

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1769

AN ORDINANCE CREATING A PARKS AND RECREATION
SPECIAL REVENUE OPERATING FUND"

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, previously passed and adopted Ordinance No. 1764 on April 18, 2022, regarding parks and recreation in the Town of St. John;

WHEREAS, the adoption of Ordinance No. 1764, in part, reestablished that all parks and recreation program fees be deposited into the parks and recreation general fund, as provided by Ordinance No. 1029 § 2 (1996) and Ordinance No. 890 § 2 (1992), and codified prior to April 18, 2022 in the St. John Code of Ordinances at Chapter 15, Parks and Recreation, § 15-6;

WHEREAS, the St. John Town Council has been advised that the parks and recreation activity fees have not been deposited into the parks and recreation general fund (referring to the portion of the Town's general fund designated for the department of parks and recreation) for at least the past ten years, but instead have been deposited into a fund identified as the parks and recreation operating fund;

WHEREAS, the St. John Town Council has also been advised that historically there is no ordinance establishing the current parks and recreation operating fund; and upon further investigation, it was determined that the prior ordinance establishing a parks and recreation operating fund was repealed in 1996;

WHEREAS, the St. John Town Council deems it to be in the best interest of the citizens of the Town of St. John to repeal and replace the applicable portion of Ordinance No. 1764, Section Two (adopted April 18, 2022), that was to be codified at § 15-23 in the St. John Code of Ordinances, thereby correcting the above-identified issues by establishing a park and recreation special revenue operating fund.

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

I. Ordinance No. 1764, Section Two (adopted April 18, 2022), to be codified at Chapter 15, Parks and Recreation, § 15-23 in the St. John Code of Ordinances is hereby repealed and replaced with the following:

Sec. 15-23 Special revenue operating fund.

- (a) There is hereby established a special fund to be known as the "Parks and Recreation Special Revenue Operating Fund," which shall be a special revenue fund under the rules, regulations, and requirements of applicable Indiana law, including the Indiana Code, as amended from time to time, and the administrative rules and requirements of the Indiana State Board of Accounts.
- (b) Locally generated fees related to parks and recreation activities, programs, and projects shall be deposited into the operating account, unless an alternative fund is designated by ordinance for deposit of a specified fee, as established currently or subsequent hereto.

(c) Park related revenue from property taxes, state generated taxes, locally generated fees not identified in subsection (b) above, and any monies transferred at the direction of the Town Council, may be deposited into the operating account.

(d) Monies in the operating account shall be appropriated and expended for:

- (1) Parks and recreation activities, programs, and projects; and,
- (2) Parks and recreation expenses, which may include, salaries, supplies, contractual services, capital outlays, debt service, and other expenses related thereto;

as approved and authorized by the Town Council.

II. That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

III. 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.

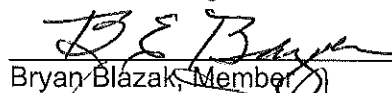
IV. That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 11 DAY OF May 2022, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.


TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
BY ITS TOWN COUNCIL:


Gerald Swets, President



Michael Schilling, Vice President


Bryan Blazak, Member


Wayne Pondinas, Member


Mike Aurelio, Member

ATTEST:


Beth R. Hernandez, Clerk-Treasurer