

**SPENCER COUNTY, INDIANA
ORDINANCE NUMBER 2025-03
AMENDMENT TO SECTION 35.09**

WHEREAS, Spencer County has heretofore adopted and approved its "Code of Ordinances," hereinafter referred to as "Spencer County Code" or "Code" pursuant to the provisions of Ind. Code § 36-1-5-3; and

WHEREAS, the Spencer County Health Department serves the residents of Spencer County, is a department of the Spencer County Government, and is overseen by the Spencer County Health Board; and

WHEREAS, the Spencer County Commissioners serve as the legislative branch of Spencer County and have the authority to pass local laws and ordinances; and

WHEREAS, the Spencer County Commissioners and the Spencer County Health Board deem it necessary to update certain parts of the Spencer County Code as it relates to the Spencer County Health Department.

NOW, THEREFORE, be it established, by Spencer County, Indiana, as follows:

Section 1. Amendment to Section 35.09. Section 35.09 (Health Department Fee Collection), of the Spencer County Code shall be amended as follows:

§ 35.09 HEALTH DEPARTMENT FEE COLLECTION

(A) General. The County Board of Health is empowered to establish and collect fees in accordance with the following definitions and provisions.

Formatted: Justified

(B) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED REPRESENTATIVE. An agent in principal of the Board and Health Officer, as provided in I.C. 16-20-1-14.

BOARD. The County Board of Health, as provided for in I.C. 16-20-2-31-5-1.

HEALTH OFFICER. The County Health Officer, as provided for in I.C. 16-20-2-161-5-2.

MOBILE RETAIL FOOD ESTABLISHMENT. Has the same definition as set forth in I.C. 16-41-5.1-2.

Formatted: Justified

PERSON. Any individual, partnership, co-partnership, firm, company, corporation, or association.

PUBLIC POOL. Any pool, other than a Semi-Public Pool, which is intended to be used for swimming or bathing and is operated by a concessionaire, owner, lessee, operator, or licensee, regardless of whether a fee is charged for use. Nothing herein shall be construed as applying to any pool, constructed at a one or two-family dwelling, and maintained by a Person for the sole use of the household and house guests.

SEMI-PUBLIC POOL. Any pool restricted for use by residents, members, or registered guests that is intended to be used for swimming or bathing and is operated solely for and in conjunction with (1) hotels, motels, apartments, condominiums, bed and breakfasts, tourist homes, or similar facilities associated with lodgings; (2) camps or mobile home parks; or (3) membership clubs, churches, or associations. Nothing in this definition shall be construed as applying to any pool constructed at a one or two-family dwelling and maintained by a Person for the sole use of the household and house guests.

SWIMMING POOL An artificial body of water used by individuals primarily for the purpose of swimming, wading, diving, recreation, or instruction, and includes all related equipment, bath houses, structures, areas, and enclosures intended for the use of individuals using or operating the swimming pool. Swimming pools shall include any structure, basin, chamber, or tank containing water for swimming, wading, diving, recreation or instruction and shall include swimming pools, pools, slide pools, spa pools, wave pools, wading pools, diving pools, whirlpools, hot tubs, water slides, and spas. "Swimming Pools" shall include Public Pools and Semi-Public Pools. "Swimming Pool" shall not include (1) residential swimming pools serving one or two family dwellings and maintained by an individual for the sole use of the household and house guests; (2) portable hot tubs or other pools or spas operated for medical treatment, physical therapy, or other special purposes that are drained and cleaned between uses and filled directly prior to use; (3) natural bathing areas such as streams, lakes, rivers, or manmade lakes; and (4) any swimming pool owned and/or operated by any political subdivision of Spencer County.

Formatted: Justified

(C) 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 pursuant to I.C. 16-20-1-27:

(1) Home healthcare, as prescribed within the meaning of § 1881(o) of the Social Security Act, ~~being 42 U.S.C. 1395rr~~, for a home health agency; and as authorized by the State Board of Health ~~under I.C. 16-194-3-218~~;

(2) For any personal health service provided through the County Health Department including, but not limited to, the chest clinic, as authorized by I.C. ~~36-8-2-516-1-4-24;~~

(3) For services provided by the County Health Department in providing a copy of a certificate of birth, ~~and death, or stillbirth pursuant to,~~ as authorized by I.C. ~~16-37-1-91-4-24;~~

(4) For services provided in the inspection, licensing, or permitting of public eating and drinking establishments, retail food markets, ~~itinerant food stands~~ Mobile Retail Food Establishments, and semi-public food service establishments ~~to obtain a permit for license for food markets and eating and drinking establishments,~~ as required by the county, as authorized by I.C. ~~36-8-2-4 and I.C. 16-42-5.1-418-1-1-5-7 and I.C. 17-2-22-2;~~ and

(5) For supervision and inspection of sanitary installations, as required by the county, as authorized by I.C. ~~16-20-1-22-17-2-22-3;~~

(6) For services provided in the inspection of tattoo parlors and body-piercing facilities and to obtain a permit or license for tattoo/body-piercing facilities/artists as authorized by I.C. 36-8-2-4;

(7) For services provided in inspecting private sewage disposal systems within Spencer County as authorized by I.C. 36-8-2-4;

(8) For services provided in the inspection of the public disposal of solid waste within Spencer County as authorized by I.C. 36-8-2-4;

(9) For permitting services provided related to the construction, installation, enlargement, replacement, or alteration of Swimming Pools, as authorized by I.C. 36-8-2-4; and

(10) Other technical services developed and offered by the County Health Department with the approval of the Board.

Formatted: Justified

(D) Collection accounting and disposition.

(1) The Board shall collect such fees established as a part of this section in accordance with the schedule designated under division (F) below.

(2) All fees collected by the Board shall be accounted for in detail for each program service area.

(3) All fees collected by the Board shall be transferred to the County Health Fund. The monies collected in accord with the provisions of this section shall be used only for

the maintenance or future expansion of the specific program services from which they are derived.

(4) Fees collected for health services provided to individuals in other county health jurisdictions, and involving payment from county tax revenue, shall be collected in accord with an agreement pursuant to I.C. 16-201-14-822, as amended by Pub. Law 53, Acts of 1974.

(E) Schedule of fees.

Type of Service	Fee
Environmental health services	\$12
Food service establishment license	-
Other (specify)	\$10
Septic system permit	-
Water sample	-
Home health agency services	-
Home care	-
Home health aide visit	-
Licensed practical nurse visit	-
Other (specify)	-
Physical therapist visit	-
Registered nurse	-
Personal health services	-
Immunization (specify)	-
Other (specify)	-
Tuberculosis (specify)	-
Venereal disease	-
Vital record services	-
Adoption	\$2
Birth certificates (per copy)	\$2
Death certificates (per copy)	-
Legitimation	\$1 (each name)
Other (specify)	\$1 (each copy)
Research records (family history)	-
Type certificate copy	-

Formatted: Justified

Formatted: Justified

Formatted: Justified

Formatted: Justified

<u>Type of Service</u>	<u>Fee</u>
<u>Food Establishments</u>	
<u>Retail Food Permit</u>	<u>\$100</u>
<u>Mobile Retail Food Establishment</u>	<u>\$85 (\$42.50 if on after July 1)</u>
<u>Temporary Food Permit</u>	<u>\$15 a day/max \$75 (5 days)</u>
<u>Swimming Pools</u>	
<u>Year-Round Swimming Pool</u>	<u>\$200</u>
<u>Seasonal Swimming Pool</u>	<u>\$150</u>
<u>Septic</u>	
<u>Septic (New Residential)</u>	<u>\$100</u>
<u>Septic (New Commercial)</u>	<u>\$150</u>
<u>Septic Repair</u>	<u>\$75</u>
<u>Dye Test</u>	<u>\$25</u>
<u>Septic Visual Inspection-HD</u>	<u>\$50</u>
<u>Tattoo Establishments & Artists</u>	
<u>Tattoo Establishment</u>	<u>\$100</u>
<u>Tattoo Artist</u>	<u>\$50</u>
<u>Vital Records</u>	
<u>Birth CCB</u>	<u>\$10</u>
<u>Death CCB</u>	<u>\$10</u>
<u>Combo (includes CCB and wallet CCB)</u>	<u>\$15</u>
<u>Genealogy Copy</u>	<u>\$1 (per name)</u>
<u>Clinical Services</u>	
<u>Administrative Fee</u>	<u>\$25 (private pay and insurance)</u>
<u>STD Basic</u>	<u>\$20 (GC/CT, HIV, HCV, pregnancy test)</u>
<u>TB Skin Test</u>	<u>\$20</u>
<u>QFT Venous</u>	<u>\$20</u>
<u>Pregnancy Test</u>	<u>\$20</u>
<u>Rapid Lead Testing</u>	<u>\$5</u>
	<u>Ages 1-6: Free and Ages >7: \$10</u>

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

Formatted: Centered

Formatted: Font: Palatino Linotype, Bold

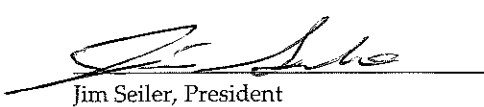
Formatted: Centered

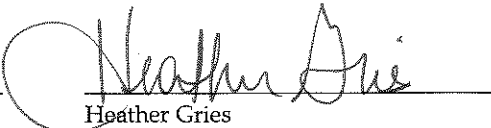
Section 2. Severability Provisions. If any section, provision, or clause of this Ordinance is held to be invalid or unenforceable, such determination shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.


Section 3. Effective Date. This ordinance shall be in full force and effect, following its passage and adoption by the Spencer County Commissioners.

Passed and adopted by the Spencer County, Indiana, this 1st day of July, 2025.

THE BOARD OF COMMISSIONERS OF
SPENCER COUNTY, INDIANA


Jim Seiler, President


Heather Gries


Malcolm "Mac" Webb

ATTEST:

I, the undersigned Auditor of Spencer County, Indiana, do hereby certify that above and foregoing is a full, true, and complete copy of Ordinance No. 2025-03 passed by the Board of Commissioners of Spencer County, Indiana, on the 1st day of July, 2025, by a vote of 3 AYES and 0 NAYS and now remains on file and on record in my office.


Melissa Bunner, Auditor