

ORDINANCE NO. 03-02-24

RE-ESTABLISH CUMULATIVE FUND TAX RATE

114 FIRE CUMULATIVE CAPITAL FUND

WHEREAS, under State law the City may establish certain cumulative funds for funding capital improvements as specified by procedures provided in IC 6-1.1-41.

WHEREAS, the procedures set forth in IC 6-1.1-41 must be followed for the City to either establish a new cumulative fund or re-establish the tax rate for an existing cumulative fund.

WHEREAS, the procedures set forth in IC 6-1.1-41 must be completed before May 1 for the City's action to be approved by the State's Department of Local Government Finance for execution in the following calendar year.

WHEREAS, the maximum allowable property tax rate for a municipal Fire Cumulative Capital is \$0.0333 per \$100 assessed value established by State law under IC 36-8-14.

WHEREAS, under State law the property tax rates for the City's cumulative funds are automatically reduced, below the level originally established by the Common Council, each year a general reassessment increases the assessed value of real property within the City's legal boundaries due to general increase in the market value of real estate.

WHEREAS, automatic property tax rate reductions erode the purchasing power of the City's cumulative funds as price inflation increases the assessed value of real property.

WHEREAS, the Fire Cumulative Capital Fund is subject to the City's maximum levy limitation, therefore automatic property tax rate reductions for the Fire Cumulative Capital fund do not erode the City's share of Hamilton County local income tax revenue if the City raises other tax rates controlled by the maximum levy limitation correspondingly.

WHEREAS, general price inflation increases the City's cost of providing services to the citizens of Noblesville.



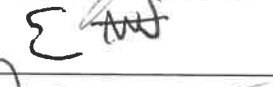





WHEREAS, the Common Council wishes to maintain the purchasing power of this cumulative fund by setting its maximum property tax rate at the statutory limit and such action does not preclude the Common Council from setting the actual property tax rate for this cumulative fund below this maximum in the annual budget ordinance.

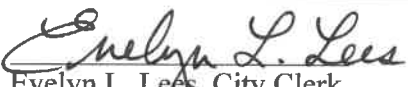
NOW, THEREFORE BE IT ORDAINED, by the Common Council of the City of Noblesville, Indiana, that Chapter 38, Section 31 of the city code be amended as follows:

§38.31 FIRE CUMULATIVE CAPITAL FUND.

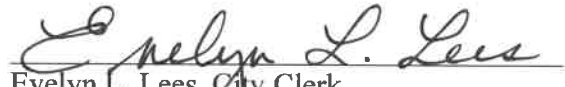
- A) There is hereby established a Fire Cumulative Capital Fund.
- B) An ad valorem property tax levy will be imposed and the revenue generated from the levy will be retained in the Fire Cumulative Capital Fund.
- C) The tax rate may not exceed the maximum allowable rate established by State law under IC 36-8-14-4(a). The tax rate is established at \$0.0333 per \$100 assessed value for assessments in 2022 and thereafter.
- D) The revenue accumulated in the Fire Cumulative Capital Fund may be used for all permissible uses as established by the following State statute:
IC 36-8-14 Cumulative Fire Fund
- E) Notwithstanding division (D), funds accumulated in the Fire Cumulative Capital Fund may be spent for purposes other than the purposes stated in division (D), if the purpose is to protect the public health, welfare and safety in an emergency situation which demands immediate action. Money may be spent under the authority of this Section only after the Mayor issues a declaration that the public health, welfare and safety is in immediate danger that requires the expenditure of money in the fund.
- F) This fund and tax rate take effect upon the annual approval of the Department of Local Government Finance.

Approved on this 12th day of March, 2024 by the Common Council of the City of Noblesville, Indiana:

| AYE | | NAY | ABSTAIN |
|--|------------------|-----|---------|
|  | Mark Boice | | |
|  | Michael J. Davis | | |
|  | Evan Elliott | | |
|  | David M. Johnson | | |
|  | Darren Peterson | | |
|  | Pete Schwartz | | |
|  | Aaron Smith | | |
|  | Todd Thurston | | |
| | Megan G. Wiles | | |

ATTEST: 
Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this 13th day of March, 2024 at 8:03 A.M.


Evelyn L. Lees, City Clerk


Chris Jensen, Mayor

MAYOR'S APPROVAL

3-14-2024
Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: 
Evelyn L. Lees, City Clerk

