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ORDINANCE # 85-10

LOCAL HEALTH DEPARTMENT--FEE COLLECTION

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, LA PORTE COUNTY, INDIANA, PROVIDING FOR THE LA PORTE COUNTY BOARD OF HEALTH TO ESTABLISH AND COLLECT FEES FOR SERVICES AS AUTHORIZED WITH THE ACCOUNTING AND TRANSFER OF SUCH FEES AS PROVIDED BY IC, 16-1-4-24.

Be it Ordained by the Board of Commissioners of La Porte County, State of Indiana, that:

Section I. The La Porte County Board of Health is empowered to establish and collect fees in accord with the following definitions and provisions.

Section II. Definitions: The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. The term "board" as used herein shall mean the County Board of Health as provided for in IC (16-1-5-1).
- B. The term "health officer" shall mean the county health officer as provided for in IC, (16-1-5-2).
- C. The term "authorized representative" shall mean an agent in principal of the board and health officer as provided in IC, 16-1-4-21.
- D. The term "person" shall mean any individual, partnership, co-partnership, firm, company, corporation or association.

SECTION III. Fees for Services

The Board of Health having jurisdiction may charge a service fee not in excess of the cost for providing to any person the following services:

Environmental Health Services:

- A. For services provided in the inspection of public eating and drinking establishments, retail food markets, itinerant food stands, and semi-public food service establishments to obtain a permit for license for Food Markets and Eating and Drinking Establishments as required by the La Porte County Ordinance Number 102 - 103 as authorized by IC, 18-1-1-5-7 and IC, 17-2-22-2.
- B. For supervision and inspection of sanitary installations as required by the La Porte County Ordinance Number 101 as authorized by IC, 17-2-22-3.
- C. Water Samples
- D. Immunizations for Travel

SECTION IV. Collection Accounting and Disposition

- A. Collection of fees: The board shall collect such fees established as a part of this ordinance in accord with the schedule designated as Schedule A which is attached hereto and made a part hereof.
- B. Accounting for Fees: All fees collected by the board shall be accounted for in detail for each program service area.

- C. Disposition of Fees: All fees collected by the board shall be transferred to the La Porte County health fund. The monies collected in accord with the provisions of this Ordinance shall be used only for the maintenance of future expansion of the specific program services from which they are derived.
- D. Health Service--Fees--Other County Health jurisdictions: Fees collected for health services provided individuals in other county health jurisdictions and involving payment from county tax revenue shall be collected in accord with an agreement pursuant to IC, 16-1-4-22, as amended by P.L. 53, Acts of 1974.

SECTION V. Unconstitutionality Clause

Should any section, paragraph, clause, or phrase of this ordinance be declared unconstitutional or invalid, the remainder of said Ordinance shall not be affected thereby.

SECTION VI. Repeal and Date of Effect

- A. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed, and this Ordinance shall be in full force and effect as of January 1,  
1986.

SCHEDULE A

Fee schedule established and collected in accordance with  
Section IV-A and made a part thereof of this ordinance No. 85-10 :

SECTION III - A-B-C

Environmental Health Services

- |  |   |
|--|---|
| a. Food Service Establishment License<br>(Restaurant/Food Markets) * | * See Appendage &<br>Definitions Listed Below |
| b. Septic System Permit  | \$ <u>25.00</u>                               |
| c. Water Sample  | \$ <u>10.00</u>                               |

SECTION III - D

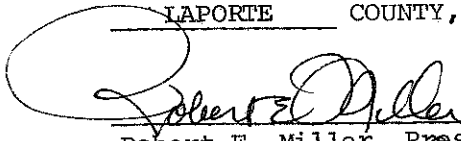
Personal Health Services

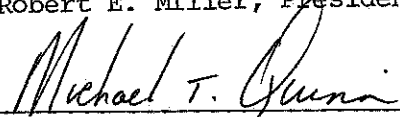
Immunization (Travel) \$ 5.00

PASSED BY THE COUNTY COMMISSIONERS OF LAPORTE  
COUNTY, STATE OF INDIANA, this 12th day of November,  
19 85.

BOARD OF COUNTY COMMISSIONERS OF

LAPORTE COUNTY, INDIANA

  
Robert E. Miller, President  
Commissioner

  
Michael T. Quinn  
Commissioner

  
Alyce J. Byrd, County Auditor

\_\_\_\_\_  
Kenneth W. Swanson  
Commissioner

Please publish two (2) times in the Michigan City News-Dispatch and LaPorte Herald-Argus  
on Friday, November 29, 1985 and Friday, December 6, 1985.

2. APPENDAGE

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An annual license fee shall be levied upon each food establishment for the purpose of enforcing and paying the expense of the inspection program.

Fees for food establishments including Food Service(Restaurants), Retail Food Stores(Food Markets),Deli's and Bakeries:

1 thru 5 full-time employees	\$30	probationary	\$50
6 thru 9 full-time employees	\$50	probationary	\$70
10 or more full-time employees	\$80	probationary	\$100

Exceptions:

Those operations filing after June 1, Limited, Prepackaged only Retail Stores, and Seasonal (operate less than 6 months a calendar year).

1 thru 5 full-time employees	\$15	probationary	\$35
6 thru 9 full-time employees	\$25	probationary	\$45
10 or more full-time employees	\$40	probationary	\$60

If a license fee as prescribed is not received by the Health Department on or before the date it is due, a penalty of twenty-five per cent(25%) of any such fee shall be imposed and paid.

Two part-time employee positions will equal one full-time employee for the purpose of establishing a fee rate for the establishment.

No license fee shall be required for establishments operated by an organization that is exempt from the Indiana gross income tax under IC 6-2.1-3-20 through IC 6-2.1-3-22 and that offers food for sale to the final consumer at an event held for the benefit of the organization if:

- 1)members of the organization prepare the food that will be sold;
- 2)events conducted by the organization take place for no more than thirty(30)days in any calendar year;
- 3)The name of each member who has prepared a food item is attached to the container in which the food item has been placed.
- 4)Schools;
- 5)Churches;and
- 6)Governmental units or agencies.

Plan review fee \$30

Mobile Food Service,Hawkers, and Lunch Service Vehicle \$30/yr.

Temporary Food Service \$10 a day not to exceed \$50 for any one event.

It shall be the responsibility and authority of the Health Officer to classify food service operations for the purpose of ascertaining and establishing compliance with the provisions of the food ordinances, including the licensing and permit provisions.