

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 1512**

**AN ORDINANCE ESTABLISHING A SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND FOR THE TOWN OF ST. JOHN AND THE ST. JOHN SANITARY DISTRICT, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town Council of the Town of St. John, Lake County, Indiana, (hereafter the "Town Council"), is aware of the provisions of State law set forth in HEA 1001, which became effective in 2009, and its provisions related to tax levy funds and distribution; and

**WHEREAS**, the Town Council has been informed and advised that the Town of St. John Sanitary District has been provided a distribution of Excess Welfare Levy tax funds from the State of Indiana as a consequence of the aforementioned and currently applicable State law; and

**WHEREAS**, the Town Council has been further informed and advised that the Indiana Department of Local Government Finance (hereafter the "IDLGF") has issued instructions that units of government in Lake County, Indiana, receiving a distribution of Excess Welfare Levy funds pursuant to HEA 1001, as set forth at Indiana Code 6-3.5-6-1, et. seq., are required to establish a separate fund for deposit of said Excess Welfare Levy funds; and

**WHEREAS**, the Town Council, being duly advised that the Town of St. John Sanitary District has received a distribution of Excess Welfare Levy funds, as well as the advisement of the IDLGF that a separate fund for deposit of such distribution is required, now concurs that it is necessary, advisable, and required under applicable law to establish a specific Town Sanitary District Excess Welfare Levy Distribution fund into which the Excess Welfare Levy funds distributed to the St. John Sanitary District may be deposited, and from which lawful expenditures may be made.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA:**

**SECTION ONE:** That there is hereby established the **TOWN OF ST. JOHN SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND** pursuant to the requirements of HEA 1001, as set forth at Indiana Code 6-3.5-6-1, et seq. The **TOWN OF ST. JOHN SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND** shall be a special revenue fund under the rules, regulations and requirements of all applicable Indiana law, including, but not limited to, HEA 1001, Indiana Code 6-3.5-6-1, et seq., and all other applicable law, as all such law is amended from time to time, as well as the Administrative Rules and Requirements of the Indiana State Board of Accounts and the Indiana Department of Local Government Finance. Further, all actions taken heretofore to establish such fund as set forth hereinabove by the Board of Commissioners of the St. John Sanitary District on November 16, 2009, are hereby ratified and affirmed.

**SECTION TWO:** That all Excess Welfare Levy Distribution Funds received by the Town from the appropriate Government Officers or Agencies are required to be deposited into the **TOWN OF ST. JOHN SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND** established hereby.

**SECTION THREE:** That the **TOWN OF ST. JOHN SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND** shall be utilized only for the valid and express purposes permitted under current applicable law by the Town Sanitary District. Presently, such usage may be for public safety purposes and expenditures only.

**SECTION FOUR:** That the Clerk-Treasurer of the Town is hereby authorized and directed to take all appropriate and required actions to establish the **TOWN OF ST. JOHN SANITARY DISTRICT EXCESS WELFARE LEVY DISTRIBUTION FUND** in conformance and compliance with the rules, regulations and requirements of the Indiana State Board of Accounts, the Indiana Department of Local Government Finance, and all other applicable State law, as such law is amended from time to time.

**SECTION FIVE:** That all Town Code Sections and Ordinances, as amended, or parts thereof, in conflict with the provisions and regulations of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION SIX:** If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

**SECTION SEVEN:** That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED THIS 25<sup>th</sup> DAY OF February, 2010, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

Mark Barenie  
Mark Barenie, President

Michael S. Forbes  
Michael S. Forbes, Vice-President

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Michael S. Fryzel, Member

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Jerri A. Teibel, Member

Gregory J. Volk  
Gregory J. Volk, Member

ATTEST

Sherry P. Spury  
Sherry P. Spury, IAMC, CMC  
Clerk-Treasurer