

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. 4146**

**PROHIBITING CITY OWNED TAKE-HOME VEHICLES FOR ANYONE OTHER THAN MAYOR, SWORN POLICE OFFICERS, AND OTHER CITY EMPLOYEES SPECIFICALLY APPROVED BY THE COMMON COUNCIL UPON REQUEST OF THE MAYOR**

**WHEREAS**, the City of Michigan City is faced with a substantial deficit in its various operating funds due to the implementation of Indiana's property tax limits and the possible decrease in assessed value resulting from the depressed real estate market in Michigan City; and

**WHEREAS**, as the City's fiscal body, the Common Council is charged with the responsibility of overseeing the City's finances and taking appropriate steps to avoid the City expenditures exceeding its revenues and the City being exposed to unnecessary financial liabilities; and

**WHEREAS**, as the City's fiscal body, the Common Council is charged with the responsibility of overseeing the City's assets, including its equipment, and taking appropriate steps to avoid any unnecessary wear and tear to that equipment; and

**WHEREAS**, the Common Council has determined that, unless steps are taken to reduce expenditures by the City, including, but not limited to, payment for fuel and other supplies and maintenance costs; depreciation of value to City equipment due to use; and risks of financial liability due to vehicle accidents that are not necessary for the City to fulfill its obligation to protect the health, safety, and welfare of its citizens; and

**WHEREAS**, the Common Council has determined that, in order to avoid spending more for its operations than its actual revenues it is imperative that the need and justification for each and every City official and employee, other than the Mayor and sworn members of the Police Department, to have take-home privileges for any City owned vehicle be demonstrated each time it is proposed by the Mayor that an official or employee be granted the benefit of having a City owned take-home vehicle.

**NOW, THEREFORE, BE IT ORDAINED** by the Michigan City Common Council that, pursuant to the authority granted to it under IC 36-4-7-18, that from and after the effective date of this Ordinance:

1. Only the Mayor; sworn members of the Police Department; one Police Chaplain; the Fire Chief; Deputy Fire Chief; Fire Marshall/Inspector; Fire Training/Safety Officer; Fire Public Information Officer; Sign Driver for the Street Department; one Animal Control Officer; and one Vector Control Officer are entitled to City-owned take-home vehicles.

2. If the Mayor believes it is reasonably necessary to grant other City employees the City-owned take-home vehicle benefit, he shall submit his request to the Common Council. Such request shall be in the form of an ordinance proposing that the Common Council approve the take-home vehicle benefit for that employee; and additionally he shall submit in writing the justification for his belief that such benefit for that employee; and additionally he shall submit in writing the justification for his belief that such benefit is necessary to protect the health, safety, or welfare of the citizens of Michigan City.
3. Any provision of any City Ordinance in conflict with the provisions of this Ordinance shall be repealed upon this Ordinance becoming effective.
4. An emergency is declared and this Ordinance shall be effective and enforced upon passage by the Common Council and approval of the Mayor.

This Ordinance to be effective upon passage and approval by the Mayor.

INTRODUCED BY: /s/ Marc Espar

/s/ Robert McKee

Passed by the Common Council of the City of Michigan City, Indiana, this 5th Day of July, 2011 by a vote of 8 to 0.

/s/ Marc Espar, President  
Michigan City Common Council

Approved by me, this 6<sup>th</sup> day of July, 2011.

/s/ Charles Oberlie,  
Mayor of Michigan City

ATTEST:

/s/ Thomas F. Fedder, City Clerk