

Ordinance Number 2025- 86

An ordinance to Re-Establish the Cumulative Fire Capital Fund for the Town and amending Section 30.35 of the Yorktown Municipal Code regarding said Fund

WHEREAS, the Town passed an Ordinance sometime prior to 1984 establishing the Cumulative Building and Equipment Fund (the "Fund"); and

WHEREAS, the Fund is to be used only for the purchase, construction, renovation or addition to buildings used by the Fire Department and for the purchase of firefighting equipment and police radio equipment or other purposes consistent with Ind. Code 36-8-14; and

WHEREAS, current Town ordinance reflects a maximum rate of \$0.10 per \$100 of assessed value, which is higher than the maximum rate now allowed by State law which is \$0.0333 per \$100 of assessed value; and

WHEREAS, the Town Council of the Town of Yorktown, Indiana is the legislative body and is by law authorized to adopt ordinances and resolutions for the administration of its governmental affairs; and

WHEREAS, the Town finds that a need now exists to re-establish the Fund for the purpose of supporting the fire department's building and equipment needs; and

WHEREAS, the Town caused to be published on JANUARY 24, 2025 and JANUARY 31, 2025 advertising the public hearing and held the public hearing at the Town Council on February 10, 2025, at which hearing public comment was invited and provided to the Town Council on this matter.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Yorktown, Indiana that:

1. The Cumulative Fire Fund is re-established for the Town of Yorktown, Indiana. The tax will be levied on all taxable real and personal property within the taxing district.
2. Section 35.30(A) of the Yorktown Municipal Code shall have the following language added to the final sentence: "or for any other authorized purpose under Ind. Code 36-8-14 et seq as may be amended from time to time."
3. Section 35.30(B)(2) of the Yorktown Municipal Code shall be replaced in its entirety with the following language: "The tax rate may not exceed \$0.0333 on each \$100 of assessed valuation of property in the town."
4. The remainder of Section 35.30 shall remain in effect as written.

5. Subsequent actions.

- a. The Town shall publish Notice to taxpayers within thirty (30) days after adoption of this Ordinance and its related Resolution.
- b. As the tax is collected, it shall be deposited in a qualified public depository or depositories and held in a special fund to be known as the "building or remodeling, firefighting, and police radio equipment fund."
- c. A certified copy of this Ordinance shall be submitted to the Department of Local Government Finance of the State of Indiana; the proposed tax rate is subject to their certification.

6. Effective Date. The new rates shall go into effect in the 2025 payable 2026 taxing year.

IN WITNESS THEREOF, the Town Council of the Town of Yorktown, Indiana has adopted this Ordinance this _____ day of _____, 2025.

Jason Gasaway, President

ATTEST:

Lance Turner, Clerk/Treasurer
Town of Yorktown, Indiana