

ORDINANCE 23-15

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
ADMINISTRATION AND PERSONNEL” - Re: Amending 2.76.040 Entitled “Boundaries” to
Expand the Service Area of the Bloomington Public Transportation Corporation**

- WHEREAS, in 1982, the Bloomington Common Council (“Council”) adopted Ordinance 82-41, thereby creating the Bloomington Public Transportation Corporation, specifying the number of directors for the corporation, and setting forth the boundaries of the corporation, all of which is codified in Bloomington Municipal Code (“BMC”) Chapter 2.76; and
- WHEREAS, BMC 2.76.040, entitled “Boundaries”, provides that the boundaries of the Bloomington Public Transportation Corporation shall be coterminous with the boundaries of the city of Bloomington; and
- WHEREAS, Indiana Code § 36-9-4-35.1 states that the board of directors of a public transportation corporation may determine, among other things, the rates, routings, and hours and standards of service for the transportation system; and
- WHEREAS, Indiana Code 36-9-4-29.4 provides that a public transportation corporation may provide regularly scheduled passenger service to specifically designated locations outside the system’s operational boundaries if certain conditions are met, including:
- (1) The legislative body of the municipality approves any expansion of the service outside the municipality's corporate boundaries.
 - (2) The expanded service is reasonably required to do any of the following:
 - (A) Enhance employment opportunities in the new service area or the existing service area.
 - (B) Serve persons who are elderly, persons with a disability, or other persons who are in need of public transportation.
 - (3) With certain exceptions, the expanded service does not extend beyond the boundary of the county in which the corporation is located; and
- WHEREAS, on July 18, 2023, the Bloomington Public Transportation Corporation Board of Directors adopted its Resolution 23-14 to express support for the extension of Bloomington Transit services outside the city boundaries and extending throughout Monroe County; and
- WHEREAS, city and county residents would benefit if the public transportation services of the Bloomington Public Transportation Corporation were extended beyond the city limits of Bloomington, Indiana to the boundaries of Monroe County; and
- WHEREAS, such an extension of service would increase participation in public transit, would accordingly reduce demand for private car transportation and reduce the greater community's carbon footprint, would enhance employment opportunities in the new service area and existing service area, would serve persons who are in need of public transportation, including the elderly and persons with a disability, and would provide a blueprint for greater regional cooperation in public transit provision;
- WHEREAS, the Council expects that Bloomington Transit and the city administration will pursue any needed interlocal cooperation agreements with Monroe County or other entities necessary to finance the service expansion contemplated by Bloomington Transit; and
- NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Bloomington Common Council approves of the Bloomington Public Transportation Corporation expanding its services outside the corporate boundaries of the city of Bloomington provided that the expanded service does not extend beyond the boundary of Monroe County.

SECTION 2. Bloomington Municipal Code Section 2.76.040, entitled "Boundaries" shall be amended by inserting "Pursuant to Indiana Code 36-9-4-29.4, the Bloomington Public Transportation Corporation is authorized to expand its services outside the city's corporate boundaries provided that the expanded services do not extend beyond the boundaries of the county of Monroe" as the last sentence so that the revised section reads as follows:

That the boundaries of the Bloomington Public Transportation Corporation shall be coterminous with the boundaries of the city of Bloomington. A map showing such boundaries shall be prepared and certified by the transportation and traffic engineer and shall be available for public inspection in his or her office. Pursuant to Indiana Code 36-9-4-29.4, the Bloomington Public Transportation Corporation is authorized to expand its services outside the city's corporate boundaries provided that the expanded services do not extend beyond the boundaries of the county of Monroe.

SECTION 3. Any expansion of services outside of the city limits shall be funded through sources of revenue other than city funds or tax revenues already paid by city residents to the Bloomington Public Transportation Corporation, and any resulting interlocal agreements shall be equitable in relation to the level of support city residents already provide to the Bloomington Public Transportation Corporation.

SECTION 4. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5: This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

SUE SGAMBELLURI, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2023.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Councilmember Volan. It would authorize Bloomington Transit to expand services within the boundaries of Monroe County through appropriate interlocal agreement(s) that specify exact areas and equitable funding mechanisms for those services.