Metropolitan Plan Commission
Docket No. 59-AO-12

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by The Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and the Subdivision Control Ordinance of Marion County, Indiana, which was adopted as an amendment thereto by The Marion County Council on November 3, 1958, be amended in the following particulars:

That paragraph c. of sub-section 3 of section 2.05 of chapter 2 of said Subdivision Control Ordinance be re-designated paragraph (6) and amended to read as follows:

(6) Provide that upon completion of said required improvements and installations, but prior to the acceptance thereof for public maintenance by the appropriate governmental agency, the applicant shall provide a three (3) year bond which shall:

(a) Run jointly and severally to Marion County, Indiana, the Metropolitan Plan Commission of Marion County, Indiana, and, if applicable, any other governmental unit having a legal responsibility for the construction, completion and/or maintenance of said improvements and installations.

(b) Be in an amount equal to twenty percent (20%) of the cost of said improvements and installations as estimated by the Executive Director of the Metropolitan Planning Department.

(c) Provide surety satisfactory to the Metropolitan Plan Commission.

(d) Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and installations to be of good quality and have been constructed and completed in a workmanlike manner in accordance with the standards, specifications and requirements of this ordinance and the satisfactory plans and specifications therefor submitted and satisfactory to the Executive Director of the Metropolitan Planning Department.

(e) Provide that for a period of three (3) years after said installations and improvements have been completed or are accepted for public maintenance by any appropriate governmental unit or agency thereof, the applicant will at his own expense make all repairs to said improvements and installations, or the foundations thereof, which may become necessary by reason of improper workmanship or

materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications, or requirements of this ordinance.

Any funds received from the bonds required by this ordinance shall be used only for the purpose of making the improvements, installations or repair for which said bonds were provided, in accordance with the standards, specifications and requirements of this ordinance.

That paragraph d. of sub-section 3 of section 2.05 of chapter 2 of said Subdivision Control Ordinance be re-designated paragraph c.

That sub-section 3 of section 2.06 of chapter 2 of said Subdivision Control Ordinance be amended to read as follows:

(3) Bond

Upon the completion of all said required improvements and installations, but prior to the acceptance thereof for public maintenance by the appropriate governmental agency, the applicant shall provide a three (3) year bond which shall:

a. Run jointly and severally to Marion County, Indiana, the Metropolitan Plan Commission of Marion County, Indiana, and, if applicable, any other governmental unit or agency thereof having a legal responsibility for the construction, completion and/or maintenance of said improvements and installations.

b. Be in an amount equal to twenty percent (20%) of the cost of said improvements and installations as estimated by the Executive Director of the Metropolitan Planning Department.

c. Provide surety satisfactory to the Metropolitan Plan Commission.

d. Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and installations to be of good quality and have been constructed and completed in a workmanlike manner in accordance with the standards, specifications and requirements of this ordinance and the satisfactory plans and specifications therefor submitted to the Executive Director of the Metropolitan Planning Department.

e. Provide that for a period of three (3) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installations, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Josephine K. Bicket

Fred W. Nordsiek

Frank J. Billeter

Edwin J. Koch

Louie Moller

John A. Kitley

John D. Hardin

THE MARION COUNTY COUNCIL
OF
MARION COUNTY, INDIANA

DATED: July 29, 1959

ATTEST: Clem Smith
AUDITOR OF MARION COUNTY, INDIANA