

ORDINANCE NO. 19-2024

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE WEST LAFAYETTE CITY CODE

WHEREAS, Indiana Code section 36-1-5-3 requires the City Council of the City of West Lafayette to codify, revise, rearrange, and compile the ordinances of the City into a complete, simplified code; and

WHEREAS, the existing West Lafayette City Code contains outdated provisions and references.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA THAT the following amendments are made to sections of the West Lafayette City Code (deletions indicated by ~~striketrough~~; additions indicated by **bold**):

- I. Chapter 2, Article I, Section 2-6 Continuous violations; schedule of fines - the schedule shall have the following entries added:

Section	Description	Fine
6-108; 6-110	Violation of a stop work order issued by building commissioner (residential)	\$100.00 \$200.00 per day
6-230	Violation of key lock box system chapter article	\$100.00 per day
26-6	Nuisance Enforcement Fines	\$50 (1st), \$100 (2nd), \$500 (Subsequent)
38-368	Violation of the pedal carriage article	\$250.00

The remaining entries in the schedule are unchanged.

- II. Chapter 2, Article IV, Division 2, Section 2-288: Fines – the schedule of fines shall have the following entries amended or added as indicated:

Section	Description	Fine
6-157	Housing property maintenance code violation	\$50.00 per day
38-258	Emergency Snow Routes	\$50 (1st) \$200 (subsequent)

The remaining entries in the schedule are unchanged.

- III. Chapter 6, Article II, Division 5, Sec. 6-136 (a)(1) shall be amended as follows:
- (1) Article 13; building codes.
 - a. Fire and building safety standards.
 - b. State building code.
 - (2) Article 14; state residential code.
 - (3) **Article 15; Industrialized building systems**
 - ~~(3)~~(4) Article 16; state plumbing code.
 - (4)(5) Article 17; state electrical code.
 - ~~(5)~~(6) Article 18; state mechanical code.
 - ~~(6)~~(7) Article 19; state energy conservation code.
 - ~~(7)~~(8) Article 20; state swimming pool code.
 - ~~(8)~~(9) Article 21; safety codes for elevators, escalators, manlifts and hoists.
 - ~~(9)~~(10) Article 22; state fire code.
 - ~~(10)~~(11) Article 23; recreational facilities
 - ~~(11)~~(12) Article 25; state fuel gas code.
 - ~~(12)~~(13) Article 26; regulated explosives: use and licensure.
 - ~~(13)~~(14) Article 27; state visibility rule for one- and two-family dwellings and townhouses.
 - ~~(14)~~(15) Article 28; National Fire Protection Association (NFPA).

- IV. Chapter 6, Article II, Division 5, Section 6-138 shall be amended as follows:

Sec. 6-138. Bonding required.

All individuals and businesses not already under bond to the city may not do construction work as a contractor or subcontractor until they first give bond to the city with one or more sureties in an amount established by the city on the condition that they shall, in good faith, perform all things required of them under all ordinances and codes in effect, and on the further condition that they shall pay all damages and save the city harmless on account of failure to comply with all ordinances and codes in effect. Such bond with a surety company authorized to do business in the state shall be filed with the ~~city engineer~~ **building commissioner** and shall be either renewable annually or a continuous bond.

- V. Chapter 12, Article II, Sec. 12-27(a) shall be amended as follows:

- (a) Any fee or fine assessed by the city may be paid by credit card, in person, ~~over the phone,~~ or by other electronic means.

- VI. Chapter 12, Article II, Sec. 12-29 shall be amended as follows:

Sec. 12-29. Building permit and inspection fees.

Fees for building permits and inspections are as follows:

Code Section	Description		
6-52	Building Permit Fees:		
	Project Cost:	Fee:	
	\$0.00—\$1,000,000.00	Base Fee + \$2.00/Thousand of the Project Cost	
	Over \$1,000,001.00	Base Fee + \$2,000.00 + \$0.50/Thousand	
	Base Fee Description:	Base Fee	Notes
	Residential New Build Base Fee	\$445.00 \$509.00	Review & C of O, 5 inspections, Toter
	Residential Improvement Base Fee	\$235.00 \$250.00	Review & C of O, 3 inspections
	Commercial New Build Base Fee	\$605.00 \$635.00	Review & C of O, 6 inspections
	Commercial Improvement Base Fee	\$365.00 \$380.00	Review & C of O, 3 inspections
	Commercial Build-out Building Compliance	\$365.00 \$125	Review & C of O, 3 inspections
	Commercial Change of Use	\$285.00 \$295.00	Review & C of O, 2 inspections
	Multi-Family New Build	\$125.00 + \$135.00 \$150.00 per building + \$90.00 \$150.00 per unit	Review & C of O, 3 base inspects, 23 inspects/unit
	Multi-Family Improvement	\$125.00 + \$90.00 \$150.00 per unit	Review & C of O, 23 inspections/unit
	Multi-Family Build-out	\$125.00 + \$90.00 per unit	Review & C of O, 2 inspections/unit
	PDMX New Build	\$125.00 + \$135.00 \$150.00 per building + \$90.00 \$150.00 per unit	Review & C of O, 3 base inspects, 23 inspects/unit
	PDMX Improvement	\$125.00 + \$90.00 \$150.00 per unit	Review & C of O, 23 inspections/unit
	Fraternity/Sorority New Build	\$605.00 \$635.00	Review & C of O, 6 inspections
	Fraternity/Sorority Improvement	\$365.00 \$380.00	Review & C of O, 3 inspections
	Flat Permit Fee Description:	Flat Fee	Notes
	Sign Permanent	\$100.00 + \$50.00 per inspection	Review & 1 or 2 inspections (Footing and Final)
	Sign Temporary	\$20.00/ per sign	Review & 1 inspection-No Project Cost

	Residential Pool	\$235.00 \$250.00	Review & C of O, 3 inspections
	Commercial Pool	\$365.00 \$380.00	Review & C of O, 3 inspections
	Demolition	\$100.00 per structure + \$45.00 \$50.00	Review & 1 Inspection—No Project Cost
	Electrical/ Solar/Generator	\$100.00	Review & 1 Inspection—No Project Cost
	Fence	\$0.00	Compliance Review—No Project Cost
	Res. Review & C of O	\$100.00	
	Class I Review and C of O	\$125.00	Inspections based on type of construction
	PD fee	TBD	
	Toter	\$120.00 \$159.00	
	Investigation Fee Description:	Double Price of Permit	
	Replacement Permit Card:	\$20.00	
6-80	Building Inspection Fees:		Required Inspections
	Residential:	\$45.00 \$50.00 Each/5 Required	Footing, Slab, Rough-in, Perm. Electric & Final
	Multi Family:	\$45.00 \$50.00/Unit/5-6 required	Footing, Under-slab, Slab, Rough-in, Perm. Electric, Insulation & Final

Code Section	Description – Inspection Fees			
	Commercial:	\$80.00 \$85.00 Each/6 required	Footing, Under-slab, Slab, Rough-in, Perm. Electric & Final	
	Pool:	\$60.00/Res. \$100.00/Commercial	Rough Bonding, Grid Bonding, & Final	
	Permanent Sign:	\$100 \$50.00/Per if Required	Footing & Final	
	Temporary Sign:	None	Final (Drive-by)	
	Re-inspection Fees	1st	2nd	3rd
	Any Residential	\$0.00	\$90 \$100.00	\$180 \$200.00

	Any Commercial	\$0.00	\$160 \$170.00	\$320 \$340.00
	Any Multi-Family	\$0.00	\$90 \$100.00/unit	\$180 \$200.00/unit
	Additional/Phased Inspection Fees			
	Any Residential	\$45.00 \$50.00	Additional/Phased inspections include but are not limited to Temporary Pole, Temporary to Main, Trunkline, Insulation, Pre-Final, and any Required Inspection.	
	Any Commercial	\$80.00 \$85.00		
	Any Multi-Family	\$45.00 \$50.00		
	After Working Hours or Weekend Inspection	\$250.00 \$300.00	Based on staff availability	
	Failure to call in required inspection:	\$250.00 fine and Certification Letter		
	Failure to cancel inspection:	\$45.00 \$50.00/Residential \$80.00 \$85.00/Commercial \$45.00 \$50.00/Multi-Family		
Building Commissioner shall have the ability to adjust inspection fees up and down based on the specific requirements for each permit. There are times that the normal amount of inspections included are not a one size fits all. Typical inspections charges are \$50/residential and \$85/commercial. There shall be a max reduction of \$200 without Board of Works approval.				

6-138	Bonding Requirements		
	General Contractor	\$25,000.00	If GC hired-Only GC Bond Required
	Concrete	\$5,000.00	If owner is serving as GC-No bond required for GC-Bonds are required for Sub-Contractors
	Electrical	\$5,000.00	
	Heating and air conditioning	\$5,000.00	
	Masonry	\$5,000.00	
	Carpentry or structural	\$5,000.00	
	Plumbing	\$5,000.00	

	General contractor	\$5,000.00	
	Landscaping	\$5,000.00	

VII. Chapter 26, Sec. 26-6 shall be amended to read as follows:

Sec. 26-6. Enforcement procedures.

Schedule of fines. The initial penalty or fine for all violations of this chapter shall ~~be fifty dollars~~ **is established in Sec. 2-6.** A second violation of this chapter in any twelve-month period shall be subject to a penalty or fine ~~of one hundred dollars as established in Sec. 2-6.~~ All subsequent violations of this chapter, in any twelve-month period, shall be subject to a penalty or fine ~~of two hundred dollars as established in Sec. 2-6.~~ A separate fine may be assessed for every twenty-four-hour period that a property is in violation of this chapter.

VIII. Chapter 38, Article V, Division 1, Section 38-257¹ shall be renumbered to **Sec. 38-258** and the title changed from ~~Unsafe opening of vehicle door~~ to **Emergency Snow Routes.**

IX. Chapter 38, Article V, Division 1, Section 38-257² will be added with language as follows:

Sec. 38-257. Unsafe opening of vehicle door.

- (a) Subject to all other laws pertaining to stopping, standing, and parking a motor vehicle, a person while stopping, standing, or parking a motor vehicle on or next to a highway, street, or alley shall:
 - 1. Open the door of the motor vehicle when it is reasonably safe to do so and can be done without interfering with the movement of traffic and pedestrians and bicycles, who cannot avoid collision with the door and who are lawfully travelling on sidewalks, shoulders, or bicycle lanes; or
 - 2. Cause a door to only remain open on the side of the motor vehicle for a period of time that is necessary to load or unload passengers or items.
- (b) A person who intentionally violates this section is subject to a fine in an amount established by the City.

¹ Ordinance 32-19 (Amended) referenced Sec. 38-257 when it should have referenced Sec. 38-258. By referencing Sec. 38-257, it inadvertently overwrote Ordinance 13-19 (Amended) which established the Unsafe opening of vehicle door code. This revision fixes that issue.

² See footnote 1.

X. Chapter 38, Article V, Division 1 Reserved Sections shall be updated to reflect the following:

Secs. ~~38-258~~ **38-259** - 38-275. Reserved.

XI. Chapter 38, Article VI, Sec. 38-305 through and including Sec. 38-310 shall be deleted in their entirety.

XII. Chapter 38, Article VIII, Sec. 38-367(f) shall be amended to read as follows:

- (f) Pedal carriages are subject to inspection by the administrative officer. If the pedal carriage is found to be out of compliance the carriage must be taken out of service, and it is subject to a re-inspection and a re-inspection fee ~~of one hundred dollars~~ **established in Sec. 12-1.**

INTRODUCED ON FIRST READING ON THE 1 DAY OF July, 2024.

MOTION TO ADOPT MADE BY COUNCILOR Blanco, AND
SECONDED BY COUNCILOR Bellisario.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 5 DAY OF August, 2024, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bellisario	✓			
Blanco	✓			
Burr	✓			
Dennis	✓			
Lee			✓	
Leverenz	✓			
Parker	✓			
Sanders	✓			
Veidemanis			✓	


Larry J. Leverenz, Presiding Officer

Attest:

Sana G. Booker
Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA
ON THE 6 DAY OF August, 2024.

Sana G. Booker
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 6 DAY OF
August, 2024.

Erin R. Easter
Erin R. Easter, Mayor

Attest:

Sana G. Booker
Sana G. Booker, Clerk

