

**COMMON COUNCIL OF THE CITY OF HOBART, INDIANA
ORDINANCE NO. 2019-29**

**An Ordinance to Establish the
Traffic Management Capital Improvement Fund of the City**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”), has been advised by the Development staff of the City that, by agreement with real estate developers, site selectors and others seeking to establish large residential commercial or industrial facilities and developments in the City, contributions of money are payable to the City to assist in the cost of land acquisition, design, construction and maintenance of traffic management-related public improvements to serve the proposed new facilities; and

WHEREAS, such contributions may include, but are not limited to the construction and implementation of new or enhanced intersection design, traffic signalization, roundabouts, turning, acceleration and deceleration lanes, signage, lighting, screening and the like; and

WHEREAS, such contributions are detailed in Development Agreements between developers or site selection agents, or industrial prospects, or in the documented land use actions of the Plan Commission, Council, or Board of Zoning Appeals; and

WHEREAS, it is necessary and desirable for such contributions be deposited into a special, non-reverting fund for expenditure by the Board of Public Works and Safety, City Redevelopment Commission, or the Council for expenses related to the construction, design and implementation of traffic management measures necessary to support new economic development and redevelopment activities so that such fees may be accumulated from year to year; and

WHEREAS, the Home Rule Act in I.C. §36-1-3-4 empowers municipalities to exercise all powers granted to them by statute as well as all other powers necessary or desirable in the conduct of their affairs, even though not granted by statute; and

WHEREAS, the Council now desires to create a non-reverting fund to be known as the “Traffic Management Capital Improvement Fund” and to prescribe the sources and uses of said Fund through this Ordinance.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,

Indiana as follows:

SECTION ONE. The Municipal Code of the City of Hobart, Indiana ('Code'), Chapter 32 entitled "FUNDS AND OTHER FINANCES" is hereby amended by adding a new section, to be designated §32.42 and titled "Traffic Management Capital Improvement Fund," as follows:

§32.42 Traffic Management Capital Improvement Fund.

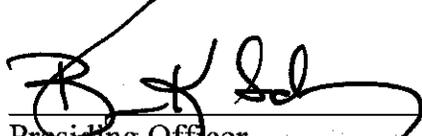
(A) There is created a non-reverting fund of the City, to be known as the Traffic Management Capital Improvement Fund. Money received by the City or any of its instrumentalities as contributions by developers, site selection agents, or organizations establishing new residential, commercial or industrial projects in the City to assist in defraying the cost of design, land acquisition, construction and maintenance of new or enhanced intersection design, traffic signalization, roundabouts, turning, acceleration and deceleration lanes, signage, lighting, screening and other traffic control measures shall be deposited in the fund, together with such other fees or moneys received by the City, as the Council may authorize.

(B) The Clerk-Treasurer is authorized and directed to designate and establish sub-funds within the Traffic Management Capital Improvement Fund for each project or development for which contributions or fees are received by the City, and into which such fees or contributions will be deposited and accounted for, and expended for traffic management measures for that particular project, only. Such expenditures shall be subject to authorization by the Common Council.

SECTION TWO: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

SECTION THREE: This ordinance shall become effective upon its adoption in the manner required by law.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 18th day of September, 2019.



Presiding Officer

ATTEST: 

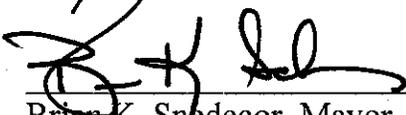
Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 18th day of September, 2019 at the hour of 6:45 p.m.

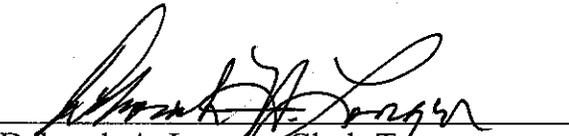


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 18th day of September, 2019.



Brian K. Snedecor, Mayor

ATTEST: 

Deborah A. Longer, Clerk-Treasurer