

ORDINANCE NO. 3723

**AN ORDINANCE AMENDING TITLE V, CHAPTER 53 OF THE NEW CASTLE
CITY CODE COMMONLY REFERRED TO AS "STORMWATER REGULATION"**

**Said code provision was adopted by the passage of
Ordinance No. 3456 on December 19, 2005.**

WHEREAS, the term "residential property" is defined in Section 53.02 of Title V, Chapter 53 of the New Castle City Code; and,

WHEREAS, said definition is as follows:

"Residential Property" Any lot or parcel existing in the City on which a single building or mobile home is situated containing up to and including four dwelling units.

and,

WHEREAS, it has been determined that said definition should include any lot or parcel existing in the City on which a single garage is located provided said garage receives no City water or sewer service and is used solely for residential purposes. This shall include the storage of items by a person for his or her own use. In such cases, said garage may not be used for any commercial purpose.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL of the City of New Castle, that the definition of "residential property" appearing in Section 53.02 of Title V, Section 53 of the New Castle City Code shall be amended and be as follows:

"Residential Property" Any lot or parcel existing in the City on which a single building or mobile home is situated containing up to and including four dwelling units and including any lot or parcel existing in the City on which a single garage is located provided said garage receives no City water or sewer service and is used solely for residential purposes. This shall include the storage of items by a person for his or her own use. In such cases, said garage may not be used for any commercial purpose.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____
DAY OF _____, 2015.

Greg York, Presiding
Officer, Common Council, City
of New Castle, Indiana

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ATTEST:

Clerk-Treasurer

APPROVED BY ME THIS _____ DAY OF _____, 2015.

Greg York, Mayor of the City
Of New Castle, Indiana