WARRICK COUNTY COMMISSIONERS ORDINANCE NO. 2013- CC-2013-24

AN ORDINANCE TO AMEND ARTICLE XX(A) SOLID WASTE DISPOSAL FACILITY "M-3" DISTRICT SUBSECTION 8 NON CHANGING OR USAGE, ABANDONMENT AND EXPIRATION OF THE COMPREHENSIVE ZONING ORDINANCE IN EFFECT FOR WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, as follows to wit:

Section 1. That Article XX(A) Solid Waste Disposal Facility "M-3" District Subsection 8 Changing or Usage, Abandonment and Expiration be hereby amended as follows:

SECTION 8 NON CHANGING OR USAGE, ABANDONMENT AND EXPIRATION

(1) The specified type of facility and development plan cannot be changed from one designated approved use to any other listed permitted use under this ordinance.

(2) The specific use approved must be in operation according to the approved development plan within one (1) year from the zoning change so enacted and development plan approval.

If upon the expiration of one (1) year from the zoning change so enacted and approval of said development plan the Solid Waste Disposal Facility is not in operation, the land involved shall revert to its former zoning district classification. The Plan Commission, upon application and public notice as required by law, may grant one extension of one (1) year upon an application being filed with said Plan Commission. In the event of reversions to former zoning as provided herein, the land and structures thereon shall be subject to all regulations and limitations of the zoning district then applicable

(3) If any Solid Waste Disposal Facility is approved and in operation with the operation ceasing for any reason for a period of more than three (3) consecutive months or the subject property changes ownership and/or applicant, the land involved in the zoning change so enacted and development plan approved shall revert to its former zoning district as provided herein unless and new application is filed with public notice given as required by law and approved by the Plan Commission, the land and structures thereon shall be subject to all regulations and limitations of the zoning district.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners for Warrick County, State of Indiana.

Approved this 12th day of AUGUST, 2013.

Don Williams

Don Williams, President

Marlin Weisheit

Marlin Weisheit, Member

Richard Reid

Richard Reid, Member

ATTEST:

L.B. Dugan

L.B. Dugan, Auditor

Public Hearing held by Area Plan Commission July 8, 2013