

ORDINANCE NO. 2026-5

AN ORDINANCE ESTABLISHING THE TOWN OF WESTPORT PARKS AND RECREATION DONATION NON-REVERTING FUND

WHEREAS, Indiana Code § 36-1-3 et seq. confers upon units of local government all powers necessary or desirable in the conduct of their affairs;

WHEREAS, Indiana Code § 36-4-6-18 authorizes the Town Council of the Town of Westport, Indiana, to adopt ordinances necessary for the government of the Town;

WHEREAS, the Town Council has established a Department of Parks and Recreation and a Park and Recreation Board pursuant to Indiana Code Chapter 36-10-3, which is authorized to accept gifts, donations, grants, and subsidies for park and recreational purposes;

WHEREAS, Indiana Code § 36-10-3-18 requires that monetary gifts and grants accepted by a park board be deposited into a special non-reverting fund available for expenditure by the Board for the purposes specified by the donor;

WHEREAS, the Town Council finds that it is in the best interests of the Town and its residents to establish a special non-reverting fund to receive and administer donations made for the benefit of the Town's parks and recreation system;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTPORT, INDIANA, AS FOLLOWS:

Section 1. Creation of Fund.

There is hereby established the Town of Westport Parks and Recreation Donation Non-Reverting Fund ("Fund"), to be assigned a fund number by the Town Clerk-Treasurer in accordance with State Board of Accounts requirements.

Section 2. Nature of Fund.

The Fund shall be a continuing, special, non-reverting fund. Any balance remaining in the Fund at the end of a fiscal year shall not revert to the Town's General Fund but shall remain in the Fund until expended in accordance with this Ordinance and Indiana law.

Section 3. Deposits.

The Town Clerk-Treasurer shall deposit into the Fund:

1. Monetary gifts accepted by the Park and Recreation Board;
2. Donations;
3. Grants;
4. Bequests;

5. Memorial contributions;
6. Sponsorship proceeds designated for parks and recreation purposes; and
7. Any other monies lawfully received by the Park and Recreation Board for park and recreation purposes.

Any interest earned on monies deposited in the Fund shall remain in and become part of the Fund.

Section 4. Purpose of Fund.

The Fund shall be used exclusively for park and recreation purposes authorized under Indiana Code Chapter 36-10-3, including but not limited to:

1. Acquisition of park land;
2. Construction of park facilities;
3. Capital improvements;
4. Equipment purchases;
5. Park maintenance and improvements;
6. Recreational programming;
7. Trail development;
8. Beautification projects;
9. Matching funds for grants; and
10. Any other lawful park and recreation purpose.

If a donor places restrictions upon the use of donated funds, those restrictions shall govern the expenditure of the donation to the extent permitted by law.

Section 5. Administration.

The Park and Recreation Board shall administer the Fund in accordance with Indiana Code § 36-10-3-18. The Board may accept gifts, donations, grants, and subsidies for park and recreation purposes. No gift or transfer of property shall be accepted without approval of the Park and Recreation Board.

Section 6. Disbursement of Funds.

Funds may be disbursed only:

1. For lawful park and recreation purposes;
2. Consistent with any restrictions imposed by the donor; and
3. Upon vouchers signed by the President and Secretary of the Park and Recreation Board, with warrants issued by the Town's disbursing officer in accordance with Indiana Code § 36-10-3-18(b).

Section 7. Compliance.

The administration of the Fund shall comply with all applicable provisions of Indiana law and all accounting standards and procedures prescribed by the Indiana State Board of Accounts.

Section 8. Severability.

If any provision of this Ordinance is determined to be invalid, the remaining provisions shall remain in full force and effect.

Section 10. Effective Date.

This Ordinance shall take effect upon its passage by the Town Council.

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 10th day of August, 2026.

AYES

NAYS

Bryan Gatewood

Glenn Bledsoe

Russell Vahr

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Dolores Honeycutt

Council Members

Council Members

Presented to me by the Town Council of Westport, Indiana on this 10th day of August, 2026.

Glenn Bledsoe
Clerk-Treasurer

