

Received 9/21/2016
Clerk-Treasurer email

ORDINANCE NO. 2016- 13

**AN ORDINANCE TO AMEND CHAPTER 35 OF THE
AUBURN CITY CODE CONCERNING
THE ENFORCEMENT AID FUND §35.11**

SUMMARY

This Ordinance amends the Auburn City Code with regard to the Enforcement Aid Fund of the City of Auburn. That §35.11 shall be amended to establish the Auburn Police Narcotic Enforcement Team (APNET), which shall be administered by the Auburn Police Department for the purpose of undercover enforcement and abatement of illegal drugs and narcotics in Auburn, Indiana. Further, the Image Drug Task Force shall no longer be in effect and the APNET shall operate solely under the direction and supervision of the Auburn Police Department and any agencies assisting the Auburn Police Department's APNET operation must work under the guidance and at the direction of the Auburn Police Department in order to participate. No other agencies shall be involved in the administration and operation of APNET other than the Auburn Police Department. All other provisions associated with Auburn City Code Section §35.11 not specifically modified shall remain in full force and effect. A full copy of the Ordinance is available at the Clerk-Treasurer's Office located at 210 E. Ninth Street, Auburn, IN 46706 and on the City of Auburn's web based code of ordinances at www.ci.auburn.in.us. This Summary shall be published upon the ordinance being passed by the Auburn Common Council one (1) time in a newspaper of general

circulation. Any questions shall be directed to the office of the Clerk-Treasurer at 210 E. Ninth Street, Auburn, IN 46706; 260/925-5430.

_____	Recorder's Office	_____	Publish Public Hearing
_____	Auditor's Office	_____	
_____	Clerk's Office	<u> x </u>	Publish Summary after adoption
<u> x </u>	Other		
	Codification-Website		

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THE ENFORCEMENT AID FUND §35.11**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN,

INDIANA:

Section I.

That §35.11 of the Enforcement Aid Fund of Title III. Administration, Chapter 35 Finance, of the City of Auburn Municipal Code shall be amended to insert section (I) with language so that the Image Drug Task Force shall no longer operate and that Auburn Police Narcotics Enforcement Team (APNET) shall be placed into effect and operation and shall be under the direct supervision of the Auburn Police Department and shall be staffed by participants from the employment of the Auburn Police Department. Image Drug Task Force shall no longer operate herein.

Section II.

It is further established that Section §35.11 of the Auburn City Code of Ordinances as codified on the City of Auburn Municipal Code based at www.ci.auburn.in.us shall be amended to identify the Auburn Police Narcotics Enforcement Team (APNET) as further set forth in Exhibit “A” attached hereto and incorporated herein. Said Exhibit “A” shall replace the current Section §35.11 of the Auburn Municipal Code.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after its passage by the Common Council and signing by the Mayor. The summary of

this Ordinance shall also be published one (1) time in a publication of daily circulation in DeKalb County, Indiana, and the original Ordinance shall be maintained by the Clerk-Treasurer of the City of Auburn. Further, the codified version of this Ordinance set forth in Exhibit “A” shall be replaced with the current Auburn City Code Section §35.11.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this _____ day of _____, 20__.

JAMES FINCHUM, Councilmember

ATTEST:

Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this _____ day of _____, 20__.

PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this _____ day of _____, 20__.

NORMAN E. YODER, Mayor

VOTING:

AYE

NAY

Dennis (Matthew) K. Kruse II

James Finchum

Todd Sanderson

Michael Watson

Kevin Webb

Dennis Ketzenberger

Michael Walter

Exhibit A

35.11 ENFORCEMENT AID FUND

- A) The Enforcement Aid Fund is hereby created for the exclusive use of the Police Department
- B) The Enforcement Aid Fund shall be used:
 - 1) To assist in enforcement of the federal, state, county, and city laws,
 - 2) To the ends of the proper and just administration of justice in and around the city, and
 - 3) In any manner deemed proper by the Chief of Police.
- C) The Enforcement Aid Fund shall be in the form of an appropriation to be approved by the Common Council.
- D) Funding for the Enforcement Aid Fund shall be authorized from the General Fund of the city. This funding shall be reviewed by the State Board of Accounts.
- E) The expenditure of funds from the Enforcement Aid Fund shall follow the guidelines as established by the rules in Appendix A, as set forth in Ordinance No. 88-6, passed 1-19-88, which is adopted by reference herein.
 - 1) Expenditures specifically designated for the purchase of evidence shall follow the rules established in Appendix B, as set forth in Ordinance No. 88-6, passed 1-19-88, which is adopted by reference herein.
 - 2) Expenditures specifically designated for use in paying an informant shall follow the rules established in Appendix B and C, as set forth in Ordinance No. 88-6, passed 1-19-88, which is adopted by reference herein.
- F) It shall be the responsibility of the Clerk-Treasurer to create those forms necessary for the proper documentation and accounting of funds requested, expended and returned.
- G) Ultimate approval for monies to fund the Enforcement Aid Fund shall be to the Common Council in an appropriate form.
- H) Monies may be received from outside agencies and programs and deposited in the enforcement aid fund. Monies may be withdrawn from this fund for the purpose of reimbursement and/or providing for expenditures of the Auburn Police Department for undercover drug and illegal narcotic law enforcement operations on a monthly

basis. The Clerk-Treasurer, once per month, shall reimburse or distribute said funds from the enforcement aid fund in an amount not to exceed \$10,000.00. The Auburn Police Department, Auburn Police Narcotics Enforcement Team (APNET), and other cooperating agencies shall provide receipts and written documentation to support all requests for expenditures and/or reimbursement.

- I) The Auburn Police Department shall operate the Auburn Police Narcotics Enforcement Team (APNET), whose mission shall be to eradicate illegal drug and narcotic usage and possession in Auburn, Indiana, and in other surrounding areas. In addition, APNET shall operate undercover programs to enforce the illegal drug and narcotic laws in the State of Indiana. The APNET operation shall be under the control of the Auburn Police Department and shall operate with Auburn police personnel. Any other agency involved in the operation must agree to operate under the direction and command of the Auburn Police Department to enjoy any of the benefits under this Section of the Auburn Municipal Code.