

PORTER COUNTY BOARD
OF COMMISSIONERS

AN ORDINANCE CREATING A
NON-REVERTING FUND 4921 FOR
RECEIPT OF EARNINGS OF THE PORTER
COUNTY GOVERNMENT NONPROFIT
CHARITABLE FOUNDATION INC.

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 earnings of The Porter County Government Charitable Nonprofit Foundation, Inc, entitled "Foundation Holding 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 3.091 entitled Ordinance Establishing Foundation Holdings Fund

2. That Section 3.091.010 is added to the Porter County Municipal Code to read as follows:

3.091.010 Fund Established

The Board of Commissioners has determined that a need exists for the creation of a fund for deposit of earnings from the Porter County Government Charitable Nonprofit Foundation, Inc.

3. That Section 3.091.020 Use of Revenue is added to the Porter County Municipal Code to read as follows:

3.091.020 Use of Revenue

Funds received and deposited in the Foundation Earnings Fund may only be used for the specific purposes set forth in this chapter and in accordance with Indiana law. Specifically, the Foundation Holding Fund may be designated to any purpose for which public funds may be expended and upon the approval and agreement of the Porter County Government Charitable Nonprofit Foundation, Inc., and then appropriation by the Porter County Council.

The funds deposited in the are subject to appropriation by the Porter County Council.

4. That Section 3.091.030 Termination of Fund, Transfer of Funds is added to the Porter County Municipal Code to read as follows:

3.091.030 Termination of Funds, Transfer of Funds

The Foundation Holding 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 3 day of October, 2017.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeff Good, President

Laura Blaney, Vice President

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
10/13, 10/20/17 - hspaxlp