

IC 14-33-18

Chapter 18. Subdistricts

IC 14-33-18-1

Establishment

Sec. 1. A subdistrict of land in the district may be established by the same procedure by which the original district was established. The petition shall be addressed to the court having jurisdiction over the district. A subdistrict may be established for any purpose for which a district may be established, but a subdistrict may not be established for any of the same purposes for which the district has been established.

As added by P.L.1-1995, SEC.26.

IC 14-33-18-2

Director

Sec. 2. A director of the district may not also be a director of the subdistrict.

As added by P.L.1-1995, SEC.26.

IC 14-33-18-3

Interference with district purpose

Sec. 3. (a) The district plan under which the subdistrict operates may not interfere with the accomplishment of a purpose for which the district was established.

(b) If the board of the district determines that operations of the subdistrict interfere with the accomplishment of a purpose of the district, the board may petition the court to make necessary findings and issue necessary orders to the board of the subdistrict to stop the interference.

As added by P.L.1-1995, SEC.26.

IC 14-33-18-4

Operation, powers, and duties

Sec. 4. A subdistrict operates in the same manner as a district, and the board of a subdistrict has the same powers and duties.

As added by P.L.1-1995, SEC.26.

IC 14-33-18-5

Resolution establishing subdistrict; procedures

Sec. 5. (a) A subdistrict also may be established under this chapter for a purpose for which the district has been established if the board passes a resolution to that effect defining the territory of the subdistrict and each purpose. The resolution must be filed in the court having jurisdiction of the district.

(b) The court shall hold a hearing after ordering notice to be given as follows:

- (1) By publication at least thirty (30) days before the hearing at least one (1) time in one (1) newspaper of general circulation in each county having land in the district.

(2) By mail to each freeholder in the proposed subdistrict.

(c) If at the hearing a remonstrance against the establishment of the subdistrict is filed with the court signed by:

(1) thirty percent (30%) of the freeholders in the proposed subdistrict; or

(2) thirty percent (30%) of all freeholders in the district;

the court shall dismiss the resolution. IC 14-33-2-3 applies to the remonstrance.

(d) If the court at the hearing finds that the proposed subdistrict has a particular need for the accomplishment of the purpose proposed, the court shall establish the subdistrict for the purpose. After the court establishes the purpose, the purpose is not a purpose of the district.

As added by P.L.1-1995, SEC.26.