

ORDINANCE 2016-OR-12

AN ORDINANCE TEMPORARILY SUSPENDING THE ISSUANCE OF BUILDING PERMITS IN THE CHARLESTOWN, INDIANA TIF DISTRICT FOR SIX MONTHS, OR UNTIL A NEW COMPREHENSIVE PLAN IS ADOPTED

WHEREAS, the City of Charlestown, Indiana (hereinafter the "City") is a third class city organized under the laws of the state of Indiana; and,

WHEREAS, pursuant to Indiana's *Home Rule* Statute, Indiana Code § 36-1-3-8, the Common Council and Mayor of the City have the ability to adopt legislation that protects or promotes the health, safety, welfare and best interests of the City and its residents; and,

WHEREAS, the City has previously adopted a zoning map and enacted a zoning ordinance (2003-OR-14); and,

WHEREAS, the City has created a Tax Increment Financing (TIF) district, and has subsequently enlarged the TIF District; and

WHEREAS, it has been approximately nine (9) years since the City has approved a Comprehensive Plan. Consequently, a new Comprehensive Plan is needed and the City is in the process of having a Comprehensive Plan prepared, which is anticipated to be approved in September, 2016. Likewise, it is anticipated that corresponding changes to the City's zoning Ordinance be made at the same time; and,

WHEREAS, it is in the best interests of the City that new construction of non-residential structures in the TIF district be discouraged until the City's new comprehensive plan is adopted and corresponding changes to the City's zoning ordinance are approved; and,

WHEREAS, a suspension of the issuance of Building permits in the City's TIF district would be in the best interest of the City, and landowners within the City because it would result in a more orderly development within the City, would preserve property values, and will improve traffic patterns.

NOW THEREFORE, it is hereby ordained that commencing immediately that no Building Permits may be issued by the office of the Building Commissioner of the City of Charlestown, Indiana for any non-residential building proposed to be constructed within the TIF district until the Common Council has approved a Comprehensive Plan and made corresponding changes to the City's zoning Ordinance. However, if those changes have not been completed within six (6) months of the enactment of this Ordinance, the Building Commissioner shall be authorized to begin issuing Building Permits for buildings proposed to be constructed in that area.

If any part of this Ordinance is deemed illegal, including the application of such part or provision to other persons or circumstances, the remainder of the provisions shall not be affected thereby and shall continue in full force and effect. The Common Council of the City of Charlestown hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held

ALL OF WHICH IS ORDAINED on or about the 16th day of May, 2016.

	Voted In Favor	Voted Against	Abstained	Absent
<u>Eric Vaughn</u> Eric Vaughn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Tina Barnes</u> Tina Barnes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ted Little</u> Ted Little	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ben Ledbetter</u> Ben Ledbetter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Brian Hester</u> Brian Hester	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Presented to Mayor G. Robert Hall on 5-16, 2016.

Donna Coomer
Donna Coomer
City Clerk/Treasurer

THIS ORDINANCE WAS SEEN AND APPROVED BY ME THIS ON 5-16, 2016.

G. Robert Hall
Mayor G. Robert Hall

ATTEST:

Donna Coomer
Donna Coomer
City Clerk/Treasurer