

ARTICLE VI
EFFECTIVE DATES

6.1 General Provisions

The provisions of this ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Passed and adopted by the Common Council of the City of Lebanon on the 12th day of March, 1979.

Robert M. Campbell (signed)
Presiding Officer

ATTEST: Ann Garoffolo (signed)
Clerk-Treasurer

Presented by me to the Mayor of the City of Lebanon on the 12th day of March, 1979 at the hour of 7:30 p.m.

Ann Garoffolo (signed)
Clerk-Treasurer

This ordinance approved and signed by me on the 12th day of March 1979 at the hour of 7:30 p.m.

Robert M. Campbell (signed)
Mayor

ORDINANCE NO. 79-6

AN ORDINANCE TO AMEND SEC. 3 AND SEC. 4 OF AN ORDINANCE ENTITLED "AN ORDINANCE CONCERNING THE ACQUISITION AND CONSTRUCTION OF EXTENSIONS AND ADDITIONS TO THE WATERWORKS OWNED AND OPERATED BY THE CITY OF LEBANON, INDIANA, AUTHORIZING THE ISSUANCE OF REVENUE BONDS TO PROVIDE FOR THE COST THEREOF, AND MATTERS CONNECTED THEREWITH"

WHEREAS, the Common Council of the City of Lebanon has heretofore on November 27, 1978, adopted Ordinance No. 78-25 authorizing the issuance of waterworks revenue bonds to finance the cost of acquisition and construction of extensions and additions to the waterworks owned and operated by the City; and

WHEREAS, the Council now finds that due to the changes in the municipal bond market since the adoption of said ordinance, the City should change the maturity schedule; and

WHEREAS, said ordinance allocated the gross revenues of the waterworks to the waterworks accounts, and the Council now finds that in order to service said bonds the allocation of gross revenues to the accounts should be changed; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA:

Section 1. That Sec. 3 of Ordinance No. 78-25, entitled "An Ordinance concerning the acquisition and construction of extensions and additions to the waterworks owned and operated by the City of Lebanon, Indiana, authorizing the issuance of revenue bonds to provide for the cost thereof, and matters connected therewith," be and the same is hereby amended to read as follows: Sec. 3. Beginning as of the date of issuance of the bonds herein authorized, the income and revenues of the existing waterworks, together with the income of all extensions, additions, improvements thereto and replacements thereof made pursuant to this ordinance, or subsequently, shall be set aside into a separate and special fund and maintained in a separate bank account or accounts separate and apart from all other bank accounts of the City to be used and applied in the maintenance and operation thereof, in establishing a depreciation account, and payment of the principal of and interest on all bonds which by their terms are payable from the revenues of the waterworks. The proportion of the gross revenues of said waterworks that shall be paid into the several accounts of said special fund, as provided by said Act, is hereby fixed and determined as follows:

(a) Operation and Maintenance Account. Forty and one-tenth percent (40.1%) of the gross revenues of the waterworks shall be set aside into the Operation and Maintenance Account and shall be used to pay the necessary cost of the reasonable and proper operation and maintenance of the waterworks, including any taxes required to be paid, but the funds in said account shall not be used for depreciation, replacements, extension, additions or improvements to the waterworks. The sum so set aside for operation and maintenance shall be accumulated in the Operation and Maintenance Account which shall be equal to the cost of maintaining and operating the waterworks during the remainder of the calendar, operating or fiscal year then current and the cost of maintaining and operating the waterworks during the calendar, operating or fiscal year then next ensuing. Any excess over such surplus may be transferred to either the Depreciation Account or the Bond and Interest Redemption Account, but all or such portion of such excess shall be transferred to the Bond and Interest Redemption Account to the extent necessary to prevent a default in the payment of interest on or principal of bonds payable from such account.

(b) Depreciation Account. Ten and two-tenths percent (10.2%) of the gross revenues of said waterworks shall be set aside into the Depreciation Account and shall be expended in making good depreciation in the waterworks, or in new construction, extensions or additions to the property of the waterworks. Any accumulations in said Depreciation Account not required for immediate use may be invested in direct obligations of the United States Government, in the manner and to the extent permitted by law, and if so invested the income from such investment shall accrue to the Depreciation Account. Said account shall not be used for any purpose other than as herein provided.

(c) Bond and Interest Redemption Account. Forty-nine and seven-tenths percent (49.7%)