

PORTER COUNTY BOARD OF
COMMISSIONERS AN ORDINANCE

CREATING A NON-REVERTING FUND 4920
FOR RECEIPT OF FEES FOR DISCOVERY
PRODUCTION FOR THE PORTER COUNTY
PROSECUTORS OFFICE

WHEREAS, the Porter County Board of Commissioners adopted the Porter County Municipal Code on Tuesday, December 2, 1997 pursuant to Ordinance No. 97-38; and

WHEREAS, the Porter County Board of Commissioners has deemed it necessary to pass a new ordinance for inclusion in the Porter County Municipal Code; and

WHEREAS, I.C. 36-1-3-2 grants the Board of County Commissioners all the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, I.C. 36-1-3-6 states that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the Board of County Commissioners may adopt an ordinance prescribing a specific manner for exercising a power; and

WHEREAS, the Porter County Board of Commissioners has deemed it necessary for the effective operation of government as to local affairs to establish a special fund for the deposit of fees received by the Porter County Prosecutors Office for production of discovery to be used for replacement of discovery supplies, entitled "Prosecutor Discovery Fee Fund";

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED THAT:

1. Title 3, Revenue and Finance in the Porter County Municipal Code is hereby amended through the addition of Chapter 3.031 entitled Ordinance Establishing Prosecutor Discovery Fee Fund.

2. That Section 3.031.010 is added to the Porter County Municipal Code to read as follows:

3.031.010 Fund Established

The Board of Commissioners has determined that a need exists for the creation of a fund for deposit of fees for the production of discovery.

3. That Section 3.031.020 Use of Revenue is added to the Porter County Municipal Code to read as follows:

3.031.020 Use of Revenue

The funds received and deposited in the Prosecutor Discovery Fee Fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Prosecutor Discovery Fee Fund shall be expended exclusively for the expenses related to the production of discovery, as approved.

The funds deposited in the Prosecutor Discovery Fee Fund are subject to appropriation by the Porter County Council.

4. That Section 3.31.030 Termination of Fund, Transfer of Funds is added to the Porter County Municipal Code to read as follows:

3.031.030 Termination of Funds, Transfer of Funds

The Prosecutor Discovery Fee Fund is a non-reverting fund and shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County Board of Commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance existing, if not otherwise provided for by ordinance shall revert to the Porter County General Fund.

This ordinance passed and adopted this 18 day of July, 2017.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeff Good
Laura Blaney
Jim Biggs

Attest: Vicki Urbanik, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document unless required by law.

Scott R. McClure, County Attorney
7/28, 8/4/17 - hspaxlp