

ORDINANCE AMENDING ORDINANCE NO. 3449

WHEREAS, this Council by adoption of Ordinance No. 3449 creating a non-reverting fund for swimming pool renovation and maintenance, and

WHEREAS, the sole source of revenues for said fund as set forth in said ordinance were donations from members of the public, and

WHEREAS, the reasons for said non-reverting fund remain good and valid reasons for the establishment of same, and

WHEREAS, revenues for admission to the Aquatic Center at Baker Park are being paid into the Park Non-Reverting Fund as established in Ordinance No. 3309, and

WHEREAS, it is more appropriate that a portion of the revenues from admissions to the swimming pool be paid into the Pool Renovation and Maintenance Non-Reverting Fund.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE that in addition to donations made to the City of New Castle for the design, renovation and maintenance of the Baker Park Swimming Pool (now known as the Aquatic Center at Baker Park) and the Baker Park Pool Building (now known as the Walter Chambers Pool House) said fund shall also receive twenty percent (20%) of all revenues generated through admissions and sale of concessions at the Aquatic Center and said funds shall be exclusively used for said maintenance of that facility.

All other provisions of Ordinance No. 3449 shall remain in full force and effect.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE
THIS ____ DAY OF _____, 2009.

Jim Small, Presiding
Officer, Common Council, City
of New Castle, Indiana

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ATTEST:

Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2009.

Jim Small, Mayor of the City
Of New Castle, Indiana