

ORDINANCE NO. 16-21

PORTER COUNTY

BOARD OF COMMISSIONERS

AN ORDINANCE CREATING A

NON-REVERTING FUND #4103

FOR RECEIPT OF CHARITABLE DONATIONS

FOR THE PORTER COUNTY

MEMORIAL OPERA HOUSE

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 have 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 have deemed it necessary for the effective operation of government as to local affairs to establish a special fund for the deposit of charitable donations received by the Porter County Memorial Opera House, entitled "Memorial Opera House Charitable Donation Fund"; 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 3.53 entitled Ordinance Establishing Memorial Opera House Charitable Donation Fund.

2. That Section 3.53.010 is added to the Porter County Municipal Code to read as follows:

3.53.010 Fund Established

The Board of Commissioners have determined that a need exists for the creation of a fund for deposit of charitable donations for the Porter County Memorial Opera House.

3. That Section 3.53.020 Use of Revenue is added to the Porter County Municipal Code to read as follows:

3.53.020 Use of Revenue

The funds received and deposited in the Memorial Opera House Charitable Donation Fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Memorial Opera House Charitable Donation Fund shall be expended exclusively for the expenses related to the Porter County Memorial Opera House as approved.

The funds deposited in the Memorial Opera House Charitable Donation Fund are subject to appropriation by the Porter County Council.

4. That Section 3.53.030 Termination of Fund, Transfer of Funds is added to the Porter County Municipal Code to read as follows:

3.53.030 Termination of Funds, Transfer of Funds

The Memorial Opera House Charitable Donation 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 20 day of September, 2016.

BOARD OF COMMISSIONERS

PORTER COUNTY, INDIANA

John A. Evans

Laura Blaney

Jeff Good

Attest: Vicki Urbanik, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document unless required by law.

Scott R. McClure, County Attorney

9/26, 10/3/16 - hspaxlp