COMMON COUNCIL OF THE CITY OF HOBART, INDIANA

ORDINANCE NO. 2014-- 06

An Ordinance to Amend the Municipal Code of the City of Hobart Concerning the Regulation of Installation and Replacement of Fireplaces

WHEREAS, the Common Council ("Council") of the City of Hobart ("City") has been informed that, through the adoption of Ordinance Number 2013-38, a fee was established for the grant of building permit and inspection of fireplaces installed within the City, but that the Municipal Code contains no explicit grant of jurisdiction over fireplace building permits and inspections; and

WHEREAS, the Council desires to ameliorate this situation by enacting a grant of authority for the issuance of building permits for fireplace installation and inspection, and by establishing a fee for same in the Building Department through this Ordinance.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE. The Municipal Code of the City of Hobart, Indiana ("Code"), in Chapter 150 entitled "BUILDING REGULATIONS; CONSTRUCTION," is hereby amended by adding a new section, to be designated §150.077 and entitled "PERMITTING AND INSPECTION OF FIREPLACES," as follows:

§150.077. PERMITTING AND INSPECTION OF FIREPLACES.

The Building Commissioner shall have jurisdiction over the issuance of permits and the making of inspections for the installation and construction or replacement of fireplaces and wood-burning stoves in any building or structure within the City. Permits shall be issued upon application and the payment of the fee provided for in the Municipal Code Fee Schedule. Inspections shall be performed by the Commissioner or his or her designee, and this section shall be subject to the procedures for enforcement and penalties prescribed in this chapter for violations of the building codes applicable in the City.

SECTION TWO: The City of Hobart Fee Schedule, incorporated into the Municipal Code, is hereby amended by striking out, under "HVAC Permits, Inspections" the following: "Permit and Inspection Fee for Fireplaces --$44.00 includes 2 inspections (Inspection Allocation $40.00 to inspector, $4.00 to City)."

SECTION THREE: The City of Hobart Fee Schedule, incorporated into the Municipal Code, is hereby amended by adding, under "Building Permits," the sub-heading: "Building Permit and Inspection Fee for Fireplaces and Wood-burning Stoves." Under said heading, the following new language shall be inserted: "Six dollars ($6.00) per one thousand dollars ($1,000) value of construction, the minimum permit fee being not less than twenty-four dollars ($24.00)."

SECTION FOUR: This ordinance shall become effective upon adoption in the manner required by law.

SECTION FIVE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 19th day of March, 2014.

Presiding Officer

ATTEST:

DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of March, 2014 at the hour of 7:30 pm..

DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 20th day of March, 2014.

BRIAN K. SNEDECOR, Mayor

ATTEST:

DEBORAH A. LONGER, Clerk-Treasurer