

**ORDINANCE NO. 3853**  
**AN ORDINANCE ESTABLISHING A**  
**NON-CONGREGATE SHELTERING FACILITY**

WHEREAS, the Common Council of the City of New Castle and the Board of Public Works and Safety of the City of New Castle wish to collaboratively establish a non-congregate sheltering facility in New Castle for use during the COVID-19 pandemic as permitted by, and subject to: (a) FEMA Policy 104-009-18; and (b) Indiana Code §10-14-3-1 *et.seq.*; and,

WHEREAS, for purposes of this Ordinance the term “non-congregate sheltering” shall mean a housing resource that allows for quarantining or isolating individuals in separate rooms that include bedding, running water, HVAC, restrooms, and support services such laundry and kitchen facilities, janitorial service and meal preparation and delivery; and,

WHEREAS, the City wishes to establish non-congregate sheltering during the COVID-19 pandemic at the City’s facilities located on the real property known as 432 Broad Street, New Castle, Indiana, for the following populations:

Population 1: First responders, healthcare workers and government employees that have tested positive for COVID-19 or who have been directed to quarantine as a result of close personal contact with individuals who have tested positive for COVID-19; and,

Population 2: Unhoused individuals who have (i) demonstrable symptoms of, or have tested positive for COVID-19; and (ii) have been recommended for quarantine or isolation by a qualified medical professional.

WHEREAS, upon enactment of this Ordinance, the Board of Public Works and Safety shall arrange for the provision of non-congregate sheltering to Populations 1 and 2 described above in accordance with the terms of this Ordinance.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL of the City of New Castle, Indiana as follows:

1. The Board of Works and Safety shall make available the building located on the property commonly known as 432 Broad Street, New Castle, Indiana (“Facility”), for the purpose of non-congregate sheltering for Populations 1 and 2 described above. The Board of Works shall establish rules for the placement of individuals in non-congregate sheltering and shall establish further rules for the use and occupancy of the Facility.

2. The Board of Words shall work to provide non-congregate sheltering in a cost effective manner and shall utilize every effort to seek reimbursement for costs expended in providing non-congregate sheltering and associated services from available federal, state, and local programs and funding sources.

3. A new fund entitled the “Non-congregate Sheltering Support Fund” is hereby established. All revenues received as a result of providing non-congregate shelter at the Facility shall be credited to the Fund, including without limitation, revenues received as reimbursements for providing non-congregate sheltering at the Facility. Revenues credited to the Fund shall be utilized for the provision of non-congregate sheltering and the operation, maintenance, and improvement of the Facility.

**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 provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2020.

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

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ATTEST:

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Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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