ORDINANCE NO. 2014-09

AN ORDINANCE OF THE TOWN OF CUMBERLAND AUTHORIZING THE PROVISION OF FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES BY SUGAR CREEK TOWNSHIP IN PORTIONS OF THE TOWN, WITHOUT THE NECESSITY OF A CONTRACT

WHEREAS, the Town of Cumberland does not have a fire department or emergency response service;

AND WHEREAS, the Town of Cumberland desires Sugar Creek Township to provide such services for the portion of the Town which is in Sugar Creek Township;

AND WHEREAS, Sugar Creek Township has the ability, personnel and equipment and is willing to provide fire protection and emergency response services for the territory of the Town of Cumberland which is located in Sugar Creek Township;

AND WHEREAS, pursuant to Indiana Code §36-8-13-3, the Town of Cumberland and Sugar Creek Township have agreed that these services will be provided without the necessity of a contract and that beginning in 2016 the Department of Local Government Finance (DLGF) will adjust the maximum permissible levy of the Town of Cumberland and Sugar Creek Township, consistent with Indiana Code §6-1.1-18.5-3, and each year thereafter until either the Town or Township elect to opt out of this arrangement as provided for by Indiana Code §36-8-13, in order to allow the Township to impose a property tax levy on the taxable property located in the Town which is located in Sugar Creek Township;

AND WHEREAS, upon adoption of this ordinance and adoption of a resolution by the Township Advisory Board which approves this arrangement, the Township will provide such services without a contract until such time as an election by either the Town or Township to opt out of this arrangement becomes effective, as provided by Indiana law;

NOW, THEREFORE, BE IT HEREBY ORDAINED that beginning January 1, 2016, Sugar Creek Township will provide fire protection and emergency response services in the portions of the Town which are located in Sugar Creek Township, Hancock County, Indiana, without the necessity of a contract, as provided for in Indiana Code §36-8-13.
IT IS FURTHER ORDAINED that the Town Council President and Clerk-Treasurer will have the authority to execute any and all documents necessary to effectuate this arrangement and to provide all proper notices to the appropriate authorities of the adoption of this ordinance.

This Ordinance is hereby adopted this 3rd day of August, 2014, and shall be in full force and effect from and after its passage and approval of a confirmatory resolution by Sugar Creek Township Advisory Board.

A Majority of the Cumberland Town Council

Joe Siefker, President

Anna Pea, Vice President

Nicole Bell, Council Member

Brian Gritter, Council Member

Mark Reynolds, Council Member

ATTEST:

Grace Heck, Clerk-Treasurer
Town of Cumberland