

Sponsors: Councilors Aasen, Ayers, Minnaar, Snyder, and Worrell

ORDINANCE NO. D-2772-25

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA
ADOPTING A NEW ARTICLE 8 UNDER CHAPTER 2 OF THE CARMEL CITY CODE

Synopsis:

An Ordinance adopting requirements for nonprofit organizations receiving public support from the City

WHEREAS, the City of Carmel has a vested interest in ensuring that affiliated nonprofit corporations and community development corporations (“Affiliated Entities”) operate in transparency and the best interest of the City of Carmel; and

WHEREAS, the City Council desires to amend the Carmel City Code to add requirements that Affiliated Entities and other nonprofits must follow in order to remain eligible for public funds or City assistance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. A new Article 8 is established under Chapter 2 of the Carmel City Code, to read as follows:

CHAPTER 2 CITY ADMINISTRATION

ARTICLE 8: AFFILIATED ENTITIES

§2-403 DEFINITIONS.

For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AFFILIATED ENTITY means any one of the following:

(1) A non-profit organization established as a “supporting organization” to the City or its agencies under Internal Revenue Code 509(a)(3).

(2) A non-profit organization where a majority of the members of the governing body are appointed by City officials, agents or employees acting their official capacity.

(3) A non-profit organization utilized by the City to directly or indirectly support or accept donations from sources other than direct tax or fee revenue to support events or programs of the City.

(4) A non-profit community development corporation that exists to support the City or its agencies.

(5) Any other non-profit corporation that receives at least \$25,000 a year in public support from the City that has not specifically appropriated by the City Council through the annual budget or other specific ordinance, or that has been awarded through a grant process defined and authorized by an ordinance adopted by the City Council.

41 An Affiliated Entity shall not include any organization or entity created by state or federal statute.

42 ***IN-KIND SUPPORT*** means non-monetary support from the City of Carmel, including but not
43 limited to, the use of City resources or employees.

44 ***PUBLIC SUPPORT*** means public funds or in-kind support from the City or its agencies.

45 ***PUBLIC FUNDS*** has the meaning set forth in Ind. Code 5-13-4-20.

46
47 **§ 2-404 REQUIREMENTS**

48
49 (a) Beginning July 1, 2025, to be eligible to continue to receive public support, an Affiliated Entity must
50 comply with the following:

51
52 (1) At least one member of the Affiliated Entity's governing body must be appointed by the City
53 Council; and

54 (2) The remaining members of the Affiliated Entity's governing body must be approved by a vote of
55 the City Council.

56
57 (b) Beginning July 1, 2025, any member of the governing body of any non-profit organization that is
58 appointed by City officials, agents or employees must be approved by a vote of the City Council unless
59 otherwise required by law.

60
61 (c) All Affiliated Entities receiving public support shall be subject to an annual budget review process by
62 the City Council in the same manner as other City agencies.

63
64 (d) Any nonprofit organization receiving public support through a grant must follow a process established
65 by the City Council.

66
67 Section 3. All prior ordinances or parts thereof inconsistent with any provision of this
68 Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this
69 Ordinance, such repeal to have prospective effect only.

70 Section 4. If any portion of this Ordinance is for any reason declared to be invalid by a court
71 of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this
72 Ordinance

73 Section 5. This Ordinance shall be in full force and effect from and after the date of its passage
74 and signing by the Mayor and such publication as required by law.

75
76 [Signature Page Follows]
77

PASSED by the Common Council of the City of Carmel, this _____ day of _____, 2025, by a vote of _____ ayes and _____ nays.

COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA

Adam Aasen, President

Matthew Snyder, Vice-President

Teresa Ayers

Anita Joshi

Ryan Locke

Shannon Minnaar

Anthony Green

Rich Taylor

Jeff Worrell

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this _____ day of _____ 2025, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this _____ day of _____ 2025, at _____ .M.

Sue Finkam, Mayor

ATTEST:

Jacob Quinn, Clerk

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