

ORDINANCE #3861

**AN ORDINANCE ESTABLISHING THE AMERICAN RESCUE PLAN ACT FUND AND
DELINEATING THE USES FOR REVENUE RECEIVED PURSUANT TO THE
AMERICAN RESCUE PLAN ACT OF 2021**

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”) was enacted on March 11, 2021; and

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the federal government to local government units to mitigate the negative fiscal impacts stemming from the COVID-19 public health emergency;

WHEREAS, the revenue received by local government units may only be utilized for specified purposes; and,

WHEREAS, it is anticipated that the City of New Castle will receive revenues from the federal government as a result of ARP's enactment; and,

WHEREAS, the City of New Castle wishes to create a separate non-reverting fund to hold the revenues and to delineate the uses for the revenues.

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

1. A non-reverting fund entitled American Rescue Plan Act Fund (“Fund”) is hereby created. All revenues received by the City of New Castle as a result of the enactment of ARP shall be allocated to the Fund.

2. Revenues in the Fund may be utilized as permitted by Section 603(c)(1) of ARP, including specifically:

(a) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(b) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible employees performing essential work, or by providing grants to eligible employers that have eligible employees who perform essential work;

(c) for the provision of government services to the extent of the reduction of revenue relative to revenues collected during 2019 due to the COVID-19 public health emergency; and

(d) to make necessary investments in water and sewer infrastructure.

3. A written plan for expenditure of revenue allocated to the Fund will be developed by the Common Council. The plan may be amended, from time to time, upon majority vote of the Common Council.

4. All revenues in the Fund must be appropriated by the Common Council before expenditure. All disbursements of revenues from the Fund must be approved and paid in accordance with the City of New Castle's normal procedure for the approval and payment of claims.

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 deemed unenforceable, shall be 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 _____, 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