

ORDINANCE 10-2014

AN ORDINANCE AMENDING LOCAL OPTION ANNUAL EXCISE SURTAX AND LOCAL  
OPTION ANNUAL WHEEL TAX ORDINANCE 10-2012

Whereas, Indiana Code 6-3.5-4 authorizes the Clay County Council to impose, by ordinance, a local option annual County Motor Vehicle Excise Surtax of not less than two percent (2%) or more than ten percent (10%), or not less than seven dollars and fifty cents (\$7.50) or more than twenty five dollars (\$25.00) on each motor vehicle, subject to the annual excise tax, registered in the county, and

Whereas, Indiana Code 6-3.5-5 authorizes the Clay County Council to impose, by ordinance, a local option annual County Wheel Tax of not less than five dollars (\$5.00) or more than forty dollars (\$40.00) on each of six (6) classifications of motor vehicles, not subject to the excise tax, registered in the county, and

Whereas, Indiana Code 6-3.5-4 and Indiana Code 6-3.5-5 requires the local option Excise Surtax and the local option Wheel Tax be imposed concurrently, and

Whereas, Clay County and the Incorporated City and Towns in Clay County have experienced a severe shortfall in Local Road and Street Distributions needed to maintain and improve the road and street system in Clay County, now therefore, be it ordained by the County Council of Clay County, Indiana, that

1. Beginning on January 1, 2015 and until further amended by ordinance, all passenger vehicles, motorcycles, motor driven cycles, and trucks with a declared gross weight that does not exceed eleven thousand (11,000) pounds, registered in Clay County, that are now subject to an excise tax, shall also be subject to an annual Excise Surtax of twenty-five (\$25.00) dollars to be paid with the registration of said motor vehicles.
2. Beginning on January 1, 2015, and until further amended by ordinance, all of the following six (6) classes of motor vehicles, registered in Clay County, shall be subject to an annual Wheel Tax as set out in the following schedule to be paid with the registration of said motor vehicles.

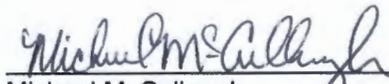
<u>Motor Vehicle Classification</u>	<u>Annual Wheel Tax</u>
A. Buses	\$40.00
B. Recreational Vehicles	\$40.00
C. Semi-Trailers	\$40.00
D. Tractors	\$40.00
E. (1) Trailers 12,000 pounds or less	\$20.00
(2) Trailers 12,001 pounds or more	\$40.00
F. Trucks over 11,000 pounds	\$40.00

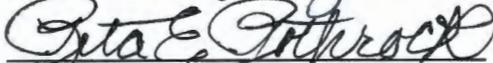
As provided by Indiana Code 6-3.5-4, the following motor vehicles are exempt from the annual Wheel Tax:

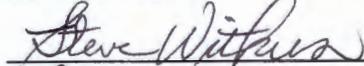
- vehicles owned by the State of Indiana
- vehicles owned by a state agency of the State of Indiana
- vehicles owned by a political sub-division of the State of Indiana
- vehicles subject to the annual Excise Surtax imposed under Indiana Code 6-3.5-4

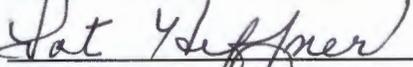
- buses owned and operated by religious or non-profit youth organization, and used to haul persons to religious services or for the benefit of their members
  - school buses and other vehicles owned and operated by the Clay Community Schools Corporation
3. Beginning January 1, 2015, all of the Excise Surtax and Wheel Tax Funds collected on motor vehicles registered in Clay County, Indiana, shall be deposited in a separate fund by the Clay County Treasurer, and titled the "Clay County Wheel Tax Fund". These funds shall be allocated and distributed as required by Indiana Code 6-3.5-5-15, by the Clay County Auditor and the Clay County Treasurer to the County and Incorporated City and Towns of Clay County. The funds distributed shall be used only to construct, reconstruct, repair, or maintain streets and roads under the jurisdiction of the respective County, City and Towns.

Read in full and approved on first reading by unanimous decision of the Clay County Council this 5<sup>th</sup> day of May, 2014

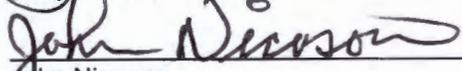
  
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Michael McCullough

  
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Rita Rothrock

  
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Steve Withers

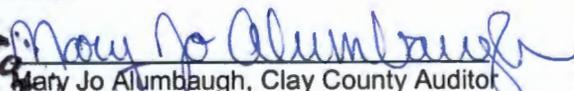
  
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Pat Heffner

  
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Larry Moss

  
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John Nicoson

  
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Toni Carter

Attest

  
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Mary Jo Alumbaugh, Clay County Auditor



**I. SURTAX**

A. RATE TYPE (Indicate Flat Rate or Percentage Rate)	\$	%
B. PASSENGER VEHICLES	25.00	_____
C. MOTORCYCLES	25.00	_____
D. MOTOR DRIVEN CYCLES	25.00	_____
E. TRUCKS- IC §9-29-5-3		
(including Farm Trucks) 1-11,000 LBS	25.00	_____
7,000 (1-7,000 LBS)	25.00	_____
9,000 (7,001-9,000 LBS)	25.00	_____
10,000 (9,001-10,000 LBS)	25.00	_____
11,000 (10,001-11,000 LBS)	25.00	_____

**II. WHEELTAX**

**A. TRUCKS- IC §9-29-5-3**

*(including Farm Trucks and Recovery Vehicles) 11,001 LBS and over*

16,000 (11,001-16,000 LBS) (includes Class B Recovery Vehicles)	40.00	_____
20,000 (16,001-20,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
23,000 (20,001-23,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
26,000 (23,001-26,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
30,000 (26,001-30,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
36,000 (30,001-36,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
42,000 (36,001-42,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
48,000 (42,001-48,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
54,000 (48,001-54,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
60,000 (54,001-60,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
66,000 (60,001-66,000 LBS) (includes Class A Recovery Vehicles)	40.00	_____
66,000+ (66,001 LBS and OVER) (includes Class A Recovery Vehicles)	40.00	_____

**B. TRAILERS used with motor vehicles- IC §9-29-5-4**

*(includes Farm Trailers)*

3,000 (1-3,000 LBS)	20.00	_____
5,000 (3,001-5,000 LBS)	20.00	_____
7,000 (5,001-7,000 LBS)	20.00	_____
9,000 (7,001-9,000 LBS)	20.00	_____
12,000 (9,001-12,000 LBS)	20.00	_____
16,000 (12,001-16,000 LBS)	40.00	_____
22,000 (16,001-22,000 LBS)	40.00	_____
22,000+ (22,001 and OVER)	40.00	_____

**C. RVs**

40.00  
\_\_\_\_\_

**D. SEMI-TRAILERS**

*(includes Farm Semi- Trailers)*

1.) Semi-Trailer- One Year	40.00
2.) Semi-Trailer- Permanent	40.00
3.) Semi-Trailer- Five Year Cycle	40.00
First Year	40.00
Second Year	40.00
Third Year	40.00
Fourth Year	40.00
Fifth Year	40.00

**E. TRACTORS – IC §9-29-5-3**

*(not used in combination with a semi-trailer, includes Farm Tractors)*

7,000 (1-7,000 LBS)	40.00
9,000 (7,001-9,000 LBS)	40.00
10,000 (9,001-10,000 LBS)	40.00
11,000 (10,001-11,000 LBS)	40.00
16,000 (11,001-16,000 LBS)	40.00
20,000 (16,001-20,000 LBS)	40.00
23,000 (20,001-23,000 LBS)	40.00
26,000 (23,001-26,000 LBS)	40.00
30,000 (26,001-30,000 LBS)	40.00
36,000 (30,001-36,000 LBS)	40.00
42,000 (36,001-42,000 LBS)	40.00
48,000 (42,001-48,000 LBS)	40.00
54,000 (48,001-54,000 LBS)	40.00
60,000 (54,001-60,000 LBS)	40.00
66,000 (60,001-66,000 LBS)	40.00
66,000+ (66,001 LBS and OVER)	40.00

**F. TRACTORS-IC §9-29-5-5**

*(used in combination with a Semi- Trailers to form "Semi- Trailer and Tractor" includes Farm Semi-Trailer and Tractor)*

20,000 (1-20,000 LBS)	40.00
26,000 (20,001-26,000 LBS)	40.00
30,000 (26,001-30,000 LBS)	40.00
36,000 (30,001-36,000 LBS)	40.00
42,000 (36,001-42,000 LBS)	40.00
48,000 (42,001-48,000 LBS)	40.00
54,000 (48,001-54,000 LBS)	40.00
60,000 (54,001-60,000 LBS)	40.00
66,000 (60,001-66,000 LBS)	40.00
72,000 (66,001-72,000 LBS)	40.00
74,000 (72,001-74,000 LBS)	40.00
76,000 (74,001-76,000 LBS)	40.00
78,000 (76,001-78,000 LBS)	40.00
78,000+ (78,001 LBS and OVER)	40.00

**G. BUSES – IC §9-29-5-7**

**1. BUS A- COMMERCIAL INTERCITY**

11,000 (1-11,000 LBS)	40.00
16,000 (11,001-16,000 LBS)	40.00
20,000 (16,001-20,000 LBS)	40.00
26,000 (20,001-26,000 LBS)	40.00
30,000 (26,001-30,000 LBS)	40.00
36,000 (30,001-36,000 LBS)	40.00
42,000 (36,001-42,000 LBS)	40.00
48,000 (42,001-48,000 LBS)	40.00
54,000 (48,001-54,000 LBS)	40.00
60,000 (54,001-60,000 LBS)	40.00
60,000+ (60,001 LBS and OVER)	40.00

**2. BUS D- COMMERCIAL INTRACITY**

11,000 (1-11,000 LBS)	40.00
16,000 (11,001-16,000 LBS)	40.00
20,000 (16,001-20,000 LBS)	40.00
26,000 (20,001-26,000 LBS)	40.00
30,000 (26,001-30,000 LBS)	40.00
36,000 (30,001-36,000 LBS)	40.00
42,000 (36,001-42,000 LBS)	40.00
48,000 (42,001-48,000 LBS)	40.00
54,000 (48,001-54,000 LBS)	40.00
60,000 (54,001-60,000 LBS)	40.00
60,000+ (60,001 LBS and OVER)	40.00

**3. BUS C NOT FOR HIRE -IC § 9-29-5-10**

40.00