

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
ORDINANCE NO. 1684

AN ORDINANCE ESTABLISHING A "203 FUND - MOTOR VEHICLE HIGHWAY RESTRICTED FUND", AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter referred to as "Town Council"), has received a request from the Office of the Clerk-Treasurer for the Town of St. John to establish a fund entitled "203 Fund – Motor Vehicle Highway Restricted Fund" (hereinafter referred to as the "203 Fund"); and

WHEREAS, the Town Council has been informed and advised that circumstances exist which require and necessitate the Town of St. John to establish this "203 Fund" to account for motor vehicle highway monies which have been statutorily restricted for construction, reconstruction, and preservation purposes, as more fully described in Section One of this Ordinance; and

WHEREAS, the Town Council has been informed and advised that the State of Indiana requires the establishment of a "203 Fund" for the above-mentioned purposes; and

WHEREAS, the Town Council has been further informed and advised that provisions of I.C. §§ 8-14-1-5; 8-17-4.1 *et seq.*; State Board of Accounts State Examiner Directive 2018-2 and the State Board of Account Directive 2018-2 Memorandum - Frequently Asked Questions, as amended from time to time, authorize the Town Council establish this "203 Fund" to account for motor vehicle highway monies which have been statutorily restricted for construction, reconstruction, and preservation purposes, as more fully described in Section One of this Ordinance and as consistent with the terms and provisions of I.C. §§ 8-14-1-5; 8-17-4.1 *et seq.*; State Board of Accounts State Examiner Directive 2018-2 and the State Board of Account Directive 2018-2 Memorandum - Frequently Asked Questions, as amended from time to time; and

WHEREAS, the Town Council being duly advised and having considered the request from the Office of the Clerk-Treasurer now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of St. John for the Town to establish the "203 Fund" to account for motor vehicle highway monies which have been statutorily restricted for construction, reconstruction, and preservation purposes, as more fully described in Section One of this Ordinance.

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

SECTION ONE: That all funds allocated to the Town from the motor vehicle highway account under this "203 Fund" shall be used by the Town for the construction, reconstruction, repair, maintenance, oiling, sprinkling, snow removal, weed and tree cutting and cleaning of their highways as herein defined, and including also any curbs, and the Town's share of the cost of the separation of the grades of crossing of public highways and railroads, the purchase or lease of highway construction and maintenance equipment, the purchase, erection, operation and maintenance of traffic signs and signals, and safety zones and devices; and the painting of structures, objects, surfaces in highways for purposes of safety and traffic regulation and all of such funds shall be budgeted as provided by law.

SECTION TWO: That in addition to purposes for which funds may be expended under Section One and Section Three of this Ordinance, no more than ten percent (10%) motor vehicle highway monies allocated to the Town under I.C. § 8-14-1-5 in this "203 Fund" may be expended for law enforcement purposes.

SECTION THREE: That in addition to purposes for which funds may be expended under Section One and Section Two of this Ordinance, monies allocated to the Town under I.C. § 8-14-1-5 in this "203 Fund" may be expended for the payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects.

SECTION FOUR: That the establishment of this "203 Fund" allows for clear accountability that at least fifty percent (50%) of distributions from the State of Indiana, which are allocated in said Fund shall be restricted for the uses as described in Section One of this Ordinance.

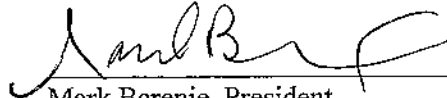
SECTION FIVE: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION SIX: That all existing 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.

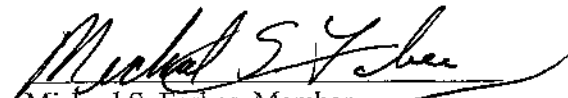
SECTION SEVEN: That this Ordinance shall take effect, and be in full force and effect, retroactively from the 1st Day of January 2019, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

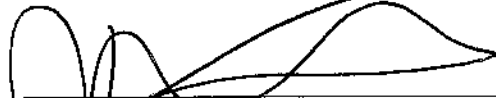
ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS ____ DAY OF MAY, 2019.


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


Mark Barenie, President

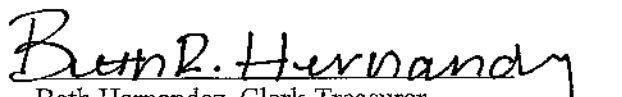

Gerald Swets, Vice-President


Michael S. Forbes, Member


Rose Hejl, Member


Libby Popovic, Member

ATTEST:


Beth Hernandez, Clerk-Treasurer

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