

**BOARD OF COMMISSIONERS
DEARBORN COUNTY, INDIANA**

ORDINANCE 2024-- 012

**ORDINANCE TO ADOPT THE MS4 FEE SCHEDULE
AND ESTABLISH THE MS4 FUND**

WHEREAS, Dearborn County, Indiana has been designated a Municipal Separate Storm Sewer System (MS4) by the Indiana Department of Environmental Management (IDEM);

WHEREAS, said MS4 designation required Dearborn County to adopt a Stormwater Management Ordinance and a Stormwater Technical Standards Manual to regulate stormwater runoff in the unincorporated areas of Dearborn County, Indiana, excluding the Hidden Valley Lake Subdivision;

WHEREAS, pursuant to Section 6, Subsection (f) of the Dearborn County, Indiana Stormwater Management Ordinance, and other applicable Federal and/or State laws, statutes, rules, and/or regulations, the Dearborn County Board of Commissioners are authorized to adopt a Fee Schedule for the Stormwater Management Ordinance; and

WHEREAS, an MS4 Fund must also be established for the deposit of the monies collected by the Stormwater Management Ordinance Fee Schedule established herein.

NOW, THEREFORE, BE IT ORDAINED by the Dearborn County, Indiana Board of Commissioners as follows:

- 1. The Dearborn County, Indiana Stormwater Management Ordinance Fee Schedule attached to this Ordinance as Exhibit "A" is hereby approved. Said Fee Schedule may be modified as needed by Ordinance of the Dearborn County Board of Commissioners upon request of the Dearborn County MS4 Coordinator; and**
- 2. A new Chapter shall be added to the Dearborn County, Indiana Code of Ordinances and shall read as follows:**

§ 34.33 MS4 FUND

(A) There is hereby established the MS4 Fund. The MS4 Fund is a special, non-reverting fund. Expenditures from the MS4 Fund shall be subject to appropriation by the Dearborn County Council.

(B) All monies collected pursuant to the Dearborn County, Indiana Stormwater Management Ordinance Fee Schedule, as the same may be amended by Ordinance of the Dearborn County Board of Commissioners, shall be deposited into the MS4 Fund.

(C) Monies in the MS4 Fund may be used by the MS4 Coordinator to maintain compliance with the requirements of the MS4 designation. Examples of permitted expenditures include, but are not limited to, expenditures for office supplies and equipment, expenditures for the construction and/or maintenance of stormwater collection systems, and the purchase of education materials for the citizens of Dearborn County.

(D) The MS4 Coordinator may coordinate for the expenditure of monies from the MS4 Fund with other governmental departments of Dearborn County, Indiana.

3. This Ordinance shall take effect after publication of the same in accordance with Indiana Code § 5-3-1 as required by Indiana Code § 36-2-4-8(b)(2).

ALL OF WHICH IS ORDAINED by the Board of Commissioners of Dearborn County, Indiana this the 16th day of July, 2024.

**BOARD OF COMMISSIONERS
DEARBORN COUNTY, INDIANA**

Absent
JIM THATCHER, President

[Signature]
RICK PROBST, Member

ATTEST:

[Signature]
ALLEN GOODMAN, Member

[Signature]
**CONNIE FROMHOLD
County Auditor**