

CASS COUNTY COMMISSIONER ORDINANCE NO. 2026-15
GALVESTON TOWN COUNCIL ORDINANCE NO.
AN ORDINANCE OF THE CASS COUNTY COMMISSIONERS AND
GALVESTON TOWN COUNCIL
ESTABLISHING AN AREA PLAN COMMISSION

WHEREAS, Cass County is a political subdivision of the State of Indiana;

WHEREAS, Galveston is a town located within Cass County;

WHEREAS, the Cass County Commissioners and Galveston Town Council are desirous of improving the health, safety, convenience, and welfare of its citizens and to plan for the future development of Cass County to the end;

- (1) That highway systems be carefully planned;
- (2) That new communities grow only with adequate public way, utility, health, educational, and recreational facilities;
- (3) That the needs of agriculture, industry, and business, be recognized in future growth;
- (4) That residential areas provide healthful surroundings for family life; and
- (5) That the growth of the community is commensurate with and promotive of the efficient and economical use of public funds.

WHEREAS, Pursuant to Indiana Code 36-7-4-202(b) a county may adopt an ordinance adopting the area planning law, fix a date for the establishment of the area planning department, and provide for the appointment of its representatives to the commission.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cass County, Indiana and Galveston Town Council, Indiana as follows:

1. The Cass County Commissioners and Galveston Town Council hereby adopt the Area Planning Law as contained in Indiana Code 36-7-4.
2. The establishment of the Area Planning Commission and Area Board of Zoning Appeals shall be fixed effective the date of both of the following occurring:
 - (a) enactment of this ordinance, and “adoption of a corresponding ordinance by the Town of Galveston approving participation in the

Cass County Area Planning Commission and Area Board of Zoning Appeals."

- (b) If passed by the Galveston Town Council and County Commissioners within 60 days of each other.
- 3. The Cass County Area Planning Commission and Area Board of Zoning Appeals are hereby established.
 - (a) Membership of both entities shall be appointed pursuant to the Indiana Code 36-7-4.
 - (b) Pursuant to I.C. 36-7-4-208(c)(4), the County Commissioners designate the Cass County Surveyor shall fill the statutorily specified Planning Commission member position by virtue of holding that title.
 - (c) Members appointed as such and not by virtue of office shall serve at the pleasure of their appointing officials. Members shall serve in accordance with Indiana Code 36-7-4.
- 4. Upon the effective date of the Area Zoning Ordinance assuming jurisdiction within the Town of Galveston, all planning, zoning, subdivision control, development review, variance, special exception, zoning enforcement, and related land use authority previously exercised by the Town of Galveston, its Advisory Planning Commission, and its Board of Zoning Appeals shall be transferred to and exercised by the Cass County Area Planning Commission and Area Board of Zoning Appeals in accordance with Indiana Code 36-7-4. Any planning, zoning, subdivision control, development, and land use ordinances of the Town of Galveston that are inconsistent with the Area Zoning Ordinance or other regulations adopted by the Area Planning Commission shall be deemed superseded upon the effective date of the Area Zoning Ordinance. All new applications, petitions, variances, special exceptions, enforcement matters, records, files, and proceedings relating to planning and zoning matters shall be assigned to the Area Planning Commission or Area Board of Zoning Appeals, as appropriate, for further administration and disposition.
- 5. If any section, provision, of part of this ordinance is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any Section, provision, or part thereof not adjudged invalid or unconstitutional.
- 6. This ordinance shall be in full force and effect from and after its passage, and publication as provided by law.
- 7. Both of the Advisory Planning Commissions and Board of Zoning Appeals (BZA) for both Cass County and the Town of Galveston shall remain in full operation until, with the approval of the legislative bodies of both the County and Town of Galveston, the area zoning ordinance is enacted, on which date the advisory planning commissions and individual BZA's shall dissolve and the Area Planning Commission and Area BZA shall take over their duties.

This Ordinance shall be in full force and effect from and after its adoption by the Cass County Board of Commissioners and Galveston Town Council.

PASSED AND ADOPTED BY THE COMMISSIONERS OF CASS COUNTY, INDIANA THIS 20th day of July 2026. PASSED AND ADOPTED BY THE GALVESTON TOWN COUNCIL, INDIANA THIS _____ day of _____ 2026.

GALVESTON TOWN COUNCIL
MEMBERS:

Cindy Leduc, President

Todd Fry, Vice President

Sunny Saylor Gordon, Councilwoman

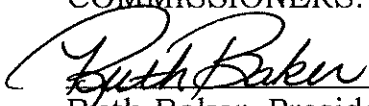
Sam Levine, Councilman

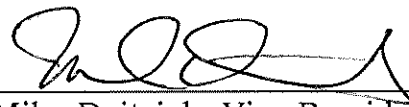
Mike Deis, Councilman

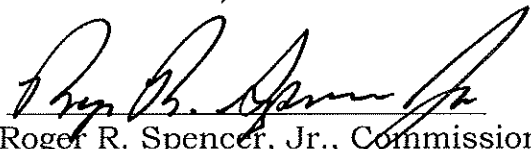
Attest:

Barry Bellan, Clerk-Treasurer

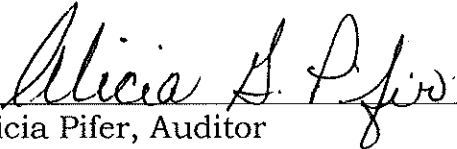
CASS COUNTY BOARD OF
COMMISSIONERS:


Ruth Baker, President


Mike Deitrich, Vice President


Roger R. Spencer, Jr., Commissioner

Attest:


Alicia Pifer, Auditor