

ORDINANCE 2021-18

AN ORDINANCE TO ESTABLISH THE AMERICAN RESCUE PLAN CORONAVIRUS LOCAL FISCAL RECOVERY FUND

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (P.L. 117-2) (hereafter “ARP”), enacted by the Congress of the United State of America, establishes the Coronavirus Local Fiscal Recovery Fund for the purpose of providing financial support to local units of government such as counties, cities and towns; and

WHEREAS, the Town of Whitestown, Indiana will receive a distribution of funds from the Coronavirus Local Fiscal Recovery Fund; and

WHEREAS, the Indiana State Board of Accounts has issued State Examiner Directive 2021-1 directing that local units receiving a distribution from the Coronavirus Local Fiscal Recovery Fund must establish a separate fund for receipt and expenditure of those monies.

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Whitestown, Indiana, as follows:

1. *Creation.* There is created the American Rescue Plan Coronavirus Local Fiscal Recovery Fund (the “ARP Fund”).

2. *Source of funds.* Only monies received by the Town under Title VI of the Social Security Act (42 U.S.C. 801 et seq.), as amended by Section 9901(a) of the ARP may be deposited in the ARP Fund.

3. *Appropriation of funds required.* Cash balances in the ARP Fund must be appropriated by the Town Council before expenditure.

4. *Authorized expenditures.* Expenditures from the ARP Fund must be made in accordance with plans adopted by the Town Council that corresponds to the provisions of Title VI of the Social Security Act (42 U.S.C. 801 et seq.), as amended Section 9901(a) of the ARP and the Indiana State Board of Accounts State Examiner Directive 2021-1. Expenditures from the ARP Fund may be used only for the purposes prescribed in Title VI of the Social Security Act (42 U.S.C. 801 et seq.), as amended Section 9901(a) of the ARP. Those eligible uses are:

(a) To respond to the public health emergency with respect to the COVID-19 disease or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(b) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(c) for the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; or

(d) to make necessary investments in water, sewer, or broadband infrastructure; or

(e) any other uses permitted under applicable law, as may be amended.

5. *No reversion of monies to the general fund.* Unexpended cash balances in the ARP Fund will remain in the fund and not revert to the General Fund at year end.

6. This Ordinance shall take effect following its adoption as required by law.

Adopted by the Town Council of the Town of Whitestown, Indiana, on _____, 2021, by a vote of _____ in favor and _____ against.

THE TOWN COUNCIL OF THE
TOWN OF WHITESTOWN

Clinton Bohm, President

ATTEST:

Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

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