DEPARTMENT OF PLANNING AND BUILDING
STARKE COUNTY PLANNING COMMISSION
53 East Mound Street, Knox, IN 46534
Office: 574-772-9133 | plancomm75@starke.in.gov

RESOLUTION 2026-PC-07
A RESOLUTION OF THE STARKE COUNTY PLAN COMMISSION CONCERNING A PROPOSAL TO AMEND TEXT OF THE STARKE COUNTY ZONING ORDINANCE

WHEREAS: The Starke County Board of Commissioners wishes to adopt a new Ordinance **Establishing Procedures for Residential Permit Review, Plan Examination, and Inspections**, said proposal identified as **2026-PC-07**; and

WHEREAS: A public hearing was held on May 20th, 2026, at 5:30 p.m. concerning this matter by the Starke County Plan Commission; and

WHEREAS: Notice was provided according to law concerning said public hearing; and

WHEREAS: The Starke County Plan Commission passes and adopts this Resolution to make the following findings and recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE STARKE COUNTY PLAN COMMISSION AS FOLLOWS:

1. That attached hereto as **Exhibit "A"** is **2026-PC-07**, the Certified Proposal to Adopt the **Ordinance Establishing Procedures for Residential Permit Review, Plan Examination, and Inspections in Starke County**. To be effective upon approval by the Starke County Commissioners.

2. That in considering the above ordinance, the Starke County Plan Commission has given due consideration:

- To comply with the mandates of **Indiana Code § 36-7-2.5** regarding expedited timelines and private sector options for Class 2 structures;
- To protect the County from liability by clearly defining the immunity provided when private providers are utilized;
- To provide for the responsible development of Starke County by ensuring efficient permit processing for housing.

The Starke County Plan Commission finds that the above-stated reasons are sufficient to support the adoption of the ordinance as set forth above.

3. That Notice of said public hearing was provided by the Starke County Plan Commission in accordance with **IC 36-7-4-604**, via publication in *The Leader* newspaper.

4. That the Starke County Plan Commission hereby certifies and forwards this Resolution to the Starke County Board of Commissioners with a **favorable recommendation.**

PASSED AND ADOPTED BY THE STARKE COUNTY PLAN COMMISSION THIS 20TH DAY OF MAY, 2026.

STARKE COUNTY PLAN COMMISSION

Mike VanDeMark
Plan Commission Chair

ATTEST:

John McCurrie III
Plan Commission Secretary

ORDINANCE NO. 2026-14

AN ORDINANCE ESTABLISHING PROCEDURES FOR RESIDENTIAL PERMIT REVIEW, PLAN EXAMINATION, AND INSPECTIONS IN STARKE COUNTY

WHEREAS, Indiana Code § 36-7-2.5 mandates specific timelines for the review and inspection of Class 2 structures;

WHEREAS, the Starke County Planning and Building Department ("the Department") seeks to provide builders with a clear choice between County-led and private-sector services at the time of permit application;

WHEREAS, state law requires a reduction in regulatory fees when a private provider is utilized to ensure fees approximate the actual cost of the regulatory activity performed by the County;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF STARKE COUNTY, INDIANA:

SECTION 1: APPLICABILITY AND DEFINITIONS

Class 2 Structure: A one-family or two-family dwelling or an accessory structure.

Qualified Private Provider: An Indiana licensed architect, professional engineer, or a building official certified by the International Code Council (ICC) who is not affiliated with the project. Per IC 36-7-2.5, a licensed 'Home Inspector' or a current employee of another local government unit does not qualify.

SECTION 2: INITIAL ELECTION AND FILING REQUIREMENTS

Election at Filing: At the time of filing a permit application, the applicant must elect on the application form whether they will utilize the Department or a Qualified Private Provider for: (A) Plan Review; and/or (B) Required Inspections.

Mandatory Credentials: If a Private Provider is elected, the application is not "Complete" until the items listed in the **Written Affidavit** found in **Exhibit A** are submitted to the Department. This includes:

1. Provider Identification and current copy of the provider's Indiana license or ICC certification.
2. A Certificate of Insurance for Professional Liability (Errors & Omissions) held by the provider in an amount of at least $1,000,000 per claim.

SECTION 3: PLAN REVIEW AND INSPECTION TIMELINES

Notice of Capacity: Within three (3) business days of receiving a completed application, the Department shall notify the applicant in writing of its capacity to meet state-mandated timelines.

Performance Windows: If performed by the Department, plan reviews must be completed within seven (7) business days, and inspections must occur within three (3) business days of a request.

Refund for Missed Deadlines (The "Pivot" Rule): If the Department fails to meet these windows, the applicant may elect to utilize a Qualified Private Provider for the delayed service. Only upon this subsequent election and filing of **Exhibit A** shall the corresponding fee component be refunded to the applicant.

SECTION 4: ALLOCATION AND REDUCTION OF PERMIT FEES

To comply with IC 36-7-2.5, the total Location Improvement Permit fee for Class 2 structures is allocated as follows:

1. Plan Review Component: 20% of total fee. Waived if a private provider is elected at filing or refunded if the applicant pivots to a private provider due to a missed deadline.

2. Inspection Component: 50% of total fee. Waived if a private provider is elected at filing. In the event of a pivot to a private provider due to a missed deadline, the refund shall consist of the 50% Inspection Component minus the pro-rated cost of any inspections already performed by the Department.

3. Administrative/Zoning Component: 30% of total fee. This component is non-refundable and covers local Zoning Compliance Review (setbacks, land use, etc.), intake, and credential vetting.

4. Convenience Fee: The Department shall charge a flat $100.00 convenience fee to process third-party reports and verify credentials.

SECTION 5: LIABILITY AND IMMUNITY

As provided in IC 36-7-2.5-34, Starke County and the Department are immune from liability for any acts or omissions related to reviews or inspections performed by a Qualified Private Provider.

PASSED AND ADOPTED BY THE STARKE COUNTY BOARD OF COMMISSIONERS

This 1st day of June, 2026.

6-1-2026

Mike VanDeMark
President

Donny Binkley
Member

Charles Chesak
Member

ATTEST:

Michaelene Houston
Starke County Auditor

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EXHIBIT A: OWNER'S AFFIDAVIT OF INTENT TO USE PRIVATE PROVIDER

Required Filing per Section 2 of Ordinance No. 2026-XX and IC 36-7-2.5

PROPERTY & PERMIT INFORMATION

- **Permit #:** _____
- **Property Address/Location:**
  _____
- **Parcel ID Number:**
  _____

OWNER AFFIRMATION

I, _____ (Owner Name), hereby notify the Starke County Planning and Building Department of my intent to utilize a **Qualified Private Provider** for the following services (Check all that apply):

- [ ] **Plan Review:** Full technical review of construction documents for code compliance.
- [ ] **Required Inspections:** All required field inspections for the duration of the project.

ACKNOWLEDGMENT OF INDEPENDENCE & LIABILITY

1. **Non-Affiliation Clause:** I hereby certify that the Private Provider listed below is a third-party professional and is **not** an employee of, affiliated with, or otherwise under the control of the construction contractor or builder performing the work.
2. **Mandatory Credentials:** I affirm that the Private Provider is an Indiana Licensed Architect, Professional Engineer, or an ICC Certified Building Official.
3. **Insurance Requirement:** I have attached a Certificate of Insurance for Professional Liability (Errors & Omissions) for said provider in an amount of at least **$1,000,000 per claim**.
4. **Release of Liability:** I acknowledge that Starke County and the Department are **immune from liability** for any acts or omissions related to reviews or inspections performed by the Private Provider.
5. **Fee Structure:** I understand that I am subject to a **$100.00 Administrative Convenience Fee** for the processing of third-party reports and credential verification.

Property Owner Signature: _____ Date: _____

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EXHIBIT B: FEE ALLOCATION & WEIGHTED PERCENTAGES

Technical Breakdown per Section 4 of Ordinance No. 2026-XX

This table defines the specific components of the permit fee. If a Private Provider is elected at filing, the corresponding percentage is waived. If a "Pivot" occurs due to a missed Department deadline, the corresponding percentage is refunded as defined in Section 3.

Permit Category	Admin/Zoning (Non-refundable)	Plan Review Component	Inspection Component
Class 2 Structure (Standard)	**30%**	**20%**	**50%**
Additions & Remodels	**30%**	**20%**	**50%**
Accessory Structures	**30%**	**20%**	**50%**
Manufactured Home Placement	**30%**	**20%**	**50%**

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EXHIBIT C: INSPECTION REFUND CALCULATION WORKSHEET

Procedural Form for Pro-Rated Refunds per Section 4.2

Project Address: _____ **Permit #:** _____

Inspection Phase	Value	Status	"Earned" Amount
Footing/Foundation	20%	[ ]	(Insp. Component) × 0.20
Under-slab/Plumbing Rough	15%	[ ]	(Insp. Component) × 0.15
Framing/Rough-In	30%	[ ]	(Insp. Component) × 0.30
Insulation/Energy	10%	[ ]	(Insp. Component) × 0.10
Final/C.O.	25%	[ ]	(Insp. Component) × 0.25
TOTAL EARNED	**100%**		**Total (C): $_____**

Final Refund Calculation:

- **Max Refund Available (50% Component):** $_____
- **Minus Total Earned by County:** – $_____
- **TOTAL REFUND DUE TO APPLICANT:** $_____