

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF NEW CASTLE, INDIANA,
ESTABLISHING THE CITY OF NEW CASTLE
ECONOMIC DEVELOPMENT COMMISSION

WHEREAS, the Common Council of the City of New Castle, Indiana (the "Common Council") desires to provide for the completion of "economic development facilities," as such term is defined in Indiana Code 36-7-11.9-3, in the City of New Castle, Indiana (the "City"); and

WHEREAS, Indiana Code 36-7-12-5 provides that a city may establish a department of economic development controlled by a commission of three (3) members which may undertake the financing of such economic development facilities; and

WHEREAS, the Common Council desires to establish a department of economic development and an economic development commission;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, INDIANA, AS FOLLOWS:

1. The Department of Economic Development of the City of New Castle, Indiana (the "Department"), controlled by a commission of three (3) members to be known as the "City of New Castle Economic Development Commission" (the "Commission"), is hereby created and established.

2. The three (3) members of the Commission shall be appointed by the Mayor of the City (the "Mayor"), with one (1) member selected by the Mayor, one (1) member nominated by the Henry County Council (the "County Council"), and one (1) member nominated by the Common Council.

3. The Clerk-Treasurer of the City is directed to promptly transmit a copy of this Ordinance to the Mayor and the County Council for the purpose of notifying each to take the actions referred to in Section 2 hereof and as required by Indiana Code 36-7-12-9.

4. **REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. **SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

6. This Ordinance shall be in full force and effect from and after its adoption by the Common Council and compliance with the procedures required by law.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 7th DAY OF April, 2003.

Sherman Boles
Sherman Boles, Presiding
Officer, Common Council, City
of New Castle, Indiana

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| <u>Man, Upa</u> | _____ |
| <u>Bobby Goff</u> | _____ |
| <u>Raymond</u> | _____ |
| _____ | _____ |
| <u>Louise Pierce</u> | _____ |
| <u>Tom T. Frip</u> | _____ |
| <u>Richard Hahn</u> | _____ |

ATTEST:

Janice Lavarney
Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS 7th DAY OF April, 2003.

Sherman Boles
Sherman Boles, Mayor of the City
Of New Castle, Indiana