

JUN 24 2025

GENERAL ORDINANCE NO. 5, 2025

CITY CLERK

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA, ESTABLISHING THE AFFORDABLE HOUSING FUND PURSUANT TO I.C. 5-20-5-15.5

WHEREAS, Indiana Code § 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

WHEREAS, Indiana Code § 36-4-6-18 authorizes the Common Council of the City of Terre Haute, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, Pursuant to the provisions of Indiana Code § 5-20-5-15.5 *et seq.*, and Indiana Code § 36-1-8-14.3(h), the City of Terre Haute is required to establish an Affordable Housing Fund in which payments in lieu of taxes ("PILOT") and other sources of funds identified under Indiana Code § 5-20-5-15.5 shall be deposited; and

WHEREAS, the Common Council desires to establish the Affordable Housing Fund pursuant to Indiana Code § 5-20-5-15.5, and PILOT payments and other sources of funds identified under Indiana Code § 5-20-5-15.5 shall be deposited in said Affordable Housing Fund.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Terre Haute, Indiana, that Chapter 2, Article 9 of the Terre Haute City Code is hereby amended by inserting the following language:

Sec. 2-133 Affordable Housing Fund.

- a. The Affordable Housing Fund number **0293** is hereby established pursuant to I.C. 5-20-5-15.5
- b. PILOT payments received by the City and other sources of funds identified under Indiana Code § 5-20-5-15.5 shall be deposited in the City's Affordable Housing Fund.
- c. The Affordable Housing Fund shall be a continuing, non-reverting, fund that is maintained by the Terre Haute City Controller. The funds deposited in the Affordable Housing Fund shall be maintained and used in accordance with the provisions under I.C. 5-20-5-15.5.

SECTION 2. The illegality or invalidity, for any reason, of any of the sections of this ordinance, or parts thereof, shall invalidate only such section or sections as are so determined to be illegal or invalid, any such invalidity shall have no effect on the remaining sections of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and upon publication as required by law.

Introduced by: _____ Kandace G. Hinton, Councilperson

Passed in open Council this _____ day of _____, 2025.

_____ Todd Nation, President

ATTEST: _____ Michelle L. Edwards, City Clerk

Presented by me to the Mayor this _____ day of _____, 2025

at _____ o'clock.

_____ Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2025.

_____ Brandon C. Sakbun, Mayor

ATTEST: _____ Michelle L. Edwards, City Clerk