

ORDINANCE 3859

AN ORDINANCE CREATING A NON-REVERTING DEMOLITION WATER UTILITY FUND

WHEREAS, the City of New Castle has enacted Ordinance 3858 ("Ordinance") establishing regulations on the demolition of structures, which requires, among other things, persons demolishing a Class II Structure (as that term is defined in I.C. §22-12-1-5) connected to the City's water utility to pay a fee of one thousand dollars (\$1,000) to the office of the City Building Inspector at the time person obtains a permit to demolish the structure; and,

WHEREAS, the Ordinance further provides that the fee collected will be utilized by the City to offset the City's costs incurred in capping the water line servicing the property and in repairing any damage to the right-of-way in performing the work; and,

WHEREAS, a new fund should be created for the purpose of holding and dispersing revenues collected as a result of the enactment of the Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle, Indiana as follows:

1. A new fund entitled "Non-Reverting Demolition Water Utility Fund" ("Fund") is hereby created.

2. Any fee received pursuant to the Ordinance, which is paid to the City Building Inspector at the time a permit to demolish a structure is obtained, shall be credited to the Fund. Revenues received by the Fund shall be classified by the property for which a demolition permit is issued by the Building Inspector.

3. Upon completion of the work required by Paragraph 2 of the Ordinance, the revenue allocated to the property for which the permit was issued shall be transferred to the City Water Utility General Operating Fund to offset the costs incurred by City personnel in performing the work.

4. The revenue allocated to the property for which a permit was issued shall be refunded to an applicant, if the applicant has rebuilt a structure on the property that is connected to the City's water utility within the timeframe required by Paragraph 3 of the Ordinance.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 of law 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 as required by law and shall be enforced upon the posting of appropriate signage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2021.

Greg York, Presiding Officer,
Common Council, City

of New Castle, Indiana

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NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2021.

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