

## Town Of Spencer

*Founded February 12, 1820*

Municipal Building

90 N. West Street, Spencer, Indiana 47460

Phone 812-829-3213 Fax 812-829-1567

State of Indiana

Town of Spencer

PROCLAMATION

### To All To Whom These Presents May Come, Greetings!

WHEREAS, Sunday, December 11, 2016 marks the 200<sup>th</sup> Anniversary of the day President James Madison signed the act admitting Indiana as the 19<sup>th</sup> state of the Union; and

WHEREAS, on the occasion of Indiana's 200<sup>th</sup> birthday, we honor the culmination of the Bicentennial year in Indiana – a year of celebrating history, nature, and community and igniting the future for generations to follow; and

WHEREAS, we take this opportunity today to recognize the many community leaders and volunteers who played vital roles in creating the legacies of this year that we saw on display, and make a promise to continue in the spirit of the Bicentennial and create a brighter future for our children;

NOW, THEREFORE, We, the Spencer Town Council do hereby proclaim December 11, 2016 as

### Indiana Statehood Day and Bicentennial

and invite all citizens to duly note this occasion.

In Testimony Whereof, we set our hand and cause to be affixed the official seal of the Town of Spencer. Proclaimed at the Town of Spencer Indiana this 7<sup>th</sup> day of December, 2016 on the 200<sup>th</sup> Anniversary of Indiana Statehood and in the 240<sup>th</sup> year of the Independence of the United States of America.

Jon Stantz, President

Dean Bruce, Vice President

Michael Spinks, Member

**RESOLUTION NO. 2016- 13**  
**A RESOLUTION OF THE SPENCER TOWN BOARD APPROVING THE  
DECLARATORY RESOLUTION, ECONOMIC DEVELOPMENT AREA AND  
ECONOMIC DEVELOPMENT PLAN**

**WHEREAS**, the Town of Spencer Redevelopment Commission (the "Redevelopment Commission"), as the governing body for the Town of Spencer Department of Redevelopment pursuant to Indiana Code 36-7-14, as amended (the "Act"), adopted a Declaratory Resolution on September 21, 2016, being Resolution No. 2016-2, "Declaratory Resolution of the Town of Spencer Redevelopment Commission" (the "Declaratory Resolution"), establishing an Economic Development Area and Economic Development Plan for the established area pursuant to Section 12 of the Act; and

**WHEREAS**, the Declaratory Resolution designated an economic development area known as the "Morgan Street/Fletcher Avenue Development District Economic Development Area" (the "Economic Development Area, and designated the entire Economic Development Area as the "Morgan Street/Fletcher Avenue Development District" (the "Allocation Area"); and

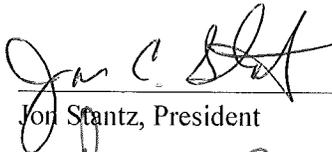
**WHEREAS**, The Town of Spencer Advisory Plan Commission, on the 6<sup>th</sup> day of October, 2016, adopted Resolution 2016- 1 determining that the Economic Development Plan conforms to the Comprehensive Plan of Development for Town of Spencer, Indiana and further approved the Resolution and Plan as presented.

**NOW THEREFORE, BE IT RESOLVED** by the Spencer Town Board of the Town of Spencer, as follows:

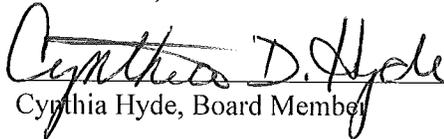
The Board hereby approves, in all respects, the Declaratory Resolution establishing the Morgan Street/Fletcher Avenue Development District Economic Development Area, the Economic Development Plan of the Redevelopment Commission, and the Approving Order of the Plan Commission.

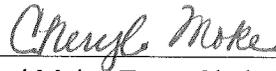
Passed by the Spencer Town Board of the Town of Spencer, Indiana, this 17<sup>th</sup> day of October, 2016.

**SPENCER TOWN COUNCIL:**

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice-President

  
\_\_\_\_\_  
Cynthia Hyde, Board Member

ATTEST:   
\_\_\_\_\_  
Cheryl Moke, Town Clerk-Treasurer

ORDINANCE NO. 2016- 12

**AN ORDINANCE TO DECLARING FRANKLIN STREET A NO PARKING ZONE, A ONE WAY STREET, AND ALTERING THE MAXIMUM SPEED LIMIT DURING THE CONSTRUCTION PHASE OF THE SR 46 PAVEMENT REPLACEMENT PROJECT**

**WHEREAS**, the Town of Spencer desires to maintain its streets, under its jurisdiction and control, safe and secure from dangerous or congested traffic patterns; and

**WHEREAS**, it is anticipated that the State of Indiana will let bids the SR 46 Pavement Replacement Project in the later part of 2016, with construction to begin in 2017, and construction scheduled for completion in 2018; and,

**WHEREAS**, the project will require that those vehicles traveling eastbound through the Town of Spencer to use Franklin Street, and those traveling westbound to use Morgan Street; and

**WHEREAS**, Franklin Street currently allows two-way travel eastbound and westbound through the Town of Spencer, but does not have the structural capability of handling the excessive vehicular travel that is forecasted as a result of the proposed project; and,

**WHEREAS**, the additional vehicular travel along Franklin Street will cause excessive congestion making parking along Franklin Street dangerous to those parking and/or traveling along said roadway; and

**WHEREAS**, IC 9-21-5-11 allows for a local authority to establish temporary maximum speed limits in the vicinity of a worksite and establishes fines for violation of the temporary speed limits.

**NOW THEREFORE BE IT ORDAINED**, by the Spencer Town Board the following:

That Franklin Street shall be eastbound one-way during periods of construction as indicated by appropriate signage beginning at the intersection of Franklin Street and Morgan Street/SR 46 at the west end of the Town of Spencer and continuing eastbound along Franklin Street to its intersection with Fairview Avenue on the east end of the Town of Spencer. Eastbound one-way traffic shall continue north along Fairview Avenue to the intersection of Fairview Avenue and SR 46. The Spencer Town Board and/or the Indiana Department of Transportation shall cause the placement of one-way vehicular travel signs at the entrance and exit of Franklin Street and Fairview Avenue along with signs placed at each adjoining street intersection.

Further, there shall be no parking along Franklin Street during the construction period. The Spencer Town Board and/or the Indiana Department of Transportation shall cause the placement of no parking signs on and along Franklin Street.

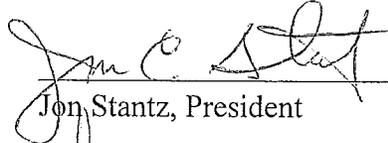
Any person that violates the provisions set forth above shall be subject to the penalty set forth in Title VII, Traffic Code, §70.99 Penalty.

Further, pursuant to IC 9-21-5-11 the Spencer Town Board establishes a temporary maximum speed limit of twenty (20) MPH on and along Franklin Street during times of construction regardless of the presence of workers on site or not. Temporary maximum speed limit signs shall be posting at the beginning of said reduced speed limit area and at the end of said reduced speed limit area. Any person violation the speed limit provisions of this ordinance shall be subject to the fines set forth under IC 9-21-5-11 (d).

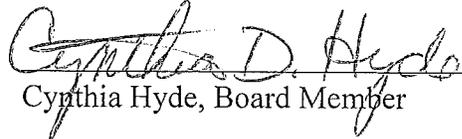
This ordinance shall be in full force and effect immediately upon its adoption and publication.

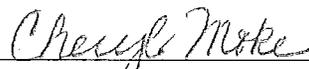
Upon motion duly made, seconded, and unanimously approved, the Board did pass and adopt this ordinance this 24 day of October, 2016.

**SPENCER TOWN COUNCIL:**

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice-President

  
\_\_\_\_\_  
Cynthia Hyde, Board Member

ATTEST:   
\_\_\_\_\_  
Cheryl Moke, Town Clerk-Treasurer

ORDINANCE NO. 2016- ~~08~~ 10  
ORDINANCE TO AMEND TITLE V: PUBLIC WORKS, CHAPTER 50 SEWER  
TITLED TO ADD A NEW SECTION §50.091 WASTE HAULERS-CHARGES TO THE  
SPENCER TOWN CODE

WHEREAS, the Town of Spencer Wastewater Treatment Plant treats and disposes of all sewer matter for persons and/or businesses residing within the Spencer Town limits; and,

WHEREAS, Indian Oaks Campground has requested the services of the Town of Spencer to receive and properly dispose of its sewer matter derived from its operations as a campground facility; and,

WHEREAS, the Town of Spencer has adequate capacity and procedures to process such domestic septage from persons and/or businesses residing within Owen County, Indiana so long as the septage waste is considered food-based waste.

NOW THEREFORE BE IT ORDAINED, by the Spencer Town Board that the following will be added as a new section to Title V: Public Works, Chapter 50 Sewer and shall be known as section “§50.091 Waste Haulers-Charges”, which shall read as follows:

**“§50.091 Waste Haulers—Charges.**

(A) Waste shall only be accepted for treatment by the utility if the treatment processes and final effluent are not adversely affected. All haulers shall provide the utility with the names and addresses of the users whose waste is brought for treatment.

(B) The following types of waste may be accepted for treatment by the Town utilities:

(1) Domestic Septage. Domestic septage refers to the waste contained in, or removed from, septic tanks or holding tanks which serve residential homes or other sources which generate only food-based waste. Each truckload delivered will be assumed to be a full load unless proven otherwise by the hauler.

(C) Permit and Permit Fees.

(1) A State of Indiana licensed waste hauler requesting authorization to dispose of septage waste shall fill out a permit for such services annually. Each permit will be reviewed by the Town of Spencer Wastewater Treatment Facility Superintendent and approved or denied by the Spencer Town Board.

(2) The fee for such permit shall be the sum of Fifty Dollars (\$50.00).

(D) Licensed Waste Hauler and fees.

(1) Any State of Indiana licensed waste hauler may purchase pre-paid tickets from the Spencer Town Clerk Treasurer which authorizes that hauler to dispose of domestic septage.

(2) The ticket will indicate the proposed amount of septage to be disposed and treated and the names and addresses of the property owners from which the septic waste was removed. The ticket must be presented to the staff at the Wastewater Treatment Facility prior to any disposal or treatment of domestic septage.

(3) The Fee for each ticket allowing the disposal of domestic septage shall be a minimum of Thirty Dollars (\$30.00) per Five Hundred (500) gallons of septage to be treated and disposed. For each additional One Hundred (100) Gallons to be treated and disposed an additional fee of Five Dollars (\$5.00) shall be charged per ticket. The fees for the treatment and disposal of domestic septage shall be charged to the waste hauler who transports the waste to the treatment facility for disposal.

(Ord. 2016-\_\_\_\_, passed \_\_\_\_/\_\_\_\_/\_\_\_\_)''

Should any section, sub-section, sentence, clause, phrase or portion of this Ordinance or any license extended hereunder is for any reason held illegal, invalid, or unconstitutional by decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

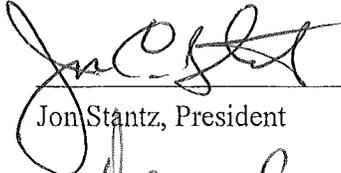
This Ordinance supersedes all other Ordinances or parts of Ordinances which are in conflict with its provisions, and any such Ordinance is hereby repealed.

The expressed or implied repeal of amendment by this Ordinance of any other Ordinance or part of any other Ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effected date of this Ordinance. These rights, liabilities, and other proceedings all continued and penalties shall be imposed and enforced under the repealed or amended Ordinance as if this Ordinance had not been adopted.

This Ordinance shall be in full force and effect immediately upon its adoption and publication as required by law.

Upon motion duly made, seconded, and unanimously approved and adopted this  
\_\_\_\_\_ day of \_\_\_\_\_, 2016.

SPENCER TOWN COUNCIL:

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice-President

  
\_\_\_\_\_  
Cynthia Hyde, Board Member

ATTEST:   
\_\_\_\_\_  
Cheryl Moke, Town Clerk-Treasurer

ORDINANCE NO. 2016- 02/0

ORDINANCE TO AMEND TITLE V: PUBLIC WORKS, CHAPTER 50 SEWER  
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SPENCER TOWN CODE

WHEREAS, the Town of Spencer Wastewater Treatment Plant treats and disposes of all sewer matter for persons and/or businesses residing within the Spencer Town limits; and,

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(Ord. 2016-10, passed 10 / 3 / 2016)”

Should any section, sub-section, sentence, clause, phrase or portion of this Ordinance or any license extended hereunder is for any reason held illegal, invalid, or unconstitutional by decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

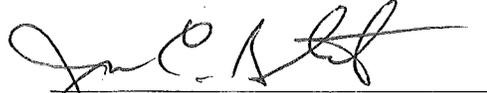
This Ordinance supersedes all other Ordinances or parts of Ordinances which are in conflict with its provisions, and any such Ordinance is hereby repealed.

The expressed or implied repeal of amendment by this Ordinance of any other Ordinance or part of any other Ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effected date of this Ordinance. These rights, liabilities, and other proceedings all continued and penalties shall be imposed and enforced under the repealed or amended Ordinance as if this Ordinance had not been adopted.

This Ordinance shall be in full force and effect immediately upon its adoption and publication as required by law.

Upon motion duly made, seconded, and unanimously approved and adopted this  
3 day of Oct, 2016.

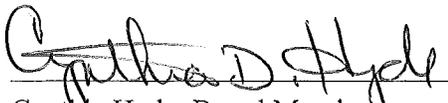
SPENCER TOWN COUNCIL:



Jon Stantz, President



Dean Bruce, Vice-President



Cynthia Hyde, Board Member

ATTEST:



Cheryl Moke, Town Clerk-Treasurer

**Resolution Number 2016-09**  
**RESOLUTION AUTHORIZING APPLICATION SUBMISSION**

RESOLUTION OF THE TOWN OF SPENCER TOWN COUNCIL OF OWEN COUNTY, INDIANA,  
AUTHORIZING THE SUBMITTAL OF THE CDBG MAIN STREET REVITALIZATION PROGRAM  
APPLICATION TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND  
ADDRESSING RELATED MATTERS

WHEREAS, the Council of the Town of Spencer, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and

WHEREAS, the Town of Spencer, Indiana has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs, said public hearings to assess the housing, public facilities and economic needs of its low- and moderate-income residents;

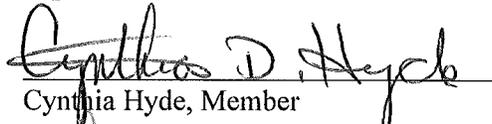
NOW, THEREFORE, BE IT RESOLVED by the Town Council of Spencer, Indiana that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address the Town's need for Downtown Streetscape Improvements and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
  
2. The Town of Spencer, Indiana hereby commits local funds in the amount of Five Hundred Ninety-Eight Thousand Dollars (\$598,000.00) for said program. Five Hundred Eighty-Six Thousand Eight Hundred Seventy-Five Dollars (\$586,875.00) will come from Town of Spencer EDIT Funds on Hand and Eleven Thousand One Hundred Twenty-Five Dollars (\$11,125.00) will come from Spencer Main Street, Inc. Funds on Hand. Such commitment to be contingent upon receipt of CDBG MSRP funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Spencer Town Council of the County of Owen, Indiana this 3<sup>rd</sup> day of October, 2016, at 7:22 PM.

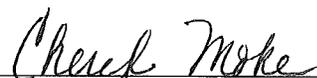
SIGNATURE:

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Cynthia Hyde, Member

  
\_\_\_\_\_  
Dean Bruce, Member

ATTEST:

  
\_\_\_\_\_  
Cheryl Moke, Clerk/Treasurer

RESOLUTION NO. 2016- 08

**A RESOLUTION TO ESTABLISH A RAINY DAY FUND  
AS PERMITTED BY INDIANA PUBLIC LAW 251-2001**

**WHEREAS**, pursuant to the provisions of Indiana Public Law 251-2001, as amended, I.C. 36-1-8-5.1, local units of government may establish a rainy day fund to receive transfers of unused and unencumbered funds; and,

**WHEREAS**, I.C. 36-1-8-5.1 requires that whenever the purposes of a tax levy have been fulfilled and that there remain unused and unencumbered funds raised by a general tax or special levy tax on all taxable property, the balance shall be transferred by order of the fiscal body to the general fund or the rainy day fund; and,

**WHEREAS**, the Spencer Town Council desires to establish a fund to meet unforeseen and unbudgeted financial obligations of the Town; and,

**WHEREAS**, I.C. 36-1-8-5.1 requires that funds placed in the rainy day fund are subject to the same appropriation process as all other funds that receive tax money; and,

**WHEREAS**, I.C. 36-1-8-5.1 requires that before funds are appropriated from the rainy day fund the fiscal body shall make a finding that the proposed use of the fund is consistent with the intent of the fund;

**NOW THEREFORE BE IT RESOLVED**, by the Spencer Town Council, that

SECTION 1. A rainy day fund is established within the office of the Clerk to receive transfers of funds, not to exceed more than 10% of the city's total budget for the current fiscal year in accordance with the provisions of I.C. 36-1-8-5.1 and SECTION 2 or SECTION 4 of this Resolution.

SECTION 2. If at any time the balance of the rainy day fund is less than 10% of the total appropriation of the general fund for that fiscal year, the Clerk shall transfer funds from the general fund to the rainy day fund, provided that there is an unobligated, unencumbered balance in the general fund that is greater than 5% of the current fiscal year's general fund appropriation, until there is a balance in the rainy day fund that is at least equal to 10% of the general fund appropriation for that year.

SECTION 3. Before an appropriation is made from the rainy day fund, the Spencer Town Council shall make a finding that the proposed use of funds from the rainy day fund is consistent with the intent of the fund.

SECTION 4. Notwithstanding the provisions of SECTION 2 of this ordinance, if the Spencer Town Council appropriates funds from the rainy day fund that cause the balance of the fund to be less than 10% of the current fiscal year's general fund appropriation the controller shall include in the general fund budget for the succeeding fiscal year sufficient funds to permit the transfer of unencumbered funds from the general fund to the rainy day fund in the succeeding fiscal year in an amount that will increase the rainy day fund balance so that it is at least equal to 10% of the Spencer Town Council's total general fund appropriation for the succeeding fiscal year.

SECTION 5. The funds on deposit in the Rainy Day Fund may be used for the operation of the Town and its various departments including, but not limited to, salaries and wages, costs of services, supplies, equipment capital improvements, repairs, and similar expenditures.

SECTION 6. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable. Should any section, sub-section, sentence, clause, phrase or portion of this Resolution or any license extended hereunder is for any reason held illegal, invalid, or unconstitutional by decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

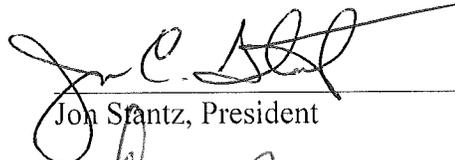
This Resolution supersedes all other Resolutions or parts of Resolutions which are in conflict with its provisions, and any such Resolution is hereby repealed.

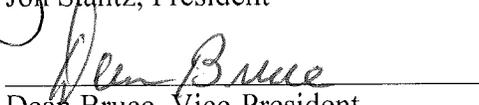
The expressed or implied repeal of amendment by this Resolution of any other Resolution or part of any other Resolution does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effected date of this Resolution. These rights, liabilities, and other proceedings all continued and penalties shall be imposed and enforced under the repealed or amended Resolution as if this Resolution had not been adopted.

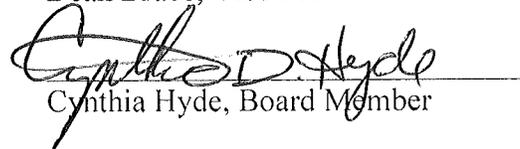
This Resolution shall be in full force and effect immediately upon its adoption and publication as required by law.

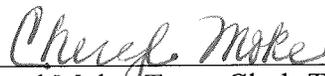
Upon motion duly made, seconded, and unanimously approved and adopted this \_\_\_ day of October, 2016.

**SPENCER TOWN COUNCIL:**

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice-President

  
\_\_\_\_\_  
Cynthia Hyde, Board Member

ATTEST:   
\_\_\_\_\_  
Cheryl Moke, Town Clerk-Treasurer

**RESOLUTION NUMBER 2016-04  
OF THE TOWN OF SPENCER**

**A RESOLUTION ESTABLISHING A FUND FOR SPECIAL LOIT DISTRIBUTION**

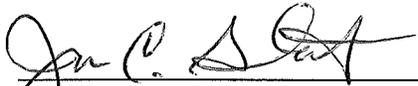
**WHEREAS**, Indiana Code § 6-3.6-9-17, allocates a special distribution of excess funds within county trust funds, and;

**WHEREAS**, at least 75% of the money allocated and distributed to a county's, city's or town's fiscal body must be used exclusively for infrastructure as specified in I.C. 6-3.6-9-17(h)(1)(A), AND;

**WHEREAS**, Indiana's Department of Local Government Finance is requiring political subdivisions in Indiana to establish a new and separate fund to receive the special LOIT distribution and

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of Spencer that a new fund is hereby authorized to be established for the purpose of receiving and disbursing money associated with this special LOIT disbursement and shall be used only for purposes outlined within I.C. 6-3.6-9-17(h)(1)(A) and shall abide by all rules and regulations as As prescribed by Indiana Code and State Board of Accounts policy.

**DULY ADOPTED** by the Town Council of the Town of Spencer, Owen County, State of Indiana this 6 day of JUNE, 2016



Jon Stantz, President



Dean Bruce



Cynthia Hyde

Attest:



Cheryl Moke,  
Clerk-Treasurer

TOWN OF SPENCER  
ARBOR DAY PROCLAMATION  
2016-02

**Whereas,** In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**Whereas,** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**Whereas,** Arbor Day is now observed throughout the nation and the world, and

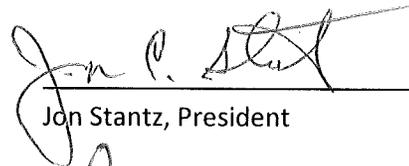
**Whereas,** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

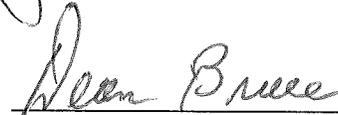
**Whereas,** trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community, and

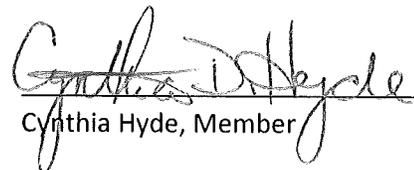
**Whereas,** trees wherever they are planted, are a source of joy and spiritual renewal.

*Now, Therefore, We,* Jon Stantz, Dean Bruce, and Cynthia Hyde, the Spencer Town Council do hereby proclaim Saturday, April 23<sup>rd</sup> as Arbor Day in the Town of Spencer, and we urge all citizens to celebrate and support our efforts to protect trees and woodlands, by planting a tree and promote the well-being for future generations.

Date: April 18, 2016

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice President

  
\_\_\_\_\_  
Cynthia Hyde, Member

Attest:   
\_\_\_\_\_  
Cheryl Moke, Clerk-Treasurer

**RESOLUTION NO. 2016-01**

**A RESOLUTION ESTABLISHING THE TOWN OF SPENCER MUNICIPAL RIVERFRONT DEVELOPMENT DISTRICT**

**WHEREAS**, pursuant to the provisions of I.C. 36-7-14 *et seq.* the Town of Spencer previously adopted Resolution No. 2015-008 establishing the Downtown Development District Economic Development Area; and,

**WHEREAS**, I.C. 7.1-3-20-16 enables a municipality to create a riverfront development district within an Economic Development Area; and,

**WHEREAS**, I.C. 7.1-3-20-16 (d) allows the issuance of a three-way, two-way, or one-way permit to sell alcoholic beverages for on-premises consumption only to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant on land or in a historic river vessel within a municipal riverfront development project funded in part with state and city money; and,

**WHEREAS**, the Spencer Town Council desires to establish the Town of Spencer Municipal Riverfront Development District, herein attached and more specifically set forth as Exhibit "A", and to allow for the issuance of permits to sell alcoholic beverages within the Town of Spencer Municipal Riverfront Development District under the local guidelines herein attached and more specifically set forth in Exhibit "B", all of which are in accordance with all local and state laws concerning issuance of alcohol beverage permits.

**NOW THEREFORE BE IT RESOLVED**, by the Spencer Town Council, that the area set forth in Exhibit "A", attached hereto and made a part hereof, shall be known as the Town of Spencer Municipal Riverfront Development District, as is contemplated under I.C. 7.1-3-20-16.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Spencer Town Council that such permits shall be issued pursuant to the local guidelines more specifically set forth in Exhibit "B", attached hereto and made a part hereof,

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Spencer Town Council that there shall be made available a total of four (4) three-way alcohol permits within the Town of Spencer Municipal Riverfront Development District, as the permits are contemplated under I.C. 7.1-3-20-16.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Spencer Town Council that a fee for submission of the "Application for a Town of Spencer Municipal Riverfront Development District Liquor License" shall be in the sum of Seven Hundred Fifty Dollars and no cents (\$750.00). Said funds shall be deposited into an account to be known as the "Municipal Riverfront Development Fund".

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Spencer Town Council that each application for a Town of Spencer Municipal Riverfront Development District alcohol permit, filed with the Indiana Department of Alcohol and Tobacco, must be accompanied by a letter from the Spencer Town Council whereby the Town Council requests approval of the application.

Should any section, sub-section, sentence, clause, phrase or portion of this Resolution or any license extended hereunder is for any reason held illegal, invalid, or unconstitutional by decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

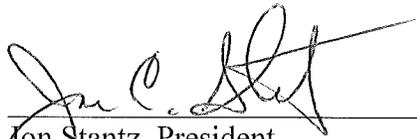
This Resolution supersedes all other Resolutions or parts of Resolutions which are in conflict with its provisions, and any such Resolution is hereby repealed.

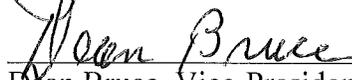
The expressed or implied repeal of amendment by this Resolution of any other Resolution or part of any other Resolution does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effected date of this Resolution. These rights, liabilities, and other proceedings all continued and penalties shall be imposed and enforced under the repealed or amended Resolution as if this Resolution had not been adopted.

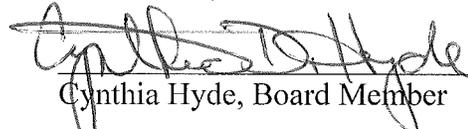
This Resolution shall be in full force and effect immediately upon its adoption and publication as required by law.

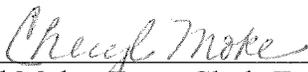
Upon motion duly made, seconded, and unanimously approved and adopted this 16TH day of FEBRUARY, 2016.

**SPENCER TOWN COUNCIL:**

  
\_\_\_\_\_  
Jon Stantz, President

  
\_\_\_\_\_  
Dean Bruce, Vice-President

  
\_\_\_\_\_  
Cynthia Hyde, Board Member

ATTEST:   
\_\_\_\_\_  
Cheryl Moke, Town Clerk-Treasurer