

ORIGINAL

RESOLUTION NO. 2013- 028

A RESOLUTION CREATING A FUND FOR THE DEPOSIT OF FUNDS DERIVED AND COLLECTED FROM FINES ASSESSED BY THE MUNCIE DELAWARE COUNTY DEPARTMENT OF STORMWATER MANAGEMENT

WHEREAS, the County operates its stormwater system (Muncie Delaware County Department of Stormwater Management) under the provisions of I.C. 8-1.5-5-1, and the County's "Construction Site & Post Construction Site Stormwater Control Ordinance" (Ordinance No. 2010-013A) was adopted on or about April 5, 2010; and

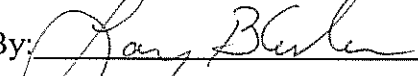
WHEREAS, the Construction Site & Post Construction Site Stormwater Control Ordinance provides for enforcement mechanisms, including but not limited to fines and penalties for noncompliance, and the Department of Stormwater Management desires to use such collected fines and penalties for legal purposes, including but not limited to costs associated with enforcement mechanisms and legal fees; and

WHEREAS, the creation of an fund for deposit of the collection of such fines and penalties is necessary, with payment of the fines and penalties made through the Auditor's Office; and

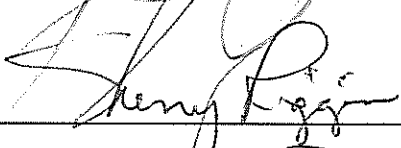
WHEREAS, the County desires to create a separate fund to deposit those funds acquired pursuant to the Construction Site & Post Construction Site Stormwater Control Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Delaware County Board of Commissioners that there is hereby created the Stormwater Fines and Penalties Fund. This fund shall receive deposits of funds derived from the assessment and collection of fines and penalties administered by the Delaware County Department of Stormwater Management. This fund is exempt from needing council appropriation.

Adopted this 4 day of November, 2013.

By: 

By: 

By: 

Attest: 