

ORDINANCE NO. 3743

**AN ORDINANCE ESTABLISHING RENTAL FEES FOR THE NEW CASTLE ARMORY AND
ESTABLISHING A CUMULATIVE NON-REVERTING FUND FOR ITS MAINTENANCE**

WHEREAS, the City of New Castle has acquired from the State of Indiana, the National Guard Armory (hereinafter referred to as "Armory"), and,

WHEREAS, there are groups that have expressed interest in renting the Armory, and,

WHEREAS, funds are needed to maintain and improve the Armory, and,

WHEREAS, money collected due to the rental of the Armory should be deposited into a non-reverting cumulative fund for the purpose of improving and maintaining the Armory.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle that the following fee schedule is set as the initial rental fee for use of the Armory:

- (a) \$100.00 monthly rental per office for basement and second floor office space;
- (b) \$200.00 monthly rental per office for main floor office space;
- (c) \$200.00 per day rental for banquet parties (renter does set up and break down);
- (d) \$250.00 per day rental for banquet parties (Armory does set up and break down);
- (e) \$500.00 per day rental for shows and booth events; and,
- (f) Charitable and not-for-profit organizations may rent the facility free of charge provided these organizations do not interfere with existing rentals, provide a damage deposit in an amount to be determined by the Board of Public Works and Safety based upon the nature of the use, and provide the Board of Works with proof of their not-for-profit or charitable status. This would include 501(C)(3) organizations, organizations chartered as not-for-profit corporations in the state of Indiana, or local churches.

IT IS FURTHER ORDAINED by the Common Council that the Board of Public Works and Safety shall adopt additional rules and regulations regarding the use and rental of the facility. This would include the preparation of necessary leases, rules regarding the use of the facility, and other matters that may arise due to its rental.

IT IS FURTHER ORDAINED by the Common Council that one hundred percent (100%) of all rental fees shall be deposited in a cumulative non-reverting fund. That fund shall be entitled "Armory Non-Reverting Fund". All monies deposited in this fund may only be used for the maintenance of the Armory, payment of utilities associated with the Armory, and capital improvements made to the Armory. The Board of Works shall approve all expenditures from this fund in advance in accordance with this 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

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.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____ DAY OF _____, 2016.

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

AYE

NAY

ATTEST:

Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2016.

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