calling 465-3574 at least twenty-four (24) hours before inspection is needed.

E. Special Provisions.
1. Special provision will be attached by the county engineer whenever he deems them necessary to limit construction or define the materials used in restoration.

2. All special provisions which are attached by the county engineer must be adhered to before any restoration will be accepted.

F. Cost.
1. The cost of the permit will be determined by the length, width, depth, and location of the cut plus a forty dollar ($40.00) inspection fee.

2. No newly constructed pavement less than five years old, or reconstructed pavement less than three years old shall be cut. Any exception must be by executive approval. If executive approval is given, the cost will be based on the following:
   a. New pavement, twelve (12) months old or less equals four times the standard cost.
   b. Twelve (12) months to twenty-four (24) months equals three times the standard cost.
   c. Twenty-four (24) months to thirty-six (36) months equals two times the standard cost.
   d. Thirty-six (36) months or older equals standard cost.
2. Standard Cut.
   a. Any length of trench excavated in the same type of surface between roads is considered one cut.
   b. If the trench excavated passes through a different type surface, it is considered another or additional cut.
   c. If a lateral is constructed perpendicular or at any other angle from the main excavation, it is considered another or additional cut.
d. Any cut that is not continuous is considered another or additional cut. For example, cuts through six different bells or joints of a utility would be considered as six cuts.

4. Inspection Fee.
   a. A minimum inspection fee of twenty dollars ($20.00) per hour for anticipated inspection costs on projects or jobs that the county engineer deem necessary due to hazards or unusual conditions, will be used.
   b. If additional inspection is required, an estimate of the anticipated hours involved will be computed and the inspection cost will be added to the cost of the permit before it is issued. This will only apply to extreme conditions that would require full time inspection.

5. Penalty. Any person failing to obtain the proper R/W cut permit before starting construction may be fined a sum not to exceed one thousand dollars ($1,000.00).
   (Ord. 90-3, § 7(D))

12.04.520 Oversize and overweight permits.
   A. Who Needs a Permit. Anyone wishing to transport any vehicle or object which exceeds the legal size or weight limit, must obtain an oversize and/or overweight permit before beginning to make such a move.

   Three copies of the permit must be filled out.

   B. Information needed on a permit:
   1. Date;
   2. Type of vehicles;
   3. Make of tractor and/or trailer, license number, state and serial number;
   4. Length, width and height;
   5. Empty weight and gross weight of the vehicles;
   6. Number of trips and length of each trip; total length of haul in Porter County;
   7. Number of axles and distance between each axle;
   8. Number of wheels on each axle;
   9. Pneumatic or solid tires; manufacturer's rated width of each tire;
   10. Total width of all tires on each axle;
   11. Total weight on each axle;
   12. Pounds/inches width of each tire;
   13. Description and weight of the load;
   14. Model number and capacity of any heavy equipment;
   15. Origin, destination and route of the move;
   16. Speed of the move;
   17. Reason for the move;
   18. Applicant's name, address and signature;
   19. Date and time the move will start and end;
   20. Number of hours the vehicle will be on Porter County roads.

   C. Where to Obtain Permits. Oversize and overweight permits may be obtained from or mailed to the Porter County highway department, 1955 S. State Road 2, Valparaiso, Indiana 46383. However, no move can be made until the permit has been approved by the county engineer and the Porter County sheriff's department.

   D. Cost.
   1. There is a ten dollar ($10.00) fee for each oversize permit.
   2. There is a ten dollar ($10.00) fee for each overweight permit.
   3. There is no fee for contractor's permits for oversize construction equipment renewed annually.


   Note: There may be a sheriff's escort required in many instances.
   (Ord. 90-3, § 7(E))

12.04.530 Pole line permits.
   A. Who Needs a Permit. Any utility wishing to install a new pole line or where
existing poles are moved to a different location must obtain a pole line permit prior to installation.

The permit must be submitted in duplicate.

B. Information needed on a permit:
1. Date;
2. Location, township and section number;
3. Drawings showing:
   a. Distance from nearest county road intersection, from centerline of road to the right-of-way line,
   b. Length of spans, locations from R/W lines, length of poles, overhead guys, anchor guys, guy poles and all guy leads,
   c. Voltage, phase, type of construction;
4. Utility company name, address and engineer's signature.

Pole line permits may be obtained from or mailed to the Porter County highway department, 1955 South State Road 2, Valparaiso, Indiana 46383. However, construction may not start until the permit has been approved by the county commissioners.

(Ord. 90-3, § 7(F))

12.04.540 Utility permits.

A. Who Needs a Permit. Any utility wishing to install underground conduit, cable, lines, pipe etc., in the Porter County right-of-way needs a utility permit. No work is to be done until the permit is approved.

The permit must be submitted in duplicate.

B. Information needed on a permit:
1. Date;
2. Location, township and section number;
3. Drawing showing:
   a. Distance from nearest county road intersection,
   b. Location from R/W lines, and from road edges,
   c. Depth from crown of road,
   d. Description of all installations and appurtenances, type of construction,
   e. Utility company name, addresses and engineer's signature.

C. Where to Obtain Permits. Utility permits may be obtained from or mailed to the Porter County highway engineer, 1955 South State Road 2, Valparaiso, Indiana, 46383. However, construction may not start until the permit has been approved by the county engineer.

D. Cost. Issuing and inspection charges of forty dollars ($40.00) for an installation up to and including one-fourth (¼) mile (one thousand three hundred twenty (1,320) feet) plus fifteen dollars ($15.00) for each additional one-fourth (¼) mile (one thousand three hundred twenty (1,320) feet) or fraction.

E. Traffic Control. It shall be the duty of all holders of permits to erect proper warning signs, barricades and flares, and to provide flag-men or other appropriate warning devices commensurate with the risks involved throughout the progress of the work and all holders of permits shall indemnify and save the county harmless from any and all claims and cause of action, if any, which may be asserted or filed against the county by any persons, firms, corporations, who have been injured or damaged or claim to have been injured or damaged, on account of any installations made pursuant to this permit or on account of any work done in the making of such installation.

(Ord. 90-3, § 7(G))

12.04.550 Reserved.

Chapter 12.08
DRAINAGE REGULATIONS
Sections:

12.08.010 Drain tile water discharge.
12.08.020 Violation—Penalty.

12.08.010 Drain tile water discharge.
A. Written approval from Porter County highway department shall be obtained prior to any drain tile water being drained into county right-of-way.
B. A sump pump shall be required if road ditch is higher in elevation than proposed drain tile.
C. The existing road ditch shall be cleaned (excavated if deemed necessary by highway department) and free of debris and brush a sufficient distance to provide adequate grade for water to flow. All work to be in accordance to county standard.
D. In those instances where road ditches are available, the drain tile connection shall be directly into the ditch and rip-rap (generally five by ninety (90) rock) placed on each side of the tile two feet by four feet by eight-inch depth.
E. In subdivisions where curbs exist, the property owner shall discharge various residential drain tile water on top of the ground and let the water flow on ground surface a minimum travel distance of forty (40) feet from the road right-of-way line.
F. Known drainage problem areas shall not be compounded, nor shall any new obvious drainage problems be created.
G. Roof, basement, septic field perimeter drains are prohibited from draining directly onto county road pavement. (Ord. 85-8 §§ 2—8)

12.08.020 Violation—Penalty.
Violators to any of the above shall be subject to a three hundred dollars ($300.00) fine for each day of violation after legal notice has been served. (Ord. 85-8 (part))
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FOR
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