

Title 3 REVENUE AND FINANCE

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Chapter 3.03 PROSECUTOR CHECK DEFERRAL FUND

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3.03.010 Establishment of prosecutor's check deferral fund.

The board of county commissioners does determine that a need exists for the creation of a prosecutor's check deferral fund.

The purpose of the prosecutor's check deferral fund is to assist in the implementation of the prosecutor's check deception program and shall be utilized for the deposit of funds collected by ACCS from participants associated with the check collection services.

The prosecutor's check deferral fund shall be assigned No. _____ by the Porter County auditor's office.

(Ord. 06-18 § 2)

3.03.020 Use of funds.

Retroactive to July 6, 2004, all monies received under the authorized contractual agreement with American Corrective Counseling Services, Inc. will be received and deposited into the prosecutor's check deferral fund. The prosecutor's check deferral fund shall be administered by the Porter County prosecutor's office and the monies shall be appropriated by the Porter County council.

The monies received and deposited in the prosecutor's check deferral fund shall be used for costs associated with the general expenses of the prosecutor's office at the discretion of the prosecuting attorney and need not necessarily be limited to the cost of the functions and services from which the fees derive. Use of said funds shall not include supplementing the salary of the prosecuting attorney or his chief deputy.

(Ord. 06-18 § 3 (part))

3.03.030 Termination of funds/transfer of funds.

The prosecutor's check deferral fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. Monies collected shall remain in the prosecutor's check deferral fund and monies collected during that time frame shall not revert to the county general fund unless done so by subsequent ordinance passed by the Porter County board of commissioners.

If a subsequent ordinance is passed to terminate the life of the prosecutor's check deferral fund, the fund balance existing, if not otherwise provided for by ordinance, shall remain in the fund and expended by the Porter County prosecutor's office in compliance with this chapter.

(Ord. 06-18 § 3 (part))

Chapter 3.04 MISCELLANEOUS FISCAL PROVISIONS

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3.04.010 Tax collection investment—Treasurer's authority.

The treasurer is authorized to invest tax collections under I.C. 5-13-9-6 pending distribution of the collections to political subdivisions.

(Ord. 89-17)

3.04.020 Replacement and duplicate tax statements—NSF checks—Processing fee.

The expense of the treasurer in providing replacement or additional duplicate tax statements and the expenses of the treasurer in processing checks for payment of property taxes for which there are insufficient funds in the account of the payor shall be reimbursed to the treasurer by the implementation of the following charges:

- A. There shall be a one dollar (\$1.00) fee payable to the treasurer to cover the cost of each replacement or additional duplicate tax statement issued by the treasurer's office.
- B. There shall be a charge payable to the treasurer in the amount of fifteen dollars (\$15.00) for each check received for which there are insufficient funds in the account of the payor to cover the amount of the check.
- C. All proceeds received from either of the above enumerated charges shall be paid by the treasurer to the general fund of Porter County as miscellaneous revenue.

(Ord. 96-20 §§ 1—3; Ord. 81-8 §§ 1—3)

3.04.030 Document recording supplemental fee.

Effective as of eight a.m. on September 1, 1995 a supplemental fee for recording a document in the amount of three dollars (\$3.00) per document shall be charged by the Porter County recorder's office.

All revenue received by the recorder pursuant to this section shall be deposited in the Porter County recorder's records perpetuation fund to be used by the Porter County recorder without appropriation, for the preservation of records and the improvement of record keeping systems and equipment.

(Ord. 95-15)

3.04.040 Real property endorsement—Fee.

The Porter County auditor is authorized to collect three dollars (\$3.00) for each real property endorsement made by the auditor, effective January 1, 1993. This fee is in addition to any other fee which may be provided for by law and the auditor shall place the revenue received from such fees in the Porter County plat map fund for use in maintaining plat books and maps housed in the office of the Porter County auditor.

(Ord. 92-37)

3.04.050 Environmental property transfer audit request—Search fee.

The Porter County environmental coordinator is empowered to charge and shall charge a search fee in the amount of twenty-five dollars (\$25.00) for each environmental property transfer audit request. In addition thereto, the Porter County environmental coordinator shall be empowered to charge and shall charge thirty-five cents (\$.35) per copy for any actual documentation provided in connection with an environmental property transfer audit request.

(Ord. 93-47 Art. I)

3.04.060 Homestead property tax (rebate) refund amount for 2006 pay 2007 taxes.

Any homestead property tax (rebate) refund amount for 2006 pay 2007 taxes due shall first be applied to any delinquent property taxes and penalties owed in Porter County by any taxpayer entitled to such (rebate) refund.

(Ord. 08-05 § 1)

Chapter 3.05 REAL PROPERTY ENDORSEMENT TRANSACTION FEE

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3.05.010 Property endorsement transaction fee and Porter County plat map fund.

The board of commissioners does determine that a need exists to increase the real property endorsement transaction fee from three dollars (\$3.00) to five dollars (\$5.00) for each deed or legal description of each parcel contained in the deed for which the auditor makes a real estate property endorsement pursuant to I.C. 36-2-11-14 and I.C. 36-2-9-18. The revenue received from such fees is dedicated to the Porter County plat map fund and is to be deposited in said fund which has been assigned No. 33.02 by the Porter County auditor's office.

The revenue received from said fees and deposited in the Porter County plat map fund is to be used exclusively in maintaining plat books and maps housed in the office of the auditor. The difference in the amount of the fee being increased from three dollars (\$3.00) to five dollars (\$5.00) shall be receipted into the Porter County plat map fund to be used exclusively for maintaining the auditor's digital plat map that is the base map for the county's GIS.

(Ord. 06-17 § 2)

3.05.020 Use of funds.

The money deposited in the Porter County plat map fund shall be utilized for maintaining the auditor's digital plat map that is the base map for the county's GIS and for use in maintaining plat books and maps housed in the auditor's office. The increase in the fee pursuant to I.C. 36-2-9-18 shall be deposited in the Porter County plat map fund, No. 33.02. The increased fee amount of two dollars (\$2.00) shall be used exclusively for maintaining the auditor's digital plat map that is the base map for the county's GIS.

(Ord. 06-17 § 3)

3.05.030 Termination of funds.

The Porter County plat map fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance entered by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of the Porter County plat map fund, the fund balance existing, if not otherwise provided for by ordinance, shall remain in the fund until expended by the county for maintenance of the auditor's digital plat map.

(Ord. 06-17 § 4)

Chapter 3.06 PROPERTY TAXES AND SPECIAL ASSESSMENTS ⁽¹⁾

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3.06.010 Electronic transmission of statements authorized.

The county hereby authorizes the electronic transmission of statements and other information for property taxes and special assessments first due and payable after 2009.

(Ord. No. 10-15, § 1, 11-16-2010)

3.06.020 Requesting statements via electronic mail.

The county hereby authorizes each county taxpayer (hereafter the "person") to direct the county treasurer and county auditor to transmit the following to the person by electronic mail and as applicable:

- A. A statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22-8.1(a)(1), including a statement that reflects installment payment due dates under IC 6-1.1-22-9.5 or IC 6-1.1-22-9.7;
- B. A provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6;
- C. A reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following:
 1. IC 6-1.1-22-9,
 2. IC 6-1.1-22-9.7,
 3. IC 6-1.1-22.5-12,

including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5;

- D. A statement that would otherwise be sent by the county auditor to the person by regular mail under IC 6-1.1-17-3(b);
- E. Any other information that:
 - 1. Concerns the property taxes or special assessments, and
 - 2. Would otherwise be sent:
 - a. By the county treasurer or the county auditor to the person by regular mail; and
 - b. Before the last date the property taxes or special assessments may be paid without becoming delinquent.

(Ord. No. 10-15, § 2, 11-16-2010)

3.06.030 Effective date.

This chapter takes effect with the first installment of property taxes of 2011 and shall continue indefinitely.

(Ord. No. 10-15, § 3, 11-16-2010)

3.06.040 Notice of option to be provided.

Notice shall be given to county taxpayers of the option to direct electronic transmission of statements and other information for property taxes and special assessments in compliance with all applicable statutory provisions.

(Ord. No. 10-15, § 4, 11-16-2010)

3.06.050 Authority of county treasurer and auditor.

The county treasurer and county auditor shall have the authority to electronically submit to county taxpayers their statements and other information for property taxes and special assessments first due and payable after 2009.

(Ord. No. 10-15, § 5, 11-16-2010)

3.06.060 Service provider contract.

The county auditor and county treasurer are authorized to negotiate and execute a contract with a provider to obtain such administrative, technical, clerical and related services ("E-Billing Services") in order to implement a program for the electronic transmission of statements and other information for property taxes and special assessments.

(Ord. No. 10-15, § 6, 11-16-2010)

3.06.070 Contract provisions.

The E-Billing Services contract shall provide for the delivery of such services by a contractor in compliance with all applicable statutory provisions for the electronic transmission of statements and other information for property taxes and special assessments. The E-Billing Services contract shall also provide for the payment of fee(s) for each parcel that a county taxpayer elects to participate in the electronic transmission of statements and other information for property taxes and special assessments.

(Ord. No. 10-15, § 7, 11-16-2010)

FOOTNOTE(S):

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Editor's note— Ord. No. 10-15, §§ 1—7, adopted Nov. 16, 2010, did not specifically amend the Code; hence, inclusion herein as Ch. 3.06, §§ 3.06.010—3.06.070, was at the editor's discretion. ([Back](#))

Chapter 3.07 HOSPITAL SALE PROCEEDS FUNDS

Sections:

[3.07.010 Hospital sale proceeds fund is established.](#)

[3.07.020 Use of hospital funds.](#)

[3.07.030 Termination of funds/transfer of funds.](#)

3.07.010 Hospital sale proceeds fund is established.

A permanent fund is established which shall be designated the "Hospital Sale Proceeds Fund" whereby the amount of one hundred eighteen million three hundred eight thousand three hundred eighty-seven dollars (\$118,308,387.00), representing the approximate net principal amount of all funds received pursuant to the sale of Porter Memorial Hospital, less any and all amounts designated for the hospital interest fund, the hospital trailing liability fund, and payments made to satisfy obligations and liabilities prior to the date of the ordinance codified in this chapter, shall be deposited into said fund hospital sale proceeds fund, which funds are currently held at Fifth Third Bank, Account Nos. 7233192280 and 23230028368912, and retained for a period of no less than five years from the closing date or until further amendment by the Porter County board of commissioners. The five-year restriction on expenditures of net principal is required under Section 12.29 of the Asset Purchase Agreement by and among CHS/Community Health Systems, the Porter County council, the Porter County board of commissioners, and the board of trustees of Porter Memorial Hospital, dated April 30, 2007 (the "Asset Purchase Agreement"). Any additional funds received by Porter County following the date of the ordinance codified in this chapter, and as a direct result of the county's ownership and sale of the hospital, such as, by way of example and without limitation, any amounts attributable to refunds, reconciliations, settlements, or payments resulting from the Indiana Medicaid Municipal Disproportionate Share Hospital, Indiana Medicaid Municipal Hospital Upper Payment Limit, or health care for the indigent programs, shall be deposited in the hospital sale proceeds fund. The Porter County council and Porter County board of commissioners shall determine if any such additional funds are subject to the five-year restriction on principal set forth in the asset purchase agreement.

(Ord. 07-19 § 2)

3.07.020 Use of hospital funds.

Funds received and deposited in the hospital sale proceeds fund may only be used for the specific purposes set forth in this chapter and in accordance with Indiana law. Funds deposited into the hospital sale proceeds fund represent the net principal amount received from the hospital sale (less any amounts

designated for the hospital trailing liability fund) and may only be expended, upon the approval of the Porter County council and Porter County board of commissioners, for the following purposes:

- A. To pay the five hundred thousand dollar (\$500,000.00) annual ambulance subsidy specified in the agreement for the provision of emergency medical services between Porter hospital and Porter County, dated December 16, 2003, as such payments are contemplated in Section 12.29 of the Asset Purchase Agreement; and
- B. To pay and/or satisfy any indebtedness, trailing hospital liabilities, or indemnification obligations as set forth in the asset purchase agreement. Such payments are excluded from the restrictions on use of the sale proceeds' principal pursuant to Section 12.29 of the Asset Purchase Agreement. The Porter County board of commissioners and Porter County council may authorize the transfer of funds from the hospital sale proceeds fund to the hospital trailing liability fund in the event the latter fund is exhausted, or may elect to pay certain liabilities directly from the hospital sale proceeds fund.

Any interest generated by the hospital sale proceeds fund shall be transferred no less frequently than quarterly to the hospital interest fund. Other than for the specific purposes set forth in this chapter, the principal of the hospital sale proceeds fund shall not be distributed, expended or transferred for a period of at least five years from the closing date.

After the expiration of the five-year preservation period beginning on the closing date, the hospital sale proceeds fund shall accrue and continue in perpetuity unless and until the Porter County council and Porter County board of commissioners unanimously agree otherwise.

(Ord. 07-19 § 3)

3.07.030 Termination of funds/transfer of funds.

The hospital sale proceeds fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners and, if and when a subsequent ordinance is passed to terminate the life of any of the hospital sale proceeds fund, the fund balance existing and not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund. Said ordinance amending or terminating this chapter may be enacted only upon the unanimous approval of both the Porter County board of commissioners and Porter County council.

(Ord. 07-19 § 4)

Chapter 3.08 COUNTY ADMINISTRATION CENTER PARKING GARAGE FUND

Sections:

[3.08.010 Fund established.](#)

[3.08.020 Use of revenues.](#)

[3.08.030 Termination of fund—Transfer of revenue.](#)

3.08.010 Fund established.

A garage fund is established whereby all revenue generated from the use of the parking garage at the county administration center by patrons be deposited in said special fund.

(Ord. 95-12 § 1)

3.08.020 Use of revenues.

The revenues generated and deposited in the garage fund can be used only for the specific purposes set forth in this chapter, said expenditures to be limited to the expenses needed for general county building maintenance.

(Ord. 95-12 § 2)

3.08.030 Termination of fund—Transfer of revenue.

The garage fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the garage fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, should be transferred to the county general fund.

(Ord. 95-12 § 3)

Chapter 3.09 HOSPITAL INTEREST FUND

Sections:

[3.09.010 Hospital interest fund is established.](#)

[3.09.020 Use of hospital funds.](#)

[3.09.030 Termination of funds/transfer of funds.](#)

3.09.010 Hospital interest fund is established.

A special revenue fund known as the "Hospital Interest Fund" shall be established whereby all interest proceeds from the hospital sale proceeds, to include the sum of three million four hundred sixty-three thousand two hundred sixty-eight dollars (\$3,463,268.00), which represents all accrued interest and earnings on the sale proceeds as of November 30, 2007, shall be deposited into the hospital interest fund, said funds currently in Fifth Third Bank in Account Nos. 7233192280 and 23230028368912. Upon approval of the Porter County board of commissioners and Porter County council, the funds contained in the hospital interest fund may be expended for any purpose for which public funds may be used pursuant to Title 36 of the Indiana Code.

(Ord. 07-20 § 2)

3.09.020 Use of hospital funds.

Funds received and deposited in the hospital interest fund may only be used for the specific purposes set forth in this chapter and in accordance with Indiana law. Specifically, the hospital interest fund may be designated to any purpose for which public funds may be expended, in accordance with I.C. 36-2-6-4.5 and upon the approval and agreement of the Porter County council and Porter County board of commissioners.

Any and all funds which represent interest and/or earnings generated by the hospital sale proceeds fund and hospital trailing liability fund shall be transferred, no less frequently than on a quarterly basis, to the hospital interest fund.

The Porter County board of commissioners shall submit an annual budget to the Porter County council with respect to recommendations, after receiving public input, on expenditures from the hospital

interest fund. Said budget must be approved by the Porter County board of commissioners and appropriated by the Porter County council. Any claims for payment from the hospital interest fund shall be submitted for approval and payment in a manner consistent with other claims related to public funds asset forth in Title 36 of the Indiana Code.

(Ord. 07-20 § 3)

3.09.030 Termination of funds/transfer of funds.

The hospital interest fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners and, if and when a subsequent ordinance is passed to terminate the life of the hospital interest fund, the fund balance existing and not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund or the hospital sale proceeds fund. Said ordinance amending or terminating this chapter may be enacted only upon the unanimous approval of both the Porter County board of commissioners and the Porter County council.

(Ord. 07-20 § 4)

Chapter 3.10 NONREVERTING FUND FOR RECEIPT OF PROCEEDS FROM EMERGENCY MEDICAL SERVICES CONTRACT

Sections:

[3.10.010 Fund established.](#)

[3.10.020 Use of funds.](#)

[3.10.030 Termination of funds—Transfer of fund.](#)

3.10.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a nonreverting fund for the receipt of proceeds from Porter Memorial Hospital pursuant to the emergency medical services contract. Wherein, all funds received by the Porter County board of commissioners pursuant to the emergency medical services agreement effective on January 1, 2000 will be deposited.

(Ord. 01-01 § 2)

3.10.020 Use of funds.

The funds received and deposited in the nonreverting fund for receipt of proceeds from Porter Memorial Hospital pursuant to emergency medical services contract can only be used for the specific purposes set forth in this chapter. The funds received and deposited in the nonreverting fund will be expended at the discretion of the Porter County board of commissioners and shall be utilized solely for the construction, renovation, structural maintenance or purchase of equipment for or related to the emergency medical services. The expenditures made from the nonreverting fund for the receipt of proceeds from Porter Memorial Hospital pursuant to the emergency medical services contract will be expenditures made by and at the discretion of the Porter County board of commissioners.

(Ord. 01-01 § 3)

3.10.030 Termination of funds—Transfer of fund.

The nonreverting fund for receipt of proceeds from Porter Memorial Hospital pursuant to emergency medical services contract shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the nonreverting fund, the fund balance existing and not otherwise provided for by ordinance, if any at the time, shall be transferred to the county general fund.

(Ord. 01-01 § 4)

Chapter 3.11 HOSPITAL TRAILING LIABILITY FUND

Sections:

[3.11.010 Hospital trailing liability fund is established.](#)

[3.11.020 Use of hospital funds.](#)

[3.11.030 Termination of funds/transfer of funds.](#)

3.11.010 Hospital trailing liability fund is established.

A special revenue fund is established which shall be designated the "Hospital Trailing Liability Fund" and which shall contain an amount of funds determined to be necessary by the Porter County board of commissioners and Porter County council for the payment of trailing liabilities and indebtedness of the hospital. Said fund shall be subject to appropriation by the Porter County council. The hospital trailing liability fund shall initially consist of the following:

- A. The Porter County Hospital Association 1997 Bond Refinancing Escrow Account, Account No. 81-0149-01-3, at First Source Bank in the approximate amount of two million four thousand eight hundred twenty dollars (\$2,004,820.00), which account shall be closed on or about December 31, 2007 following the final principal payment on said bonds and any remaining funds shall transfer to the hospital trailing liability fund;
- B. The Porter Health Services Account, Account No. 7232301122, at Fifth Third Bank in the approximate amount of three hundred twenty-seven thousand five hundred sixty-two dollars (\$327,562.00), which account will be closed on or about December 31, 2007 and any remaining funds shall transfer to the hospital trailing liability fund;
- C. The Porter Memorial Health System Dividend Escrow Account, Account No. 7232883343, at Fifth Third Bank in the approximate amount of eighty-six thousand three hundred twenty-six dollars (\$86,326.00), which account shall be closed on or about December 31, 2007 and the balance shall transfer to the hospital trailing liability fund and be assigned a separate line item; and
- D. The additional sum of three million dollars (\$3,000,000.00), determined by the Porter County board of commissioners and Porter County council to be a reasonable estimate of anticipated trailing hospital liabilities, obligations and indebtedness, to be deposited into the hospital trailing liability fund, said funds currently in Fifth Third Bank, Account No. 7233192280. Such funds shall be used to satisfy claims including, but not limited to the following:
 1. Hospital associate workers' compensation claims existing prior to the closing date,
 2. Hospital associate health claims existing prior to the closing date,
 3. Litigation and settlement of hospital claims existing prior to the closing date,

4. Satisfaction of hospital indebtedness and/or other obligations existing prior to the closing date,
5. Contractual services (including accounting, consulting, and legal) related to the wind-up of hospital affairs and management/disposition of hospital liabilities, and
6. Investment services related to the sale proceeds.

To the extent additional funds are needed to satisfy such indebtedness, obligations or liabilities, the Porter County board of commissioners and Porter County council may authorize the transfer of necessary funds from the hospital sale proceeds fund.

(Ord. 07-21 § 2)

3.11.020 Use of hospital funds.

Funds which comprise the hospital trailing liability fund may only be used for the specific purposes set forth in this chapter and in accordance with Indiana law. The hospital trailing liability fund represents that portion of the sale proceeds which has been specifically designated for the satisfaction of trailing hospital liabilities assumed by Porter County. Payments may only be made from the hospital trailing liability fund for the following purposes:

To pay and/or satisfy any indebtedness, trailing hospital liabilities, existing hospital obligations, or indemnification obligations as set forth in the asset purchase agreement by and among community health systems, the Porter County council, the Porter County board of commissioners, and the board of trustees of Porter Memorial Hospital, dated April 30, 2007. The Porter County board of commissioners and Porter County council may authorize the transfer of additional funds from the hospital sale proceeds fund to the hospital trailing liability fund in the event the latter fund is exhausted, or may elect to pay certain liabilities directly from the hospital sale proceeds fund.

As set forth above, the hospital trailing liability fund shall be used to satisfy claims including, but not limited to the following:

- A. Hospital associate workers' compensation claims existing prior to the closing date;
- B. Hospital associate health claims existing prior to the closing date;
- C. Litigation and settlement of hospital claims existing prior to the closing date;
- D. Satisfaction of hospital indebtedness and/or other obligations existing prior to the closing date;
- E. Contractual services (including accounting, consulting, and legal) related to the wind-up of hospital affairs and management/disposition of hospital liabilities; and
- F. Investment services related to the sale proceeds.

Any interest or earnings generated by the hospital trailing liability fund shall be transferred no less frequently than quarterly to the hospital interest fund.

Claims for payment from funds appropriated to the hospital trailing liability fund shall be handled in a manner consistent with other claims involving public funds and in accordance with state law.

(Ord. 07-21 § 3)

3.11.030 Termination of funds/transfer of funds.

The hospital trailing liability fund shall remain in existence and remain perpetual in their terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners and, if and when a subsequent ordinance is passed to terminate the life of the hospital trailing liability fund, the fund balance existing and not otherwise provided for by ordinance, if any at that time, shall be transferred to the hospital sale proceeds fund. Said ordinance amending or terminating this chapter may be enacted only upon the unanimous approval of both the Porter County board of commissioners and the

Porter County council.

(Ord. 07-21 § 4)

Chapter 3.12 COUNTY CORRECTIONS FUND

Sections:

[3.12.010 Fund established.](#)

3.12.010 Fund established.

Pursuant to I.C. 11-12-6-1 et seq., a county corrections fund is established and the county elects to receive deposits into the fund from the Indiana Department of Corrections on the basis of Level 3 funding as set forth in I.C. 11-12-6-13(c).

(Ord. 06-03 § 1: Ord. 05-06 § 1: Ord. 04-06 § 1: Ord. 02-01 § 1: Ord. 01-09 § 1: Ord. 99-11: Ord. 98-10: Ord. 97-9: Ord. 96-7)

Chapter 3.13 ESTABLISHING A FEE AND FUND FOR SEX OR VIOLENT OFFENDER REGISTRATION AND/OR CHANGE OF ADDRESS

Sections:

[3.13.010 Establishment of a fee for registration and/or change of address for sex or violent offenders.](#)

[3.13.020 Creation of fund—Sex and violent offender administration fund.](#)

[3.13.030 Fee collection and use of funds.](#)

[3.13.040 Termination of funds/transfer of funds.](#)

3.13.010 Establishment of a fee for registration and/or change of address for sex or violent offenders.

The board of county commissioners does determine that a need exists for the creation of a fee pursuant to I.C. 36-2-13-5.6 for sex and violent offender registration and sex and violent offender change of address.

The Porter County sheriff's police department shall hereby and hereafter charge a fee of fifty dollars (\$50.00) as an annual registration fee applicable to sex or violent offenders in Porter County which fee will be an annual registration fee.

The Porter County sheriff's department shall hereby and hereafter charge a fee of five dollars (\$5.00) for each change of address for sex and violent offenders who are registered in Porter County.

(Ord. 08-01 § 2)

3.13.020 Creation of fund—Sex and violent offender administration fund.

The Porter County board of commissioners does determine that a need exists for the creation of a fund for the deposit of fees generated pursuant to I.C. 36-2-13-5.6 and hereby establishes the sex and violent offender administration fund.

All funds generated and received by the Porter County sheriff's department for the registration and change of address for sex and violent offenders shall be deposited in said fund.

(Ord. 08-01 § 3)

3.13.030 Fee collection and use of funds.

Pursuant to I.C. 36-2-13-5.6 the Porter County sheriff's department shall transfer fees collected under this section to the Porter County auditor. The Porter County auditor shall monthly:

- A. Deposit ninety (90) percent of any fees collected under this section in the county sex and violent offender administration fund; and
- B. Transfer ten percent of any fees collected under this section to the Treasurer of the State for deposit in the state sex and violent offender administration fund under I.C. 11-8-8-21.

Pursuant to I.C. 36-2-13-5.6(g) the county fiscal body may appropriate money from the county's sex and violent offender administration fund to an agency or organization involved in the administration of the sex and violent offender registry to defray the expense of administering or insuring compliance with the laws concerning the Indiana Sex and Violent Offender Registry. Said appropriation of money should be done pursuant to the request and consent of the Porter County sheriff.

Funds received and deposited in the Porter County sex and violent offender administration fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the fund will be expended at the discretion of the Porter County sheriff for any departmental purpose related to the registration of sex and violent offenders; the change of address of sex and violent offenders; the maintenance and upkeep of the sex and violent offender website; training, education and equipment for sheriff's personnel as it relates to the registration of sex and violent offenders and other departmental purposes specifically related to sex and violent offender investigations.

The funds deposited in the Porter County sex and violent offender fund is subject to appropriation by the Porter County council.

(Ord. 08-01 § 4)

3.13.040 Termination of funds/transfer of funds.

The Porter County sex and violent offender administration fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners.

If and when a subsequent ordinance is passed to terminate the life of this fund, the fund balance existing, if not otherwise provided for by ordinance, shall revert to the Porter County general fund.

(Ord. 08-01 § 5)

Chapter 3.14 INMATE HEALTH CARE CO-PAYMENT PROGRAM AND FUND

Sections:

[3.14.010 Inmate health care co-payment program.](#)

[3.14.020 Fund established.](#)

[3.14.030 Use of funds.](#)

[3.14.040 Termination of fund—Transfer of funds.](#)

3.14.010 Inmate health care co-payment program.

A need exists to pass an ordinance pursuant to I.C. 11-12-5-5 that requires inmate co-payment for medical services rendered in the Porter County Jail. In that regard, the Porter County board of commissioners adopts I.C. 11-12-5-5 in its entirety as it relates to health care co-payments which statute provides as follows:

[Sec. 5.](#) (a). This section does not apply to a person confined to a county jail who:

(1) maintains a policy of insurance from a private company covering:

(A) medical care,

(B) dental care,

(C) eye care, or ;21; (D) any other health care related service; or

(2) is willing to pay for the person's own medical care.

(b) Except as provided in subsection (c), a person confined to a county jail may be required to make a co-payment in an amount of not more than fifteen dollars (\$15.00) for each provision of any of the following services:

(1) Medical care;

(2) Dental care;

(3) Eye care;

(4) Any other health care related service.

(c) A person confined to a county jail is not required to make the co-payment under subsection (b) if:

(1) the person does not have funds in the person's commissary account or trust account at the time the service is provided;

(2) the person does not have funds in the person's commissary account or trust account within thirty (30) days after the service is provided;

(3) the service is provided in an emergency;

(4) the service is provided as a result of an injury received in the county jail; or

(5) the service is provided at the request of the sheriff or jail administrator.

(d) Money collected must be deposited into the county medical care for inmates fund.

(Ord. 02-11 § 1; Ord. 01-06 § 2)

3.14.020 Fund established.

The board of commissioners has determined that a need exists for the creation of a Porter County medical care for inmates fund whereby all funds received by the Porter County sheriff's department for inmate health care co-payments pursuant to this chapter shall be deposited in said fund.

(Ord. 01-06 § 3)

3.14.030 Use of funds.

The funds received and deposited in the Porter County medical care for inmates fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the Porter County medical care for inmates fund will be used only for funding the medical operation of the Porter County Jail and will be expended at the discretion of the Porter County sheriff's police department for that specific purpose.

(Ord. 01-06 § 4)

3.14.040 Termination of fund—Transfer of funds.

The Porter County medical care for inmates fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County medical care for inmates fund, the balance existing and if not otherwise provided by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 01-06 § 5)

Chapter 3.15 CHARITABLE DONATION FUND FOR PORTER COUNTY ANIMAL SHELTER

Sections:

[3.15.010 Fund established.](#)

[3.15.020 Use of revenues.](#)

[3.15.030 Termination of fund—Transfer of fund.](#)

3.15.010 Fund established.

The board of commissioners does determine that a needs exists for the creation of a charitable donation fund for the Porter County animal shelter whereby all charitable donations and revenues received by the Porter County animal shelter for the benefit and advancement of the care, custody and control of animals at the Porter County animal shelter shall be deposited in the fund. Said fund shall be called the animal shelter charitable donation fund.

(Ord. 08-11 § 2)

3.15.020 Use of revenues.

The funds received and deposited in the Porter County animal shelter charitable donation fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the animal shelter charitable donation fund shall be expended exclusively for the aid and benefit of the Porter County animal shelter. The charitable donations received and deposited in said fund can be utilized at the discretion of the Porter County board of commissioners for any purpose reasonably related to the care, custody and control of animals secured by the shelter. In addition, the funds may be utilized to purchase educational materials and equipment; to help provide training, education and assistance; to offset costs of management of the shelter incurred as the result of care, custody and control of animals at the shelter; for all other costs incurred relating to the duties and function of the Porter County animal shelter including the purchase of supplies; uniforms; food; medical expenses; neutering; spading; and any other expenses deemed appropriate by the Porter County board of commissioners.

(Ord. 08-11 § 3)

3.15.030 Termination of fund—Transfer of fund.

The animal shelter charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners.

If and when a subsequent ordinance is passed to terminate the life of this fund, the fund balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. 08-11 § 4)

Chapter 3.16 CRIME VICTIMS' FUND

Sections:

[3.16.010 Fund authorized.](#)

[3.16.020 Collection authority—Receipt of funds.](#)

[3.16.030 Use of funds.](#)

3.16.010 Fund authorized.

Pursuant to I.C. 36-1-3-1 et seq. a Porter County prosecutor's victims' fund is authorized.

(Ord. 86-5 § 1)

3.16.020 Collection authority—Receipt of funds.

The Porter County clerk is authorized to collect the funds as the same may be ordered periodically by the courts of Porter County. Further, the Porter County clerk shall remit the funds as received to the Porter County auditor.

The Porter County auditor is authorized to receive the funds from the Porter County clerk. Upon receipt the Porter County auditor shall retain the funds in a separate account, from all other accounts which account shall not revert to the general fund at the end of the fiscal year.

(Ord. 86-5 §§ 2, 3)

3.16.030 Use of funds.

The Porter County auditor is authorized to issue warrants against the account to pay for the salary and office equipment of the victims' fund advocate as approved and appropriated by the Porter County counsel.

(Ord. 86-5 § 4)

Chapter 3.17 FUND FOR DEPOSIT OF FEES GENERATED FROM PORTER COUNTY ANIMAL SHELTER

Sections:

[3.17.010 Fund established.](#)

[3.17.020 Use of revenue.](#)

[3.17.030 Termination of funds—Transfer of funds.](#)

3.17.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a fund for deposit of the fees generated pursuant to Ordinance Nos. 06-10; 03-05; 01-02; 99-15; 99-07; 96-21 and 96-31, whereby all revenues received by the Porter County animal shelter as a result of the fees passed pursuant to the above referenced ordinances be deposited in said fund.

(Ord. 08-12 § 2)

3.17.020 Use of revenue.

The funds received and deposited in the Porter County animal shelter fee fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Porter County animal shelter fee fund shall be expended exclusively for the benefit of the Porter County animal shelter and at the discretion of the Porter County board of commissioners.

The fees received and deposited in said fund can be utilized at the discretion of the Porter County board of commissioners for any purpose reasonably related to the care, custody and control of animals secured by the shelter. In addition, the funds may be utilized to purchase educational materials and equipment; to help provide training, education and assistance; to offset costs of management of the shelter incurred as the result of care, custody and control of animals at the shelter; for all other costs incurred relating to the duties and function of the Porter County animal shelter including the purchase of supplies; uniforms; food; medical expenses; neutering; spading; and any other expenses deemed appropriate by the Porter County board of commissioners.

The funds deposited in the Porter County animal shelter fee fund are subject to appropriation by the Porter County council.

(Ord. 08-12 § 3)

3.17.030 Termination of funds—Transfer of funds.

The Porter County animal shelter fee fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the

balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. 08-12 § 4)

Chapter 3.18 FEDERAL INTERGOVERNMENTAL COOPERATIVE AGREEMENT FUND

Sections:

[3.18.010 Federal intergovernmental cooperative agreement fund.](#)

[3.18.020 Use of funds.](#)

[3.18.030 Termination of funds—Transfer of funds.](#)

3.18.010 Federal intergovernmental cooperative agreement fund.

A federal intergovernmental cooperative agreement fund is established whereby the amount of one million three hundred thirty-three thousand dollars (\$1,333,000.00) received from the US Marshall Service pursuant to Intergovernmental Cooperative Agreement No. 01-27-01 shall be deposited in said fund. Said fund shall be assigned Number 198-0001-30 by the Porter County auditor's office.

(Ord. 01-08 § 2)

3.18.020 Use of funds.

The funds received and deposited in the federal intergovernmental cooperative agreement fund can be used only for the specific purposes set forth in the Intergovernmental Cooperative Agreement No. 01-27-01 and thus as set forth in this chapter. The funds received and deposited in the federal intergovernmental cooperative agreement fund shall be utilized exclusively for construction, renovation, and/or improvement costs associated with the new Porter County Jail building project except for the one exception set forth herein. The one exception set forth herein is that funds received and deposited in the federal intergovernmental cooperative agreement fund may be used by the Porter County sheriff for the payment of salaries for additional jailers to staff the new Porter County Jail. The Porter County sheriff may make no more than one request for no more than two hundred thousand dollars (\$200,000.00) from the federal intergovernmental cooperative agreement fund for jailers' salaries.

Any amount expended from the federal intergovernmental cooperative agreement fund for salaries will be reimbursed to said fund by the Porter County sheriff from monies received for the provision of detention space for federal prisoners in the new Porter County Jail. All expenditures made from the federal intergovernmental cooperative agreement fund shall be made by and at the discretion of the Porter County board of commissioners and in conjunction with submitted requests made by the Porter County sheriff.

(Ord. 02-13 § 1; Ord. 01-08 § 3)

3.18.030 Termination of funds—Transfer of funds.

The federal intergovernmental service agreement fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the federal intergovernmental service agreement fund the fund balance existing and not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund upon approval by the US

Marshall Service.

(Ord. 01-08 § 4)

Chapter 3.19 COUNTY JUVENILE DRUG COURT FEES

Sections;

[3.19.010 Fund established.](#)

[3.19.020 Use of revenues.](#)

[3.19.030 Termination of fund, transfer of funds.](#)

3.19.010 Fund established.

The Porter County juvenile and family drug court fund is established whereby all court ordered drug court fees collected by the Porter County juvenile probation department on behalf of participants in the Porter County juvenile and family drug court shall be deposited in this special, non-reverting fund.

(Ord. No. 08-22, § 1, 8-19-2008)

3.19.020 Use of revenues.

The court ordered Porter County juvenile and family drug court fees received and deposited in the Porter County juvenile and family drug court fund can only be used for the specific purposes set forth in this chapter and pursuant to I.C. 12-23-14.5-12, said expenditures to be limited for utilization by the Porter County circuit court, the Porter County juvenile probation department, and the Porter County juvenile detention center in order to perform case management responsibilities, purchase educational materials and equipment; secure training and assistance; and for other costs that are incurred relating to accomplishment of the goals, policies, and procedures of the Indiana Judicial Center and Drug Court Rules.

The fees generated and deposited in the Porter County juvenile and family drug court fund and expenditures there from will be made by the Porter County juvenile probation department, upon authorization of the circuit court judge or the chief probation officer, and upon authorization of the county fiscal body, for the purposes of performing case management responsibilities, the purchase of educational materials and equipment; to secure training and assistance; and for other costs that are incurred relating to accomplishment of the goals, policies, and procedures of the Indiana Judicial Center and Drug Court Rules.

(Ord. No. 08-22, § 2, 8-19-2008)

3.19.030 Termination of fund, transfer of funds.

The Porter County juvenile and family drug court fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County juvenile drug court fund, the fund balance existing if not otherwise provided for by ordinance, if any, at that time, shall be transferred to the county general fund.

(Ord. No. 08-22, § 3, 8-19-2008)

Chapter 3.20 LAW ENFORCEMENT DRUG EDUCATION FUND

Sections:

[3.20.010 Fund established.](#)

[3.20.020 Use of donations.](#)

[3.20.030 Termination of fund—Transfer of revenue.](#)

3.20.010 Fund established.

A Porter County law enforcement drug education fund be established whereby all donations received by the Porter County sheriff for drug education of the public be deposited in said special fund.

(Ord. 95-18 § 1)

3.20.020 Use of donations.

The donations received and deposited in the Porter County law enforcement drug education fund can be used only for the specific purposes set forth in this chapter, said expenditures to be limited to drug education for public schools and the public at large, to be utilized by law enforcement agencies throughout the county.

The donations generated and deposited in the Porter County law enforcement drug education fund and expenditures therefrom will be made by the Porter County sheriff in conjunction with law enforcement department heads county wide, for the purposes of drug education.

(Ord. 95-18 §§ 2, 3)

3.20.030 Termination of fund—Transfer of revenue.

The Porter County law enforcement drug education fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County law enforcement drug education fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, should be transferred to the county general fund.

(Ord. 95-18 § 4)

Chapter 3.21 NONREVERTING FUND FOR COUNTY AUDITOR

Sections:

[3.21.010 Fund established.](#)

[3.21.020 Use of revenues.](#)

[3.21.030 Termination of fund—Transfer of funds.](#)

3.21.010 Fund established.

The Porter County auditor nonreverting fund for properties ineligible for a standard deduction under I.C. 6-1.1-12-37 or a homestead credit under I.C. 6-1.1-20.9 is hereby established whereby the Porter County treasurer shall deposit prescribed amounts in said fund pursuant to the requirements of I.C. 6-1.1-36-17.

(Ord. No. 11-04, 2-15-2011)

3.21.020 Use of revenues.

That the money deposited in the Porter County auditor's nonreverting fund, established by and on behalf of the Porter County auditor, pursuant to I.C. 6-1.1-36-17 shall be distributed pursuant to the requirements of I.C. 6-1.1-36-17(e) wherein it provides that the money in the nonreverting fund shall be treated as miscellaneous revenue and that distribution shall be made from the nonreverting fund upon appropriation by the county fiscal body and shall be made only for the following purposes:

1. Fees and other costs incurred by the county auditor to discover property that is eligible for a standard deduction under I.C. 6-1.1-12-37 or a homestead credit under I.C. 6-1.1-20.9 (repealed);
2. Other expenses of the office of the county auditor;
3. The cost of preparing, sending, and processing notices described in I.C. 6-1.1-22-8.1(b)(9) and checklists or notices described in I.C. 6.1.1-22.5-12(d).

The amount of deposits in this nonreverting fund, the balance of a nonreverting fund and the expenditures from the nonreverting fund may not be considered in establishing the budget of the office of the county auditor or in setting property tax levies that will be used in any part to fund the office of the county auditor. (I.C. 36-1.1-36-17(e)).

(Ord. No. 11-04, 2-15-2011)

3.21.030 Termination of fund—Transfer of funds.

The nonreverting fund created for the Porter County auditor pursuant to I.C. 6-1.1-36-17 shall remain in existence and remain perpetual in its term until amended or terminated by subsequent ordinance enacted by the board of commissioners and if and when a subsequent ordinance is passed to terminate the life of the fund, the fund shall be distributed in accordance with I.C. 6-1.1-36-17(e)(l)(2)(3).

(Ord. No. 11-04, 2-15-2011)

Chapter 3.22 SUPPLEMENTAL PUBLIC DEFENDER COST REIMBURSEMENT FUND

Sections:

[3.22.010 Fund established.](#)

[3.22.020 Use of funds.](#)

[3.22.030 Termination of funds—Transfer of funds.](#)

3.22.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a supplemental public defender cost reimbursement fund pursuant to I.C. 33-9-11.5-1 whereas all funds received pursuant to the mandate set forth at I.C.33-9-11.5-6 will be received in said fund. In that regard, the Porter County board of commissioners hereby adopts I.C. 33-9-11.5-6 and I.C. 33-9-11.5-7 in their entirety as it relates to payment of monies to the supplemental public defender costs reimbursement fund which statutes provide as follows:

33-9-11.5-6 Payment of costs by person or parent of delinquent child; maximum costs

[Sec. 6](#)(a) If at any stage of a prosecution for a felony or a misdemeanor the court makes a finding of ability to pay the costs of representation under [Section 7](#) of this chapter, the court shall require payment by the person or the person's parent, if the person is a child alleged to be a delinquent child, of the following costs in addition to other costs assessed against the person:

- (1) Reasonable attorney's fees if an attorney has been appointed by the person by the court.
 - (2) Costs incurred by the county as a result of court appointed legal services rendered to the person.
- (b) The clerk of the court shall deposit costs collected under this section into the supplemental public defender services fund established under [Section 1](#) of this chapter.
- (c) A person ordered to pay any part of the costs of representation under subsection (a) has the same right and protections as those of other judgment debtors under the Constitution of the state of Indiana and under Indiana law.
- (d) The sum of:
- (1) the fee collected under IC 35-33-7-6;
 - (2) any amount assessed by the court under this section; and
 - (3) any amount ordered to be paid under IC 33-19-2-3; may not exceed the cost of defense services rendered to the person.

33.9.11.5-7 Determination of ordering payment of costs [Sec. 7](#).(a) If a defendant or a child alleged to be a delinquent child is receiving publicly paid representation, the court shall consider:

- (1) the person's independently held assets and assets available to the spouse of the person or the person's parent if the person is unemancipated;
 - (2) the person's income;
 - (3) the person's liabilities; and
 - (4) the extent of the burden that payment of costs assessed under [Section 6](#) of this chapter would impose on the person and the dependants of the person.
- (b) If, after considering the factors described in subsection (a), the court determines that the person is able to pay the cost of representation, the court shall enter a finding that the person is able to pay those additional costs.

(Ord. 01-10 § 2)

3.22.020 Use of funds.

The funds received and deposited in the supplemental public defender cost reimbursement fund can be used only for the specific purposes set forth in this chapter.

The supplemental public services fund may be used only to supplement the provisions for court appointed legal services and may not be used to replace other funding or court appointed legal services pursuant to I.C. 33-9-11.5-3.

The fiscal body of the county shall appropriate money from the fund to supplement and provide court appointed legal services to qualified defendants pursuant to I.C. 33-9-11.5-2. Fees assessed pursuant to Section 6 of I.C. 33-911.5 et seq and pursuant to this ordinance shall be collected by the program providing court appointed legal services in the county. These fees shall be deposited in the supplemental public defender services fund.

(Ord. 01-10 § 3)

3.22.030 Termination of funds—Transfer of funds.

The supplemental public defender cost reimbursement fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners. And if and when a subsequent ordinance is passed to terminate the life of supplemental public defender cost reimbursement fund, the balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 01-10 § 4)

Chapter 3.23 COUNTY JAIL RAINY DAY FUND

Sections:

[3.23.010 Creation of fund.](#)

[3.23.020 Authorized use of fund.](#)

[3.23.030 Funding source.](#)

[3.23.040 Appropriation.](#)

3.23.010 Creation of fund.

A new fund account to be referenced to as the Porter County jail rainy day fund is hereby created for use in Porter County. The Porter County auditor's office is to create a line item made to identify the Porter County jail rainy day fund.

(Ord. No. 11-10, § 1, 6-28-2011)

3.23.020 Authorized use of fund.

The purpose of the Porter County jail rainy day fund is to fund capital improvements for the Porter County jail and to fund expenditures as needed to maintain, equip and repair the Porter County jail, excluding operational expenses.

(Ord. No. 11-10, § 1, 6-28-2011)

3.23.030 Funding source.

The funding source of the Porter County jail rainy day fund is the net savings generated in the amount of one million three hundred forty thousand dollars (\$1,340,000.00) from the partial refinancing of the Porter County Jail Building Corp. First Mortgage Refunding Bond Series 2001.

(Ord. No. 11-10, § 1, 6-28-2011)

3.23.040 Appropriation.

The money deposited and held in the Porter County jail rainy day fund pursuant to this chapter is subject to the same appropriation process as other funds.

(Ord. No. 11-10, § 1, 6-28-2011)

Chapter 3.24 ENVIRONMENTAL ENFORCEMENT ACTION FUND

Sections:

[3.24.010 Fund created—Use of moneys.](#)

3.24.010 Fund created—Use of moneys.

There is created and the Porter County auditor is authorized to establish a cumulative nonreverting fund to serve as a depository for moneys received by Porter County as the result of the sharing with the U.S.E.P.A. of the proceeds of certain settlements resulting from environmental enforcement actions in Porter County. Any moneys received as the result of such shared settlements and which are deposited in the fund created by this chapter shall be expended only after the Porter County council approves an appropriation therefrom upon the request Porter County environmental coordinator and shall be expended only for EPCRA related matters and purposes by the Porter County environmental department.

(Ord. 94-32 Art. I)

Chapter 3.25 DUNES KANKAKEE TRAIL FUND

Sections:

[3.25.010 Fund established.](#)

[3.25.020 Use of revenue.](#)

[3.25.030 Termination of funds—Transfer of funds.](#)

3.25.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a fund for deposit of federal grant funds whereby all revenues received by Porter County for the Dunes Kankakee Trail as a result of the grant reimbursements shall be deposited in said fund.

(Ord. No. 11-11, § 2, 8-2-2011)

3.25.020 Use of revenue.

The funds received and deposited in the Dunes Kankakee Trail fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Dunes Kankakee Trail fund shall be expended exclusively for the reimbursement of Porter County Economic Development Income Tax (CEDIT) Project 265 (Dunes Kankakee Trail) and at the discretion of the Porter County board of commissioners.

The fees received and deposited in said fund can be utilized at the discretion of the Porter County board of commissioners for any purpose reasonably related to the Dunes Kankakee Trail.

The funds deposited in the Dunes Kankakee Trail fund are subject to appropriation by the Porter County council.

(Ord. No. 11-11, § 3, 8-2-2011)

3.25.030 Termination of funds—Transfer of funds.

The Dunes Kankakee Trail fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. No. 11-11, § 4, 8-2-2011)

Chapter 3.26 PORTER COUNTY FAMILY COURT CHARITABLE DONATION FUND

Sections:

[3.26.010 Fund established.](#)

[3.26.020 Use of revenues.](#)

[3.26.030 Termination of funds—Transfer of funds.](#)

3.26.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a Porter County family court charitable donation fund whereby all charitable donations and grant proceeds received other than those provided by either the Indiana Supreme Court, the State Court Administrator, or those required to be deposited in a separate fund, be deposited into said special fund.

(Ord. 01-12 § 1)

3.26.020 Use of revenues.

The charitable donations received and deposited in the Porter County family court charitable donation fund can only be used for the specific purposes set forth in this ordinance, said expenditures to be limited for utilization by the Porter County family court to perform case management responsibilities; purchase educational materials and equipment; secure training and assistance; and for other costs that are incurred relating to the accomplishment of the goals of the pilot project as submitted to the Indiana Supreme Court.

The donations generated and deposited in the Porter County family court charitable donation fund and expenditures therefrom will be made by the Porter County family court, upon authorization of the supervising judge of said court, for the purposes of performing case management responsibilities; the purchase of educational materials and equipment; to secure training and assistance; and for other costs which are incurred relating to the duties necessary to accomplish the goals of the pilot project as submitted to the Indiana Supreme Court.

The charitable donations generated and deposited in the Porter County family court charitable donation fund and expenditures therefrom will be made by the supervising judge of the Porter County family court for the purposes of Porter County family court expenses set forth in this ordinance.

(Ord. 01-12 § [2])

3.26.030 Termination of funds—Transfer of funds.

The Porter County family court charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County family court charitable donation fund, the fund balance existing if not otherwise provided for ordinance if any at that time, shall be transferred to the county general fund.

(Ord. 01-12 § 3)

Chapter 3.27 NONREVERTING FUND FOR COUNTY CORONER

Sections:

[3.27.010 Fund established.](#)

[3.27.020 Use of revenues.](#)

[3.27.030 Termination of funds—Transfer of funds.](#)

3.27.010 Fund established.

The Porter County board of commissioners does determine that a need exists for the creation of a nonreverting fund for the Porter County coroner for the receipt of proceeds from New Life Generation pursuant to the New Life Generation and Porter County Coroner Operating Agreement executed in October of 2011, wherein all funds received from New Life Generation pursuant to the operating agreement will be deposited in said fund. The fund shall be entitled "The Porter County Coroner Nonreverting Fund."

(Ord. No. 11-14, 11-15-2011)

3.27.020 Use of revenues.

The funds received and deposited in the nonreverting fund for the receipt of proceeds from New Life Generation pursuant to the Porter County Coroner and New Life Generation Operating Agreement can only be used for the specific purposes set forth in this chapter. The funds received and deposited in the nonreverting fund shall be expended by the Porter County coroner upon appropriation by the Porter County council for expenditures related to the operation of the Porter County coroner's office including part-time assistance; protective wear and equipment for death scene investigations.

(Ord. No. 11-14, 11-15-2011)

3.27.030 Termination of funds—Transfer of funds.

The nonreverting fund created for the Porter County coroner shall remain in existence and shall remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners and if and when a subsequent ordinance is passed to terminate the life of the fund, the fund balance existing and not otherwise provided for by ordinance if any at that time, shall be transferred to the county general fund.

(Ord. No. 11-14, 11-15-2011)

Chapter 3.28 VEHICLE INSPECTION FUND AND FEE

Sections:

[3.28.010 Establishment of fund.](#)

[3.28.020 Inspection fee.](#)

3.28.010 Establishment of fund.

The board of commissioners does determine that a need exists for the creation of a vehicle inspection fund to be established and operated pursuant to I.C. 9-29-4-2.

(Amended during 1997 codification; Ord. 89-19 § 1)

3.28.020 Inspection fee.

A need exists to establish a fee chargeable by the Porter County sheriff's department for inspecting a vehicle and making a record of the inspection upon the application form for the issuance of a certificate of title to the vehicle in accordance with I.C. 9-29-4-2 et seq. and that such fee shall be in the amount of five dollars (\$5.00) and shall be deposited in the vehicle inspection fund.

(Amended during 1997 codification; Ord. 89-19 § 2)

Chapter 3.29 COUNTY HEALTH DEPARTMENT FEDERAL GRANT PROCEEDS FUND

Sections:

[3.29.010 Fund established.](#)

[3.29.020 Use of revenue.](#)

[3.29.030 Termination of fund.](#)

3.29.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a fund for deposit of federal reimbursable grant proceeds secured by the Porter County health department for the purchase of GPS equipment (mobile mapper).

(Ord. No. 11-15, § 2, 12-20-2011)

3.29.020 Use of revenue.

The funds received and deposited in the fund for deposit of Porter County health department federal grant proceeds from CFDA 11.419 shall be used only for the exclusive and limited purpose of transferring said funds to the health maintenance fund so as to reimburse and otherwise replenish the health maintenance fund for expenditures incurred for purchase for GPS equipment (mobile mapper).

(Ord. No. 11-15, § 2, 12-20-2011)

3.29.030 Termination of fund.

The fund for deposit of Porter County health department federal grant proceeds from CFDA 11.419 shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the health maintenance fund.

(Ord. No. 11-15, § 2, 12-20-2011)

Chapter 3.30 PROPERTY DISPOSAL FUND

Sections:

[3.30.010 Fund established.](#)

[3.30.020 Use of revenues.](#)

[3.30.030 Termination of funds—Transfer of funds.](#)

3.30.010 Fund established.

The Porter County board of commissioners does determine that a need exists for the creation of a fund for the receipt of proceeds from the disposal of property whereby all money received pursuant to this ordinance and pursuant to I.C. 36-1-11 et seq. be deposited into said special fund. Said fund shall be utilized for the deposit of proceeds from the disposal of property pursuant to I.C. 36-1-11 et seq. when a condition or term of the sale is that the proceeds be deposited in this special fund, and shall be utilized solely for the construction, renovation and/or structural maintenance of other county buildings.

Said fund is hereby entitled the property disposal fund, and shall be subject to appropriation by the Porter County council.

(Ord. 02-10 § 2)

3.30.020 Use of revenues.

The proceeds received and deposited in the property disposal fund can only be used for the specific purposes set forth in this ordinance. The funds received and deposited in the property disposal fund will be expended for the construction, renovation, and/or structural maintenance of other county buildings located in Porter County, Indiana. The expenditures made from the fund will be expenditures made at the discretion of the Porter County board of commissioners.

(Ord. 02-10 § 3)

3.30.030 Termination of funds—Transfer of funds.

The property disposal fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if when a subsequent ordinance is passed to terminate the life of the fund, the fund balance existing, and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 02-10 § 4)

Chapter 3.31 PORTER COUNTY RAINY DAY FUND [\[2\]](#)

Sections:

[3.31.010 Creation of the rainy day fund.](#)

[3.31.020 Authorized use of fund.](#)

[3.31.030 Funding source.](#)

[3.31.040 Appropriation.](#)

3.31.010 Creation of the rainy day fund.

A new fund account to be referenced to as the Porter County rainy day fund is hereby created for use in Porter County. The Porter County auditor's office is to create a line item made to identify the Porter County rainy day fund.

(Ord. No. 11-06, § 1, 4-19-2011; Ord. No. 12-09, § 1, 4-17-2012)

3.31.020 Authorized use of fund.

The purpose of the Porter County rainy day fund is to supplement the budgetary shortfall in the Porter County E-911 department and dispatch center.

(Ord. No. 11-06, § 1, 4-19-2011; Ord. No. 12-09, § 1, 4-17-2012)

Cross reference— 911 emergency telephone system, ch. 8.16.

3.31.030 Funding source.

The funding source of the Porter County rainy day fund is the surplus amount of four million twenty-five thousand six hundred twenty-three dollars (\$4,025,623.00) currently held in our excess levy fund.

An additional funding source of the Porter County rainy day fund is the unallocated CEDIT for fiscal years 2011 and/or 2012 in the amount of one million two hundred thousand dollars (\$1,200,000.00).

(Ord. No. 11-06, § 1, 4-19-2011; Ord. No. 12-09, § 1, 4-17-2012)

3.31.040 Appropriation.

The money deposited and held in the rainy day fund pursuant to this chapter is subject to the same appropriation process as other funds.

If and when the state funding for E-911 and dispatch becomes sufficient to properly fund E-911 operations, the balance, if any, of the unallocated CEDIT funds deposited in the rainy day fund will revert back to unallocated CEDIT.

(Ord. No. 11-06, § 1, 4-19-2011; Ord. No. 12-09, § 1, 4-17-2012)

FOOTNOTE(S):

--- (2) ---

Editor's note— Ord. No. 11-06, § 1, adopted April 19, 2011, set out provisions adding Ch. 3.21. To facilitate inclusion of Ord. No. 11-04, and at the editor's discretion, these provisions have been included as Ch. 3.31, §§ 3.31.010—3.31.040. ([Back](#))

Chapter 3.32 DRAINAGE BOARD FUND

Sections:

[3.32.010 Fund established.](#)

[3.32.020 Use of funds.](#)

[3.32.030 Termination of fund—Transfer of funds.](#)

3.32.010 Fund established.

A Porter County drainage board fund is established whereby all funds received by the Porter County drainage board from the Kankakee River basin commission for utilization on the Kankakee Riverbank re-stabilization project shall be deposited in this special fund.

(Ord. 96-2 § 1)

3.32.020 Use of funds.

The funds received and deposited in the Porter County drainage board fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the Porter County drainage board fund will be used on the Kankakee Riverbank re-stabilization project as needed to pay materials (stabilization fabric and stabilization rip-rap) and labor costs.

The funds generated and deposited in the Porter County drainage board fund and expenditures therefrom will be made by the Porter County drainage board for the purposes of the Kankakee Riverbank re-stabilization project.

(Ord. 96-2 §§ 2—4)

3.32.030 Termination of fund—Transfer of funds.

The Porter County drainage board fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County drainage board fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, should be transferred to the county terminate the life of the Porter County drainage board fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, should be transferred to the county general fund.

(Ord. 96-2 § 5)

Chapter 3.33 ADULT PROBLEM SOLVING COURT FUND

Sections:

[3.33.010 Fund established.](#)

[3.33.020 Use of revenues.](#)

[3.33.030 Termination of funds—Transfer of funds.](#)

3.33.010 Fund established.

The adult problem solving court fund is established whereby all court ordered problem solving court fees collected by the Porter County adult problem solving court shall be deposited in this special, nonreverting fund.

(Ord. No. 12-18, § 1, 6-19-2012)

3.33.020 Use of revenues.

The court ordered Porter County adult problem solving court fees received and deposited in the Porter County adult problem solving fund can only be used for the specific purposes set forth in this chapter and pursuant to I.C. 33-23-16-23, said expenditures to be limited for utilization by the adult problem solving court.

Expenditures from the fees deposited in the Porter County adult problem solving court fund will be made by the Porter County adult problem solving court, upon authorization of the Porter superior court judge, for the purposes of performing case management responsibilities, the purchase of education materials and equipment; to secure training and assistance and for other costs that are incurred relating to accomplishment of the goals, policies and procedures of the Indiana Judicial Center and Problem Solving Rules.

(Ord. No. 12-18, § 2, 6-19-2012)

3.33.030 Termination of funds—Transfer of funds.

The Porter County adult problem solving court fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners, and if and when a subsequent ordinance is passed to terminate the life of the Porter County adult problem solving court fund, the fund balance existing if not otherwise provided for by ordinance, if any, at that time shall be transferred to the county general fund.

(Ord. No. 12-18, § 3, 6-19-2012)

Chapter 3.34 INMATE PROCESSING FEE AND FUND ^[3]

Sections:

[3.34.010 Inmate processing fee.](#)

[3.34.020 Fee collection.](#)

[3.34.030 Fund established.](#)

[3.34.040 Use of funds.](#)

[3.34.050 Termination of funds—Transfer of funds.](#)

[3.34.060 Repeal of other ordinances.](#)

3.34.010 Inmate processing fee.

A need exists to establish a chargeable fee by the Porter County sheriff's department for the processing of inmates in and out of the Porter County jail.

The twenty-five dollar (\$25.00) inmate processing fee shall apply only to convicted defendants. The fee will be assessed at sentencing by a Porter County judge, or in the alternative, in the case of pre-trial deferral, only if the defendant has agreed to pay the fee as part of his pre-trial diversion agreement. The twenty-five dollar (\$25.00) inmate processing fee shall be taken first from the bond, and if not available, shall be assessed at sentencing for payment to the county clerk.

The inmate processing fee shall not apply and/or may be waived by the Porter County sheriff and/or a Porter County judge in the below identified instances:

- A. Where the inmate is indigent;
- B. Where the inmate is being held for another agency for a per diem payment;
- C. Where the inmate is being held for safekeeping for another agency.

(Ord. No. 12-05, § 1, 3-20-2012; Ord. No. 12-08, § 1, 4-17-2012)

3.34.020 Fee collection.

It shall be the duty of the Porter County clerk to collect the twenty-five dollar (\$25.00) inmate processing fee which shall be court ordered at sentencing.

(Ord. No. 12-05, § 2, 3-20-2012; Ord. No. 12-08, § 2, 4-17-2012)

3.34.030 Fund established.

The board of commissioners does determine that a need exists for the creation of an inmate processing fee fund whereby all funds received by the Porter County sheriff's department for the inmate processing fee shall be deposited in said fund. The fund created shall be entitled the inmate processing fee fund, and shall be subject to appropriation through the Porter County council.

(Ord. No. 12-05, § 3, 3-20-2012; Ord. No. 12-08, § 3, 4-17-2012)

3.34.040 Use of funds.

The funds received and deposited in the inmate processing fee fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the inmate processing fee fund will be expended at the discretion of the Porter County sheriff for any departmental purpose reasonably related to the processing of inmates in and out of the Porter County jail and for the benefit of inmates who are processed in and out of the Porter County jail. The funds received and deposited in the inmate processing fee fund may be utilized for, but not limited to, the following identified purposes:

A. Inmate education and counseling.

(Ord. No. 12-05, § 4, 3-20-2012; Ord. No. 12-08, § 4, 4-17-2012)

3.34.050 Termination of funds—Transfer of funds.

The inmate processing fee fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners and if and when a subsequent ordinance is passed to terminate the life of the inmate processing fee fund, the fund balance existing and if not otherwise provided for by ordinance if any at that time shall be transferred to the county general fund.

(Ord. No. 12-05, § 5, 3-20-2012; Ord. No. 12-08, § 5, 4-17-2012)

3.34.060 Repeal of other ordinances.

Through the passage of this chapter, Ordinance No. 02-06; Ordinance No. 09-04; and Ordinance No. 12-05 are hereby repealed.

(Ord. No. 12-05, § 6, 3-20-2012; Ord. No. 12-08, § 6, 4-17-2012)

FOOTNOTE(S):

--- (3) ---

Editor's note— Ord. No. 12-05, §§ 1—6, adopted March 20, 2012, repealed the former Ch. 3.34, §§ 3.34.010—3.34.050, and enacted a new Ch. 3.34 as set out herein. The former Ch. 3.34 pertained to similar subject matter and derived from Ord. 02-06 §§ 2—6; Ord. No. 09-04, 3-17-2009. ([Back](#))

Chapter 3.35 COMPREHENSIVE DRAINAGE GRANT FUND

Sections:

[3.35.010 Fund established.](#)

[3.35.020 Use of revenue.](#)

[3.35.030 Termination of funds—Transfer of funds.](#)

3.35.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a fund for deposit of federal grant funds whereby all revenues received by Porter County for the comprehensive drainage grant as a result of the grant reimbursements shall be deposited in said fund.

(Ord. No. 12-22, § 2, 8-7-2012)

3.35.020 Use of revenue.

The funds received and deposited in the comprehensive drainage grant fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the comprehensive drainage grant fund shall be expended exclusively for the reimbursement of Porter County Economic Development Income Tax (CEDIT) Project 36 Fund No. 373 and at the discretion of the Porter County board of commissioners.

The fees received and deposited in said fund can be utilized at the discretion of the Porter County board of commissioners for any purpose reasonably related to the comprehensive drainage grant.

The funds deposited in the comprehensive drainage grant fund are subject to appropriation by the Porter County council.

(Ord. No. 12-22, § 3, 8-7-2012)

3.35.030 Termination of funds—Transfer of funds.

The comprehensive drainage grant fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. No. 12-22, § 4, 8-7-2012)

Chapter 3.36 CHARITABLE DONATION FUND

Sections:

[3.36.010 Fund established.](#)

[3.36.020 Use of donations.](#)

[3.36.030 Termination of fund—Transfer of funds.](#)

3.36.010 Fund established.

A charitable donation fund is established whereby all donations received by the Porter County board of commissioners for supplies and equipment and for building, lawn and equipment maintenance and repair shall be deposited in this special fund.

(Ord. 96-10 § 1)

3.36.020 Use of donations.

The donations received and deposited in the charitable donation fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for supplies and equipment and for maintenance and repair of county property, including buildings, lawn and equipment.

The donations generated and deposited in the charitable donation fund and expenditures therefrom will be made by the Porter County board of commissioners for the purposes of purchasing supplies and equipment and for maintenance and repair of county properties, including buildings, lawns and equipment.

(Ord. 96-10 §§ 2, 3)

3.36.030 Termination of fund—Transfer of funds.

The charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the charitable donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 96-10 § 4)

Chapter 3.37 LAKE ELIZA PLANNING GRANT FUND ^[4]

Sections:

[3.37.010 Fund established.](#)

[3.37.020 Use of revenue.](#)

[3.37.030 Termination of funds—Transfer of funds.](#)

3.37.010 Fund established.

The board of commissioners has determined that a need exists for the creation of a fund for deposit of federal grant funds whereby all revenues received by Porter County for the Lake Eliza planning grant as a result of the grant reimbursements shall be deposited in said fund.

(Ord. No. 12-14, § 2, 6-5-2012)

3.37.020 Use of revenue.

The funds received and deposited in the Lake Eliza planning grant fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the Lake Eliza planning grant fund shall be expended exclusively for the reimbursement of Porter County Economic Development Income Tax (CEDIT) Project 30 Fund No. 265 and at the discretion of the Porter County board of commissioners.

The fees received and deposited in said fund can be utilized at the discretion of the Porter County board of commissioners for any purpose reasonably related to the Lake Eliza planning grant.

The funds deposited in the Lake Eliza planning grant fund are subject to appropriation by the Porter County council.

(Ord. No. 12-14, § 3, 6-5-2012)

3.37.030 Termination of funds—Transfer of funds.

The Lake Eliza planning grant fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. No. 12-14, § 4, 6-5-2012)

FOOTNOTE(S):

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Editor's note— Ord. No. 12-14, §§ 1—4, adopted June 5, 2012, set out provisions adding Ch. 3.31. To preserve the existing Ch. 3.31 as added by Ord. No. 11-06, and at the editor's discretion, these provisions have been included as Ch. 3.37, §§ 3.37.010—3.37.030. ([Back](#))

Chapter 3.38 HOUSING OF FEDERAL AND DOC PRISONERS FUND

Sections:

[3.38.010 Housing of federal and DOC prisoners fund is established.](#)

[3.38.020 Use of revenues.](#)

[3.38.030 Termination of funds—Transfer of funds.](#)

3.38.010 Housing of federal and DOC prisoners fund is established.

A housing of federal and DOC prisoners fund is established whereby all money received pursuant to this chapter and as a result of the execution of the intergovernmental service agreement for housing of federal prisoners in the amount of forty dollars (\$40.00) per diem rate and the thirty-five dollars (\$35.00) per diem rate for DOC prisoners shall be deposited into such special fund. Such fund is entitled the "Housing of Federal and DOC Prisoners Fund" and shall be subject to appropriation by the Porter County council.

(Ord. 04-23 § 2: Ord. 02-20 § 2: Ord. 02-15 § 2)

3.38.020 Use of revenues.

The proceeds received and deposited in the housing of federal and DOC prisoners fund can only be used for the specific purposes set forth in this chapter. The funds deposited in the housing of federal and DOC prisoners fund shall be utilized by the Porter County board of commissioners to pay for facility costs; (including but not limited to the cost for utilities; maintenance contracts; parts and supplies; maintenance labor; custodial labor; and lawn and snow removal); employee benefits costs for jail employees and employees of the Porter County sheriff's police department; and insurance costs associated with the

facility; (including but not limited to building/fire, personal property; E-911 equipment; and personal liability).

The funds deposited in the housing of federal and DOC prisoners fund shall be also utilized by the Porter County sheriff to pay for estimated daily prisoner costs; (including but not limited to food expenses; medical expenses; household and bedding expenses; and miscellaneous expenses including equipment; office supplies, etc.); and salaries for jailers and for employees of the Porter County sheriff's department.

The estimated costs for the Porter County board of commissioners as of August 2002, for facility costs, employee benefits and insurance totals approximately sixteen dollars and fifty cents (\$16.50) per bed per day and the total cost for daily prisoner expenses as of July, 2002, for expenditure on behalf of the Porter County sheriff is seventeen dollars and fourteen cents (\$17.14). The above referenced expenditures are subject to annual re-evaluation through agreement between the Porter County board of commissioners and the Porter County sheriff. Such annual re-evaluation shall occur on or before June 1st of each calendar year.

Any monies deposited in such housing of federal and DOC prisoners fund in excess of the amounts needed by the Porter County board of commissioners and the Porter County sheriff for the expenses set forth above, shall be expended at the discretion of the Porter County sheriff for general jail operational expenses and general expenses associated with the operation of the Porter County sheriff's department.

(Ord. 04-23 § 3 (part); Ord. 02-20 § 3; Ord. 02-15 § 3)

3.38.030 Termination of funds—Transfer of funds.

The housing of federal and DOC prisoners fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners and if and when a subsequent ordinance is passed to terminate the life of the housing of federal and DOC prisoners fund, the fund balance existing and not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund upon approval by the USMS.

(Ord. 04-23 § 3 (part); Ord. 02-20 § 4; Ord. 02-15 § 4)

Chapter 3.39 BRINCKA CROSS PARK WALKING TRAILS FUND

Sections:

[3.39.010 Fund established.](#)

[3.39.020 Use of revenues.](#)

[3.39.030 Termination of fund.](#)

3.39.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceed from an IDNR (Lake Michigan Coastal Grant) to the Porter County park department for construction, maintenance and operation of walking trails at Brincka Cross Park.

(Ord. No. 12-28, § 2, 12-18-2012)

3.39.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from IDNR (Lake Michigan Coastal Grant) to Porter County park department shall be used only for the exclusive and limited purpose of constructing, operating and maintaining the community walking trails at Brincka Cross Park.

(Ord. No. 12-28, § 2, 12-18-2012)

3.39.030 Termination of fund.

The fund for deposit of proceeds from IDNR (Lake Michigan Coastal Grant) to Porter County park department for purposes of construction, maintenance and operation of walking trails at Brincka Cross Park shall remain in existence and remain perpetual in its terms under [until] amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 12-28, § 2, 12-18-2012)

Chapter 3.40 WILDLIFE MANAGEMENT FUND

Sections:

[3.40.010 Fund established.](#)

[3.40.020 Use of donations.](#)

[3.40.030 Termination of fund—Transfer of funds.](#)

3.40.010 Fund established.

A Porter County wildlife management fund be established whereby all charitable donations received by the Porter County board of commissioners or by the Porter County wildlife management advisory board for wildlife management shall be deposited in this special fund.

(Ord. 96-13 § 1)

3.40.020 Use of donations.

The charitable donations received and deposited in the Porter County wildlife management fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for utilization by the wildlife management advisory board to purchase educational materials and equipment; to help provide law enforcement training and assistance; to offset costs of wildlife management expenses incurred as a result of removal, detention, transportation and euthanasia of wild animals; and for other costs which are incurred relating to the duties and functions of the Porter County wildlife management advisory board as set forth in [Chapter 2.40](#). The donations generated and deposited in the charitable donation fund and expenditures therefrom will be made by the Porter County wildlife management advisory board for the purposes of purchasing educational materials and equipment; to help provide law enforcement training and assistance; to offset costs of wildlife management expenses incurred as a result of removal, detention, transportation and euthanasia of wild animals; and for other costs which are incurred relating to the duties and functions of the Porter County wildlife management advisory board as set forth in [Chapter 2.40](#). The charitable donations generated and deposited in the Porter County wildlife management fund and expenditures therefrom will be made by the members of the Porter County wildlife management advisory board in conjunction with the Porter County board of commissioners for the

purposes of wildlife management expenses set forth in this chapter.

(Ord. 96-13 §§ 2—4)

3.40.030 Termination of fund—Transfer of funds.

The Porter County wildlife management fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County wildlife management fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 96-13 § 5)

Chapter 3.41 SUNSET HILL FARM PARK CHILDREN'S GARDEN FUND

Sections:

[3.41.010 Fund established.](#)

[3.41.020 Use of revenues.](#)

[3.41.030 Termination of fund.](#)

3.41.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceed from an IDNR (Lake Michigan Coastal Grant) to the Porter County park department for the creation, maintenance and upkeep of a children's garden at Sunset Hill Farm Park.

(Ord. No. 12-29, § 2, 12-18-2012)

3.41.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from IDNR (Lake Michigan Coastal Grant) to Porter County park department shall be used only for the exclusive and limited purpose of constructing, operating and maintaining the community children's garden at Sunset Hill Farm Park.

(Ord. No. 12-29, § 2, 12-18-2012)

3.41.030 Termination of fund.

The fund for deposit of proceeds from IDNR (Lake Michigan Coastal Grant) to Porter County park department for purposes of construction, maintenance and operation of the children's garden at Sunset Hill Farm Park shall remain in existence and remain perpetual in its terms under [until] amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 12-29, § 2, 12-18-2012)

Chapter 3.42 PORTER COUNTY BAIL OUT LOAN FUND

Sections:

[3.42.010 Porter County Bail Out Loan Fund is established.](#)

[3.42.020 Use of revenues.](#)

[3.42.030 Termination of fund—Transfer of funds.](#)

3.42.010 Porter County Bail Out Loan Fund is established.

A Porter County bail out loan fund is established whereby all monies received pursuant to the Porter County bail out legislation and the executed Porter County bail out loan agreements shall be deposited into said special fund. The fund is hereby entitled "The Porter County Bail Out Loan Fund" and shall be subject to appropriation by the Porter County council.

(Ord. 02-18 § 2)

3.42.020 Use of revenues.

The proceeds received from the Porter County bail out loan agreements and deposited in the Porter County bail out loan fund shall be available for transfer to the Porter County general fund, Porter County cumulative capital development fund, and the Porter County health fund so as to provide funding for previously approved appropriations in each of those funds. The aforementioned proceeds shall also be available for appropriation to fund new expenditures from each or any of the above-identified funds. Both the transfer and appropriation procedure shall proceed only upon Porter County council approval.

(Ord. 02-19 § 1: Ord. 02-18 § 3)

3.42.030 Termination of fund—Transfer of funds.

The Porter County bail out loan fund shall remain in existence and remain perpetual in its terms until amended or terminated by a subsequent ordinance enacted by the board of commissioners and if and when a subsequent ordinance is passed to terminate the Porter County bail out loan fund, the fund balance existing and not otherwise provided for by Porter County council appropriation, shall be transferred to the county general fund upon approval by the Porter County council.

(Ord. 02-18 § 4)

Chapter 3.43 SUNSET HILL FARM PARK VEGETABLE GARDEN FUND

Sections:

[3.43.010 Fund established.](#)

[3.43.020 Use of revenues.](#)

[3.43.030 Termination of fund.](#)

3.43.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceed from a Valparaiso Rotary Club grant to the Porter County park department for the creation, maintenance and upkeep of a community vegetable garden at Sunset Hill

Farm Park.

(Ord. No. 12-30, § 2, 12-18-2012)

3.43.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from Valparaiso Rotary Club grant to Porter County park department shall be used only for the exclusive and limited purpose of constructing, operating and maintaining the community vegetable garden at Sunset Hill Farm Park.

(Ord. No. 12-30, § 2, 12-18-2012)

3.43.030 Termination of fund.

The fund for deposit of proceeds from Valparaiso Rotary Club grant to Porter County park department for purposes of construction, maintenance and operation of the community vegetable garden at Sunset Hill Farm Park shall remain in existence and remain perpetual in its terms under [until] amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 12-30, § 2, 12-18-2012)

Chapter 3.44 EXPO CENTER FUND

Sections:

[3.44.010 Fund established.](#)

[3.44.020 Use of funds.](#)

[3.44.030 Termination of fund—Transfer of funds.](#)

3.44.010 Fund established.

A special nonreverting Porter County expo center fund is established whereby all revenues received by the Porter County expo center shall be deposited in this special fund.

More specifically, all revenues received from all events at the Porter County expo center plus all revenues designated to the expo center through contract agreement with the visitor commission shall be deposited in this special fund.

(Ord. 96-14 §§ 1, 2)

3.44.020 Use of funds.

The revenues received from events at the exposition center and the revenues designated to the exposition center through contract with the visitor commission shall be received and deposited in the special nonreverting Porter County expo center fund; said funds to be used only for the specific purposes set forth in this chapter.

The revenues generated and deposited in the special nonreverting Porter County expo center fund shall be utilized specifically and exclusively for any and all expenditures related to the operation of the Porter County expo center; said expenditures to be approved by the Porter County board of commissioners.

(Ord. 96-14 §§ 3, 4)

3.44.030 Termination of fund—Transfer of funds.

The special nonreverting fund for the Porter County expo center shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the special nonreverting Porter County expo center fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 96-14 § 5)

Chapter 3.45 SUNSET HILL FARM PARK EDUCATIONAL CENTER FUND

Sections:

[3.45.010 Fund established.](#)

[3.45.020 Use of revenues.](#)

[3.45.030 Termination of fund.](#)

3.45.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceeds from contributions made to Porter County park department for construction, maintenance and operation of the educational center.

(Ord. No. 12-31, § 2, 12-18-2012)

3.45.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from contributions made to Porter County park department shall be used only for the exclusive and limited purpose of constructing, operating and maintaining the educational center at Sunset Hill Farm Park.

(Ord. No. 12-31, § 2, 12-18-2012)

3.45.030 Termination of fund.

The fund for deposit of proceeds from contributions made to Porter County park department for purposes of construction, maintenance and operation [of] the educational center at Sunset Hill Farm Park shall remain in existence and remain perpetual in its terms under [until] amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 12-31, § 2, 12-18-2012)

Chapter 3.46 FUND FOR RECEIPT OF GROSS TAXES COLLECTED BY TAX MANAGEMENT ASSOCIATES, INC.

Sections:

[3.46.010 Fund for receipt of gross taxes collected by Tax Management Associates, Inc.](#)

[3.46.020 Use of funds.](#)

[3.46.030 Termination of funds—Transfer of funds.](#)

3.46.010 Fund for receipt of gross taxes collected by Tax Management Associates, Inc.

A fund for receipt of gross taxes collected by Tax Management Associates, Inc. is established whereby the gross amount of taxes collected as a result of business personal property audits conducted by Tax Management Associates, Inc. pursuant to a service contract shall be deposited in the fund. The fund shall be assigned No. 225 by the Porter County Auditor's office.

(Ord. 03-08 § 2)

3.46.020 Use of funds.

The monies received and deposited in the fund for receipt of gross taxes collected by Tax Management Associates, Inc. can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the fund for receipt of gross taxes collected by Tax Management Associates, Inc. shall be held by the Porter County auditor until Porter County has fully paid Tax Management Associates, Inc. all amounts due and payable under the service contract executed and then the balance shall be distributed pursuant to state law to all appropriate taxing units.

(Ord. 03-08 § 3)

3.46.030 Termination of funds—Transfer of funds.

The fund for the receipt of gross taxes collected by Tax Management Associates, Inc. shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the fund, the fund balance existing, if not otherwise provided for by ordinance, shall be distributed to the appropriate taxing units in compliance with state law.

(Ord. 03-08 § 4)

Chapter 3.47 TAKE ME FISHING PROJECT FUND

Sections:

[3.47.010 Fund established.](#)

[3.47.020 Use of revenues.](#)

[3.47.030 Termination of fund.](#)

3.47.010 Fund established.

The board of county commissioners has determined that a need exists for creation of a fund to serve as the depository of the proceed from a National Recreation and Park Association fishing grant to the Porter County park department for the creation, maintenance and upkeep of the take me fishing project.

(Ord. No. 12-32, § 2, 12-18-2012)

3.47.020 Use of revenues.

The funds received and deposited in the fund for deposit of proceeds from National Recreation and Park Association grant to Porter County park department shall be used only for the exclusive and limited purpose of constructing, operating and maintaining the take me fishing project.

(Ord. No. 12-32, § 2, 12-18-2012)

3.47.030 Termination of fund.

The fund for deposit of proceeds from National Recreation and Park Association grant to Porter County park department for purposes of construction, maintenance and operation of the take me fishing project shall remain in existence and remain perpetual in its terms under [until] amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the balance remaining, if not otherwise provided for by ordinance shall revert to the park maintenance fund.

(Ord. No. 12-32, § 2, 12-18-2012)

Chapter 3.48 MEMORIAL DONATION FUND

Sections:

[3.48.010 Fund established.](#)

[3.48.020 Use of funds.](#)

[3.48.030 Termination of fund—Transfer of funds.](#)

3.48.010 Fund established.

A Greg Phillips memorial donation fund is established whereby all memorial donations received by the Porter County environmental department in care of the Porter County board of commissioners shall be deposited in this special fund.

(Ord. 96-33 § 1)

3.48.020 Use of funds.

The memorial donations received and deposited in the Greg Phillips memorial donation fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for utilization by the Porter County board of commissioners to construct a building in Porter County to house the hazardous materials response team equipment, which building will be named in honor of Greg Phillips.

The memorial donations generated and deposited in the Greg Phillips memorial donation fund and expenditures therefrom will be made by the Porter County board of commissioners for the purposes of construction of a building in Porter County to house the hazardous materials response team equipment.

The memorial donations generated and deposited in the Greg Phillips memorial donation fund and expenditures therefrom will be made by the Porter County board of commissioners for the purposes set forth in this chapter.

(Ord. 96-33 §§ 2—4)

3.48.030 Termination of fund—Transfer of funds.

The Greg Phillips memorial donation fund shall remain in existence and remain in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Greg Phillips memorial fund donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 96-33 § 5)

Chapter 3.49 CHARITABLE DONATION FUND FOR COUNTY CENTRAL COMMUNICATIONS

Sections:

[3.49.010 Fund established.](#)

[3.49.020 Use of revenues.](#)

[3.49.030 Termination of fund—Transfer of fund.](#)

3.49.010 Fund established.

A nonreverting Porter County central communications gift fund is established whereby all charitable donations, revenues and monies received that are earmarked for telecommunicator week, for year-long benefit of employee recognition, any other donations and revenues received from agency-sponsored training classes shall be deposited in this special fund.

(Ord. No. 13-06, § 2, 6-4-2013)

3.49.020 Use of revenues.

- A. The charitable donations, revenues and monies received and deposited in the Porter County central communications gift fund can be used only for the specific purposes set forth in this chapter, such expenditures to be limited by the Porter County director of communications, are as follows:
1. Cardiopulmonary resuscitation training (CPR).
 - a. Certification of employees as CPR instructors.
 - b. Books and other equipment to be used during the instruction of CPR.
 - c. Certification cards.
 2. Any specific or non-specific item that a cash donation is made for. This may include, but is not limited to, items needed to aid in the celebration of National Public Safety Telecommunicator Week (NPSTW), appliances, clothing, food, non-alcoholic beverages, awards (cash, plaques, certificates, etc.), training, etc.
 3. Any specific fund-raising that is done, the monies shall be used to pay for or donate to the specific item(s), person(s) or cause(s).

- B. The revenues generated and deposited in the special nonreverting Porter County central communications gift fund shall be utilized specifically and exclusively for expenditures set forth in this chapter, such expenditures to be approved by the Porter County director of communications.

(Ord. No. 13-06, § 3, 6-4-2013)

3.49.030 Termination of fund—Transfer of fund.

The Porter County central communications gift fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners.

If and when a subsequent ordinance is passed to terminate the life of this fund, the fund balance existing, if not otherwise provided for by ordinance shall revert to the Porter County general fund.

(Ord. No. 13-06, § 4, 6-4-2013)

Chapter 3.50 BUILDING, PLANNING AND ZONING FUND

Sections:

[3.50.010 Fund established.](#)

[3.50.020 Use of fund.](#)

[3.50.030 Termination of funds—Transfer of funds.](#)

3.50.010 Fund established.

The board of county commissioners does hereby determine that a need exists for the creation of a Porter County building, planning and zoning fund whereby all revenues generated by fees and all proceeds from the acceptance of gifts, donations and grants shall be deposited in the separate fund.

The following monies received by the building department and plan commission shall be deposited in this building, planning and zoning fund: (a) application fees received by the building department and plan commission for improvement location permits and electrical upgrade permits; (b) application fees for petitions to the plan commission, board of zoning appeals and technical advisory committee; (c) those donations received from any private or governmental source, which are particularly specified to be deposited in this building, planning and zoning fund or to be used for the specific purposes of the fund; (d) those fees generated from building department and plan commission operations which the board of county commissioners approves for inclusion within the building, planning and zoning fund.

The Porter County auditor's office shall establish the building, planning and zoning fund pursuant to the provisions of this chapter and any balances in the building, planning and zoning fund at the end of any given calendar year shall be carried forward.

All monies received by the building department and plan commission pursuant to this chapter shall be deposited weekly with the Porter County auditor's office and the Porter County auditor shall credit such deposits to this building, planning and zoning fund.

(Ord. 03-13 § 2)

3.50.020 Use of fund.

The revenues generated and deposited in the special nonreverting building, planning and zoning fund shall be utilized specifically and exclusively for expenditures related to the operation of the building

department and plan commission. The building, planning and zoning fund is intended to supplement the costs associated with the operation of the building department and plan commission. Expenditures from the building, planning and zoning fund shall be approved by the Porter County board of commissioners. The expenditures to include but not be limited to: (a) the compensation of employees of the plan commission and building department; (b) members of the plan commission and board of zoning appeals; (c) to retain counsel for the plan commission and the board of zoning appeals; (d) for the operational costs of the building department and plan commission; (e) and other expenses designated by the board of county commissioners. The employees compensated shall include but not limited to executive director, building commissioner, building inspectors, building secretary, zoning inspector/assistant planner, administrative assistant, first deputy, second deputy and other positions and/or employees the board of county commissioners deem necessary for the operation of the building department and for which the plan commission board deems necessary for the operation of the plan commission.

Any funds contained in the building, planning and zoning fund shall be appropriated only upon recommendation from the board of county commissioners and after the Porter County council approves the appropriation pursuant to the rules for budget appropriations. The funds shall be appropriated only for the specific purposes set forth in this chapter.

If the balance of the building, planning and zoning fund is insufficient the Porter County council will be requested to provide additional monies from the general fund to continue operation of the building department and plan commission.

Expenditures from the building, planning and zoning fund for the purposes stated herein shall commence effective January 1, 2004.

(Ord. 03-13 § 3)

3.50.030 Termination of funds—Transfer of funds.

The Porter County building, planning and zoning fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of county commissioners of Porter County; and if and when a subsequent ordinance is passed to terminate the life of the Porter County building, planning and zoning fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 03-13 § 4)

Chapter 3.52 POLICE DEPARTMENT CHARITABLE DONATION FUND

Sections:

[3.52.010 Fund established.](#)

[3.52.020 Use of donations.](#)

[3.52.030 Termination of fund—Transfer of funds.](#)

3.52.010 Fund established.

A Porter County sheriff's police department charitable donation fund is established whereby all charitable donations received by the Porter County sheriff's police department for law enforcement needs shall be deposited in this special fund.

(Ord. 96-38 § 1)

3.52.020 Use of donations.

The charitable donations received and deposited in the Porter County sheriff's police department charitable donation fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for utilization by the Porter County sheriff's police department to purchase educational materials and equipment; to help provide law enforcement training and assistance; and for other costs which are incurred relating to the duties and functions of the Porter County sheriff's police department.

The donations generated and deposited in the charitable donation fund and expenditures therefrom will be made by the Porter County sheriff for the purposes of purchasing educational materials and equipment; to help provide law enforcement training and assistance; and for other costs which are incurred relating to the duties and functions of the Porter County sheriff's police department.

The charitable donations generated and deposited in the Porter County sheriff's police department charitable donation fund and expenditures therefrom will be made by the Porter County sheriff for the purposes of the Porter County sheriff's police department expenses set forth in this chapter.

(Ord. 96-38 §§ 2—4)

3.52.030 Termination of fund—Transfer of funds.

The Porter County sheriff's police department charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County sheriff's police department charitable donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 96-38 § 5)

Chapter 3.54 IMMUNIZATION DONATION FUND

Sections:

[3.54.010 Fund established.](#)

[3.54.020 Use of revenues.](#)

[3.54.030 Termination of fund—Transfer of funds.](#)

3.54.010 Fund established.

The board of commissioners does determine that a need exists for the creation of an immunization donation fund whereby all charitable donations and revenues received by the Porter County board of health for the benefit and advancement of the Porter County health department immunization program shall be deposited in the fund.

(Ord. 03-11 § 1)

3.54.020 Use of revenues.

The funds received and deposited in the immunization donation fund can be used only for the specific purposes set forth in this chapter. The funds received and deposited in the immunization donation fund will be expended exclusively for the Porter County health department immunization program.

(Ord. 03-11 § 2)

3.54.030 Termination of fund—Transfer of funds.

The immunization donation fund shall remain in existence and remain in perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the existence of the immunization donation fund, fund balance existing and if not otherwise provided for ordinance if any at that time shall be transferred to the health general fund.

(Ord. 03-11 § 3)

Chapter 3.56 MEMORIAL OPERA HOUSE MANAGEMENT FUND

Sections:

[3.56.010 Fund established.](#)

[3.56.020 Use of revenues.](#)

[3.56.030 Termination of fund—Transfer of funds.](#)

3.56.010 Fund established.

A special nonreverting Memorial Opera House management fund be established whereby all revenues generated and received from the management of the Memorial Opera House by the Porter County convention, recreation and visitors commission as a result of the Memorial Opera House management and promotion agreement shall be deposited in this special fund.

More specifically, all revenues received from all events at the Memorial Opera House and all revenues generated as a result of the management and promotion agreement between the Porter County board of commissioners and the Porter County convention, recreation and visitors commission shall be deposited in this special fund.

(Ord. 97-7 §§ 1, 2)

3.56.020 Use of revenues.

The revenues generated from events at the Memorial Opera House shall be received and deposited in the special nonreverting Memorial Opera House management fund, said funds to be used only for the specific purposes set forth in this chapter.

The revenues generated and deposited in the special nonreverting Memorial Opera House management fund shall be utilized specifically and exclusively for expenditures related to the operation of the Memorial Opera House, said expenditures to be approved by the Porter County board of commissioners.

The specific expenditures approved pursuant to this chapter to be paid from the Memorial Opera House management fund include payment of management costs associated with the implementation of the terms and conditions set forth in the Memorial Opera House management and promotion agreement, including budget supplements to the Porter County convention, recreation and visitors commission to defray costs incurred by it in the promotion, management, staffing, and scheduling of activities at the Memorial Opera House.

(Ord. 97-7 §§ 3—5)

3.56.030 Termination of fund—Transfer of funds.

The special nonreverting Memorial Opera House management fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the special non-reverting Memorial Opera House management fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 97-7 § 6)

Chapter 3.58 COURT ORDERED DETENTION SERVICES FUND

Sections:

[3.58.010 Fund established.](#)

[3.58.020 Per diem payable.](#)

[3.58.030 Use of revenues.](#)

[3.58.040 Termination of fund—Transfer of revenue.](#)

3.58.010 Fund established.

A court ordered detention enhanced services fund is established whereby all court ordered detention enhanced services fees received by the Porter County juvenile detention center to be used to enhance the ability of the Porter County juvenile detention center to develop, appropriately staff, and deliver rehabilitative programming, to provide adjunct services to other departments of the juvenile court as ordered by the Porter County juvenile court, and to perform and enhance those functions necessary to comply with the Indiana standards for juvenile detention facilities, shall be deposited in this special, nonreverting fund.

(Ord. 04-10 § 1)

3.58.020 Per diem payable.

The amount of reimbursement due shall be:

- A. A maximum equal to the per diem rate established by the Porter County board of commissioners for contracting counties; or
- B. A lesser amount as determined by the court's use of the child support guidelines;
- C. An amount set pursuant to court order to provide an alternative form of detention;

multiplied by each day or part of a day that the juvenile is lawfully detained and/or placed in an alternative form of detention.

(Ord. 04-10 § 2)

(Ord. No. 12-24, § 2, 10-16-2012)

3.58.030 Use of revenues.

The court ordered detention enhanced services fees generated and deposited in the court ordered detention enhanced services fund and expenditures therefrom will be made by the Porter County juvenile

detention center, upon authorization of the circuit court judge and upon appropriation by the county fiscal body, for the purposes of developing, appropriately staffing, and delivering rehabilitative programming, for providing adjunct services to other departments of the juvenile court as ordered by the Porter County juvenile court, and performing and enhancing the functions necessary to comply with the Indiana standards for juvenile detention facilities, which involves a wide range of services and programs that support the juveniles' intellectual, physical, emotional and social development, which minimally include: education, recreation, counseling, nutrition, medical and health care services, reading, visitation, communication, continuous supervision, and staff training.

(Ord. 04-10 § 3)

3.58.040 Termination of fund—Transfer of revenue.

The court ordered detention enhanced services fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners of Porter County; and if and when a subsequent ordinance is passed to terminate the life of the court ordered detention enhanced services fund, the fund balance existing, if any at that time, and if not otherwise provided for by ordinance shall be transferred to the county general fund.

(Ord. 04-10 § 4)

Chapter 3.62 SPECIAL FUND

Sections:

[3.62.010 Fund established.](#)

[3.62.020 Use of revenues.](#)

[3.62.030 Termination of fund.](#)

3.62.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a special fund for deposit of two hundred fifteen thousand, six hundred ten dollars and twenty-five cents (\$215,610.25) to be appropriated by the Porter County council.

(Ord. 04-09 § 1)

3.62.020 Use of revenues.

The funds received in the special fund can be utilized for any purpose approved by a majority vote of the Porter County council.

(Ord. 04-09 § 2)

3.62.030 Termination of fund.

The special fund shall be terminated automatically and without further action or ordinance once the Porter County council appropriates the balance of the two hundred fifteen thousand, six hundred ten dollars and twenty-five cents (\$215,610.25).

(Ord. 04-09 § 3)

Chapter 3.64 DEBRIS AND REFUSE FUND

Sections:

[3.64.010 Fund established.](#)

[3.64.020 Use of revenues.](#)

[3.64.030 Termination of fund—Transfer of funds.](#)

3.64.010 Fund established.

A debris and refuse fund is established whereby all revenue generated from the use of [Chapter 8.12](#) prohibiting dumping shall be deposited in this special fund.

(Ord. 95-13 § 5(D))

3.64.020 Use of revenues.

The revenues generated and deposited in the debris and refuse fund can be used only for the specific purposes set forth in this section and [Chapter 8.12](#); said expenditures to be limited to improvements and maintenance of county rights-of-way and drainage tests.

(Ord. 95-13 § 5(E))

3.64.030 Termination of fund—Transfer of funds.

The debris and refuse shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners.

If and when a subsequent ordinance is passed to terminate the life of the debris and refuse fund, the fund balance existing, if any at that time, and if not otherwise provided for by ordinance, should be transferred to the county general fund.

(Ord. 95-13 § 5(F), (G))

Chapter 3.66 FIXED ASSET CAPITALIZATION AND INVENTORY POLICY

Sections:

[3.66.010 Definitions and provisions.](#)

[3.66.020 Capitalization threshold and inventory.](#)

[3.66.030 Assets below the capitalization threshold.](#)

[3.66.040 Depreciation of fixed assets.](#)

3.66.010 Definitions and provisions.

For the purpose of this chapter, the following definitions shall apply unless the content clearly indicates or requires a different meaning:

"Fixed asset" means and includes land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, and all other tangible assets that are in operations and have initial useful lives extending beyond a single reporting period.

"Infrastructure asset" means long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples include roads, bridges, and right-of-ways.

(Ord. 04-19 § 1: Ord. 04-15 § 1)

3.66.020 Capitalization threshold and inventory.

To be considered a fixed asset for financial reporting purposes, an item must be at or above the capitalization threshold and have a unit historical cost of ten thousand dollars (\$10,000.00) or more. With regard to improvements to building, there must be a historical cost of one hundred thousand dollars (\$100,000.00) or more. With regard to improvements to infrastructure, the expenditure must be a historical cost of two hundred thousand dollars (\$200,000.00) or more; however, repairs and most renovations will be expensed in the current year.

The county auditor's office will ensure that accounting for fixed assets is being exercised by establishing a fixed asset inventory, both initial and periodically in subsequent years. The county auditor will further ensure that the fixed asset report will be updated annually to reflect additions, retirements and transfers and to reflect the new, annual fixed asset balance.

(Ord. 04-19 § 2: Ord. 04-15 § 2)

3.66.030 Assets below the capitalization threshold.

The Porter County board of commissioners also wishes to express the day-to-day stewardship of property (above and in selected instances below the capitalization threshold of ten thousand dollars (\$10,000.00) is the expressed responsibility for the head of the operating department utilizing the property.

And for maintenance of the fixed asset accounting report, the various head of the operating departments have the responsibility to report additions, retirements, and transfers, in detail to the auditor's office. Details shall include data elements such as asset description, location, make, model, serial number, date of acquisition, cost, trade-in or disposal price received, and any other information that assists control or is deemed relevant.

Further, these assets below the capitalization threshold, but considered sensitive may include, but not be limited to, weapons, radios, computers, printers, fax machines, chain saws, small motor equipment and power tools. These minor but sensitive items shall be inventoried and controlled at the department level by the head of the operating department. Stated inventory shall be conducted annually. The county auditor shall reserve the right to request copies of the inventory and/or updated inventory of controllable items and to periodically review the information and adherence to policy.

(Ord. 04-19 § 3: Ord. 04-15 § 3)

3.66.040 Depreciation of fixed assets.

- A. Buildings will be depreciated at fifty (50) years.
- B. Equipment will be depreciated at seven years.
- C. Vehicles will be depreciated at:
 - 1. Eight years for cars;
 - 2. Nine years for SUV's and pick-up trucks;

- 3. Fourteen (14) years for highway trucks.
- D. Roads will be depreciated at fifty (50) years.
- E. Building will be depreciated at fifty (50) years.

(Ord. 04-19 § 4)

Chapter 3.68 NONREVERTING FUND FOR TELEPHONE REBATE MONIES DEPOSIT

Sections:

[3.68.010 Established—Use of funds.](#)

3.68.010 Established—Use of funds.

- A. A special nonreverting public safety technology fund shall be established whereby all revenues and commissions received by Porter County from jail prisoner phone calls in the form of a monthly rebate check from the telephone company servicing the Porter County Jail shall be deposited in such special fund.
- B. The revenues generated from the commission on jail prisoner phone calls received by Porter County in the form of a monthly rebate check shall be received and deposited in the special nonreverting public safety technology fund, such funds to be used only for the specific purposes set forth in the ordinance codified in this chapter.
- C. The revenues generated and deposited in the special nonreverting public safety technology fund shall be utilized specifically and exclusively for the monies needed by Porter County to contribute in matching funds the amount necessary to receive the federal grant approved in the amount of two hundred forty-four thousand, seven hundred fifty dollars (\$244,750.00) as well as any other federal grant approved for Porter County sheriff's police department and to be further used for expenditures related to public safety technology and maintenance of equipment as it relates to Porter County, such expenditures to be approved by the Porter County Board of Commissioners.
- D. The special nonreverting public safety technology fund shall remain in existence and remain perpetual in its terms until amended or terminated by a subsequent ordinance enacted by the board of commissioners of Porter County; and if and when a subsequent ordinance is passed to terminate the life of the public safety technology fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 98-8; Ord. 97-27)

Chapter 3.70 DISPOSITION OF SURPLUS PERSONAL PROPERTY FOR ITS DEPARTMENT

Sections:

[3.70.010 Disposition of surplus personal property for ITS department—Purchasing agent.](#)

[3.70.020 Internet auction sites.](#)

[3.70.030 Property valued at \\$5,000.00 or less.](#)

[3.70.040 Worthless property.](#)

[3.70.050 Exchange of property.](#)

3.70.010 Disposition of surplus personal property for ITS department—Purchasing agent.

Pursuant to IC 5-22-22-3, the Porter County board of commissioners may sell property that belongs to the governmental body but is no longer needed or is unfit for the purpose for which it is intended. Pursuant to Ordinance 98-18, the ITS director is considered a duly appointed purchasing agent for the Porter County board of commissioners.

(Ord. 05-05 § 2)

3.70.020 Internet auction sites.

Pursuant to IC 5-22-22-4.5, the Porter County board of commissioners may sell surplus property using an Internet auction site. The Porter County board of commissioners grant authority to the ITS director to utilize an Internet auction site approved by the state of Indiana Intelenet Commission for disposal of unused or surplus technology related personal property when the anticipated net payment received for the personal property exceeds the "total net value gained" from utilizing an Internet auction site for disposal. The "total net value gained" is defined as the all costs associated with:

- A. Fees related to advertising;
- B. Labor for preparing the advertisement;
- C. Labor for preparing and packaging the item for shipment;
- D. Cost of shipping if applicable;
- E. Cost of shipping materials.

(Ord. 05-05 § 3)

3.70.030 Property valued at \$5,000.00 or less.

Pursuant to IC 5-22-22-6, the Porter County board of commissioners grant authority to the ITS director to perform a public or private sale or transfer without formal advertising if the property to be sold is:

- A. One item, with an estimated value of less than one thousand dollars (\$1,000.00); or
- B. More than one item, with an estimated total value of less than five thousand dollars (\$5,000.00).

Any item sold either publicly or privately shall be accompanied by the approved "Technology Related Personal Property Disposal Form" (Appendix A) indicating the description of the item, any licensed product(s) included, serial or registration number if applicable, sale price or donation value, purchaser's name, address and social security number for tax purposes if applicable. Notification of items available for purchase or donation will be placed in a special section on the Porter County public web site. Items available will be sold or donated on a first-come, first-served basis and will be considered "as is" with no guarantees or warranties of any kind. Employees of the ITS department are ineligible from purchasing or receiving donations of such equipment.

Pursuant to IC 5-22-22-7, the Porter County board of commissioners grant authority to the ITS director to sell at a public or private sale or transfer technology related personal property to an outside agent for the specific purpose of recycling the property. This transfer may occur with or without advertising.

(Ord. 05-05 § 4)

3.70.040 Worthless property.

Pursuant to IC 5-22-22-9, the Porter County board of commissioners grant authority to the ITS director to identify if technology related personal property is considered worthless. Property may be considered worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property.

(Ord. 05-05 § 5)

3.70.050 Exchange of property.

Pursuant to IC 5-22-22-10, the Porter County board of commissioners grant authority to the ITS director to exchange technology related personal property between other governmental bodies.

- A. The property may be exchanged with another governmental body based upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity.
- B. A transfer of property may be made for any amount of property or monetary amount as agreed upon by the governmental bodies.
- C. If a monetary amount is agreed upon, a check should be issued payable to the Porter County treasurer to be deposited into the county's general fund.

(Ord. 05-05 § 6)

Chapter 3.74 COUNTY IDENTIFICATION SECURITY PROTECTION FEE AND FUND

Sections:

[3.74.010 Establishment of a county identification security protection fee and fund.](#)

[3.74.020 Use of funds.](#)

[3.74.030 Termination of funds/transfer of funds.](#)

3.74.010 Establishment of a county identification security protection fee and fund.

The board of county commissioners does determine that a need exists for the creation of a county identification security protection fee and fund pursuant to I.C. 36-2-7.5 et seq.

The county identification security protection fund, (hereinafter CISP fund) is created as a result of legislation that requires that no document can be recorded that contains a social security number, unless the number is required by law to be on the document.

That pursuant to I.C. 36-2-7.5-6 no document can be recorded without an approved State Board of Accounts Form referenced at I.C. 36-2-7.5-5 being attached as part of the document.

A fee of two dollars (\$2.00) shall be collected for recording this form and the two dollars (\$2.00) from the recording of the form shall be deposited into the newly created CISP fund. Such fund shall be assigned Number _____ by the Porter County auditor's office.

(Ord. 05-18 § 2)

3.74.020 Use of funds.

Commencing January 1, 2006 and ending June 30, 2011, all monies received pursuant to I.C. 36-2-7.5 will be received and deposited in the CISP fund. The CISP fund shall be administered by the recorder and the monies appropriated by the Porter County council.

The monies received and deposited in the CISP fund can be used only for the specific purpose asset forth in this chapter. The funds received and deposited in the CISP fund shall be used exclusively for the purchase, upgrade, implementation and maintenance of redacting technology.

(Ord. 05-18 § 3 (part))

3.74.030 Termination of funds/transfer of funds.

The CISP fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. Monies collected between January 1, 2006 through June 30, 2011 shall remain in the CISP fund and money collected during that time frame shall not revert to the county general fund.

If and when a subsequent ordinance is passed to terminate the life of this fund, the fund balance existing, if not otherwise provided for by ordinance, shall remain in the fund until expended by the county for the purchase, upgrade, implementation, and maintenance of redacting technology.

However, commencing July 1, 2011, the two dollars (\$2.00) charged and collected for recording of the State Board of Accounts Form shall thereafter be deposited into the county general fund.

(Ord. 05-18 § 3 (part))

Chapter 3.76 VIDEO TAPE DUPLICATION FEE AND FUND

Sections:

[3.76.010 Video tape duplication fee.](#)

[3.76.020 Violations designated.](#)

[3.76.030 Violations—Penalties.](#)

[3.76.040 Fund established.](#)

[3.76.050 Use of funds.](#)

[3.76.060 Termination of fund— Transfer of funds.](#)

3.76.010 Video tape duplication fee.

- A. A need exists to establish a chargeable fee by the Porter County sheriff's department for the duplication of video tapes that have been taken by the police department and which involve an incident, accident, traffic arrest, traffic stop or any other type of traffic enforcement or general police activity for which there is a video tape taken by the police department.
- B. The Porter County sheriff's police department shall hereby and hereafter charge a fee of fifty dollars (\$50.00) to duplicate a video tapes of the type referenced above. The person or party requesting a copy of such tape or tapes shall provide a subpoena for the tape or tapes along with the fifty dollar (\$50.00) fee.
- C. The fifty dollar (\$50.00) fee is to be charged for each incident or each tape. In the event that the same incident, occurrence, or accident involves two or more separate tapes the charge shall be fifty

dollars (\$50.00) for each such tape. The person or party requesting a copy of such tape or tapes shall be responsible for providing a blank tape or tapes for copying and reproduction.

(Ord. 98-7 § 2)

3.76.020 Violations designated.

It shall be a violation of [Section 3.76.010](#) for any individual to duplicate and/or edit a video tape received pursuant to [Section 3.76.010](#) and it shall be a violation for any person to use a video tape received pursuant to [Section 3.76.010](#) for a commercial purpose.

(Ord. 98-7 § 3)

3.76.030 Violations—Penalties.

An officer of the Porter County sheriff's department may issue a citation to any person who violates this chapter. Upon conviction for the violation of this chapter, a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) per violation may be assessed by the court.

(Ord. 98-7 § 4)

3.76.040 Fund established.

The board of commissioners does determine that a need exists for the creation of a video tape duplication fund whereby all funds received by the Porter County sheriff's police department for the duplication and/or reproduction of video tapes shall be deposited in said fund.

(Ord. 98-7 § 5)

3.76.050 Use of funds.

- A. The funds received and deposited in the video tape duplication fund can be used only for the specific purposes set forth in this chapter.
- B. The funds received and deposited in the video tape duplication fund will be expended at the discretion of the Porter County sheriff's police department for any departmental purpose reasonably related to the preservation, upkeep, maintenance, and replacement of video cameras used to create the video tape; for video tapes; and for preservation and upkeep of other equipment and items related to the preservation and duplication of the video tapes.

(Ord. 98-7 § 6)

3.76.060 Termination of fund— Transfer of funds.

The video tape duplication fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the video tape duplication fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 98-7 § 7)

Chapter 3.78 PORTER COUNTY SHERIFF'S DEPARTMENT CIVIL DIVISION FEES AND FUND

Sections:

[3.78.010 Establishment of a Porter County sheriff's civil bureau fee and fund.](#)

[3.78.020 Fund established.](#)

[3.78.030 Use of funds.](#)

[3.78.040 Termination of fund.](#)

3.78.010 Establishment of a Porter County sheriff's civil bureau fee and fund.

The board of county commissioners does determine that a need exists for the implementation of a Porter County sheriff's civil bureau fee for sheriff's sales pursuant to I.C. 32-29-7-3 and eviction orders. The board of commissioners further find the need to create a special fund for the deposit of revenues generated from these fees.

In all proceedings for the sale of real estate upon judicial foreclosure of a mortgage, the Porter County sheriff's, civil bureau shall charge a sheriff's sale user fee in the amount of two hundred dollars (\$200.00) payable as a cost of the offer and sale as provided for in I.C. 32-30-10-14.

The Porter County sheriff's civil bureau shall also charge a user fee of one hundred dollars (\$100.00) per occurrence for services rendered in connection with the execution of an order of eviction from real estate.

Each fee shall be paid to the Porter County clerk's office upon filing. The Porter County clerk is directed to forward the fees generated to the Porter County auditor.

The Porter County sheriff's civil bureau fees fund (hereafter "PCSCBFF Fund") is created as a result of legislation that provides that the county sheriff may charge an administrative fee of not more than two hundred dollars (\$200.00) for actual costs directly attributable to the administration of sheriff's sales.

Said fund created for the deposit of said fees shall be assigned No. _____ by the Porter County auditor's office.

(Ord. 06-16 § 2)

3.78.020 Fund established.

Pursuant to I.C. 32-29-7-3 and I.C. 32-30-10-14 there is created a special nonreverting fund for the Porter County sheriff's department to be designated as the "Porter County Sheriff's Civil Bureau Fees Fund." With the exception of the revenues required by state statute to be deposited into the county general fund, the auditor shall deposit into the Porter County sheriff's civil bureau fees fund all sheriff's civil fees received pursuant to [Section 3.78.010](#) above.

Specifically, the fees generated from the execution of an order of eviction in the amount of one hundred dollars (\$100.00) and the fees generated from the sale of real estate on mortgage foreclosures in the amount of two hundred dollars (\$200.00) shall be deposited into said fund.

(Ord. 06-16 § 3 (part))

3.78.030 Use of funds.

The funds received and deposited into the Porter County sheriff's civil bureau fees fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited into the Porter County sheriff's civil bureau fees fund will be expended at the discretion of the Porter County sheriff's police department to be used for expenses

incurred in carrying out the functions and the duties of the Porter County sheriff's department civil bureau as it relates to the administration of sheriff's sales, including but not limited to costs attributable to the sale of real estate on mortgage foreclosures and costs attributed to the execution of an order for eviction from real estate.

In addition, the funds received and deposited in the Porter County sheriff's department civil bureau fees fund may be expended at the discretion of the Porter County sheriff's department for any expenses incurred in carrying out the functions and duties.

The funds received and deposited into the Porter County sheriff's civil bureau fees fund shall be subject to appropriation by the Porter county council.

(Ord. 06-16 § 4)

3.78.040 Termination of fund.

The Porter County sheriff's civil bureau fees fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the Porter County board of commissioners. If and when a subsequent ordinance is passed to terminate the life of this fund, the fund balance existing, if not otherwise provided for by ordinance, shall remain in the fund until expended by the county for the purposes identified in this chapter.

If and when a subsequent ordinance is passed to terminate the life of the fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 06-16 § 3 (part))

Chapter 3.80 CALUMET TRAIL DONATION FUND

Sections:

[3.80.010 Fund established.](#)

[3.80.020 Use of revenues.](#)

[3.80.030 Termination of fund—Transfer of funds.](#)

3.80.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a Calumet Trail donation fund whereby all charitable donations and revenues received by the Porter County board of commissioners for the benefit and improvement of the Calumet Trail shall be deposited in said fund.

(Ord. 98-13 § 1)

3.80.020 Use of revenues.

- A. The funds received and deposited in the Calumet Trail donation fund can be used only for the specific purposes set forth in this chapter.
- B. The funds received and deposited in the Calumet Trail donation fund will be expended for the construction, improvement and maintenance of the Calumet Trail.

(Ord. 98-13 § 2)

3.80.030 Termination of fund—Transfer of funds.

The Calumet Trail donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Calumet Trail donation fund, the fund balance existing and if not otherwise provided for by ordinance if any at that time shall be transferred to the county general fund.

(Ord. 98-13 § 3)

Chapter 3.82 PURCHASING AGENCY AND PURCHASING AGENTS

Sections:

[3.82.010 Definitions.](#)

[3.82.020 Commissioners as purchasing agency.](#)

[3.82.030 Designation of purchasing agents.](#)

3.82.010 Definitions.

As used in this chapter:

"Purchasing agency" means a governmental body that is authorized to enter into a contract by I.C. 5-22, rules adopted under I.C. 5-22, or by another law. (I.C. 5-22-2-5)

"Purchasing agent" means an individual authorized by a purchasing agency to act as an agent for the purchasing agency in the administration of the duties of the agency. (I.C. 5-22-2-26)

(Ord. 98-18 § 1 (part))

3.82.020 Commissioners as purchasing agency.

The board of commissioners determines that it is the purchasing agency for Porter County.

(Ord. 98-18 § 1 (part))

3.82.030 Designation of purchasing agents.

The board of commissioners designates the following persons to serve as purchasing agents for the county:

- A. Each elected county official, and all duly appointed deputies thereof;
- B. Each circuit, superior and county court judge;
- C. The Porter County highway superintendent, and the Porter County highway engineer.
- D. The administrative assistant for the Porter County board of commissioners;
- E. All duly appointed department heads for each county office without an elected official; and
- F. Such county employees as are designated from time to time, in writing.

(Ord. 98-18 § 1 (part))

Chapter 3.84 PURCHASING RULES AND POLICIES

Sections:

[3.84.010 Definitions.](#)

[3.84.020 Establishment of rules and written policies.](#)

[3.84.030 Purchasing rules and policies.](#)

[3.84.040 Contract approval.](#)

3.84.010 Definitions.

As used in this chapter:

"Purchase" includes buy, procure, rent, lease or otherwise acquire. It includes: (i) description of requirements (ii) solicitation or selection of sources (iii) preparation and award of contract (iv) all phases of contract administration (v) all functions that pertain to purchasing. (I.C. 5-22-2-24)

"Purchasing agency" means a governmental body that is authorized to enter into contract by I.C. 5-22, rules adopted under I.C. 5-22, or by another law. (I.C. 5-22-2-25)

"Purchasing agent" means an individual authorized by a purchasing agency to act as an agent for the purchasing agency in the administration of the duties of the agency. (I.C. 5-22-2-26)

"Services" means the furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies other than printed documents or other items that are merely incidental to the required performance. (I.C. 5-22-3-30)

"Solicitation" means the procedure by which a governmental body invites persons to submit an offer to enter into a contract with the governmental body for the purchase or sale of supplies by the governmental body. It includes an invitation for bids, a request for proposals, and a request for quotes.

"Supplies" means any property. It includes equipment, goods and materials. It does not include an interest in real property. (I.C. 5-22-2-38)

(Ord. 98-19 § 1 (part))

3.84.020 Establishment of rules and written policies.

The Porter County board of commissioners establishes the following rules and written policies for purchases made by the purchasing agency and all purchases made by purchasing agents.

(Ord. 98-19 § 1 (part))

3.84.030 Purchasing rules and policies.

A. Purchase of Supplies Manufactured in the United States. Supplies manufactured in the United States shall be specified for all county purchases and shall be purchased unless the county determines that:

1. The supplies are not manufactured in the United States in reasonably available quantities;
2. The prices of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured elsewhere;

3. The quality of the supplies manufactured in the United States is substantially less than the quality of comparably priced available supplies manufactured elsewhere; or
4. The purchase of supplies manufactured in the United States is not in the public interest.

B. Small Purchase Policies.

1. **Purchases Less Than One Thousand Dollars.** If the purchasing agent expects the purchase to be one thousand dollars (\$1,000.00) or less, the purchase is exempt from the competitive bidding process required by the Act. The purchasing agency determines that the use of competitive sealed bidding under those circumstances is not practicable or not advantageous to the governmental body. Under these circumstances the purchasing agent may accept a quote from a bidder after obtaining three quotes from at least three persons known to deal in the lines or classes of the item to be purchased. The quote of the lowest responsible and responsive bidder should be accepted by the purchasing agent.
2. **Purchases Less Than Twenty-Five Thousand Dollars.** If the purchasing agent expects the purchase to be less than twenty-five thousand dollars (\$25,000.00), the purchase is exempt from the competitive bidding process required by the Act. The purchasing agency determines that the use of competitive sealed bidding under those circumstances is not practicable or not advantageous to the governmental body. Under those circumstances, the purchasing agent may invite quotes from at least three persons known to deal in the lines or classes of supplies to be purchased. The purchasing agent may then recommend that the purchasing agency purchase the supplies from the lowest responsive and responsible bidder. The purchasing agent shall mail an invitation to quote at least seven days before the time fixed for receiving quotes. If the purchasing agent receives a satisfactory quote, the purchasing agent shall recommend a contract be awarded to the lowest responsible and responsive bidder for each line or class of supplies. A purchasing agent may reject all quotes. If the purchasing agent did not receive a quote from a responsible and responsive offeror, the purchasing agent may purchase the supplies using methods for special purchases.
3. **Purchases Between Twenty-Five Thousand Dollars and Seventy-Five Thousand Dollars.** If the purchasing agent expects the purchase to be at least twenty-five thousand dollars (\$25,000.00) and not more than seventy-five thousand dollars (\$75,000.00), the purchase is exempt from the competitive bidding process required by the Act. The purchasing agency determines that the use of competitive sealed bidding under those circumstances is not practicable or not advantageous to the government body. Under those circumstances, the purchasing agent may use the request for proposal process under I.C. 5-22-9 instead of competitive sealed bidding under I.C. 5-22-7.
4. **Artificial Division of Purchases.** Purchases may not be artificially divided so as to constitute a small purchase.

- C. **Request for Proposals.** A purchasing agent may decide to utilize a request for proposals procedure instead of competitive sealed bidding when the purchasing agent makes a written determination that the use of competitive sealed bidding is either not practicable or not advantageous to the governmental body.

The purchasing agency determines that the use of competitive sealed bidding under certain circumstances is not practical or not advantageous to the government body when purchasing certain specific types of supplies. The specific supplies appropriate for the use of request for proposals will be determined on a case by case basis.

- D. **Purchase of Services.** If the purchasing agent is purchasing services under the Act, (I.C. 5-22-6) the purchasing agency determines that the use of competitive sealed bidding for the purchase of services is not practicable or not advantageous to the governmental body. "Services" means the furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies other than printed documents or other items that are merely incidental to the required performance. When the purchasing agent is seeking to purchase services as defined by the Act, the purchasing agent may either utilize the request for proposal process under I.C. 5-22-9, or may interview various

service providers. The purchasing agent will recommend to the purchasing agency which service provider to select on the basis of competence and qualifications for the type of service to be performed and the purchasing agency may negotiate compensation that the county determines to be reasonable.

- E. Special Purchasing Methods. Notwithstanding any other provision of I.C. 5-22, a purchasing agent may make a purchase without soliciting bids or proposals, if the purchasing agent uses the special purchasing methods set forth at I.C. 5-22-10 et seq. A special purchase must be made with such competition as is practical under the circumstances. A purchasing agent may make a special purchase under any of the conditions set forth at I.C. 5-22-10-4 through 5-22-10-19. The requirements as otherwise set forth at I.C. 5-22-10 are binding on the purchasing agent, purchasing agency, and governmental body exercising special purchasing methods.

(Ord. 98-19 § 1 (part))

3.84.040 Contract approval.

Notwithstanding any other provisions of this chapter or any other provisions of the Act, all contracts and purchases must be approved by the Porter County board of commissioners unless such contract falls under the exceptions set forth in small purchase policies for purchases less than one thousand dollars (\$1,000.00). All purchases are subject to final approval by the Porter County board of commissioners through the claims approval process.

(Ord. 98-19 § 1 (part))

Chapter 3.86 PRISONER REIMBURSEMENT OF INCARCERATION COSTS

Sections:

[3.86.010 Effective date of ordinance.](#)

[3.86.020 Court ordered reimbursement.](#)

[3.86.030 Per diem payable.](#)

[3.86.040 Collection procedures.](#)

[3.86.050 Fund established.](#)

[3.86.060 Use of revenues.](#)

[3.86.070 Termination of funds/transfer of revenue.](#)

3.86.010 Effective date of ordinance.

Pursuant to I.C. 36-2-13-15, the Porter County board of commissioners elects to implement the provisions of the Act, effective September 1, 1998.

(Ord. 98-20 § 1 (part))

3.86.020 Court ordered reimbursement.

Pursuant to I.C. 35-50-5-4 and I.C. 36-2-13-15, a court may order persons meeting the qualifications set forth in the Act, to execute a reimbursement plan as directed by the court and make repayments under the plan to the county for the costs permitted by the Act.

(Ord. 98-20 § 1 (part))

3.86.030 Per diem payable.

The county fiscal body shall fix a per diem payable by the prisoners which is reasonably related to the average daily cost of housing a prisoner in the county's facilities. Pursuant to the Act, the amount of reimbursement shall be the sum of:

- A. The lesser of:
 - 1. The per diem amount as set by the county fiscal body that is reasonably related to the average daily cost of housing a prisoner in the county jail; or
 - 2. Thirty dollars (\$30.00); multiplied by each day or part of a day that the person is lawfully detained in a county jail or lawfully detained under I.C. 35-33-11-3 for more than six hours; and
- B. The direct cost of investigating whether the person is indigent; and
- C. The cost of collecting the amount for which the person is liable under this section.

(Ord. 98-20 § 1 (part))

3.86.040 Collection procedures.

The board of commissioners directs the sheriff of Porter County to collect and account for the prisoner reimbursement payments pursuant to the Act. The board of commissioners authorizes the sheriff to enter into an agreement or arrangement with a collection agency or similar entity to assist in said collection, subject to final approval by the Porter County board of commissioners.

(Ord. 98-20 § 1 (part))

3.86.050 Fund established.

Pursuant to I.C. 36-2-13-16, The board of commissioners establishes a separate, nonreverting fund for the placement of the funds collected pursuant to the Act, to be designated as the "Porter County prisoner reimbursement fund."

(Ord. 98-20 § 1 (part))

3.86.060 Use of revenues.

Such fund may be used for any purposes now or in the future permitted by law, which purposes currently include the operation, construction, repair, remodeling, enlarging, and equipment of a county jail.

(Ord. 98-20 § 1 (part))

3.86.070 Termination of funds/transfer of revenue.

The Porter County prisoner reimbursement fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County prisoner reimbursement fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, should be transferred to the county general fund.

(Ord. 98-20 § 1 (part))

Chapter 3.88 SOUTH COUNTY HIGHWAY GARAGE FUND

Sections:

[3.88.010 Fund established.](#)

[3.88.020 Use of revenues.](#)

[3.88.030 Termination of fund— Transfer of funds.](#)

3.88.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a South Porter County highway garage fund whereby all revenues received as a result of a loan obtained from NBD Bank for the construction of a South Porter County highway garage shall be deposited in said fund.

(Ord. 98-24 § 1)

3.88.020 Use of revenues.

The funds received and deposited in the south county highway garage fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the south county highway garage fund will be expended for the construction of a south county highway garage.

Any interest accrued throughout the life of the fund shall be reinvested in the fund and shall also be used for the construction of the South County highway garage.

(Ord. 98-24 § 2)

3.88.030 Termination of fund— Transfer of funds.

The south county highway garage fund shall remain in existence and shall remain perpetual in terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the south county highway garage fund, the balance existing and if not otherwise provided for by ordinance if any at that time shall be transferred to the county general fund.

(Ord. 98-24 § 3)

Chapter 3.90 JUVENILE DETENTION CENTER CHARITABLE DONATION FUND

Sections:

[3.90.010 Fund established.](#)

[3.90.020 Use of donations.](#)

[3.90.030 Termination of fund—Transfer of funds.](#)

3.90.010 Fund established.

A Porter County juvenile detention center charitable donation fund is established whereby all charitable donations received by the Porter County juvenile detention center for detention center needs shall be deposited in this special fund.

(Ord. 98-29 § 1)

3.90.020 Use of donations.

The charitable donations received and deposited in the Porter County juvenile detention center's charitable donation fund can be used only for the specific purposes set forth in this chapter; said expenditures to be limited for utilization by the Porter County juvenile center staff to purchase gym equipment, arts and crafts supplies, living skills class supplies; supplies for community projects, educational materials and educational equipment, including computer equipment.

The charitable donations generated and deposited in the Porter County juvenile detention center's charitable donation fund and expenditures therefrom, will be made by the Porter County juvenile detention center for the purposes of the Porter County juvenile detention department expenses set forth in this chapter.

(Ord. 98-29 § 2)

3.90.030 Termination of fund—Transfer of funds.

The Porter County juvenile detention center's charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Porter County juvenile detention center's charitable donation fund, the fund balance existing and if not otherwise provided by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 98-29 § 3)

Chapter 3.92 MEMORIAL OPERA HOUSE DONATION FUND

Sections:

[3.92.010 Fund established.](#)

[3.92.020 Use of revenues.](#)

[3.92.030 Appropriation of funds.](#)

[3.92.040 Termination of funds—Transfer of funds.](#)

3.92.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a Memorial Opera House donation fund whereby all charitable donations received by the Porter County board of commissioners for the benefit and improvement of the Memorial Opera House shall be deposited in said fund.

(Ord. 99-13 § 1)

3.92.020 Use of revenues.

The funds received and deposited in the Memorial Opera House donation fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the Memorial Opera House donation fund will be expended for the operation, maintenance, repair, upkeep and renovation of the Memorial Opera House.

The funds received and deposited in the Memorial Opera House donation fund will be expended for the sole benefit of the Memorial Opera House; including, but not limited to: maintenance and improvement of the structure and its contents; expenditures related to operations and management; purchases of equipment and supplies; and maintenance, repair and upkeep.

(Ord. 99-13 § 2)

3.92.030 Appropriation of funds.

The revenues generated and deposited in the Memorial Opera House donation fund shall be utilized specifically and exclusively for the expenditures set forth herein, said expenditures to be approved and appropriated from the fund by the Porter County board of commissioners.

(Ord. 99-13 § 3)

3.92.040 Termination of funds—Transfer of funds.

The Memorial Opera House donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Memorial Opera House donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time shall be transferred to the county general fund.

(Ord. 99-13 § 4)

Chapter 3.94 PAUL C. ZONA, SR. WILDLIFE SANCTUARY DONATION FUND

Sections:

[3.94.010 Fund established.](#)

[3.94.020 Use of revenues.](#)

[3.94.030 Appropriation of funds.](#)

[3.94.040 Termination of funds—Transfer of funds.](#)

3.94.010 Fund established.

The board of commissioners does determine that a need exists for the creation of a Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund whereby all charitable donations received by the Porter County board of commissioners for the benefit, improvement, operation and maintenance of the Paul C. Zona, Sr. Wildlife Sanctuary shall be deposited in the fund.

(Ord. 99-25 § 1)

3.94.020 Use of revenues.

The funds received and deposited in the Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund will be expended for the benefit, improvement, operation and maintenance of the Paul C. Zona, Sr. Wildlife Sanctuary.

The funds received and deposited in the Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund will be expended for the sole benefit of the Paul C. Zona, Sr. Wildlife Sanctuary; including but not limited to: maintenance and improvement of the wildlife sanctuary; expenditures related to operations and management of the wildlife sanctuary; purchases of equipment or supplies as may be needed for the management and operation of the wildlife sanctuary; and expenditures needed to place observational trails and signage in the Paul C. Zona, Sr. Wildlife Sanctuary.

(Ord. 99-25 § 2)

3.94.030 Appropriation of funds.

The revenues generated and deposited in the Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund shall be utilized specifically and exclusively for the expenditures set forth herein, the expenditures to be approved and appropriated from the fund by the Porter County board of commissioners.

(Ord. 99-25 § 3)

3.94.040 Termination of funds—Transfer of funds.

The Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and if and when a subsequent ordinance is passed to terminate the life of the Paul C. Zona, Sr. Wildlife Sanctuary charitable donation fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time shall be transferred to the County general fund.

(Ord. 99-25 § 4)

Chapter 3.96 INVESTIGATIVE PHOTOGRAPH DUPLICATION FEE AND FUND

Sections:

A need exists to establish a chargeable fee by the Porter County sheriff's department for the duplication of investigative photographs that have been taken by the police department and which involve an incident, accident, traffic arrest, traffic stop, crime scene, criminal investigation or any other type of general police activity for which there were photographs taken by the police department.

The Porter County sheriff's police department shall charge a fee of ten dollars (\$10.00) to duplicate an investigative photograph of the type referenced above. The person or party requesting a copy of such photograph or photographs shall provide a written request to the sheriff's department and the requesting person or party must purchase all photographs that were taken in reference to their request at the ten dollar (\$10.00) per photograph fee.

The sheriff's department may, if the requesting party desires, copy the investigative photographs onto a CD-ROM for a fee of seventy-five dollars (\$75.00). The fee of seventy-five dollars (\$75.00) is to be charged for each incident and will include all photographs of the particular incident. If the requesting person or party requests a CD-ROM and also desires printed photographs, the fee will be seventy-five dollars (\$75.00) for the CD-ROM and ten dollars (\$10.00) for each printed photograph involved in the

incident.

(Ord. 00-4 § 2)

[3.96.020 Violations designated.](#)

[3.96.030 Violations—Penalties.](#)

[3.96.040 Fund established.](#)

[3.96.050 Use of funds.](#)

[3.96.060 Termination of fund— Transfer of funds.](#)

3.96.020 Violations designated.

It shall be a violation of Section 3.96.010 for any individual to duplicate and/or edit an investigative photograph issued pursuant to Section 3.96.010 and it shall be a violation for any person to use an investigative photograph received pursuant to Section 3.96.010 for a commercial purpose.

(Ord. 00-4 § 3)

3.96.030 Violations—Penalties.

An officer of the Porter County sheriff's department may issue a citation to any person who violates this chapter. Upon conviction for the violation of this chapter, a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) per violation may be assessed by the court.

(Ord. 00-4 § 4)

3.96.040 Fund established.

The board of commissioners does determine that a need exists for the creation of an investigative photograph duplication fund whereby all funds received by the Porter County sheriff's police department for the duplication and/or reproduction of investigative photographs shall be deposited in the fund.

(Ord. 00-4 § 5)

3.96.050 Use of funds.

The funds received and deposited in the investigative photograph duplication fund can be used only for the specific purposes set forth in this chapter.

The funds received and deposited in the investigative photograph duplication fund will be expended at the discretion of the Porter County sheriff's police department for any departmental purpose reasonably related to the preservation, upkeep, maintenance, and replacement of equipment and items related to the preservation and duplication of investigative photographs.

(Ord. 00-4 § 6)

3.96.060 Termination of fund— Transfer of funds.

The investigative photographs duplication fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners; and

if and when a subsequent ordinance is passed to terminate the life of the investigative photographs duplication fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 00-4 § 7)

Chapter 3.98 NONREVERTING PORTER COUNTY POLICE TRAINING FUND

Sections:

[3.98.010 Fund established.](#)

[3.98.020 Use of donations.](#)

[3.98.030 Termination of funds—Transfer of funds.](#)

3.98.010 Fund established.

A nonreverting Porter County police training fund is established whereby all charitable donations, revenues, and monies received that are ear-marked for training shall be deposited in this special fund.

(Ord. 00-12 § 1)

3.98.020 Use of donations.

- A. The charitable donations, revenues and monies received and deposited in the Porter County police training fund can be used only for the specific purposes set forth in this chapter, such expenditures to be limited by the Porter County sheriff for the purpose of training Porter County police officers. More specifically, the charitable donations, revenues and monies generated and deposited in the Porter County police training fund shall be utilized specifically and exclusively for expenditures related to the training of county police officers and the hosting of training classes by the county police department.
- B. The revenues generated and deposited in the special nonreverting Porter County police training fund shall be utilized specifically and exclusively for expenditures set forth in this chapter, such expenditures to be approved by the Porter County sheriff.

(Ord. 00-12 § 2)

3.98.030 Termination of funds—Transfer of funds.

A special nonreverting Porter County police training fund shall remain in existence and remain perpetual in its terms until amended or terminated by subsequent ordinance enacted by the board of commissioners of Porter County; and if and when a subsequent ordinance is passed to terminate the life of this special nonreverting Porter County police training fund, the fund balance existing and if not otherwise provided for by ordinance, if any at that time, shall be transferred to the county general fund.

(Ord. 00-12 § 3)