

**ORDINANCE NO. 261-2015**

**AN ORDINANCE OF THE TOWN OF BURNS HARBOR, INDIANA,  
AMENDING TOWN CODE**

WHEREAS, the Town of Burns Harbor Advisory Plan Commission has recommended the following amendment to the Town's Building Code, located in Chapter 4 of the Burns Harbor Town Code; and

WHEREAS the Burns Harbor Town Council has studied the recommended changes to the Town's Building Code and concurs in the recommendation.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Town Council of the Town of Burns Harbor, Indiana as follows:

SECTION ONE: That Section 4-14 of the Burns Harbor Town Code shall be amended and hereafter read as follows:

**Sec. 4-14. CERTIFICATE OF OCCUPANCY.**

No certificate of occupancy for any building or structure erected, altered or repaired after the adoption of this ordinance shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this ordinance. It shall be unlawful to occupy any such building or structure unless a full, partial, or conditional certificate of occupancy has been issued by the Building Commissioner.

No occupancy permit shall be issued unless the owner has completed landscaping in accordance with the requirements of Chapter 15 or has provided sufficient security in the form of a \$3,000 cash bond or other surety bond or letter of credit with an accompanying schedule for completion of the landscaping required in a form acceptable to the Building Commissioner. In cases where the landscaping requirements are secured by a bond or letter of credit, occupancy shall be conditioned upon completion of the landscaping requirements. No occupancy permit shall be issued for any property unless all sidewalks or driveways required have been installed. Conditional occupancy may be granted in cases where weather conditions do not permit the installation of the sidewalk or driveway, provided that a cash bond or other surety bond or letter of credit in the amount of the greater of \$10,000 or the Building Commissioner's estimate of one hundred ten percent (110%) of the costs of installing the unfinished sidewalk or driveway, along with an accompanying schedule for completion, is posted with the Town. No conditional occupancy permit issued pursuant to this Section shall be issued for a period of more than one hundred eighty (180) days.

SECTION TWO: This ordinance shall be effective from and after its approval by the Indiana Fire Prevention and Building Safety Commission as provided by law.

**ALL OF WHICH IS PASSED AND ADOPTED BY THE BURNS HARBOR TOWN COUNCIL THIS 8<sup>th</sup> DAY OF April, 2015.**

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*John F. ...*  
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ATTEST:

*Jane M. Jordan*  
Jane Jordan, Clerk-Treasurer