

ORDINANCE NO. 00-07-16

AN ORDINANCE AMENDING THE FEES PERTAINING TO THE ELKHART COUNTY
GEOGRAPHIC INFORMATION SYSTEM

WHEREAS Indiana Code 36-1-3 et seq. permits any county in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana is the county legislative and executive body and is authorized to adopt ordinances and resolutions concerning Elkhart County governmental operations;

WHEREAS Elkhart County has developed and is implementing a Geographic Information System ("GIS") in order to provide a more efficient, coordinated, and technologically up-to-date computer information storage and retrieval system for geographically based information;

WHEREAS the Indiana Home Rule Act allows Elkhart County to impose service charges or user fees which are reasonably related to reasonable and just rates and charges for the services provided;

WHEREAS the Indiana Access to Public Records Act allows Elkhart County to establish a uniform fee for providing electronic maps consisting of copyrighted data from an electronic geographic information system based upon a reasonable percentage of Elkhart County's direct cost of maintaining, upgrading, and enhancing the electronic map and for the direct cost of supplying the electronic map;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana desire to have a fair, reasonable, appropriate, and understandable system in place governing the use of and access to the Elkhart County GIS;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana adopted Ordinance No. 07-78 on February 26, 2007 establishing certain fees pertaining to the Elkhart County GIS which are hereby amended by this Ordinance;

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED, AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA, AS FOLLOWS:

1. Access Fees. Exhibit A to Ordinance No. 07-78 is hereby repealed and replaced with the Exhibit A attached hereto and incorporated herein by reference.

2. Amendatory Effect. Except as amended herein, Ordinance No. 07-78 shall remain in full force and effect.

3. Effective Date. Provided this Ordinance has been approved by the Elkhart County Council and adopted by the Elkhart County Commissioners on or before December 1, 2007, this Ordinance shall be effective on December 1, 2007. Otherwise, this Ordinance shall be effective upon the later date of its approval by the Elkhart County Council and its adoption by the Board of Commissioners of the County of Elkhart, Indiana.

Duly adopted the 19 day of November, 2007.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By Terry Rodino
Terry Rodino, President

By Mike Yoder
Mike Yoder, Vice-President

By Frank R. Lucchese
Frank R. Lucchese, Member

ATTEST:

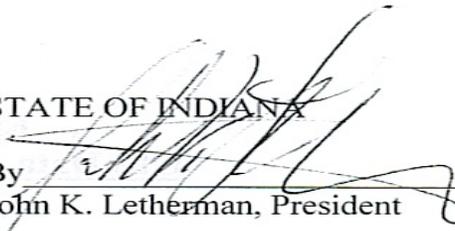
David L. Hess
David L. Hess
Elkhart County Auditor

APPROVAL

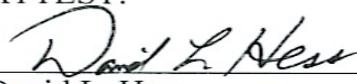
Pursuant to Indiana Code Section 5-14-3-8(j), the GIS Access Fees as provided in this Ordinance are hereby approved the 17th day of November, 2007 by the Elkhart County Council.

ELKHART COUNTY COUNCIL,

STATE OF INDIANA

By 
John K. Letherman, President

ATTEST:



David L. Hess
Elkhart County Auditor

Exhibit A
GIS Data and Service Fees

Paper Copy

Orthophotography only:

<i>Size</i>	<i>Black and White</i>	<i>Color</i>
8.5" x 11"	\$2.00	\$3.00
11" x 17"	\$3.00	\$5.00
18" x 24"	\$6.00	\$8.00
24" x 36"	\$12.00	\$14.00
36" x 48"	\$22.00	\$24.00

Features without Orthophotography:

<i>Size</i>	<i>Black and White</i>	<i>Color</i>
8.5" x 11"	\$2.00	\$3.00
11" x 17"	\$2.00	\$3.00
18" x 24"	\$2.00	\$3.00
24" x 36"	\$3.00	\$5.00
36" x 48"	\$4.00	\$6.00

Combined Orthophotography and Features:

<i>Size</i>	<i>Black and White</i>	<i>Color</i>
8.5" x 11"	\$2.00	\$4.00
11" x 17"	\$5.00	\$7.00
18" x 24"	\$8.00	\$10.00
24" x 36"	\$15.00	\$18.00
36" x 48"	\$26.00	\$30.00

Static Digital (PDF or Similar Technology)

Any number of layers \$30.00 (per file)

Digital Data Layers

Orthophotography	\$2.00 per tile
Parcel data:	
Section	\$4.00 per section
Township	\$125.00 per township
County	\$2000.00 entire county
Political Boundaries (not including voter reg.)	\$100.00 entire county
Section Corner Data	\$10.00 entire county
Other data (per layer):	\$100.00 entire county
Entire GIS (all data layers)	\$5000.00 entire county

Service Charge

\$26.00 per hour of staff time required for special orders or services not included in the GIS data above.
(Minimum charge of \$6.50 with hourly staff time charged in increments of quarter hours at \$6.50 per quarter hour).

Shipping and Handling/Media Charges

Shipping and Handling: Postage and packaging charged at cost per item requested.
Media: \$1.00 for each CD or DVD