

ORDINANCE NO. 03-2008

**AN ORDINANCE ESTABLISHING THE
PLAINFIELD FIRE PROTECTION TERRITORY**

WHEREAS, the Indiana General Assembly has authorized the establishment of fire protection territories;

WHEREAS, the Town of Plainfield, Indiana ("Plainfield"), and Guilford Township, Indiana ("Guilford Township"), as contiguous units, have entered into an Interlocal Agreement for the establishment of the Plainfield Fire Protection Territory, a true and accurate copy of which is attached hereto as "Exhibit A" and is incorporated herein and made a part hereof;

WHEREAS, the Interlocal Agreement between Plainfield and Guilford Township provides for a uniform tax rate upon all taxable property within the Plainfield Fire Protection Territory for fire protection services;

WHEREAS, the creation of the Plainfield Fire Territory will provide improved fire protection for Guilford Township and will increase revenue for funding of the Plainfield Fire Department;

WHEREAS, public hearings were held on February 13, 2008, and on February 19, 2008, to discuss the creation of the Plainfield Fire Territory;

WHEREAS, the date, time, and location of these public hearings were duly and adequately noticed and advertised pursuant to Indiana law;

WHEREAS, Plainfield and Guilford Township have determined that the creation of the Plainfield Fire Territory are necessary to protect the health, safety, convenience and welfare of their respective citizens;

BE IT ORDAINED by the Town Council of the Town of Plainfield of Hendricks County, Indiana, that

1. The Plainfield Fire Protection Territory is hereby created under the terms and conditions set forth in the Interlocal Agreement between Plainfield and Guilford Township, a true and accurate copy of which is attached hereto as "Exhibit A" and is incorporated herein, and pursuant to the requirements of Indiana law.

2. The boundaries of the Plainfield Fire Protection Territory are and extend to the municipal boundaries of Plainfield and the boundaries of Guilford Township.

3. Plainfield is authorized to be the provider unit in the Plainfield Fire Protection Territory as that term is defined in Indiana law.

4. Guilford Township is authorized to be the participating unit in the Plainfield Fire Protection Territory as that term is defined in Indiana law.

5. The Plainfield Town Council shall act as the governing body and ultimate authority in the Plainfield Fire Protection Territory, including its day-to-day operations.

6. The Plainfield Fire Protection Territory shall have a uniform rate upon all taxable property within the Territory.

7. Guilford Township shall participate in both the annual budgeting and rate establishing process in the Plainfield Fire Protection Territory as specified in the Interlocal Agreement. However, Guilford Township's failure or refusal to participate in the annual budgeting and rate establishing process shall not deprive Plainfield of its right to proceed and to approve the annual budget and requisite rates.

8. If either Plainfield or Guilford Township elects to withdraw from the Plainfield Fire Protection Territory, it must, after January 1 but before April 1, adopt an ordinance or resolution providing for the withdrawal which will take effect July 1 of the year in which the ordinance or resolution is enacted. If either Plainfield or Guilford Township enacts an ordinance

or resolution withdrawing from the Plainfield Fire Protection Territory, the withdrawing unit's maximum permissible ad valorem property tax levy, with respect to fire protection services, shall be initially increased by the amount of the particular unit's previous year levy. Moreover, additional increases, with respect to fire protection services, levy amounts are subject to the tax levy limitations under Indiana law, except for the part of the unit's levy that is necessary to retire the unit's share of any debt incurred while the unit was a participating unit.

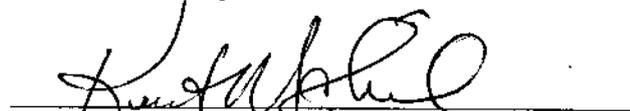
9. All prior Ordinances and/or Resolutions or parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SAID ORDINANCE is hereby passed and adopted this 25th day of February, 2008.

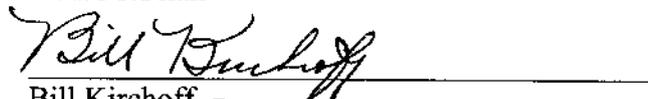
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA



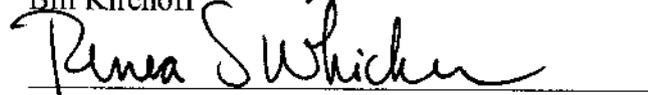
Robin G. Brandgard, President



Kent McPhail



Bill Kirchoff



Renea S. Whicker

Edmund L. Gaddie, Jr.

Constituting a majority of all of the members of the
Town Council

ATTEST:



Wesley R. Bennett, Clerk-Treasurer
The Town of Plainfield, Indiana

PUBLISHED:
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