

ORDINANCE NO. 3701

**AN ORDINANCE ELECTING TO BE GOVERNED BY THE PROVISIONS OF
I.C. 27-2-15-1, ET SEQ.**

WHEREAS, Chapter 15 of Title 27 of the Indiana Code provides that the Indiana Department of Insurance shall maintain a list of all municipalities that elect to be notified in the event a home within their corporate limits is destroyed by fire and such home is insured by a fire or marine insurance company; and,

WHEREAS, said fire or marine insurance company is required to withhold a percentage of the proceeds it might pay to an insured in order to make certain funds are available to return the property on which said destroyed home is located to a safe condition; and,

WHEREAS, I.C. 27-2-15-4.4(a)(1) provides that a municipality may elect to be governed by this chapter by submitting to the Department of Insurance a written request indicating that the Common Council has approved its election and further identifying the individual who will act on behalf of the enforcement authority.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL of the City of New Castle, Indiana that it hereby approves by the adoption of this ordinance the participation in and election of the City of New Castle to be governed by I.C. 27-2-15-1 et seq.

IT IS FURTHER ORDAINED BY THE COMMON COUNCIL that the Building Commissioner of the City of New Castle shall be the individual who will act on behalf of the enforcement authority with respect to this chapter.

IT IS FURTHER ORDAINED that the City of New Castle shall provide a certified copy of this ordinance to the Indiana Department of Insurance so that its name may be included on the list of communities that are governed by this Section. Further the Mayor and the Clerk-Treasurer of the City of New Castle as well as its Building Inspector are hereby authorized and directed to take all actions necessary including the payment of a onetime \$100.00 registration fee to said Department of Insurance so that the City might participate and be governed by this Indiana Code Section.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 _____, 2014.

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

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ATTEST:

Clerk-Treasurer

APPROVED BY ME THIS _____ DAY OF _____, 2014.

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