

Legal Advertisement

Notice of adoption of Ordinance 2025-18 by the Edinburgh Town Council

Notice is hereby given that on November 24, 2025, the Edinburgh Town Council adopted Ordinance 2025-18, AN ORDINANCE TO ADOPT THE UNIFIED DEVELOPMENT ORDINANCE, ZONING MAP AND REPEAL THE EXISTING ZONING ORDINANCE, SUBDIVISION CONTROL ORDINANCE, AND ZONING MAP OF THE TOWN OF EDINBURGH (hereafter referred to as "UDO").

The UDO was adopted pursuant to I.C. 36-7-4-606.5 as a replacement zoning ordinance after repealing the entire zoning ordinance, including amendments and zone maps, for the Town of Edinburgh. The UDO is a replacement subdivision control ordinance and, pursuant to I.C. 36-7-4-701, it contains provisions for subdivision control. Pursuant to I.C. 36-7-4-610(h), the UDO is a unified development ordinance that combines the Town of Edinburgh's zoning and subdivision control ordinances into a single book, pamphlet, or code title, article, or chapter.

SUMMARY OF UDO

A summary of the contents and general subject matter contained in the UDO and Zoning maps is set forth below:

1. Chapter 1 – Ordinance Foundation: Describes the state statutes that authorize the UDO, defines generally where and how the Ordinance applies, the legal framework for the Ordinance, who is involved in administering the Ordinance, and how to handle existing legal uses that may no longer meet the requirements of the Ordinance.
2. Chapter 2 – Zoning Districts: Establishes the various zoning districts and development standards to follow when building in each district.
3. Chapter 3 – Uses: The allowed uses of each district and their standards including permitted uses, use matrix, use standards, and temporary uses, events and structures.
4. Chapter 4 – General Standards: Regulations that apply to all districts and uses including principles and standards, accessory uses and structures, buildings, height, lots, performance standards, property maintenance, abandoned buildings, setbacks, short-term rentals, vision clearance and yards.
5. Chapter 5 – Design Standards: Identifies items that need to be incorporated into documents submitted for approval. Standards are provided for architectural design, site layout, streets, open space, and easements.
6. Chapter 6 – Improvements Standards: Provides standards for the elements installed on a site including fences and walls, landscaping, lighting, parking, signage, streetlights, and street signs.
7. Chapter 7 – Subdivision: Standards applying to the division of land including establishment of controls, subdivision types, approval process overview, sketch plan review procedure, primary plat approval procedure, primary plat submittal requirements, secondary plat approval procedure, secondary plat submittal requirements, commercial and industrial subdivisions, re-subdivision of land, vacation of plats, modifications of subdivision regulations, and plat certificates and deed of dedication.
8. Chapter 8 – Process and Permits: There are separate submittal forms and checklists for different types of requests, such as approvals for a rezoning, site plan, or variance. This chapter outlines the review and approval process of each application.
9. Chapter 9 – Enforcement: This chapter outlines the procedures for notification and actions that can be taken if there is a violation of the UDO.
10. Chapter 10 – Definitions: Terms used in the UDO with specific meanings.

Zoning Map

- Changes to the zoning map include assignment of the new zoning districts that correspond with the UDO Zoning Districts.
- All parcels within the corporate boundaries of the Town of Edinburgh and those areas outside the corporate limits subject to extraterritorial jurisdiction have been assigned to a UDO Zoning District.

AREA AFFECTED

The areas that are directly affected by UDO are all real property within the corporate boundaries of the Town of Edinburgh and those areas outside the corporate limits subject to Edinburgh's extraterritorial jurisdiction.

PENALTIES OR FORFEITURES PRESCRIBED FOR A VIOLATION OF THE UDO:

Violation of any of the provisions of the UDO or any decision or ruling of the Plan Commission, BZA, or Town Council is considered a common nuisance and may be abated as nuisances are abated under existing law.

Any person who violates or resists the enforcement of any provisions of the UDO is subject to judgment for each offense. Each day a violation exists constitutes a separate offense. A violation exists until corrected. Correction may include:

1. Stopping an unlawful practice;
2. Removal of a building, structure, or improvement;
3. Faithful or otherwise-approved restoration or replacement of a building, structure, site, or natural feature;
4. Any other remedy specified in this Ordinance; and/or
5. Other remedy acceptable to the Town

Maximum Penalties. The maximum civil penalty for the first violation of a provision of the UDO is a fine of \$2,500. The maximum civil penalty for the second or subsequent violation of a provision of the UDO (other than a provision that regulates parking) is a fine of \$7,500. Section 9.8 of the UDO sets forth the following penalty schedule, subject to the jurisdiction of the applicable court:

Ordinance Violation	Fine for First violation	Fine for Subsequent violation
Permanent signage without permit	\$250	\$500
Parking on an unimproved surface	\$50	\$100
Temporary use without permit	\$500	\$1,000
Illegal land use	\$1,000	\$2,000
Alteration of land or structure without ILP	\$250	\$400
Failure to comply with written commitments	\$500	\$1,000
Failure to comply with certificate of compliance	\$250	\$500
Failure to comply with development standards	\$100	\$200
Any other violation of the UDO	\$100	\$200

Subsequent Violations. The penalties listed above for subsequent violations apply whenever the responsible party commits an additional violation of the same provision within 12 months of the first violation, regardless of whether the additional violation is on the same property as the first violation.

If the Administrator finds that a violation is occurring or has occurred on a construction site, the Administrator may place a stop work order on any land/property improvement process. Reasons for a stop work order may include:

1. Not complying with any element of the development standards or any regulation of the Ordinance.
2. Not obtaining a permit or approval prior to the construction or installation of any improvement requiring a permit or approval by the UDO.
3. Not completing structures or other site improvements consistent with any approved improvement location permit, variance, special exception, site plan, or other approval.
4. Not meeting the commitments imposed upon the approval of a special exception, variance, rezoning, site plan, subdivision plat, or other approval, whether recorded or not.
5. Not meeting the conditions of a PUD Ordinance or other rezoning, or any written commitment imposed upon an approval, whether recorded or not.
6. Illegal use or expansion of use of structures, or structures and land in combination.

If violation of a provision of the UDO exists on real property, the Administrator may have employees or contractors enter the property and take appropriate action to bring the property into compliance with the UDO.

Whenever the Administrator takes action to bring compliance under section 9.11 of the UDO, the resulting expenses incurred by the Town constitute a lien against the property that attaches when notice of the lien is recorded in the Office of the County Recorder. The lien is superior to all other liens except liens for taxes and cannot exceed: 1. \$10,000 for real property that: (a) contains one or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings, or (b) is unimproved; or 2. \$20,000 for all other real property not described in subsection (1).

If a condition violating a provision of the UDO presents an immediate risk to public health, safety, or welfare or to property, the Administrator may opt to have employees or contractors enter the property and take immediate action to bring the property into compliance.

Any sign, structure, landscaping, or other material constituting an immediate public risk violation may be seized by the Administrator in a manner resulting in the least damage to the material or the property on which it is located. The Administrator stores any items seized in a secure location for no less than 30 days from the date notice was mailed to the property owner. The property owner may claim the seized property upon the payment of the fine specified in 9.8 Penalty Schedule and the establishment of a Memorandum of Agreement regarding the future use of the item in a manner consistent with the UDO.

The Town may opt to enforce any provision of the UDO that restricts or prohibits actions harmful to the land, air, or water, through an administrative proceeding before the BZA. Upon finding a violation, the BZA may assess a civil penalty within the limits in 9.8 Penalty Schedule.

Any structure, land, or premises found to be in violation of the UDO is declared to be common nuisance. Any owner or possessor of the structure, land, or premises is, in addition to any other fine or civil penalty, liable for maintaining a common nuisance.

UDO AVAILABLE FOR INSPECTION

A complete copy of Ordinance 2025-18 is available for inspection during regular business hours at the Planning Department office located at the Town Hall, 107 S. Holland Street, Edinburgh, IN 46124 and at the Edinburgh Police Department located at 200 S. Main Street, Edinburgh, IN 46124. A copy of Ordinance 2025-18 is also available for review on the Town of Edinburgh's website: www.edinburgh.in.us by clicking on the tab "Government" and then the tab "Planning Department."

Rhonda Barrett, Clerk-Treasurer

Town of Edinburgh
107 S. Holland Street
Edinburgh, IN 46124
60156277 hspaxlp

(R) 12-24-25