

ORDINANCE NO. 3568

AN ORDINANCE TO ESTABLISH A NEW CASTLE  
RAINY DAY FUND PURSUANT TO INDIANA CODE 36-1-8.5-1

WHEREAS, Indiana Code 36-1-8.5-1 permits an Indiana city to establish a rainy day fund to receive transfers of unused and unencumbered funds under Indiana Code 36-1-8.5; and

WHEREAS, pursuant to said statute, in any fiscal year an Indiana city may transfer up to and including ten percent (10%) of its total budget for that fiscal year to its rainy day fund; and

WHEREAS, pursuant to said statute, the Indiana Department of Local Government Finance may not reduce the actual or maximum permissible levy of an Indiana city as a result of balance in the rainy day fund.

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

1. There is hereby established a New Castle Rainy Day Fund to receive transfers of unused and unencumbered funds under Indiana Code 36-1-8.5.
2. Not more than ten percent (10%) of any fiscal year's total budget shall be transferred into the New Castle Rainy Day Fund.
3. It is the intent of the New Castle Common Council in creating the New Castle Rainy Day Fund that such fund is used only to help defray the cost of legal and legitimate governmental services for the citizens of New Castle, Indiana.
4. The New Castle Rainy Day Fund shall be subject to the same appropriation process as other funds that receive tax money. In addition, the New Castle Common Council shall make a finding that the proposed use of the New Castle Rainy Day Fund is consistent with the intent of the fund before making an appropriation therefrom.

**REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 as provided for by law.