

1 **BILL NO. S-16-05-12**

2 **SPECIAL ORDINANCE NO.**

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4 **AN ORDINANCE ESTABLISHING THE LOIT**  
5 **SPECIAL DISTRIBUTION FUND.**

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7 **WHEREAS**, Senate Enrolled Act (SEA) 67 provides for a  
8 supplemental distribution of local income taxes when the balance in a  
9 county's local income tax trust account exceeds 15% of the certified  
10 distributions to be made to the county, as well as the accounting, allocation  
11 method, and distribution requirements for supplemental distributions; and,

12 **WHEREAS**, SEA 67 requires a one-time special allocation of the  
13 balance in a county's trust account as of December 31, 2014; and,

14 **WHEREAS**, before June 1, 2016, the county auditor shall distribute to  
15 each taxing unit an amount equal to the taxing unit's allocation amount; and,

16 **WHEREAS**, counties, cities, and towns have restrictions on the use of  
17 at least 75% of the special distribution received for infrastructure as found  
18 under IC 6-3.6-9-17(h)(1); and,

19 **WHEREAS**, the remaining part of the distribution may be used for any  
20 of the purposes of the county, city, or town; and,

21 **WHEREAS**, the State Board of Accounts issued a memo on April 22,  
22 2016 requiring the restricted portion of the distribution to cities and towns  
23 needs to be receipted and accounted for in a designated fund.

24 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**  
25 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

26 **SECTION 1.** The LOIT Special Distribution Fund shall be established  
27 for the purpose of receipting, holding, accounting for, administering and  
28 appropriating the restricted portion of funds to be used for infrastructure as  
29 defined in IC 6-3.6-9-17(h)(1).  
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**SECTION 2.** That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

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Council Member

APPROVED AS TO FORM AND LEGALITY

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Carol Helton, City Attorney