ORDINANCE NO. 2014-12

AN ORDINANCE OF THE TOWN OF CUMBERLAND AUTHORIZING THE
PROVISION OF FIRE PROTECTION AND EMERGENCY RESPONSE SERVICES
BY BUCK 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 Buck Creek Township to
provide such services for the portion of the Town which is in Buck Creek Township;

AND WHEREAS, Buck 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 Buck Creek Township and
currently provides such services under an agreement with the Town;

AND WHEREAS, pursuant to Indiana Code §36-8-13-3, the Town of
Cumberland and Buck Creek Township have agreed that these services will be
provided without the necessity of a contract beginning in 2016 and that the Department
of Local Government Finance (DLGF) will adjust the maximum permissible levy of the
Town of Cumberland and Buck 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 Buck 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 beginning January 1, 2016 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, Buck Creek Township will provide fire protection and emergency response
services in the portions of the Town which are located in Buck 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 Buck Creek Township Advisory Board.

A Majority of the Cumberland Town Council

Joe Sieffker, 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