City-County General Ordinance No. _____, 1983

Metropolitan Development Commission
Docket Number: 83-AO-1

METROPOLITAN BOARD OF ZONING APPEALS ORDINANCE

OF MARION COUNTY, INDIANA

METROPOLITAN DEVELOPMENT COMMISSION

1983

Legal Draft - 11/14/83

City-County General Ordinance No. _____, 1983

Metropolitan Development Commission
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AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana, and fixing a time when the same shall take effect.

WHEREAS, the 900 series of IC 36-7-4 requires that the Metropolitan Board of Zoning Appeals be established by ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

Section 1. That Marion County Council Ordinance No. 8-1957 adopted by the Marion County Council on March 28, 1957, be amended by the addition of the following provisions:

A. METROPOLITAN BOARD

Pursuant to IC 36-7-4-901 (as amended by P.L. 357-1983) there is hereby established a Metropolitan Board of Zoning Appeals composed of three divisions.

B. MUNICIPAL BOARD

The Excluded Cities of Beech Grove, Lawrence and Speedway shall each continue to have a Municipal Board of Zoning Appeals composed of one division.

C. JURISDICTION

The Metropolitan Board of Zoning Appeals shall have jurisdiction throughout Marion County except in the Excluded Cities of Beech Grove, Lawrence, and Speedway. Each division of the Metropolitan Board of Zoning Appeals shall have concurrent territorial jurisdication. Each Municipal Board of Zoning Appeals shall have territorial jurisdication within the boundaries of the applicable excluded City.

D. MEMBERSHIP, POWERS AND DUTIES

The membership, powers and duties of the Metropolitan Board of Zoning Appeals and the Municipal Board of Zoning Appeals are hereby established by State law as set forth in the 900 series of IC 34-7-4. The five members of each of the divisions of the Metropolitan Board of Zoning Appeals shall be selected as specified in IC 36-7-4-902 (e). The five members of each of the Municipal Boards of Zoning Appeals shall be selected as specified in IC 36-7-4-902 (f).

Section 2. SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdication, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalud.

Section 3. This ordinance shall be in full force and effect from and after January 2, 1984.

City-County Council of Indianapolis
and of Marion County, Indiana

Date: _____

Attest: _____
(Clerk)

_____
President (or Presiding Officer)

ADOPTED BY CITY-COUNTY
COUNCIL, DECEMBER 12, 1983