

MAY 03 2023

ORDINANCE 2023- A

*Tiffany Decker*

AUDITOR OF WHITLEY COUNTY

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA CITY,  
INDIANA, ANNEXING CERTAIN TERRITORY TO THE  
CITY OF COLUMBIA CITY, INDIANA,  
PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND  
MAKING THE SAME A PART OF THE CITY OF COLUMBIA CITY**

- A. The City Council of the City of Columbia City, Indiana (respectively, the "Council") and the "City") is in receipt of a petition ("Petition") requesting the annexation of certain territory, commonly known as the Connie Sue Dye Property and more particularly described in attached Exhibit "A" (the "Annexation Territory").
- B. The Petition has been signed by one hundred percent (100%) of the landowners of the Annexation Territory as is attached hereto as Exhibit "B".
- C. The Annexation Territory consists of approximately 85.15 acres, and the Annexation Territory is contiguous to the existing City boundaries.
- D. Prior to adoption of this Ordinance, this Council by resolution may adopt a written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the Annexation Territory.
- E. If applicable, the written fiscal plan and definite policy adopted by resolution will provide for the provision of services of a non-capital nature (including police protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries of the City) to the Annexation Territory within one year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density.
- F. The terms and conditions of this annexation, including, if applicable, the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owner of the Annexation Territory of the City.
- G. Prior to the final adoption of this Ordinance, the City will have conducted a public hearing pursuant to proper notice issued as required by law.
- H. Prior to the final adoption of this Ordinance, the Council will have found that the Annexation Territory, pursuant to the terms of this Ordinance, is fair and equitable and should be accomplished.



NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Columbia City, Indiana, as follows:

Section 1. The above recitals are incorporated herein by this reference as though fully set forth herein below.

Section 2. In accordance with I.C. § 36-4-3-5.1, the Annexation Territory is hereby annexed to the City and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

Section 3. The Annexation Territory shall retain its current zoning classifications and designations by the County until such time as the County or City, as the case may be, updates its comprehensive plan, zoning ordinance or zoning map.

Section 4. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby repealed. The paragraphs, sentences words of this ordinance are separable, and if a court of competent jurisdiction hereof declares any portion unconstitutional, invalid, or unenforceable, such declaration shall not affect the remaining portions of this Ordinance.

Section 5. This Ordinance shall be in full force and effect after its adoption by the Common Council and approval by the Mayor of the City of Columbia City, Indiana.

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PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this 28 day of March, 2023.

COMMON COUNCIL OF THE CITY OF  
COLUMBIA CITY, INDIANA, BY:

Walter Crowder  
Walter C. Crowder

Jennifer Middleton  
Jennifer Middleton

Jennifer D. Zartman-Romano  
Jennifer D. Zartman-Romano

Theodore J. Varga, Jr.  
Theodore J. Varga, Jr.

Daniel Weigold  
Daniel Weigold

ATTEST:

Rosie Coyle  
Rosie Coyle, Clerk-Treasurer

Approved this 28 day of March, 2023, by:

Ryan L. Daniel  
Ryan L. Daniel, Mayor