

BOARD OF COMMISSIONERS OF POSEY COUNTY

AMENDMENT TO ZONING ORDINANCE

ORDINANCE NO. 2023 - 8-15-02

AN ORDINANCE AMENDING CHAPTER 153.213
OF THE POSEY COUNTY ZONING CODE

WHEREAS, the Board of Commissioners of Posey County, Indiana, as the executive and legislative body of Posey County, has the power to adopt and amend ordinances relating to the administration of Posey County government; and

WHEREAS, "Section-153.213 – Penalties for Violation" of the Zoning Ordinance now states:

153.213 PENALTIES FOR VIOLATION

"(A) Penalty: Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry a fine of not less than \$25 nor more than \$500. Each day that a violation continues shall be deemed a separate offense.

(B) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation."

WHEREAS, the Area Plan Commission of Posey County, Indiana, as the duly authorized area planning entity for Posey County, has initiated a proposal to amend Chapter 153.213 of the Posey County Zoning Code and held the requisite public hearings and taken the requisite legal actions to recommend such proposed amendments to the Board of Commissioners of Posey County, Indiana on the 8th day of June, 2023;

WHEREAS, the Board of Commissioners of Posey County desires to amend The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 – Penalties For Violation, to delete the current penalties for an ordinance violation and modify said penalties pursuant to and consistent with Indiana Code 36-1-3-8.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Posey County, Indiana, that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 – Penalties for Violation shall be amended to read as follows:

"(A) Penalty: Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry a fine of ~~not less than \$25 nor more than \$500. Each day that a violation continues shall be deemed a separate offense.~~ the following penalty or penalties:

- (i) a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation; and
- (ii) a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213(A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(B)(C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation."


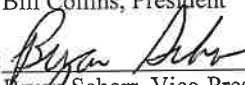
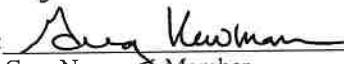
ITEM 3. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Posey County and following publication of the same as provided in I.C. 5-3-1.


First passed by the Board of Commissioners of Posey County this 2nd day of August, 2023.

Final passage by the Board of Commissioners of Posey County this 15th day of August, 2023.

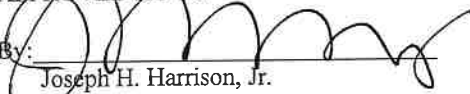
**BOARD OF COMMISSIONERS OF
POSEY COUNTY, INDIANA**

By: 
Bill Collins, President
By: 
Bryan Schorr, Vice-President
By: 
Greg Newman, Member

ATTEST:

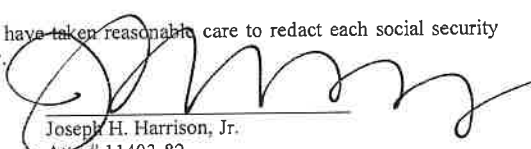

Maegen L. Greenwell, Posey County Auditor

APPROVED AS TO LEGAL FORM:

By: 
Joseph H. Harrison, Jr.
Posey County Attorney

This instrument was prepared by Joseph H. Harrison, Jr. of Dentons Bingham Greenebaum LLP, One Main Street, Suite 600, Evansville, IN 47708.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.


Joseph H. Harrison, Jr.
Atty # 11403-82

BOARD OF COMMISSIONERS OF POSEY COUNTY

AMENDMENT TO ZONING ORDINANCE

ORDINANCE NO. 2023 - 8-15-01

AN ORDINANCE AMENDING CHAPTER 153.212(A)
OF THE POSEY COUNTY ZONING CODE

WHEREAS, the Board of Commissioners of Posey County, Indiana, as the executive and legislative body of Posey County, has the power to adopt and amend ordinances relating to the administration of Posey County government; and

WHEREAS, "Section-153.212(A) – Standing" of the Zoning Ordinance as adopted states the following:

"(A) Standing: Any person may file a complaint wherever a violation of this ordinance occurs, or is alleged to have occurred. Such complaint shall be filed in writing with the Area Plan Commission, and shall state fully the causes and basis of the complaint. The Area Plan Commission shall record such complaint properly, immediately investigate (within ten calendar days) and take action thereon as provided by this chapter."

WHEREAS, the Area Plan Commission of Posey County, Indiana, as the duly authorized area planning entity for Posey County, has initiated a proposal to amend Chapter 153.212(A) of the Posey County Zoning Code and held the requisite public hearings and taken the requisite legal actions to recommend such proposed amendments to the Board of Commissioners of Posey County, Indiana on the 8th day of June, 2023;

WHEREAS, the Board of Commissioners of Posey County desires to amend The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.212(A) – Standing, to eliminate any requirement for a person filing a complaint to provide their name or other form of identification under Section 153.212(A) of the Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Posey County, Indiana, that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.212(A) – Standing shall be amended to read as follows:

"(A) Standing: Any person may file a complaint wherever a violation of this ordinance occurs, or is alleged to have occurred. Such complaint shall be filed in writing with the Area Plan Commission, and shall state fully the causes and basis of the complaint. The Area Plan Commission shall record such complaint properly, immediately investigate (within ten calendar days) and take action thereon as provided by this chapter. **A person filing a complaint under the section shall not be required to provide their name or other form of identification.**"

ITEM 3. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Posey County and following publication of the same as provided in I.C. 5-3-1.

First passed by the Board of Commissioners of Posey County this 2nd day of August, 2023.

Final passage by the Board of Commissioners of Posey County this 15th day of August, 2023.

BOARD OF COMMISSIONERS OF
POSEY COUNTY, INDIANA

By: Bill Collins
Bill Collins, President

By: Bryan Schorr
Bryan Schorr, Vice-President

By: Greg Newman
Greg Newman, Member

ATTEST:

Maegen L Greenwell
Maegen Greenwell, Posey County Auditor

APPROVED AS TO LEGAL FORM:

By: Joseph H. Harrison, Jr.
Joseph H. Harrison, Jr.
Posey County Attorney

This instrument was prepared by Joseph H. Harrison, Jr. of Dentons Bingham Greenebaum LLP, One Main Street, Suite 600, Evansville, IN 47708.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Joseph H. Harrison, Jr.
Atty # 11403-82



TOWN OF POSEYVILLE, INDIANA

ORDINANCE NO. 2023-08-08-02

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE
CITY OF MT VERNON, THE TOWN OF CYNTHIANA, THE TOWN
OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY
CHAPTER 153-ZONING CODE, SECTION 153.213 –
PENALTIES FOR VIOLATION**

202302978
CHRISTINE A. HOEHN
POSEY COUNTY RECORDER
RECORDED ON
10/12/2023 02:00:49 PM
REC FEE: 0.00
UCC FEE:
PAGES: 6

WHEREAS, the Posey County Area Plan Commission initiated a proposal to amend the The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County (hereinafter referred to as “Zoning Ordinance”) to amend Section 153.213 - Penalties for Violation. The Posey County Area Plan Commission voted at its June 8, 2023 meeting for a favorable recommendation for this particular amendment.

WHEREAS, on August 8, 2023, the Poseyville Town Council conducted a public hearing and to consider the amendment.

WHEREAS, “Section-153.213 – Penalties for Violation” of the Zoning Ordinance as recommended states the following:

(A) Penalty. Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry the following penalty or penalties:

- (i) a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation; and

(ii) a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213 (A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation.

WHEREAS, the Area Plan Commission of Posey County, Indiana, as the duly authorized area planning entity for Posey County, has initiated a proposal to amend Chapter 153.213 of the Posey County Zoning Code and held the requisite public hearings and taken the requisite legal actions to recommend such proposed amendments to the Board of Commissioners of Posey County, Indiana on the 8th day of June, 2023;

WHEREAS, the Board of Commissioners of Posey County desires to amend The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 – Penalties for Violation to delete the current penalties for an ordinance violation and modify said penalties pursuant to and consistent with Indiana Code 36-1-3-8.

NOW THEREFORE, BE IT ORDAINED by the Poseyville Town Council, Posey County, Indiana, that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 – Penalties for Violation shall be amended to read as follows:

1. **(A) Penalty.** Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry the following penalty or penalties:

(i) a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation; and

(ii) a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213 (A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation.

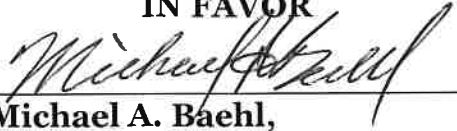
2. All other provisions of the Zoning Ordinance and Town of Poseyville Code of Ordinances unaffected by this amendment shall remain in full force and effect.

3. This Ordinance shall be in full force and effect when passed by the Posey County Commissioners.


ADOPTED, PASSED, AND ORDAINED, by the Town Council of Poseyville on
the 8th day of August, 2023.

POSEYVILLE TOWN COUNCIL


IN FAVOR



Michael A. Baehl,
Council President



Bruce C. Baker,
Council Member



Justin H. Rutledge,
Council Member

OPPOSED

Michael A. Baehl,
Council President

Bruce C. Baker,
Council Member

Justin H. Rutledge,
Council Member

ATTEST:



Christina L. Foster, Clerk-Treasurer

**CERTIFICATION OF THE
POSEY COUNTY AREA PLAN COMMISSION**

WHEREAS, on May 3, 2023, the Common Council for the City of Mount Vernon, Indiana, ("Mt. Vernon") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission" to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, on May 11, 2023, the Posey County Area Plan Commission ("Area Plan Commission"), initiated a proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of Mt. Vernon, in the form and substance as contained in Exhibit A, attached hereto

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of the Area Plan Commission in the form and substance as contained in Exhibit B, attached hereto;

WHEREAS, in accordance with Indiana Code 36-7-4-607, and after notice, the Area Plan Commission held a public hearing on June 8, 2023 on the proposed amendment contained in Exhibit A and Exhibit B; and,

WHEREAS, on June 8, 2023, the Area Plan Commission took under consideration the proposed amendment and thereafter conducted a vote as to its recommendation of the proposed amendment contained in Exhibit A and Exhibit B.

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit A attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of Mt. Vernon as follows (*as indicated by the marking of the initials of the Area Plan Commission Secretary*):

 VMB FAVORABLE RECOMMENDATION
 UNFAVORABLE RECOMMENDATION
 NO RECOMMENDATION

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit B attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of the Area Plan Commission as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

MB

FAVORABLE RECOMMENDATION

UNFAVORABLE RECOMMENDATION

NO RECOMMENDATION

FURTHER, this certification shall be delivered to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana for consideration in accordance with Indiana Code 36-7-4-607.

So CERTIFIED to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana this 8th day of June, 2023.

Mark Seib
Mark Seib, President
Posey County Area Plan Commission

Mindy Bourne
Mindy Bourne, Executive Director, Secretary
Posey County Area Plan Commission



DocId:8050911

Tx:4038235

202302974

CHRISTINE A. HOEHN
POSEY COUNTY RECORDER
RECORDED ON
10/12/2023 02:00:45 PM
REC FEE: 0.00
UCC FEE:
PAGES: 4

EXHIBIT A

ORDINANCE NO. 2023- 15 7.12
6/12

**COMMON COUNCIL OF THE
CITY OF MOUNT VERNON, INDIANA**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT
VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND
UNINCORPORATED POSEY COUNTY
CHAPTER 153-ZONING CODE, SECTION 153.213 – PENALTIES FOR VIOLATION (CITY OF
MT. VERNON, IN CODE OF ORDINANCES, TITLE XV-LAND USAGE, CHAPTER 153-
ZONING CODE, SECTION 153.213)**

WHEREAS, on January 15, 2015 the Common Council for the City of Mount Vernon, Indiana ordained and adopted, as amended, Section 153.183 of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance") which has been codified in the City of Mt. Vernon, IN Code of Ordinances, Title XV- Land Usage, Chapter 153 – Zoning Code (City Code); ;

WHEREAS, "Section-153.213 – Penalties for Violation" of the Zoning Ordinance and City Code now states:

153.213 PENALTIES FOR VIOLATION

(A) Penalty: Any person, firm of corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry a fine of not less than \$25 nor more than \$500. Each day that a violation continues shall be deemed a separate offense.

(B) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized

WHEREAS, the Common Council of the City of Mount Vernon desires to amend the Zoning Ordinance, Section-153.213 – Penalties for Violation Ordinance and the City Code to delete the current penalties for an ordinance violation and modify said penalties pursuant to and consistent with Indiana Code 36-1-3-8 as the Zoning Ordinance is applicable to the City of Mount Vernon, Indiana.

THEREFORE, be it ordained by the Common Council of the City of Mount Vernon, Indiana that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 – Penalties for Violation which has been codified in the City of Mt. Vernon, IN Code of Ordinances, Title XV- Land Usage, Chapter 153 – Zoning Code, Section 153.213 shall be amended to read as follows as the Zoning Ordinance and City Code are applicable to the City of Mount Vernon, Indiana, additions are shown by underline and deletions are shown by ~~strikeout~~:

1. **153.213 PENALTIES FOR VIOLATION**

(A) Penalty: Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry a fine of not less than \$25 nor more than \$500. Each day that a violation continues shall be deemed a separate offense. the following penalty or penalties:

- (i) a fine not to exceed two thousand five hundred dollars (\$2,500.00) for a first violation; and
- (ii) a fine not to exceed seven thousand five hundred dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213(A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(B) (C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation.


2. All other provisions of the Zoning Ordinance and City of Mt. Vernon, IN Code of Ordinances unaffected by this amendment shall remain in full force and effect.

3. This Ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor and any required publication.

ORDAINED AND PASSED by the Common Council of the City of Mt. Vernon, Indiana this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Presented by me to the Mayor of the City of Mt. Vernon, Indiana, at 7:12 o'clock p.m. of the 21 day of June, 2023, for his consideration and action thereon.


Cristi L. Sitzman, Clerk-Treasurer

Having examined the foregoing Ordinance and I do now, as Mayor of the City of Mt. Vernon, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Fiscal impact statement: There is no anticipated fiscal impact of this Ordinance other than the publication in the Code of Ordinances which is an annual appropriated budget expense of the City.

**CERTIFICATION OF THE
POSEY COUNTY AREA PLAN COMMISSION**

WHEREAS, on May 3, 2023, the Common Council for the City of Mount Vernon, Indiana, ("Mt. Vernon") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission" to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, on May 11, 2023, the Posey County Area Plan Commission ("Area Plan Commission"), initiated a proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of Mt. Vernon, in the form and substance as contained in Exhibit A, attached hereto

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of the Area Plan Commission in the form and substance as contained in Exhibit B, attached hereto;

WHEREAS, in accordance with Indiana Code 36-7-4-607, and after notice, the Area Plan Commission held a public hearing on June 8, 2023 on the proposed amendment contained in Exhibit A and Exhibit B; and,

WHEREAS, on June 8, 2023, the Area Plan Commission took under consideration the proposed amendment and thereafter conducted a vote as to its recommendation of the proposed amendment contained in Exhibit A and Exhibit B.

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit A attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of Mt. Vernon as follows (*as indicated by the marking of the initials of the Area Plan Commission Secretary*):

 VMS FAVORABLE RECOMMENDATION

 UNFAVORABLE RECOMMENDATION

 NO RECOMMENDATION

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit B attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of the Area Plan Commission as follows (*as indicated by the marking of the initials of the Area Plan Commission Secretary*):

MB

FAVORABLE RECOMMENDATION

UNFAVORABLE RECOMMENDATION

NO RECOMMENDATION

FURTHER, this certification shall be delivered to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana for consideration in accordance with Indiana Code 36-7-4-607.

So CERTIFIED to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana this 8th day of June, 2023.

Mark Seib
Mark Seib, President
Posey County Area Plan Commission

Mindy Bourne
Mindy Bourne, Executive Director, Secretary
Posey County Area Plan Commission



DocId:8050912

TX:4038235

202302975
CHRISTINE A. HOEHN
POSEY COUNTY RECORDER
RECORDED ON
10/12/2023 02:00:46 PM
REC FEE: 0.00
UCC FEE:
PAGES: 4

EXHIBIT A

ORDINANCE NO. 2023-207
COMMON COUNCIL OF THE
CITY OF MOUNT VERNON, INDIANA

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY
CHAPTER 153-ZONING CODE, SECTION 153.212(A) – STANDING (CITY OF MT. VERNON, IN CODE OF ORDINANCES, TITLE XV-LAND USAGE, CHAPTER 153-ZONING CODE, SECTION 153.212(A))**

WHEREAS, on August 8, 2012 the Common Council for the City of Mount Vernon, Indiana ordained and adopted, effective September 1, 2012, The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance") which has been codified in the City of Mt. Vernon, IN Code of Ordinances, Title XV- Land Usage, Chapter 153 – Zoning Code (City Code);

WHEREAS, "Section-153.212(A) – Standing" of the Zoning Ordinance and City Code as adopted states the following:

"(A) Standing: Any person may file a complaint wherever a violation of this ordinance occurs, or is alleged to have occurred. Such complaint shall be filed in writing with the Area Plan Commission, and shall state fully the causes and basis of the complaint. The Area Plan Commission shall record such complaint properly, immediately investigate (within ten calendar days) and take action thereon as provided by this chapter."

WHEREAS, the Common Council of the City of Mount Vernon desires to amend The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.212(A) (CITY OF MT. VERNON, IN CODE OF ORDINANCES, TITLE XV-LAND USAGE, CHAPTER 153-ZONING CODE, SECTION 153.212(A)) – *Standing*, to eliminate any requirement for person filing a complaint provide their name or other form of identification under Section 153.212(A) of the Zoning Ordinance applicable to the City of Mount Vernon, Indiana.

THEREFORE, be it ordained by the Common Council of the City of Mount Vernon, Indiana that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.212(A) - *Standing* (CITY OF MT. VERNON, IN CODE OF ORDINANCES, TITLE XV-LAND USAGE, CHAPTER 153-ZONING CODE, SECTION 153.212(A)) shall be amended to read as follows as the Zoning Ordinance is applicable to the city of Mount Vernon, Indiana:

1. **"(A) Standing:** Any person may file a complaint wherever a violation of this ordinance occurs, or is alleged to have occurred. Such complaint shall be filed in writing with the Area Plan Commission, and shall state fully the causes and basis of the complaint. The Area Plan Commission shall record such complaint properly, immediately investigate (within ten calendar days) and take action thereon as provided by this chapter. A

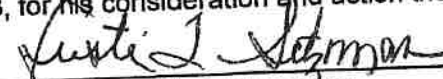
person filing a complaint under this section shall not be required to provide their name or other form of identification."

2. All other provisions of the Zoning Ordinance and City of Mt. Vernon, IN Code of Ordinances unaffected by this amendment shall remain in full force and effect.
3. This Ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor and any required publication.

ORDAINED AND PASSED by the Common Council of the City of Mt. Vernon, Indiana this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Presented by me to the Mayor of the City of Mt. Vernon, Indiana, at 7:07 o'clock p.m. of the 21 day of June, 2023, for his consideration and action thereon.


Cristi L. Sitzman, Clerk-Treasurer

Having examined the foregoing Ordinance and I do now, as Mayor of the City of Mt. Vernon, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Fiscal impact statement: There is no anticipated fiscal impact of this Ordinance other than the publication in the Code of Ordinances which is an annual appropriated budget expense of the City.

**CERTIFICATION OF THE
POSEY COUNTY AREA PLAN COMMISSION**

WHEREAS, on April 18, 2023, the Common Council for the City of Mount Vernon, Indiana, ("Mt. Vernon") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission") to amend or partially repeal Section 153.212(A) Standing of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, on May 11, 2023, the Area Plan Commission, initiated a proposal to amend or partially repeal Section 153.212(A) Standing of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, on May 12, 2023, the Board of Commissioners for Posey County, Indiana ("Posey County") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission") to amend or partially repeal Section 153.212(A) Standing of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of Mt. Vernon in the form and substance as contained in Exhibit A, attached hereto;

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of the Area Plan Commission and Posey County, in the form and substance as contained in Exhibit B, attached hereto;

WHEREAS, in accordance with Indiana Code 36-7-4-607, and after notice, the Area Plan Commission held a public hearing on June 8, 2023 on the proposed amendment contained in Exhibit A and Exhibit B; and,

WHEREAS, on June 8, 2023, the Area Plan Commission took under consideration the proposed amendment and thereafter conducted a vote as to its recommendation of the proposed amendment contained in Exhibit A and Exhibit B.

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal Section 153.212(A) Standing of the text of the Zoning Ordinance in the form of Exhibit A attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of Mt. Vernon as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

MB ✓

FAVORABLE RECOMMENDATION
UNFAVORABLE RECOMMENDATION
NO RECOMMENDATION

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal Section 153.212(A) Standing of the text of the Zoning Ordinance in the form of Exhibit B attached hereto, the Area Plan Commission CERTIFIES its action as to the proposals of the Area Plan Commission as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

MB ✓

FAVORABLE RECOMMENDATION
UNFAVORABLE RECOMMENDATION
NO RECOMMENDATION

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal Section 153.212(A) Standing of the text of the Zoning Ordinance in the form of Exhibit B attached hereto, the Area Plan Commission CERTIFIES its action as to the proposals of Posey County as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

MB ✓

FAVORABLE RECOMMENDATION
UNFAVORABLE RECOMMENDATION
NO RECOMMENDATION

FURTHER, this certification shall be delivered to Posey County, Mt. Vernon, the Town Board of Poseyville and Town Board of Cynthiana for consideration in accordance with Indiana Code 36-7-4-607.

So CERTIFIED to the Common Council of the City of Mount Vernon this 8th day of June, 2023.

Mark Seib
Mark Seib, President
Posey County Area Plan Commission

Mindy Bourne
Mindy Bourne, Executive Director, Secretary
Posey County Area Plan Commission

DocId:8050913
Tx:4038235

202302976
CHRISTINE A. HOEHN
POSEY COUNTY RECORDER
RECORDED ON
10/12/2023 02:00:47 PM
REC FEE: 0.00
UCC FEE:
PAGES: 4

EXHIBIT A

ORDINANCE NO. 2023- 13

7:00
6/21

COMMON COUNCIL OF THE
CITY OF MOUNT VERNON, INDIANA

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT
VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND
UNINCORPORATED POSEY COUNTY
CHAPTER 153-ZONING CODE, SECTION 153.183(J) – PARKING SURFACE (CITY OF MT.
VERNON, IN CODE OF ORDINANCES, TITLE XV-LAND USAGE, CHAPTER 153-ZONING
CODE, SECTION 153.183(J))**

WHEREAS, on January 15, 2015 the Common Council for the City of Mount Vernon, Indiana ordained and adopted, as amended, Section 153.183 of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance") which has been codified in the City of Mt. Vernon, IN Code of Ordinances, Title XV- Land Usage, Chapter 153 – Zoning Code (City Code); ;

WHEREAS, "Section-153.183(J) – Parking Surface" of the Zoning Ordinance and City Code now states:

“(J) Parking Surface: As set forth herein, unenclosed off-street parking areas, off-street loading areas and driveways associated therein shall be surfaced with an all-weather material. (See definition "all-weather material", Section 153.270.) Surfacing shall be completed prior to the initiation of the use.

(1) Agriculture Zoning District and zoned areas designated as R-1, R-2, R-3 and RMH which are located in Unincorporated Posey County and not within City of Mount Vernon, Town of Cynthiana or Town of Poseyville; and zoned areas designated as B-1, B-1A, B-2 and B-3, which are located in Unincorporated Posey County and not within the City of Mount Vernon, Town of Cynthiana or Town of Poseyville; and zoned areas designated as PUD and R-O which are located in Unincorporated Posey County and not within City of Mount Vernon, Town of Cynthiana or Town of Poseyville – all weather material parking surface requirements shall not apply, subject to (5) below.

(2) All zoned areas designated as Residential not excluded in (1) above- unenclosed parking areas, off street loading areas and driveways associated therein shall be surfaced with all-weather material. (See definition "all-weather material", Section 153.270) Surfacing shall be completed prior to the initiation of the use.

(3) All PUD, O, R-O, Business, Commercial and CBD Zoning Districts, not excluded in (1) above - unenclosed off-street parking areas, off-street loading areas and driveways associated therein shall be surfaced with an all-weather material. (See definition "all-weather material", Section 153.270) Surfacing shall be completed prior to the initiation of the use.

(4) All Manufacturing Zoning Districts - All-weather material parking surface requirement shall only apply to the required parking spaces.

(4) All Manufacturing Zoning Districts - All-weather material parking surface requirement shall only apply to the required parking spaces.

(5) Notwithstanding (1)-(4) above, ALL zoning districts must comply with the following: All transitions or approaches to a paved roadway shall be constructed with a six (6) foot all-weather material approach to the paved roadway. Paved roadway excludes "chip and seal".

(6) Nothing in (1)-(5) above supersedes any local, state or federal requirement in contradiction with these provisions.

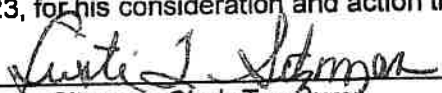
2. All other provisions of the Zoning Ordinance and City of Mt. Vernon, IN Code of Ordinances unaffected by this amendment shall remain in full force and effect.

3. This Ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor and any required publication.

ORDAINED AND PASSED by the Common Council of the City of Mt. Vernon, Indiana this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Presented by me to the Mayor of the City of Mt. Vernon, Indiana, at 7:00 o'clock p.m. of the 21 day of June, 2023, for his consideration and action thereon.


Cristi L. Sitzman, Clerk-Treasurer

Having examined the foregoing Ordinance and I do now, as Mayor of the City of Mt. Vernon, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer this 21 day of June, 2023.


G. William Curtis, Presiding Officer

Fiscal impact statement: There is no anticipated fiscal impact of this Ordinance other than the publication in the Code of Ordinances which is an annual appropriated budget expense of the City.

**CERTIFICATION OF THE
POSEY COUNTY AREA PLAN COMMISSION**

WHEREAS, on April 14, 2023, the Common Council for the City of Mount Vernon, Indiana, ("Mt. Vernon") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission" to amend or partially repeal Section 153.183(J) Parking Surface of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of Mt. Vernon in the form and substance as contained in Exhibit A, attached hereto;

WHEREAS, in accordance with Indiana Code 36-7-4-607, and after notice, the Area Plan Commission held a public hearing on June 8, 2023 on the proposed amendment contained in Exhibit A; and,

WHEREAS, on June 8, 2023, the Area Plan Commission took under consideration the proposed amendment and thereafter conducted a vote as to its recommendation of the proposed amendment contained in Exhibit A.

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal Section 153.183(J) Parking Surface of the text of the Zoning Ordinance in the form of Exhibit A attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of Mt. Vernon as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

_____ FAVORABLE RECOMMENDATION
_____ UNFAVORABLE RECOMMENDATION
MB NO RECOMMENDATION

FURTHER, this certification shall be delivered to Mt. Vernon for consideration in accordance with Indiana Code 36-7-4-607.

So CERTIFIED to the Common Council of the City of Mount Vernon this _____ day of June, 2023.

Mark Selb
Mark Selb, President
Posey County Area Plan Commission

Mindy Bourne
Mindy Bourne, Executive Director, Secretary
Posey County Area Plan Commission

(5) Notwithstanding (1)-(4) above, ALL zoning districts must comply with the following: All transitions or approaches to a paved roadway shall be constructed with a six (6) foot all-weather material approach to the paved roadway. Paved roadway excludes "chip and seal".

(6) Nothing in (1)-(5) above supersedes any local, state or federal requirement in contradiction with these provisions.

WHEREAS, the Common Council of the City of Mount Vernon desires to amend the Zoning Ordinance, Section-153.183(J) – Parking Surface of the Zoning Ordinance and the City Code to delete any requirement for all-weather surfaces for unenclosed off-street parking areas, off-street loading areas and driveways in areas other than in a Commercial Business District (CBD) as the Zoning Ordinance is applicable to the City of Mount Vernon, Indiana.

THEREFORE, be it ordained by the Common Council of the City of Mount Vernon, Indiana that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.183(J) – Parking Surface which has been codified in the City of Mt. Vernon, IN Code of Ordinances, Title XV- Land Usage, Chapter 153 – Zoning Code, Section 153.183(J) shall be amended to read as follows as the Zoning Ordinance and City Code are applicable to the City of Mount Vernon, Indiana, additions are shown by underline and deletions are shown by ~~strikeout~~:

1. **"(J) Parking Surface:** As set forth herein, unenclosed off-street parking areas, off-street loading areas and driveways associated therein shall be surfaced with an all-weather material. (See definition "all-weather material", Section 153.270.) Surfacing shall be completed prior to the initiation of the use.
 - (1) Agriculture Zoning District and zoned areas designated as R-1, R-2, R-3, and RMH, RS, RT, and RM which are located in Unincorporated Posey County and the City of Mount Vernon and not within ~~City of Mount Vernon, the~~ Town of Cynthiana or Town of Poseyville; and zoned areas designated as B-1, B-1A, B-2, and B-3, O, CS, CG and CH which are located in Unincorporated Posey County and the City of Mount Vernon and not within the ~~City of Mount Vernon,~~ Town of Cynthiana or Town of Poseyville; and zoned areas designated as PUD and R-O which are located in Unincorporated Posey County and the City of Mount Vernon and not within ~~City of Mount Vernon, the~~ Town of Cynthiana or Town of Poseyville – all weather material parking surface requirements shall not apply, subject to (5) below.
 - (2) All zoned areas designated as Residential not excluded in (1) above-unenclosed parking areas, off street loading areas and driveways associated therein shall be surfaced with all-weather material. (See definition "all-weather material", Section 153.270) Surfacing shall be completed prior to the initiation of the use.
 - (3) All PUD, O, R-O, Business, Commercial and CBD Zoning Districts, not excluded in (1) above - unenclosed off-street parking areas, off-street loading areas and driveways associated therein shall be surfaced with an all-weather material. (See definition "all-weather material", Section 153.270) Surfacing shall be completed prior to the initiation of the use.

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Tx:4038235

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CHRISTINE A. HOEHN
POSEY COUNTY RECORDER
RECORDED ON
10/12/2023 02:00:48 PM
REC FEE: 0.00
UCC FEE:
PAGES: 5

TOWN OF CYNTHIANA, INDIANA
ORDINANCE NO. 2023-8-21-3

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY CHAPTER 153-ZONING CODE, SECTION 153.213 — PENALTIES FOR VIOLATION

WHEREAS, the Posey County Area Plan Commission initiated a proposal to amend the The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County (hereinafter referred to as “Zoning Ordinance”) to amend Section 153.213 - Penalties for Violation. The Posey County Area Plan Commission voted at its June 8, 2023 meeting for a favorable recommendation for this particular amendment.

WHEREAS, on August 21, 2023, the Cynthiana Town Council conducted a public hearing to consider the amendment.

WHEREAS, “Section-153.213 — Penalties for Violation” of the Zoning Ordinance as recommended states the following:

(A) Penalty. Any person, firm of corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry the following penalty or penalties:

(i) a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for first violation; and

(ii) a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213 (A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation.

WHEREAS, the Area Plan Commission of Posey County, Indiana, as the duly authorized area planning entity for Posey County, has initiated a proposal to amend Chapter 153.213 of the Posey County Zoning Code and held the requisite public hearings and taken the requisite legal actions to recommend such proposed amendments to the Board of Commissioners of Posey County, Indiana on the 8TH day of June, 2023;

WHEREAS, the Board of Commissioners of Posey County desires to amend The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 — Penalties for Violation to delete the current penalties for an ordinance violation and modify said penalties pursuant to and consistent with Indiana Code 36-1-3-8.

NOW THEREFORE, BE IT ORDAINED by the Cynthiana Town Council, Posey County, Indiana, that The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section-153.213 — Penalties for Violation shall be amended to read as follows:

1. **(A) Penalty.** Any person, firm or corporation violating any provision of this ordinance or failing to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of Variance or Special Exceptions, shall be deemed an ordinance violation and may carry the following penalty or penalties:

(i) a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation; and

(ii) a fine not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for a second or subsequent violation of the ordinance.

(B) Exception. 153.213 (A)(ii) does not apply to the violation of an ordinance that regulates traffic or parking.

(C) Other Remedies. Nothing herein contained shall prevent the applicable jurisdiction or its authorized officials from taking other action, authorized by law, to remedy the violation.

2. All other provisions of the Zoning Ordinance and Town of Cynthiana Code of Ordinances unaffected by this amendment shall remain in full force and effect.
3. This Ordinance shall be in full force and effect when passed by the Posey County Commissioners.

ADOPTED, PASSED, AND ORDAINED, by the Town Council of Cynthiana on the 21st day of August, 2023.

CYNTHIANA TOWN COUNCIL



Jeffrey Gee, President

Andrew Porath, Member



Steven Sims, Member

Attest:



Cindy Schmitz, Clerk-Treasurer

CERTIFICATION OF THE POSEY COUNTY AREA PLAN COMMISSION

WHEREAS, on May 3, 2023, the Common Council for the City of Mount Vernon, Indiana, ("Mt. Vernon") as a participating legislative body, initiated and delivered a proposal to the Area Plan Commission for Posey County, Indiana ("Area Plan Commission" to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, on May 11, 2023, the Posey County Area Plan Commission ("Area Plan Commission"), initiated a proposal to amend or partially repeal **Section 153.213** **PENALTIES FOR VIOLATION** of the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County ("Zoning Ordinance"), said proposal being in accordance with Indiana Code 36-7-4-602(b)(1);

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of Mt. Vernon, in the form and substance as contained in Exhibit A, attached hereto

WHEREAS, pursuant to Indiana Code 36-7-4-602(b)(2), the Area Plan Commission prepared the proposal of the Area Plan Commission in the form and substance as contained in Exhibit B, attached hereto;

WHEREAS, in accordance with Indiana Code 36-7-4-607, and after notice, the Area Plan Commission held a public hearing on June 8, 2023 on the proposed amendment contained in Exhibit A and Exhibit B; and,

WHEREAS, on June 8, 2023, the Area Plan Commission took under consideration the proposed amendment and thereafter conducted a vote as to its recommendation of the proposed amendment contained in Exhibit A and Exhibit B.

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit A attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of Mt. Vernon as follows *(as indicated by the marking of the initials of the Area Plan Commission Secretary)*:

KMB FAVORABLE RECOMMENDATION

UNFAVORABLE RECOMMENDATION

 NO RECOMMENDATION

THEREFORE, upon consideration and vote of the proposal to amend or partially repeal **Section 153.213 PENALTIES FOR VIOLATION** of the text of the Zoning Ordinance in the form of Exhibit B attached hereto, the Area Plan Commission CERTIFIES its action as to the proposal of the Area Plan Commission as follows (as indicated by the marking of the initials of the Area Plan Commission Secretary):

MB

FAVORABLE RECOMMENDATION

UNFAVORABLE RECOMMENDATION

NO RECOMMENDATION

FURTHER, this certification shall be delivered to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana for consideration in accordance with Indiana Code 36-7-4-607.

So CERTIFIED to the Board of Commissioners for Posey County, the Common Council of the City of Mt. Vernon, Indiana, the Town Board of Poseyville and Town Board of Cynthiana this 8th day of June, 2023.

Mark Seib
Mark Seib, President
Posey County Area Plan Commission

Mindy Bourne
Mindy Bourne, Executive Director, Secretary
Posey County Area Plan Commission