

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

ORDINANCE DATED: February 24, 2023

ORDINANCE NUMBER: 02-24-23-10

WHEREAS, the Allen County Department of Health has been granted authority under *Indiana Code 16-20-1-27 to establish and collect fees for specific services and records which are established by local ordinances and state law; and

WHEREAS, the Allen County Department of Health has determined that establishing a stand-alone, all-encompassing fee ordinance to delineate the fees and charges for all such chargeable services in all their respective public health ordinances is the most efficient manner in which to manage, update and reference fees; and

WHEREAS, the Indiana State Legislature passed an incrementally increasing amount over time that local health departments are responsible for collecting and then distributing on behalf of the "Coroner's Education Fund" when death certificates are purchased, and the next required increase in this charge per certificate occurs July 1, 2023;

NOW, THEREFORE, be it ordained that Allen County Code, Title 10, Article 14 is hereby established for these purposes as follows:

**ALLEN COUNTY CODE TITLE 10
DEPARTMENT OF HEALTH**

**ARTICLE 14
FEES**

10-14-1 Chapter 1: PURPOSE

10-14-1-1 The purpose of this Ordinance is to establish a separate Fee Ordinance for all Allen County Health Department Ordinances which have fees associated with permits, certificates, documents, or associated services:

- (A) To publish all fees for all Allen County Health Department Ordinances in one clear document; and
- (B) To allow for a more seamless amendment and advertisement process when fees are the only item being amended in the future.

10-14-2 Chapter 2: SCOPE

10-14-2-1 This Fee Ordinance shall provide a clear delineation of the required fees in accordance with the provisions within each of the following Allen County Department of Health ordinances:

**Any reference in this Ordinance to a provision of the Indiana Code (IC) or the Indiana Administrative Code (IAC) shall be understood as a reference to the code provision as it exists presently, and as it may be amended in the future.*

- Title 10, Article 2 – Allen County Food and Beverage Ordinance
- Title 10, Article 4.5 – Allen County Private Sewage Disposal Ordinance
- Title 10, Article 5 – Allen County Public Swimming and Wading Pool Operations Ordinance
- Title 10, Article 7 – Allen County Tattoo and Body Piercing Ordinance
- Title 10, Article 9 – Allen County Railroad Camp Car Inspection Ordinance
- Title 10, Article 10 – Allen County Patient Safety Ordinance
- Title 10, Article 11 – Allen County Sanitation Standards for Lodging Establishments Ordinance
- Title 17, Article 1 – Allen County Onsite Wastewater Management District Ordinance

10-14-2-2 This Fee Ordinance does not include fines or penalties. Fines and penalties are spelled out within each respective Ordinance. This Fee Ordinance only contains references to Ordinances which have delineated fee requirements.

10-14-2-3 All permitted or covered entities and establishments (as defined in each respective ordinance) shall pay any and all required fees for the permits, certificates, documents or services as appropriate. This Ordinance simply provides for one location to find all referenced fees from each respective aforementioned Ordinance.

10-14-3 Chapter 3: FEES

10-14-3-1 Fees for Title 10, Article 2, Allen County Food and Beverage Ordinance

10-14-3-1-1 New Establishment/Change of Owner/Plan Review Fees

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| A. New Establishment Plan Review, Application and Inspection Fee*: | \$280.00 |
| B. New Permittee/Change of Ownership Application and Inspection Fee*: | \$175.00 |
| C. Plan Review and Inspection Fee* (construction/remodel/renovation/alteration): | \$150.00 |

**These fees are in addition to any required permit fees*

10-14-3-1-2 Permit Fees

A. Permit Fees for Retail Food Service Establishments:

1 through 5 employees	\$300.00
6 through 9 employees	\$400.00
10 through 40 employees	\$450.00
41 employees and over	\$500.00

B. Permit Fees for Retail Food Market Establishments (square footage of floor area involved)

Under 3,000 square feet	\$300.00
3,001 to 30,000 square	\$500.00

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30,001 to 40,000 square feet	\$675.00
40,001 to 60,000 square feet	\$900.00
60,001 square feet and over	\$1,125.00

C. Permit Fees for Mobile Food Service and Mobile Food Market Establishments (with a gross weight of):

Under 1,000 pounds	\$250.00
Over 1,000 pounds	\$350.00

D. Permit Fees for Vending Machine Operators:

1 to 10 Food or Beverage Vending Machines (per machine)	\$17.00
14 to 25 Machines	\$240.00
26 to 50 Machines	\$320.00
51 to 100 Machines	\$475.00
101 to 200 Machines	\$630.00
201 to 300 Machines	\$800.00
301 or More Machines	\$920.00

E. Permit Fees for Temporary Food Service and Temporary Food Market Establishments:

<i>For every 48 consecutive hours of operation</i>	\$50.00
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F. Permit Fees for Retail Food Service Off-Site Establishments:

<i>For one year of operation</i>	\$300.00
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G. Permit Fees for Seasonal Mobile Ice Cream Market Establishments:

<i>Per Vehicle or Establishment / per year</i>	\$175.00
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H. Permit Fees for Farmer's Market Establishments:

<i>Per Establishment/Location / per year</i>	\$100.00
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I. Permit Fees for Venue Establishments:

<i>Per Establishment / per year</i>	\$1,000.00
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J. Permit Fees for School Corporation/Entity-Owned Food Establishments

<i>Per Establishment / per year</i>	\$70.00
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K. Permit Fees for Food Establishments selling only beverages from a dispensing machine (and/or the only food products being sold are pre-packaged and non-potentially hazardous)

<i>Per Establishment / per year</i>	\$150.00
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10-14-3-1-3 Late Permit Submission and Fees

Should any permittee fail to obtain the permit prior to the opening of the Food Establishment for business, or should any permittee fail to renew his/her permit on or before the anniversary date of said permit, then said annual fee shall be 125% of the annual fee set forth above for that particular Food Establishment.

10-14-3-1-4 Food Handler Education Fees

**Any reference in this Ordinance to a provision of the Indiana Code (IC) or the Indiana Administrative Code (IAC) shall be understood as a reference to the code provision as it exists presently, and as it may be amended in the future.*

The Department shall charge a flat fee of three hundred dollars (\$300.00) to each Food Establishment for conducting the food handler education program regardless of whether or not attendance is voluntary or involuntary in nature by order of the Health Commissioner.

10-14-3-2 Fees for Title 10, Article 5, Allen County Private Sewage Disposal Ordinance

10-14-3-2-1 Permit and System Abandonment Fees

A. Construction Permit (New, Replacement)	\$300.00
B. Construction Permit (Alteration, Repair, Sanitary Vault Privy)	\$175.00
C. Construction Permit (Existing Component)	\$100.00
D. System Abandonment Permit	\$80.00
E. Revision of existing construction permit prior to construction	\$45.00

10-14-3-2-2 Certification Fees

Installer, Evaluator and/or Service Provider Certification	\$25.00
<i>(fee per part of exam)</i>	

10-14-3-2-3 Public Sewer Exemption Certification Inspection Fees

Permittee/Property Owner Requested Public Sewer Exemption Certification:	\$150.00
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10-14-3-2-4 Plastic Limit (Wetness Test) Verification Fees

The first two requests for plastic limit (wetness) testing at a site prior to system construction is conducted at no cost. If additional visits to the site to perform the plastic limit tests are required, the third visit shall require a fee of twenty-five dollars (\$25.00), and the fourth and any subsequent visits shall require a fee of fifty dollars (\$50).

10-14-3-3 Fees for Title 10, Article 5, Allen County Swimming and Wading Pool Operations Ordinance

10-14-3-3-1 Permit Fees

A. Seasonal Pools and Spas (only May through September):	\$300.00
B. Each Additional Seasonal Pools/Spas (w/ same owner at same location):	\$100.00

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C. Yearly Pools and Spas
(those operating more than May through Sept.): \$525.00

D. Each Additional Yearly Pool/Spa
(w/ same owner at same location): \$150.00

E. Tax supported units of Government operating a pool/per pool: \$100.00

10-14-3-3-2 Late Permit Submission and Fees

Should any permittee fail to obtain the permit prior to the opening of the Pool/Spa for business, or should any permittee fail to renew his/her permit on or before the anniversary date of said permit, then said annual fee shall be 125% of the annual fee set forth above for that particular Pool/Spa.

10-14-3-4 Fees for Title 10, Article 7, Allen County Tattoo and Body Piercing Ordinance

10-14-3-4-1 Tattoo/Body Piercing Facility Fees

A. Tattoo/Body Piercing Facility Permit fee (per year – Jan-Dec): \$250.00

B. Tattoo/Body Piercing Facility Permit Fee (applying after July 1): \$125.00

10-14-3-4-2 Temporary Tattoo and Body Piercing Facility

Temporary Tattoo and Body Piercing Facility
(for every 48 consecutive hours of operation): \$55.00

10-14-3-4-3 Tattoo Artist or Body Piercer

A. Tattoo Artist or Body Piercer (per year – Jan-Dec) \$100.00

B. Tattoo Artist or Body Piercer (applying after July 1): \$50.00

10-4-3-4-4 Guest Tattoo Artist or Guest Body Piercer

Guest Tattoo Artist or Guest Body Piercer (valid for 30 days): \$50.00

10-4-3-4-5 Special Events Coordinator

Special Events Coordinator
(per event, valid for 14 days at same location): \$250.00

10-14-3-4-6 Late Permit Submission and Fees

Should any yearly permittee as designated in 10-14-3-3-1 or 10-14-3-3-3 fail to obtain the permit prior to the opening of the Tattoo/Body Piercing Establishment or before engaging in Artist activities, or should any permittee fail to renew his/her permit on or before the anniversary date of said permit, then said annual fee shall

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be 125% of the annual fee set forth above for that particular Tattoo/Body Piercing Facility or Artist.

10-14-3-5 Fees for Title 10, Article 9, Allen County Railroad Camp Car Inspection Ordinance

10-14-3-5-1 Permit Fees

A. 1-10 total cars in Mobile Camp Car System	\$465.00
B. 14 or more total cars in Mobile Camp Car System	\$620.00

10-14-3-5-2 Late Fees for Incorrect Number of Cars Submitted

In accordance with Allen County Code, Title 10, Article 9, Section 4, a late fee penalty will be assessed for each additional camp car found at the site upon inspection which was not submitted on the initial permit application.

10-14-3-6 Fees for Title 10, Article 10, Allen County Patient Safety Ordinance

10-14-3-6-1 Itinerant Medical Provider Fees

In accordance with Allen County Code, Title 10, Article 10, a one-time filing fee per Itinerant Medical Provider as specified therein shall be paid in the amount of \$250.00.

10-14-3-7 Fees for Title 10, Article 11, Allen County Sanitation Standards for Lodging Establishments Ordinance

10-14-3-7-1 Application and Permit Fees

Lodging Establishment Permit (per year):	\$250.00
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10-14-3-7-2 Late Permit Submission and Fees

Should any permittee fail to obtain the permit prior to the opening of the Lodging Establishment for business, or should any permittee fail to renew his/her permit on or before the anniversary date of said permit, then said annual fee shall be 125% of the annual fee set forth above for that particular Lodging Establishment.

10-14-3-7-3 Owner-Requested Inspections for Expedited Grade Re-Evaluations

Expedited Grade Re-Evaluation Inspection Fee upon request:	\$50.00
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10-14-3-8 Fees for Title 17, Article 1, Allen County Onsite Wastewater Management District Ordinance

10-14-3-8-1 Operation Permit Fees

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A. Gravity System triennially (every 3 years)	\$150.00
B. Mechanical System biennially (every 2 years)	\$150.00
C. Pre-treatment System annually	\$100.00
D. Discharging System annually	\$150.00

10-14-3-9 **Fees for Vital Records Documents and Services**

- A. **Birth Certificates:** The charge for each certified copy of a birth certificate shall be twenty dollars (\$20.00).
- B. **Death Certificates:** The charge for each certified copy of a death certificate shall be seventeen dollars and fifty cents (\$17.50) per copy plus an additional two dollars and fifty cents (\$2.50) per copy pursuant to IC 16-37-1-9 for the Coroner's Continuing Education Fees for a total of twenty dollars (\$20.00) per certificate.
- C. **Expedited Birth/Death Certificates:** The charge for a certified copy of a birth certificate which is requested via expedited third party online service and which requires immediate processing and mailing shall be twenty-five dollars (\$25) per copy. The charge for a certified copy of a death certificate which is requested via expedited third party online service and which requires immediate processing and mailing shall be twenty-two dollars and fifty cents (\$22.50) plus an additional two dollars and fifty cents (\$2.50) per copy pursuant to IC 16-37-1-9 for the Coroner's Continuing Education Fees for a total of twenty-five dollars (\$25.00).
- D. **Affidavits/Documents Requesting Record Amendment(s):** A Correction Affidavit is used by the local health department to process requested changes to an original record of birth and the charge for completing this record change shall be twenty-five dollars (\$25) plus the fee for a copy of the amended certified copy of the record as stated in 10-14-3-9(A).
- E. **A Court Ordered Change of Name document** is a Court Decree granting a Legal Change of Name or other court-ordered birth record change issued from any valid court in the United States. This court order is used to change the name or other information related to the person on the birth record and the charge for this record change shall be fifteen dollars (\$15) plus the fee for the amended certified copy of the record as stated in 10-14-3-9(A).
- F. **Paternity Affidavit Processing (Appointment and Record Amendments):** The fee for the processing of a Paternity Affidavit pursuant to IC 16-37-2-2.1 to add the biological father's name to the birth record shall be thirty-five dollars (\$35.00) plus the fee for the amended certified copy as stated in 10-14-3-9(A).
- G. **Paternity Affidavit Upon Marriage Processing (Appointment and Record Amendments):** The fee for the processing of a Paternity Affidavit Upon Marriage pursuant to IC 16-37-2-16 adding the biological father's name to a birth record of a child born out of wedlock and changing the last name of the

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child to that of the father shall be thirty-five dollars (\$35.00) plus the fee for the amended certified copy as stated in 10-14-3-9(A).

- H. **Paternity Affidavit Copies:** The charge for certified or non-certified copies of Paternity Affidavits shall be three dollars (\$3.00).
- I. **Genealogical Records Search Requests and Non-Certified Birth/Death Records Request:** Requests received from persons searching for information related to their family history or other requests for non-certified copies of birth/death records shall be charged three dollars (\$3.00) for each non-certified copy of a Birth/Death Record requested as well as a blanket search fee of twenty-five dollars (\$25) for up to 5 name searches, thirty-five dollars (\$35) for 6-10 name searches, and fifty dollars (\$50) for more than 10 name searches. The search fee is non-refundable and must be paid prior to the commencement of the search for the requested records regardless of whether any records are found during the search. Any certified records being requested will be charged in accordance with 10-14-3-9 above.

10-14-3-9-1 Vital Records Fee Exemptions

Pursuant to IC 16-20-1-27, there is no charge for furnishing a certificate of birth, death, or stillborn registration to a person or to a member of the family of a person who needs the certificate for one (1) of the following purposes:

- (1) To establish the person's age or the dependency of a member of the person's family in connection with:
 - (A) the person's service in the armed forces of the United States; or
 - (B) a death pension or disability pension of a person who is serving or has served in the armed forces of the United States.
- (2) To establish or to verify the age of a child in school who desires to secure a work permit.

10-14-3-10 Fees for Medical Services, Documents, and Other Miscellaneous Services

10-14-3-10-1 Medical Fees

- A. Pursuant to the authority granted in IC 16-20-1-27, the Allen County Department of Health hereby establishes fees for public health services as described in this Chapter.
- B. The Allen County Department of Health charges for medical services and tests provided to clients. The Department will bill any applicable insurance plan or reimbursement program, or Medicare/Medicaid, as appropriate, before seeking payment for services/tests from the client. The client will be responsible for the cost of medical services/tests, including any necessary supplies, if there is no applicable insurance coverage or if amounts remain unpaid after insurance is billed.
- C. In no event will the fees be greater than the actual cost to provide the service/test.

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10-14-3-10-2 Duplicate Civil Surgeon Paperwork

The charge for duplicate Civil Surgeon Exam paperwork completion shall be ten dollars (\$10.00) per person.

10-14-3-10-3 Copies of Medical Records/Charts

The charge for the search for, compilation of and printing of a person's medical record/chart upon request/release from any and all applicable databases under the Department's control shall be twenty dollars (\$20.00) unless the total number of documents is three (3) pages or less, in which case, the charge shall be five dollars (\$5.00).

10-14-3-10-4 Phase 1 Environmental Report Requests

Requests received from persons searching for or conducting environmental/on-file records searches for site development or similar purposes shall be charged twenty-five dollars (\$25.00) for each address in their request for reports if they choose to have us derive a report for them summarizing all records on file. Any general public records being reviewed and requested for viewing or copying or records search requests for site development for which a summary report is not requested will not incur the above-mentioned report compilation fee, and will be charged only at the established public record copying rate set by the Board of Commissioners of the County of Allen should copies be requested.

10-14-3-10-5 Water Testing (when applicable)

The charge for any in-house water testing/samples will be twenty dollars \$20.00 per test.

10-14-3-11 Payment/Funds

All fees collected herein shall be paid to the Allen County Health Department and deposited into the Health Fund or as otherwise delineated in the respective Ordinance under which the fees were required.

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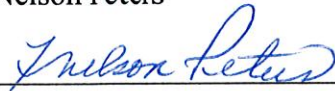
10-14-3-12 Effective Date

This Ordinance shall become effective as of April 1, 2023.

Passed this 24 day of February, 2023.

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF ALLEN

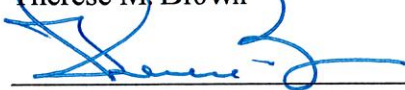
F. Nelson Peters



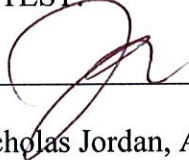
Richard Beck



Therese M. Brown



ATTEST:


Nicholas Jordan, Auditor

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