

**TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 2026**

**AN ORDINANCE ESTABLISHING RESPONSIBLE BUSINESS PRACTICES AND SUBMISSION REQUIREMENTS FOR PUBLIC WORKS PROJECTS BEING AWARDED ECONOMIC INCENTIVES FROM THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA, REPEALING ALL ORDINANCES AND TOWN CODE PROVISIONS, OR PARTS THEREOF, INCONFLICT HEREWITH, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town of Schererville, Lake County, Indiana, is a unit of local government and Municipal Corporation located in Lake County, Indiana, and exercises governmental jurisdiction of the subject municipality property; and

**WHEREAS**, the Town of Schererville, Lake County, Indiana (hereinafter, the "Town"), is governed by a duly elected legislative body, known as the "Town Council"; and

**WHEREAS**, the Town is authorized under applicable laws and provisions to grant or approve various economic incentives to support and incentivize economic development projects in the Town; and

**WHEREAS**, the Town Council is aware that development in the Town remains robust and on growth trajectory indicative of continued utilization of economic incentives, including, but not limited to, tax abatements; and

**WHEREAS**, the Town Council has determined that establishing criteria to enhance its ability to identify responsible businesses applying for tax abatements and other economic incentives will promote the Town's economic health and welfare, will promote public safety and workforce development, and is in the best interests of the residents and taxpayers of the Town of Schererville for continued enhanced development.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SCHERERVILLE, LAKE COUNTY, INDIANA AS FOLLOWS:**

**SECTION ONE:** That this Responsible Business Practices and Submission Requirements Ordinance for Projects Receiving Economic Incentives in the Town of Schererville is hereby declared to be, and the same shall be as set forth hereafter as follows, namely:

**I. Application and Process**

- (a) The terms, provisions and requirements of this Ordinance shall apply to any construction project in the Town of Schererville (hereinafter, the "Town"), financed in whole or in part with economic development incentives, including but not limited to property tax abatement, tax increment financing, tax credit, tax deduction, tax exemption, a grant, loan, loan guarantee, or other financial or economic development assistance; and
- (b) The process for managing, tracking, and verifying documents submitted under this Ordinance as amended from time to time, shall be established by the designated Town Manager and Town Administrative Staff.

## **II. Requirements**

- (a) Upon approval of an application for a tax abatement and prior to issuing any building permit for the project, the Applicant shall submit a list of contractors and first-tier subcontractors, including independent contractors, who will perform work on the project, along with documentation of the following verified under oath by each contractor and first-tier subcontractor, namely:
- (1) A copy of a print-out of the Indiana Secretary of State's on-line records for the business dated within sixty (60) days of the submission of said document showing that the business is in existence, current with the Indiana Secretary of State's Business Entity Reports, and eligible for a Certificate of good standing. If the business is an individual, sole proprietor or partnership, this subsection shall not apply;
  - (2) A list identifying all former business names;
  - (3) Evidence of a written plan for employee drug testing that covers all employees of the contractor/subcontractor who will perform work on the project that meets or exceeds the requirements set forth in I.C. §4-13-18-5 or I.C. §4-13-18-6;
  - (4) Proof of any professional or trade licensing required by applicable law for any trade or specialty area in which the contractor or subcontractor will perform work; and disclosure of any suspension or revocation within the previous five (5) years of any professional or trade license held by the contractor, or of any Director, Officer, or Manager employed by the contractor;
  - (5) Any determinations by a Court or governmental agency for violations of Federal, State, or local laws, including, but not limited, to violations of contracting or antitrust laws, tax or licensing laws, environmental laws, the Occupational Safety and Health Act (OSHA), or federal Davis-Bacon and related Acts within the last five (5) years;
  - (6) A statement from each contractor and subcontractor that individuals who will perform work on the project on behalf of the contractor or subcontractor will be properly classified as either (i) an employee or (ii) an independent contractor, under all applicable State and Federal laws and local Ordinances;
  - (7) Evidence of participation in apprenticeship training programs, approved by and registered with the United States Department of Labor Office of Apprenticeship or successor organization, applicable to the work to be performed on the project; and evidence that all apprenticeship programs have graduated at least five (5) apprentices in each of the past five (5) years for each of the construction crafts the contractor or subcontractor will perform on the project. Evidence of graduation rates are not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the public works project.

The required evidence includes but is not limited to a copy of all applicable apprenticeship standards and apprenticeship agreement(s) for any apprentice(s) who

will perform work on the public works project; and documentation from each applicable apprenticeship program certifying that it has graduated at least five (5) apprentices in each of the past five (5) years for each construction craft the contractor or subcontractor will perform on the project. Additional evidence of participation and graduation requirements may be requested by the Town or Town Council at its discretion, and

- (8) Evidence that the contractor or subcontractor is utilizing a surety company which is on the United States Department of Treasury's listing of Approved Sureties; and
  - (9) A written statement of any Federal, State, or local tax liens or tax delinquencies owed to any Federal, State or local taxing body in the last five (5) years, and
  - (10) A list of projects of similar size and scope of work that the contractor or subcontractor has performed in the State of Indiana within three (3) years prior to the date on which the bid is due.
- (b) Applicant shall notify the Town of any change to the list of contractors and first-tier subcontractors performing work on the project within five (5) calendar days of such change, and shall provide the Town with the documentation required in Section II (a) within ten (10) calendar days of such change.
  - (c) Upon request from the Town, Applicant will provide the information required in Section II (a) for any lower-tiered subcontractor.
  - (d) Upon request by the Town, Applicant shall obtain payroll information from any contractor or subcontractor on the project and provide the information to the Town within five (5) days of being requested.
  - (e) The Town shall not issue a building permit for the project until the Applicant submits all documentation requested in Section II(a) and the Town has verified the information provided.
  - (f) The requirements of Section II shall be included in the Tax Abatement Agreement entered into by the Town and Applicant.

### **III. Public Records**

The documentation submitted, as required by this Ordinance, including payroll records, are public records subject to review as authorized pursuant to the applicable Indiana Access to Public Records Law, ss amended from time to time.

### **IV. Termination and Repayment**

The Town may terminate and require repayment of the tax abatement benefits, or any other economic incentives where applicable, if Applicant fails to comply with the requirements of Section II, as set forth herein. The Town will follow the procedures set forth in the Parties' Tax Abatement Agreement for termination and repayment of benefits.

**V. Severability**

If any provision of this Ordinance are found to be invalid, the remaining provisions of this Ordinance shall not be affected by such a determination. These other provisions of this Ordinance shall remain in full force and effect without the invalid provision.

**SECTION TWO:** That all remaining terms and provisions of Town Ordinance No. 1900, adopted by the Town Council, and not amended hereby, are herein ratified and reaffirmed in the entirety. All terms specified in Town Ordinance No. 1900 in conflict with this current and Amendatory Ordinance are repealed regarding these specific terms and provisions.

**SECTION THREE:** That all existing Ordinances and Town Code Sections, or parts thereof, in conflict with the provisions of this Establishment Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION FOUR:** That this Ordinance shall take effect, and be in full force and effect, from and after the date of adoption by the Town Council of the Town of Schererville, Lake County, Indiana.

**ALL OF WHICH IS PASSED AND ADOPTED THIS 11 DAY OF JUNE, 2025, BY THE TOWN COUNCIL OF THE TOWN SCHERERVILLE, LAKE COUNTY, INDIANA.**

**TOWN OF SCHERERVILLE,  
LAKE COUNTY, INDIANA,  
a Municipal Corporation**

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Rob Guetzloff, President

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Robin Arvanitis, Vice President

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Kevin Connelly, Member

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Thomas J. Schmitt, Member

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Caleb S. Johnson, Member

ATTEST:

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Michael A. Troxell, IAMCA, CMC, ACPFIM, CPFA, CMO,  
Clerk-Treasurer

