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MARLENE MAHLER

MARSHALL COUNTY RECORDER

12/19/2011 01:40:04PM

REC FEE: \$0.00 PGS: 9

ORDINANCE NO. 2011-15

AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR SERVICES AND RECORDS PROVIDED BY THE MARSHALL COUNTY HEALTH DEPARTMENT

WHEREAS, Indiana Code Sections 36-1-3-1 et seq. permit any County in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its municipal or internal affairs, which is not prohibited by the Constitution of the United States of America or the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS, the Board of Commissioners of the County of Marshall, Indiana is the County executive and legislative body and is by law authorized to adopt ordinances and resolutions of the performance of functions within the County of Marshall, Indiana;

WHEREAS, the Board of Commissioners of the County of Marshall, Indiana is by law authorized to approve fee schedules for the services and records provided by the Marshall County Health Department pursuant to Indiana Code Section 16-20-1-27;

WHEREAS, the proposed fees in the Fee Schedule have been studied and examined by the Marshall County Health Department to determine that such fees are not in the excess of the cost of services rendered;

WHEREAS, the proposed fees in the Fee Schedule have been adopted by the Marshall County Board of Health after due opportunity was given for public comment on the proposed fees;

WHEREAS, pursuant to the authority vested by Indiana Code Sections 36-1-3-1 et seq. and Indiana Code Section 16-20-1-27, the Board of Commissioners of the County of Marshall, Indiana does hereby approve and establish a Fee Schedule governing the collection of fees for the services and records provided by the Marshall County Health Department in accordance with the terms and provisions hereinafter stated;

NOW THEREFORE, BE IT ORDAINED, ORDERED, AND ESTABLISHED by the Board of Commissioners of the County of Marshall, Indiana, as follows:

1. DEFINITIONS. For the purposes of this Ordinance, the following terms shall be defined as set forth below:

a. "Board of Health" means the Marshall County Board of Health as provided for in Indiana Code Section 16-20-2-1 et seq.

- b. "Health Department" means the Marshall County Health Department.
 - c. "Person" means any association, company, corporation, firm, individual, or partnership.
2. COLLECTION OF FEES. The Health Department shall collect the fees for all services it provides in accordance with the Ordinance.
3. FEES FOR SERVICES. The Board of Health shall charge a fee for providing any person with the services listed in the Fee Schedule of this Ordinance.
4. COLLECTION OF FEES, ACCOUNTING, AND DISPOSTION.
- a. Collection of Fees. The Health Department shall collect the fees established by this Ordinance in accordance with Section Five (5) below.
 - b. Accounting for Fees. All fees collected by the Health Department shall be accounted for in detail for each program service area.
 - c. Disposition of Fees. All fees collected by the Health Department pursuant to this Ordinance shall be transferred to the Marshall County Health Fund.
 - d. Fees for Other County Health Jurisdictions. Fees collected for health services and records provided to persons in other county health jurisdictions and involving payment from Marshall County tax revenues shall be collected in accordance with agreements entered into pursuant to Indiana Code Section 16-20-1-8.
5. FEE SCHEDULE. The following Fee Schedule is established and approved for services and records provided by the Health Department. *(A listed does not necessarily indicate the service is currently provided)*

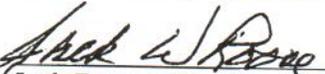
- A. Food protection Program
 - a. Exhibit A - attached to this ordinance
- B. Environmental Health Services:
 - a. Exhibit B - attached to this ordinance
- C. Public Health Nursing Service
 - a. Exhibit C - attached to this ordinance
- D. Vital Records
 - a. Exhibit D - attached to this ordinance
- E. General
 - a. Exhibit E - attached to this ordinance

- 6. MAXIMUM FEE SCHEDULE. The fees set forth in this Ordinance are maximum fees. Specific fees charged shall be determined by and limited in accordance with any applicable State and Federal laws, rules, and regulations pertaining thereto. In addition, specific rates charged shall be governed by any applicable sliding fee scales adopted by the Board of Health which are based upon the person's financial ability to pay.
- 7. REPEALING EFFECT. All fee schedules and terms and provisions of any ordinances adopted heretofore which are inconsistent with the terms and provisions of this Ordinance are hereby repealed.
- 8. EFFECTIVE DATE. This Ordinance shall become effective on

ORDAINED AND ADOPTED this 5th day of December, 2011

Board of Commissioners of Marshall County


Kevin Overmyer, President


Jack Roose, Vice President


Greg Compton, Commissioner


Penny Lukenbill, Auditor

Exhibit A

January 1, 2011

Food protection Program

Service	Amount
Retail Food Establishment Permit annual	\$120
Prepackaged Food only Permit annual	\$60
A seasonal permits (6 months or less)	\$60
Temporary food service establishment 1 day	\$ 25
Temporary food service establishment 2 to 14 days	\$ 50
Vending machine permits	0
Late fee on permit – will include the new permit	Two times the applicable fee (2* 120 = 240)
Fee to reinstate a permit after it has been revoked or refused renewal	Two times the applicable fee
Food Service plan review	0
Food Service plan review after construction starts	0
Training programs per hour per staff	0

These fees do not include establishment that have a complete food inspections by other recognized state or federal agencies, and are not inspected by this department.

Establishment opening in mid year pays either the full amount or ½ price for 6 months or less.

Exhibit B

January 1, 2011

Environmental Health Services:

Service	Amount
Septic installation Permit new	\$60
Septic installation Permit repair /replacement or alteration	\$30
Minor Septic installation Permit repair /replacement or alteration	\$0
Building Release	\$10
Operating permit new and renew –	
Cluster system	\$10
Secondary treatment	\$10
Other non-conventional systems (TNTI)	\$10
Holding tanks	\$10
Systems described in Rule 410IAC 6-8.2	\$ 0
Pump assisted system	\$ 0
Late on renewing operating permit 30 days	\$100 additional and then \$100 per start of each additional 30 days
Septic installation permit issued after start of construction ^	\$200
Re issue a revoked installation permit -	new or repair permit -fee
Reinstate a revoked installation permit**	\$0
Registration or Certification fee	
Registration fee for private sewage disposal contractors	\$10
Other registrations for OSS or other providers	\$10
Multiply registration will be highest fee for registration	
Contractor certification fee	0
Late fee for registration or certificates	\$30 additional and then \$30 per start of each additional 30 days
Home loan inspections (any kind)	0
Railroad mobile camp inspections	0
Tattoo parlors	0
Water, air, or other environmental tests	Cost of test, shipping, and administrative fee of \$15
Swimming pool License (Public and Semi-public)*	0
Swimming pool License late fee	0
Training programs per hour per staff	0
Water well permits	0

Exhibit B

* When possible, Government agencies and public schools will not be charged for services. However actual out of budget cost for the health department or large or continuous request for services may result in fees.

** Reinstate a revoked installation permit – if no change to conditions of the original permit or minor changes that do not affect the absorption field installation or significantly change the original permit.

^ Clearing of ground or digging that does not interfere with the septic installation permit requirements. This statement applies toward the fee and does not change the start of construction definition in the code.

Exhibit C

January 1, 2011

Public Health Nursing Service

Service	Amount
Vaccines for Children (VFC) and other vaccines provided at no cost to the county	0 –per vaccine guidelines
Administrative fee for above - no cost vaccines	\$8 per shot or \$50 maximum per family per visit **
Vaccines for adults and others not covered above	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Flu Vaccine	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Tuberculosis test	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Hepatitis A	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Hepatitis B	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Hepatitis A & B combination	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Travel Vaccinations	Cost of vaccine - Plus 10% - rounded up to nearest dollar
All other vaccines and or test	Cost of vaccine - Plus 10% - rounded up to nearest dollar
Administrative fee* for shots and test provided – not the no cost vaccines	\$ 10
A set up fee for a clinic that the Health Department may choose to set up with a specific groups such as schools (instead of administrative fee)**	\$ 50
Fee for non-county residents	\$0
Appointment Scheduled (not walk-in)	\$0
Shot records cards	\$1.00

Vaccine for Children (VFC/317) - no one will be refused for inability to pay. A form and signature on inability to pay will be used to waive the fee as needed.

* Note that the administrative fee is in addition to other fees

**This fee may be waived if special clinics are set up by the health department to vaccinate large number of people or if a public health priority warrants. This fee is dependent on the ability to bill Medicaid

Exhibit D
Vital Records

January 1, 2011

Service	Amount
Birth Record per copy	\$5.00
Additional certificates per copy Birth	\$5.00
Wallet birth certificate per copy	0
Death Certificate	\$3.25 *
Additional certificates per copy Death	\$3.25 *
*Ind. Code adds a Coroners fee onto death certificates- this fee is not controlled locally and can be changed by the state	(\$1.75 is currently added to death certificates making the total cost \$5.00 for a death certificate)
ISDH form **	
Affidavit Requesting Amendment	\$25.00
Paternity Affidavit	\$25.00
Paternity Affidavit upon Marriage	\$25.00
Genealogical searches	
1. first 1-10 names	\$10.00
2. for every 1-5 additional names	\$5.00
Search fee is charged regardless of whether the search is successful or not	
Notary for general public	\$5.00
Lamination fee	0

* In July 2013 the coroner fee is scheduled to go to \$2.00; the county fee will go to \$4.00. Future changes in the coroners fee will result in the county portion being adjust up to result in an even dollar amount charged for death certificates. (For example a coroner fee of \$2.25 plus a county fee of \$4.00 would equal be \$6.25 and would be rounded up to \$7.00)

Exhibit E

January 1, 2011

General

Record Searches *	
1. 1-2 records	0
2. 2-10 records	\$5.00
3. Every additional 1 to 5 records	\$5.00
Copies of health department records will be charged at the county copy schedule	0.15 if no county fee schedule
Color copies are at the department discretion	0.20 if no county fee schedule

* Record searches will be done as staff has time to do it and if it does not interfere with normal office operations

When possible, Marshall County Government and public schools will not be charged for services. However actual out of budget cost for the health department or large or continuous request for services may result in fees.