

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE PROPOSING AN ORDINANCE TO THE ALLEN COUNTY INCOME TAX COUNCIL TO EXEMPT NEW BUSINESS PROPERTY FROM TAXATION AND CASTING THE CITY OF FORT WAYNE'S VOTES IN FAVOR OF SAID ORDINANCE**

**WHEREAS**, the City of Ft. Wayne is a member of the Allen County Income Tax Council ("County Income Tax Council") as defined by IC 6-3.6-3-1; and

**WHEREAS**, pursuant to IC 6-1.1-10.3, the County Income Tax Council is permitted to adopt an ordinance that would exempt all new "business personal property", defined by IC 6-1.1-10.3-1, from taxation; and

**WHEREAS**, an exemption ordinance adopted under IC 6-1.1-10.3 must apply to and exempt all "new personal property", meaning business personal property that is placed in service after the effective date of the exemption ordinance and has not previously been used in the State of Indiana; and

**WHEREAS**, pursuant to IC 6-3.6-3-7, before a member of the County Income Tax Council may propose an ordinance or vote on a proposed ordinance to exempt new personal property from taxation, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held in accordance with IC 5-3-1;

**WHEREAS**, The Common Council has published notice in accordance with IC 5-3-1 and IC 6-3.6-3-7 and conducted a public hearing on the proposed ordinance on July 24, 2018; and

**WHEREAS**, the Common Council provided a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing that took place on July 24, 2018 in accordance with IC 6-3.6-3-7; and

**WHEREAS**, having followed all of the foregoing procedures as required by state law, the Common Council of the City of Ft. Wayne desires to formally propose the ordinance exempting all new business personal property (the text of which is provided below) and cast its 71.40 votes in favor of such ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:**

1 **SECTION 1.** The Common Council proposes the adoption of, and casts its 71.40 votes  
2 for, the following ordinance of the Allen County Income Tax Council, which reads as  
3 follows:

4 **AN ORDINANCE OF THE ALLEN COUNTY TAX COUNCIL EXEMPTING**  
5 **BUSINESS PERSONAL PROPERTY FROM TAXATION**

- 6 1. In accordance with IC 6-1.1-10.3-5 and IC 6-3.6-3-7, all new personal  
7 property as defined in IC 6-1.1-10.3-4 (i.e., business personal property  
8 that is placed in use after the effective date of this exemption  
9 ordinance specified below and that has not previously been used in the  
10 State of Indiana) is exempt from taxation.
- 11 2. Notwithstanding the earlier effective date prescribed by state statutory  
12 guidelines, this ordinance of the Allen County Tax Council shall take  
13 effect January 1, 2019, or such other date prescribed by state statute.
- 14 3. In accordance with IC 6-3.6-3-5, the Allen County Auditor shall record  
15 all votes taken on this ordinance and, not more than ten days after the  
16 vote, send a certified copy of the results to: (i) the commissioner of the  
17 department of state revenue, and (ii) the commissioner of the  
18 department of local government finance; by certified mail or in an  
19 electronic format approved by the department of local government  
20 finance.

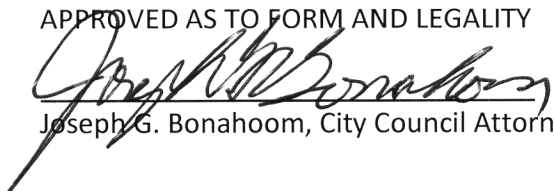
21 **SECTION 2.** The City Clerk is hereby authorized and directed to distribute a copy of this  
22 resolution containing the proposed ordinance to the County Auditor.

23 **SECTION 3.** This resolution shall be effective from and after passage.

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25  
26  
27 \_\_\_\_\_  
28 Jason Arp, City Council Member

  
29 \_\_\_\_\_  
30 Paul Ensley, City Council Member

31 APPROVED AS TO FORM AND LEGALITY

  
32 \_\_\_\_\_  
33 Joseph G. Bonahoom, City Council Attorney  
34

# The Journal Gazette

Account # 1063561 - 1331507

Allen County, Indiana

**FW City Clerk's Office**

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## PUBLISHER'S CLAIM

### LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice **154**

### COMPUTATION OF CHARGES

154 lines, 1 column(s) wide equals

154 equivalent lines at \$ 0.460 cents per line \$ 70.84

Additional charges for notices containing rule or tabular work  
(50 per cent of above amount) -

Charge for extra proofs of publication  
(\$2.00 for each proof in excess of two) -

**TOTAL AMOUNT OF CLAIM \$ 70.84**

### DATA FOR COMPUTING COST

Width of single column in picas . . . . 9.8 Size of type . . . . 7point.  
Number of Insertions . . . . 1

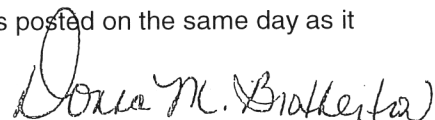
Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

6/29/2018

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.



Donna M. Brotherton  
Legal Clerk

Date: June 29, 2018

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
ORDINANCE NO. S-18-06-32**

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING JULY 24, 2018, AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802;

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE PROPOSING AN ORDINANCE TO THE ALLEN COUNTY INCOME TAX COUNCIL TO EXEMPT NEW BUSINESS PROPERTY FROM TAXATION AND CASTING THE CITY OF FORT WAYNE'S VOTES IN FAVOR OF SAID ORDINANCE

WHEREAS, the City of Ft. Wayne is a member of the Allen County Income Tax Council ("County Income Tax Council") as defined by IC 6-3.6-3-1; and

WHEREAS, pursuant to IC 6-1.1-10.3, the County Income Tax Council is permitted to adopt an ordinance that would exempt all new "business personal property", defined by IC 6-1.1-10.3-1, from taxation; and

WHEREAS, an exemption ordinance adopted under IC 6-1.1-10.3 must apply to and exempt all "new personal property", meaning business personal property that is placed in service after the effective date of the exemption ordinance and has not previously been used in the State of Indiana; and

WHEREAS, pursuant to IC 6-3.6-3-7, before a member of the County Income Tax Council may propose an ordinance or vote on a proposed ordinance to exempt new personal property from taxation, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held in accordance with IC 5-3-1;

WHEREAS, The Common Council has published notice in accordance with IC 5-3-1 and IC 6-3.6-3-7 and conducted a public hearing on the proposed ordinance on July 24, 2018; and

WHEREAS, the Common Council provided a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing that took place on July 24, 2018 in accordance with IC 6-3.6-3-7; and

WHEREAS, having followed all of the foregoing procedures as required by state law, the Common Council of the City of Ft. Wayne desires to formally propose the ordinance exempting all new business personal property (the text of which is provided below) and cast its 71.40 votes in favor of such ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. The Common Council proposes the adoption of, and casts its 71.40 votes for, the following ordinance of the Allen County Income Tax Council, which reads as follows:

**AN ORDINANCE OF THE ALLEN COUNTY TAX COUNCIL EXEMPTING BUSINESS PERSONAL PROPERTY FROM TAXATION**

1. In accordance with IC 6-1.1-10.3-5 and IC 6-3.6-3-7, all new personal property as defined in IC 6-1.1-10.3-4 (i.e., business personal property that is placed in use after the effective date of this exemption ordinance specified below and that has not previously been used in the State of Indiana) is exempt from taxation.

2. Notwithstanding the earlier effective date prescribed by state statutory guidelines, this ordinance of the Allen County Tax Council shall take effect January 1, 2019, or such other date prescribed by state statute.

3. In accordance with IC 6-3.6-3-5, the Allen County Auditor shall record all votes taken on this ordinance and, not more than ten days after the vote, send a certified copy of the results to: (i) the commissioner of the department of state revenue, and (ii) the commissioner of the department of local government finance; by certified mail or in an electronic format approved by the department of local government finance.

SECTION 2. The City Clerk is hereby authorized and directed to distribute a copy of this resolution containing the proposed ordinance to the County Auditor.

SECTION 3. This resolution shall be effective from and after passage. COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JULY 24, 2018.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) 427-1120 TTY (260) 427-1200 AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

LANA R. KEESLING  
CITY CLERK

6--29 1331507 hspaxlp

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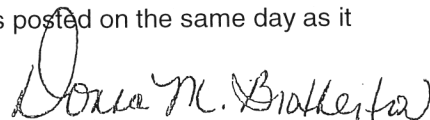
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LANA R. KEESLING  
CITY CLERK

6--29 1331507 hspaxlp

**BILL NO. S-18-06-32**

**REPORT OF COMMITTEE ON REGULATIONS**

**August 28, 2018**

***Paul Ensley Chair***

***Thomas Didier Co-Chair***

***All Council Members***

A Resolution of the Common Council of the City of Fort Wayne proposing an Ordinance to the Allen County Income Tax Council to exempt new business property from taxation and casting the City of Fort Wayne's votes in favor of said Ordinance

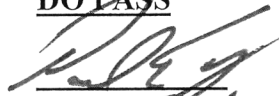

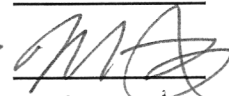
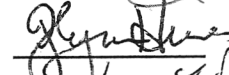
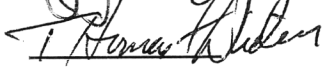
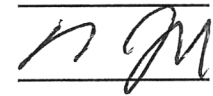
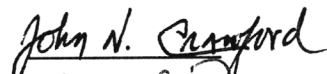
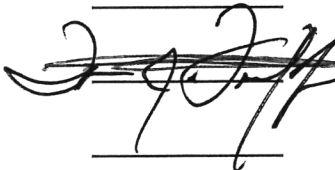


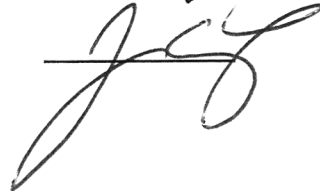
**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

DO PASS

DO NOT PASS

ABSTAIN

NO REC

			
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**LANA R. KEESLING  
CITY CLERK**

