ORDINANCE NO. 1788

AN ORDINANCE REPEALING THE MUNSTER ZONING ORDINANCE, INCLUDING AMENDMENTS AND ZONE MAPS, AND ADOPTING A REPLACEMENT ZONING ORDINANCE, INCLUDING TEXT AND ZONE MAPS, FOR THE TOWN OF MUNSTER

WHEREAS, the Town of Munster, its staff, and consultants have recommended repealing the entire Zoning Ordinance, including Amendments and Zone Maps (Chapter 26, Articles VI, IX and X of the Munster Municipal Code) and adopting a replacement Zoning Ordinance, including text and zone maps; and

WHEREAS, based upon those recommendations, the Munster Plan Commission, on November 26, 2019, and after due notice, conducted a public hearing as required by law on the proposed replacement ordinance; and

WHEREAS, the Town of Munster Plan Commission, after said public hearing and after due deliberation, has concluded that the replacement zoning ordinance is appropriate and certified the proposal with a favorable recommendation to the Munster Town Council; and

WHEREAS, the Munster Town Council deems it to be in the best interest of the general health, safety, and welfare of the citizens of the Town of Munster to repeal the entire Zoning Ordinance, including Amendments and Zone Maps (Chapter 26, Articles VI, IX and X of the Munster Municipal Code and adopt a replacement Zoning Ordinance, including text and zone maps; now, therefore, be it

ORDAINED, THAT THE MUNSTER MUNICIPAL CODE BE AMENDED AS FOLLOWS:

The entire Zoning Ordinance, including Amendments and Zone Maps (Chapter 26, Articles VI, IX and X of the Munster Municipal Code) is repealed and is replaced with the version attached hereto as Exhibit “A”.

Article 1. <u>Statutory Authorization, Certification, and Purpose.</u>

Section A. Statutory Authorization.

The Indiana Legislature has in I.C. 36-7-4, et seq., granted the power to local government units to control land use within their jurisdictions. Therefore, the Town Council of the Town of Munster does hereby adopt the following Regulations.

Section B. Certification per I.C. 36-7-4-605.

(1) The Plan Commission of the Town of Munster has studied and reviewed the previous zoning ordinance of the Town of Munster, as amended, and zone map and has found the same to be in need of replacement.

(2) The Plan Commission has certified to the Town Council a favorable recommendation, which Certification is dated November 26, 2019, and is in the following words and figures, to-wit: (see attached Exhibit “B”).

Article 2. Statement of Purpose.

It is the purpose of this Ordinance to repeal and replace the Munster Zoning Ordinance and promote the public health, safety, aesthetics and general welfare of the Town of Munster.

Article 3. <u>Severability.</u>

If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Article 4. <u>Effective Date.</u>

This Ordinance shall be in full force and effect from and after its passage and signing by the members of the Munster Town Council.

ORDAINED AND ADOPTED by the Town Council of the Town of Munster, Lake County, Indiana, this _____ day of _____, 2019, by a vote of _____ in favor and _____ opposed.

Town Council of the Town of Munster,
Lake County, Indiana

_____
Andy Koultourides, President

ATTEST:

_____
David F. Shafer, Clerk-Treasurer