

Ordinance No. 16-07

Porter County Board of Commissioners

An Ordinance Establishing

the Zoning Code Enforcement Fund

WHEREAS, the Porter County Board of Commissioners adopted the Porter County Municipal Code on Tuesday, December 2, 1997 pursuant to Ordinance No. 97-38; and

WHEREAS, the Porter County Board of Commissioners has deemed it necessary to pass a new ordinance for inclusion in the Porter County Municipal Code; and

WHEREAS, I.C. 36-1-3-2 grants the Board of County Commissioners all the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, I.C. 36-1-3-6 states that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the Board of County Commissioners may adopt an ordinance prescribing a specific manner for exercising a power; and

WHEREAS, the Porter County Board of Commissioners has deemed it necessary to establish a fund entitled "Storm Water System User Fund Ordinance" for the deposit of said fees or fines as a result of the zoning enforcement and fee schedule adopted by the Porter County Board of Commissioners;

NOW THEREFORE BE IT AND IT IS HEREBY

ORDAINED THAT:

1. Title 3, Revenue and Finance in the Porter County Municipal Code is hereby amended through the addition of Chapter 3.77 entitled Ordinance Establishing a Fund for Deposit of Funds for the Storm Water System User Fee.

2. That Section 3.77.010 is added to the Porter County Municipal Code to read as follows:

3.77.010 Fund Established

The Board of Commissioners has determined that a need exists for the creation of a fund for deposit of fees or fines generated by Storm Water System User, said fees and fines shall be deposited in said fund.

3. That Section 3.77.020 Use of Revenue is added to the Porter County Municipal Code to read as follows:

3.77.020 Use of Revenue

The funds received and deposited in the Storm Water System User Fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Storm Water System User Fund shall be expended exclusively for the expenses related to the Storm Water Budget as approved. Said budget will pay the expenses which include but not limited to employee salaries, benefits, equipment, contractual and consultants. All necessary items for the day to day operations of the Storm Water Division of the Department of Development and Storm Water Management.

The fees and fines received and deposited in said fund can be utilized at the discretion of the Porter County Board of Commissioners for any purpose reasonably related to storm water.

The funds deposited in the Storm Water System User Fund are subject to appropriation by the Porter County Council.

4. That Section 3.77.030 Termination of Fund, Transfer of Funds is added to the Porter County Municipal Code to read as follows:

3.77.30 Termination of Funds, Transfer of Funds

The Storm Water User System Fund is a non-reverting fund and shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County Board of Commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance existing, if not otherwise provided for by ordinance shall revert to the Porter County General Fund.

This ordinance passed and adopted this 15 day of March, 2016.

BOARD OF COMMISSIONERS

PORTER COUNTY, INDIANA

Laura Blaney

Jeff Good

Attest: Vicki Urbanik, Auditor

3/18, 3/25/16 - hspaxlp