

County Council of Wabash County, Indiana

GENERAL ORDINANCE NO. 85-13, 2007

**AN ORDINANCE IMPOSING A COUNTY ADJUSTED GROSS INCOME
TAX RATE TO FUND PROPERTY TAX REPLACEMENT AMOUNTS**

WHEREAS, IC 6-3.5-1.1-24, as added by P.L. 224-2007 ("Act"), SECTION 66, permits a county in which: (i) the county adjusted gross income tax is in effect; or (ii) neither the county adjusted gross income tax or the county option income tax is in effect; to adopt an ordinance to impose an income tax rate to fund certain property tax replacement amounts ("Replacement Amount");

WHEREAS, pursuant to IC 6-3.5-1.1-2(c), as amended by the Act, the county may impose the income tax rate after March 31 and before August 1 of a year;

WHEREAS, pursuant to HEA 1010-2008, SEC. 9, the County may impose the income tax rate prior to January 1, 2008;

WHEREAS, pursuant to IC 6-3.5-1.5-1(a), the Replacement Amount consists of: (i) the sum of the growth in the maximum permissible levies of all civil taxing units in the county; (ii) the growth in the county family and children property tax levy; (iii) the growth in the children's psychiatric residential treatment services property tax levy; and (iv) the growth in county's maximum community mental health centers property tax levy for the ensuing calendar year;

WHEREAS, the Department of Local Government Finance and the Department of State Revenue will jointly determine the income tax rate sufficient to generate the Replacement Amount and provide the income tax rate to the county ("Replacement Rate");

WHEREAS, pursuant to IC 6-3.5-1.1-24(e), the ordinance imposing the income tax rate must specify the tax rate for each of the following two years;

WHEREAS, the maximum rate at which an income tax rate may be imposed to provide the Replacement Amount is one percent (1%);

WHEREAS, the tax rate that must be imposed in the county from October 1 of the year in which it is imposed through September 30 of the following year is two (2) times the Replacement Rate ("Year 1 Rate") and the tax rate that must be imposed in the county from October 1 of the year following year through September 30 of the year after the following year is the Replacement Rate;

WHEREAS, one-half of the income tax revenues generated from the Year 1 Rate must be established in a stabilization fund to be administered by the county auditor to be used to supplement distributions of income tax revenues if certified distributions are less than the Replacement Amount in a calendar year;


WHEREAS, the Wabash County Council desires to impose an income tax rate under IC 6-3.5-1.1-24 to generate the Replacement Amount in calendar years 2008 and 2009 in order to diversify revenues of civil taxing units in the County;


NOW, THEREFORE, BE IT ORDAINED BY THE WABASH COUNTY COUNCIL:

1. There is now imposed an additional rate of the county adjusted income tax in accordance with IC 6-3.5-1.1-24 to raise income tax revenue to provide the Replacement Amount.
2. The Year 1 Rate imposed in the County from January 1, 2008 through September 30, 2008 of the following year is not to exceed four-tenths of one percent (0.4%).
3. The Replacement Rate imposed in the County from October 1, 2008 through September 30, 2009 is not to exceed four-tenths of one percent (0.4%).
4. The Replacement Rate may not otherwise be decreased or rescinded.
5. This ordinance takes effect January 1, 2008.

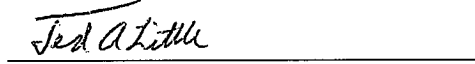
ADOPTED this 3rd day of December, 2007.

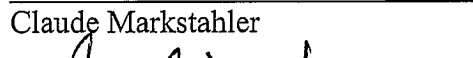
County Council of Wabash County, Indiana



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