

**ORDINANCE NO. 3711**

**AN ORDINANCE AMENDING ORDINANCE NO. 3570**

WHEREAS, this council adopted Ordinance No. 3570 or about May 18, 2009; and,

WHEREAS, said ordinance in part provided that twenty percent (20%) of the funds reimbursed to the City for mowing costs by third parties who failed to properly keep their real estate in accordance with the City ordinances regarding vegetation height would be placed in the City's Park Non-Reverting Fund; and,

WHEREAS, the State Board of Accounts has advised the City that all mowing reimbursement funds must go into the General Fund; and,

WHEREAS, the Clerk-Treasurer of the City has reimbursed the General Fund for any amount previously deposited in said Park Non-Reverting Fund as a result of mowing reimbursement; and,

WHEREAS, that portion of Ordinance No. 3570 requiring the twenty percent (20%) deposit should be repealed.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL of the City of New Castle, Indiana that Ordinance No. 3570 is amended, in part. Said amendment consists of repealing that portion of rhetorical paragraph number 2 of said ordinance which provides for a twenty percent (20%) deposit in the Park Non-Reverting Funds of all reimbursed funds received by the City from third parties to reimburse the City for the costs of mowing private property in accordance with City ordinances. All other provisions of Ordinance No. 3570 shall remain in full force and effect.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

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

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ATTEST:

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Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

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