Passed 8-0
Sturbaum Absent

ORDINANCE 13-13

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC" TO ESTABLISH THE PARKING METER FUND (Inserting BMC 15.40.015 - Parking Meter Fund)

WHEREAS, pursuant to Indiana Code 36-9-12 *et seq.*, the City of Bloomington is authorized to regulate the parking of vehicles on any public way in the City, including the collection of fees from a person parking a vehicle by the use of parking meters; and

WHEREAS, IC § 36-9-12-4 (a) requires a municipality to provide by ordinance that all parking meter fees must be deposited with the municipal fiscal officer and placed into a special fund and may be disbursed from the special fund only on orders of the Board of Public Works for the purposes provided in IC § 36-9-12-4 (b);

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. CHAPTER 15.40 MUNICIPAL PARKING LOTS, GARAGES AND ON-STREET METERED PARKING shall be amended by adding Section 15.40.015 Parking meter fund, purpose and expenditures to the Table of Contents and by adding the following new section:

15.40.015 Parking meter fund, purpose and expenditures

(a) A Parking Meter Fund (Fund) is hereby established within the Office of the Controller. This special non-reverting revenue fund is authorized under Indiana Code 36-9-12 *et seq.*

(b) All monies received by the City of Bloomington from fees paid for the on-street parking of a vehicle by the use of a parking meter shall be deposited into this Fund.

(c) All expenditures from this Fund shall be subject to appropriation by the City's fiscal body and shall be budgeted through the Department of Public Works.

(d) Disbursements from the Fund shall be made only on orders of the Board of Works for the purposes provided in IC § 36-9-12-4 (b), which include:

- (i) The purchase price, rental fees, and cost of installation of the parking meters;
- (ii) The cost of maintenance, operation, and repair of the parking meters;
- (iii) Incidental costs and expenses in the operation of the parking meters, including the cost of clerks and bookkeeping;
- (iv) The cost of traffic signal devices used in the municipality;
- (v) The cost of repairing and maintaining any of the public ways, curbs, and sidewalks where the parking meters are in use, and all public ways connected with them in the municipality;
- (vi) The cost of acquiring, by lease or purchase, suitable land for offstreet parking facilities to be operated or leased by the municipality;
- (vii) The principal and interest on bonds issued to acquire parking facilities and devices;
- (viii) The cost of improving and maintaining land for parking purposes and purchasing, installing, and maintaining parking meters on that land; and
- (ix) The cost of providing approved school crossing protective facilities, including the costs of purchase, maintenance, operation, and repair, and all other incidental costs.

(e) Money deposited into the Fund may be expended only upon a specific appropriation made for that purpose by the Common Council in the same manner that it appropriates other public money. The Board of Public Works shall prepare an itemized estimate of the money necessary for the operation of parking meters for the ensuing year at the regular time of making and filing budget estimates for other departments of the City. These estimates shall be made and presented to the Common Council in the same manner as other department estimates.

(f) The Fund shall continue in this form until amended or terminated by ordinance. Unless indicated otherwise by ordinance, the proceeds of the Fund at termination shall be deposited into the General Fund.

SECTION 2. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any other section, sentence, provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ~~8th~~ 9th day of October, 2013.

DARRYL NEHER, President
Bloomington Common Council

Attest:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this ~~8th~~ 9th day of October, 2013.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 10th day of October, 2013.

MARK KRUZAN, Mayor
City of Bloomington

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SYNOPSIS

This ordinance established the Parking Meter Fund, a non-reverting special revenue fund, with revenues from the fees paid for on-street metered parking. Monies from the Fund will be appropriated by the Common Council and will be disbursed only on orders of the Board of Public Works for the uses provided in IC § 36-9-12-4.

The Fund may be used to pay: the purchase price, rental fees, and cost of installation of the parking meters; the cost of maintenance, operation, and repair of the parking meters; incidental costs and expenses in the operation of the parking meters, including the cost of clerks and bookkeeping; the cost of traffic signal devices used in the municipality; the cost of repairing and maintaining any of the public ways, curbs, and sidewalks where the parking meters are in use, and all public ways connected with them in the municipality; the cost of acquiring, by lease or purchase, suitable land for offstreet parking facilities to be operated or leased by the municipality; the principal and interest on bonds issued to acquire parking facilities and devices; the cost of improving and maintaining land for parking purposes and purchasing, installing, and maintaining parking meters on that land; and the cost of providing approved school crossing protective facilities, including the costs of purchase, maintenance, operation, and repair, and all other incidental costs.

Expenditures from the Fund may occur only upon a specific appropriation made for that purpose by the Common Council, just as it appropriates other public money. The Board of Public Works will annually prepare an itemized estimate of the money necessary for the operation of parking meters at the regular time of making and filing budget estimates for other departments of the City. These estimates shall be made and presented to the Common Council in the same manner as other department estimates.

Signed copies to:
legal
controller
Public Works
engineering
parking enforcement
Board of Public Works
BMC file.

CA/CA
Clerk (2)
BMC (2)