

FILED

DEC 09 2010

CITY CLERK

**GENERAL ORDINANCE NO. 20, 2010**

AN ORDINANCE TO AMEND CHAPTER 2 OF THE *TERRE HAUTE CITY CODE*, TO CREATE A NON-REVERTING FUND FOR THE RECEIPT OF MONIES FOR THE MAINTENANCE OF TRANSFERRED ROADWAYS.

WHEREAS, from time to time, the Indiana Department of Transportation (INDOT), determines that certain streets or roadways within its jurisdiction are no longer the most appropriate route to serve state traffic and that service to local traffic is more appropriate; and,

WHEREAS, in such a circumstance, if an agreement can be reached between the appropriate parties, INDOT may transfer responsibility for the operation, construction, maintenance, regulation, and liability to the City of Terre Haute and City has the authority to accept such transfer; and,

WHEREAS, in exchange for acceptance of the transferred roadway, INDOT may agree to pay City certain sums of money for the operation, construction, maintenance, regulation, and liability associated with such transferred roadway; and,

WHEREAS, it is the City's desire to utilize monies received from such roadway transfers for the costs directly related to the operation, construction, maintenance, regulation, and liability associated with such roadway.

THEREFORE, it is the City's desire to establish a non-reverting fund for the receipt and deposit of such roadway transfer funds.

SECTION 1. IT IS ORDAINED by the Common Council for the City of Terre Haute that Chapter 2 of the *Terre Haute City Code* is hereby amended by the insertion of the following section:

**Sec. 2-114     Roadway Transfer Non-Reverting Fund.**

- a.     A special non-reverting operating account, entitled Roadway Transfer Non-Reverting Fund, is established for receipt and deposit of funds received from the State of Indiana for the acceptance by the City of a transferred roadway.
- b.     Such funds shall be used for the operation, construction, maintenance, regulation, and other expenses incurred specifically related to the transferred roadway. Authorized expenditures from this fund shall include, but not be limited to: reconstruction, repairs, design, paving, painting, signalization, landscaping, and beautification.
- c.     Expenditure of any monies from this fund shall be subject to appropriation by the Common Council of the City of Terre Haute, Indiana.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

WHEREAS, an emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by: \_\_\_\_\_ Todd Nation, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Neil Garrison, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk