

FLOYD COUNTY ORDINANCE 2002-XIV

AN ORDINANCE CREATING A NON-REVERTING FUND
FOR ANIMAL CONTROL PURPOSES

WHEREAS, by the provisions of IC 36-8-2-6, a unit of local government is expressly empowered to establish, maintain, and operate an animal shelter; and

WHEREAS, pursuant to the provisions of IC 36-1-3, et seq. a unit may establish and collect user fees and service charges which are reasonably related to the cost of exercising a regulatory power; and

WHEREAS, as of the 20th day of May, 1999, Floyd County, Indiana (County), and the civil city of New Albany, Indiana (City), concluded an Interlocal Agreement (Agreement) pursuant to the provisions of IC 36-1-7, et seq., pertaining to the construction, maintenance, and operation of an animal shelter to be located at 215 West Market Street, New Albany, Indiana, and the provision of certain animal control services; and

WHEREAS, by the terms and provisions of said Interlocal Agreement, the operation of the animal shelter and the performance of animal control functions within certain areas of Floyd County, Indiana, were vested in the Floyd County Animal Control Authority (Authority); and

WHEREAS, the proper and efficient operation of the shelter by the Authority necessitates the creation of a non-reverting fund for the deposit of fees and charges collected by the Authority; and

WHEREAS, the State Board of Accounts has confirmed in Volume No. 283 of The County Bulletin, January, 1991, that the legislative body of a unit, acting pursuant to the provisions of IC 36-1-3, et seq., is empowered to create, by ordinance, such funds deemed necessary for the effective operation of government as to local affairs; and

WHEREAS, the Board of Commissioners of the County of Floyd is desirous of creating a non-reverting fund to be know as the Animal Control Authority Shelter Fund.

NOW THEREFORE:

BE IT ORDAINED that a non-reverting fund, to be know as the Animal Control Authority Shelter Fund be, and the same hereby is created, with said fund to subject to the following terms and provisions:

- (1) REVENUE: The Controller of the City of New Albany shall deposit in this fund those monies collected and received by the Floyd County Animal Control Authority from fees and charges ordained by the City and County pursuant to the Agreement.
- (2) PURPOSE: The purpose of the fund is to enable Authority to reduce its reliance upon tax revenues by and through the expenditure of user fees and charges for operating expenses of the animal shelter and/or other animal control functions.
- (3) FUND LIFE: The Animal Control Authority Shelter Fund balance shall be non-reverting at year end and shall continue from year to year until terminated by ordinance duly adopted by the City and County.

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect only after the adoption by the Common Council of the City of New Albany and approval by the Mayor of said city of an ordinance similar in terms and language of this enactment and establishing the Animal Control Authority Shelter Fund.

SO ORDAINED, this 17th day of September, 2002.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD

John C. Reese
MEMBER

Mike Mills
MEMBER

Charles A. Kruberg
MEMBER

ATTEST:

Barbara Sillings
FLOYD COUNTY AUDITOR