

REGULAR MEETING

Monday, October 16, 1967, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis was held in the Council Chambers of the City-County Building on Monday, October 16, 1967 at 7:30 P.M.

President Wallace in the Chair.

The Clerk called the roll.

Present: Mr. Brydenhal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Upon motion of Mr. Deluse, seconded by Mr. Brydenhal, the reading of the minutes of the previous meeting was dispensed with.

President Wallace called for reading of Communications from the Mayor and other elected officials.

COMMUNICATIONS FROM THE MAYOR AND OTHER ELECTED OFFICIALS

October 5, 1967

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Angeline Allstatt, the following City Ordinances:

RESOLUTION 14, 1967

WHEREAS, the Marion County Tax Adjustment Board has reviewed the Budget of the City of Indianapolis for 1968, and has reduced the Indianapolis General Fund in the total sum of Eight Hundred Forty-seven Thousand Eight Hundred Seventy-five (\$847,875.00) Dollars without itemization, and

WHEREAS, the Marion County Tax Adjustment Board has reviewed the Budget of the Indianapolis City Controller and reduced Fund 63-2 the sum of Twenty-five Thousand (\$25,000.00) Dollars which sum was allocated to and for the Indianapolis Symphony Orchestra and said Board further reduced Fund 63-3 the sum of Ten Thousand (\$10,000.00) Dollars which sum was allocated to and for the John Herron Art Institute, and

WHEREAS, the Marion County Tax Adjustment Board has reviewed the Budget of the Department of Public Works and struck out the entire tax levy allocated to the office of City Civil Engineer in the sum of Two Hundred Twelve Thousand Eight Hundred Seventy-five (\$212,875.00) Dollars, and

WHEREAS, the Marion County Tax Adjustment Board has reviewed the budget of the Department of Public Safety and reduced the gasoline tax monies, MVH, allocated to the office of Traffic Engineer in the sum of Six Hundred Thousand (\$600,000.00) Dollars, and transferred said monies to the office of the Indianapolis Street Commissioner; that the Marion County Tax Adjustment Board further reduced the monies, provided by tax levy, to the Indianapolis Street Commissioner in the amount of Six Hundred Thousand (\$600,000.00) Dollars, all without itemization.

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Indianapolis instruct, the City Controller of the City of Indianapolis, to appeal to the Board of Tax Commissioners of Indiana, the action of the Marion County Tax Adjustment Board in reducing the Budget of the Indianapolis City Controller, the Budget of the Department of Public

Works, and the Budget of the Department of Public Safety for 1968.

APPROPRIATION ORDINANCE 23, 1967

An Ordinance, transferring, reappropriating and reallocating the sum of Thirty-six Thousand and Fifty Dollars (\$36,050.00) from a certain specific designated item and fund in the Department of Redevelopment of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1967 Budget, General Ordinance No. 89, 1966 as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE 24, 1967

An Ordinance, transferring, reappropriating and reallocating the sum of Eight Thousand and Twenty-seven Dollars (\$8,027.00) from a certain specific, designated item and fund in the Department of Redevelopment of the City of Indianapolis, to a certain designated item and fund in the same Department, created by virtue of the 1967 Budget, General Ordinance No. 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

JOHN J. BARTON,
Mayor

October 10, 1967

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Gentlemen:

There is herewith returned to the Council, General Ordinance 96, 1967 and I have withheld my signature therefrom.

My signature is withheld because while I have been studying

this Ordinance a number of restaurant operators have called my attention to the fact that it might require the fencing of any area where there is in operation a food or drink establishment. Under these circumstances it might appear unwise that this Ordinance be ordained in its present form.

I strongly endorse the intent of the Ordinance and therefore suggest it be rewritten to be more definite.

Respectfully submitted,

JOHN J. BARTON,
Mayor

October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis News and the Indianapolis Commercial on Friday, October 6, and again on Friday, October 13, 1967 a 'Notice to Taxpayers' of a hearing to be held on the above date on Appropriation Ordinance No. 25, 1967.

Respectfully submitted,

ANGELINE ALLSTATT,
City Clerk

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance 26, 1967, appropriating, transferring, reappropriating, re-

allocating the sum of Forty Thousand Dollars (\$40,000.00) from a certain specific designated item and fund in the Department of Public Works, Street Commission, of the City of Indianapolis, to certain other designated item and fund in the Board of Public Works, Administration, created by virtue of the 1967, General Ordinance 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 109, 1967, for the control of the atmosphere in the Indianapolis area.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis

Gentlemen:

Transferred herewith are twenty-eight copies of General Ordinance 110, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by repealing Subsection 472, Section 4-812, and by the addition of Subsection No. 491 to Section 4-812, prohibit-

ing parking at all times on certain streets and fixing a time when said amendment shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 111, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by repealing Subsection 469, Section 4-812, prohibiting parking at all times, and the addition of Subsection 20, Section 4-823, limiting parking to one and one-half hours between 7:00 A.M. and 6:00 P.M., except Sundays and Holidays on certain streets and fixing a time when said amendment shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance 112, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 9 thereof by the addition of a new Chapter 13, and Sections thereof, regulating the duties of certain businesses, protection of

surrounding neighborhoods, from debris and waste materials, requiring fence or wall, prescribing penalties for the violation thereof, and fixing a time when the same shall take effect.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 113, 1967, authorizing the execution of an intergovernmental agreement between the City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis, and fixing a time when the same shall take effect.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

Indianapolis, Ind., October 16, 1967

To the Honorable President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

Transmitted herewith are twenty-eight copies of Special Ordinance 14, 1967, changing the name of the City of Indianapolis Baseball Stadium known as Victory Field to the "OWEN J. BUSH STADIUM."

Respectfully submitted,

A. O. DELUSE
Councilman

Upon motion of Mr. Brydenthal, seconded by Mr. Sleet, the Council recessed at 7:43 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinance No. 25, 1967, General Ordinance No. 107, General Ordinance No. 108, 1967 and Special Resolutions No. 12 and No. 13, 1967.

The Council reconvened at 8:30 P.M.

President Wallace called for reading of Committee Reports.

COMMITTEE REPORTS

Indianapolis, Ind., October 16, 1967

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 25, 1967, entitled

TRANSFERRING from Fund 12 to Fund 53 \$20,000.00 in the
Park Department

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
R. THOMAS MCGILL

Indianapolis, Ind., October 16, 1967

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred General
Ordinance No. 108, 1967, entitled

PROHIBITING parking between 3:00 and 6:00 P.M. on . . .
East Michigan Street from Belt RR Viaduct to LaSalle Street
south side

beg leave to report that we have had said ordinance under considera-
tion, and recommend that the same be passed.

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
R. THOMAS MCGILL

Indianapolis, Ind., October 16, 1967

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred Special
Resolution No. 12, 1967, entitled

LOW-RENT Housing Units

beg leave to report that we have had said ordinance under considera-
tion, and recommend that the same be passed.

DANIEL P MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
R. THOMAS MCGILL

Indianapolis, Ind., October 16, 1967

To the President and Members of the Common
Council of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Finance to whom was referred Special Resolution No. 13, 1967, entitled

LOW-RENT Housing Units

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

DANIEL P. MORIARTY, Chairman
MAX E. BRYDENTHAL
A. O. DELUSE
R. THOMAS McGILL

Indianapolis, Ind., October 16, 1967

To the President and Members of the Common Council
of the City of Indianapolis, Indiana

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 107, 1967, entitled

PROHIBITING parking at all times on . . . Belmont Avenue
from Morris Street to a point 230 ft. north of Morris Street
west side

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

R. THOMAS McGILL, Chairman
PHYLLIS W. WATERS
MAX E. BRYDENTHAL

President Wallace called for Introduction and First Reading of New Ordinances.

INTRODUCTION OF NEW ORDINANCES

APPROPRIATION ORDINANCE 26, 1967

Introduced by Councilman Moriarty:

AN ORDINANCE, appropriating, transferring, reappropriating, re-allocating the sum of Forty Thousand Dollars (\$40,000.00) from a certain specific designated item and fund in the Department of Public Works, Street Commission of the City of Indianapolis, to certain other designated item and fund in the Board of Public Works, Administration, created by virtue of the 1967 Budget, General Ordinance 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing Annual Budget, and certain monies anticipated for certain contracts were transferred to the Mass Transportation Authority by the 1967 Legislature, and

WHEREAS, certain unexpended money in Fund 11 and Fund 12, Street Commission, will not be needed for the purpose for which appropriated.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That certain items and funds specifically budgeted in the Department of Public Works, Street Commission, be, and the same is hereby reduced in the following amount, to-wit:

DEPARTMENT OF PUBLIC WORKS
STREET COMMISSION

REDUCE	GAS TAX
1. SERVICES—PERSONAL	
11. Salaries & Wages, Regular -----	\$20,000.00

1. SERVICES—PERSONAL

12. Salaries & Wages, Temporary -----\$20,000.00

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

INCREASE

GAS TAX

2. SERVICES—CONTRACTURAL

26. Other Contractural -----\$40,000.00

Section 2. This transfer is requested to pay a portion of the contracts previously awarded.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as required by law.

Which was read for the first time and referred to the Committee on Finance.

GENERAL ORDINANCE 109, 1967

Introduced by Councilman Moriarty:

AN ORDINANCE for the control of the atmosphere in the Indianapolis area.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1.1. It is hereby made unlawful for any person as herein defined to permit or cause the emission into the outdoor atmosphere air contaminants in such quantities and of such duration as to be injurious to humans; plant or animal life, or to property, or which unreasonably interfere with the comfortable enjoyment of life and property in violation of this ordinance and the regulations adopted thereunder.

ARTICLE 1—SCOPE AND DEFINATIONS

Section 1.2. SCOPE. In order to achieve and maintain such a reasonable degree of purity of the air in and above the City of Indianapolis and its immediately surrounding territory as shall be consistent with maximum employment and full industrial development,

and as shall be technically feasible, economically reasonable and necessary for the protection of the normal health, the general welfare, the property and the people of Indianapolis and its immediately surrounding territory, there is established within the Executive Department as herein provided a Bureau of Air Pollution Control administered by a Director and an Air Pollution Control Board with provisions for:

- (a) Registration of Air Pollution sources.
- (b) Making and enforcement of rules and regulations.
- (c) Issuance of permits for the installation, construction, addition or alteration of process, fuel burning, refuse burning or control equipment pertaining thereto which may be a source of air contaminant, and establishing fees therefor.
- (d) Inspections and tests of process, fuel burning, refuse burning, and control equipment pertaining thereto.
- (e) Issuance of certificates of operation.
- (f) Prohibition of certain acts causing air pollution.
- (g) Fines and penalties for violations.

Section 1.3. DEFINITION OF TERMS.

- (1) AIR CONTAMINANT—Particulate matter, dust, fumes, gas, mist, odors, smoke, soot or vapor, or any combination thereof, also radio active substances.
- (2) AIR CONTAMINANT SOURCE—Any and all sources of emission of air contaminants, whether privately or publicly owned or operated.
- (3) AIR POLLUTION—Presence in the outdoor atmosphere or ambient air of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life and property.
- (4) AMBIENT AIR—Any surrounding air.
- (5) ASME—The American Society of Mechanical Engineers.
- (6) ASTM—The American Society for Testing and Materials.
- (7) AICHE—American Institute of Chemical Engineers.

- (8) **ATMOSPHERE**—The air that envelopes or surrounds the earth.
- (9) **BOARD**—The Indianapolis Air Pollution Control Board.
- (10) **BTU**—(British Thermal Unit) The quantity of heat required to raise one pound of water from 59° to 60°F.
- (11) **BUREAU**—Bureau of Air Pollution Control.
- (12) **CHIMNEY OR STACK**—Any conduit, duct, vent, flue, or opening of any kind whatsoever, arranged to conduct any product, such as particulate, gaseous, or effluent emissions, into the open air or atmosphere.
- (13) **COMBUSTION FOR INDIRECT HEATING**—The combustion of fuel to produce usable heat that is to be transferred through a heat-conducting material barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to the products of combustion.
- (14) **DIRECTOR**—Director of the Indianapolis Bureau of Air Pollution Control.
- (15) **DOMESTIC HEATING PLANT**—A device generating heat for a single family residence, or for any structure designed and used exclusively as a dwelling for three families or less. Without limiting the generalities of the foregoing, this term also includes hot water heaters, stoves, and space heaters used in connection with the foregoing establishments.
- (16) **DOMESTIC REFUSE BURNING EQUIPMENT**—Any refuse burning equipment or incinerators used for a single family residence, or with any structure designed and used exclusively as a dwelling for three families or less.
- (17) **DUST**—Solid particulate matter released into, or carried in, the atmosphere by natural forces or by any fuel burning, combustion, or process equipment or device, or by construction work, or by manual, mechanical or industrial processes, including but not restricted to crushing, grinding, milling, drilling, demolishing, shoveling, sweeping, bagging, covering, conveying, transferring, transporting, and the like.
- (18) **DUST SEPARATING EQUIPMENT**—Any device for separating dust from the gaseous medium in which it is carried.

(19) EQUIPMENT

(A) EXISTING—Things, such as machines, devices, articles, contrivances, or installations which are in being and have not been abandoned as further defined herein on the effective date of this ordinance or actual construction was lawfully begun or design was more than 50% completed prior to such effective date, except that any such existing equipment, machine, device, article, contrivance, or installation which subsequent to the effective date of this ordinance, is altered, repaired or rebuilt at a cost of 30% or more of its replacement cost, shall be deemed to be new as defined in this ordinance, and except that the cost of air pollution control equipment and the cost of its installation on existing equipment is not to be construed as a cost of altering, repairing or rebuilding such existing equipment. For the purpose of this ordinance abandon shall mean the cessation of the use of equipment, machine, devices, articles, contrivances or installation for a period in excess of one year prior to the enactment of this ordinance.

(B) NEW—Any equipment, the design of which is less than 50% completed on the effective date of these regulations. If any existing equipment is to be altered at a cost of 30% or more of its replacement cost, it shall be considered new equipment. Any equipment which is altered or modified such that the amount of air contaminant emissions is materially increased shall be considered new equipment. The cost of air pollution control equipment and the cost of its installation on existing equipment is not to be considered as a cost of altering, repairing or rebuilding such existing equipment.

- (20) FLAMMABLE MATERIAL—Material that will ignite and burn. Such materials shall be considered as flammable even though flame-proofed, fire retardant treated, or plastered.
- (21) FLY ASH—Particulate matter capable of being gas born or air-born. Consisting essentially of fused ash and/or burned or unburned material resulting from combustion of fuel or refuse.
- (22) FUEL BURNING OR COMBUSTION EQUIPMENT—Any furnace, incinerator, boiler, fuel or refuse burning equipment, device, contrivance, and apparatus that is used for the burning of fuel or other combustible material, or used in connection with any process which generates heat and emits products of combustion; and shall include methods or forms of manufac-

turing, chemical, metallurgical or mechanical processing which emits smoke, particulate, gas or other matter. The above shall include all appurtenances thereto including ducts, breeching, control equipment, fly ash or dust collector, electric precipitator, smoke arresting or prevention equipment, fuel or ash handling equipment, stacks and chimneys.

- (23) FUMES—Gases or vapors that are of such character as to cause air pollution.
- (24) FURNACE—An enclosed space provided for the ignition and/or combustion of fuel.
- (25) GASOLINE—A petroleum distillate having a Reid vapor pressure of 4 pounds or over.
- (26) IIA—Incinerator Institute of America.
- (27) INCINERATOR—Combustion apparatus designed for high temperature operation in which solid, semi-solid, liquid, or gaseous combustible wastes are ignited and burned efficiently, and from which the solid residues contained little or no combustible material.
- (28) INCINERATOR-MULTICHAMBER—Any refuse-burning equipment consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by flue gas passage ports or ducts and employing adequate design parameters for maximum combustion of the material to be burned.
- (29) INDIANAPOLIS AREA—The City itself and four miles from its corporate boundaries in all directions in Marion County.
- (30) INDIRECT HEAT EXCHANGER—Any apparatus or device that transfers usable heat through a heat conducting material barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to, the heat carrying medium.
- (31) INTERNAL COMBUSTION ENGINE—Any engine in which the combustion of gaseous, liquid, or pulverized solid fuel take place within one or more chambers.
- (32) MIST—A suspension of any finely divided liquid in any gas or atmosphere.
- (33) OBJECTIONABLE ODOR—An odor shall be deemed objectionable when at least 50 percent of a random selected group of not

less than 20 people, 75 percent of whom reside or work in the area affected and 25 percent from the general public living or working outside the affected area and not associated with the problem, deem the odor to be objectionable.

- (34) ODOR—A substance which affects the sense of smell.
- (35) OPEN BURNING OR OPEN FIRE—Any burning of combustible materials wherein the products of combustion are emitted directly into the open air without passing through a stack or chimney.
- (36) PARTICULATE MATTER—Any material except uncombine water, that exists in a finely divided form as a liquid or solid at standard conditions, or is suspended in or discharged to the atmosphere.
- (37) PERSON—Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or any legal entity, or their legal representatives, agents, or assigns.
- (38) PROCESS—Any action, operation, or treatment embracing chemical, industrial or manufacturing facts, such as, but not limited to, heat treating furnaces, by-product coke plants, cupolas, heating and reheating furnaces, electric steel furnaces, ferrous and nonferrous foundries, asphalt concrete mix plants, cement plants, and equipment used in connection therewith, and all other methods or forms of manufacturing or processing that emit smoke, particulate matter or gaseous matter in excess of the minimum quantities established by this ordinance or the rules and regulations issued pursuant to this ordinance.
- (39) PROCESS WEIGHT—The total weight of all materials introduced into any source of operation. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not.
- (40) PROCESS WEIGHT RATE
 - (a) For continuous or long run steady-rate source operation, the total process weight for the entire period of continuous operation or for a typical portion thereof, divided by the number of hours of such period or portion thereof.
 - (b) For a cyclical, or batch source operations, the total process weight for a period that covers a complete operation or an

integral number of cycles, divided by the hours of actual process operation during such a period.

- (c) Where the nature of any process or operation or the design of any equipment is such as to permit more than one interpretation of this definition, the interpretation that results in the minimum value for allowable emission shall apply.
- (41) REFUSE—Includes garbage, rubbish, trade waste, and trash.
- (42) REFUSE BURNING EQUIPMENT—Any equipment, device, or contrivance used for the destruction of refuse and other waste by burning and all appurtenances thereto.
- (43) RINGLEMANN CHART—The chart published and described in the U.S. Bureau of Mines Information Circular 8333 which shall include later current circulars and charts, and which are illustrated graduated shades of gray to black for use in estimating the light obscuring powers of smoke.
- (44) RINGLEMANN NUMBER—The number appearing on the Ringlemann chart describing the density of smoke emission. Where the density of smoke as observed falls between two consecutive Ringlemann numbers, the low Ringlemann number shall be considered the density of the smoke observed.
- (45) SMOKE—Small gas-born particles resulting from incomplete combustion, consisting predominately, but not exclusively, of carbon, ash, and other combustible material, that form a visible plume in the air.
- (46) SMOKE MONITOR—Device using light source and a light detector which can automatically measure and record the light obscuring power of smoke at a specific location in the flue or stack of a source. Measuring and recording to be at intervals of not less than 15 seconds.
- (47) SOURCE OPERATION—The last operation preceding the emission of an air contaminant, which operation: (a) results in the separation of the air contaminant from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel, and (b) is not an air pollutant abatement operation.
- (48) STANDARD CONDITIONS—A gas temperature of 70° Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute (psia).

- (49) STANDARD CUBIC FOOT—(SCF) The standard cubic foot is a measure of a volume of gas under standard conditions.
- (50) SUPERINTENDENT—Superintendent of Air Pollution Control.

ARTICLE 2—ADMINISTRATION BY BUREAU

Section 2.1. AREA COVERED. The City of Indianapolis and that area within Marion County four miles from the corporate boundaries of the City shall constitute the jurisdictional area of this ordinance.

Section 2.2. BUREAU OF AIR POLLUTION CONTROL. The administration and enforcement of the ordinance shall be by a Bureau of Air Pollution Control established within the Executive Department. The Executive Department shall administer this ordinance through the Bureau of Air Pollution Control. The Bureau shall be headed by a Director and there shall also be provided a Board of Air Pollution Control, all to be appointed by and serve at the pleasure of the Mayor. The Director, before being appointed by the Mayor, must be recommended by the Board.

Section 2.3. DIRECTOR, BUREAU OF AIR POLLUTION CONTROL. The Director shall be appointed by the Mayor upon recommendation of the Board and serve at the pleasure of the Mayor as the full-time administrative head of the Bureau of Air Pollution.

Section 2.4. QUALIFICATIONS OF THE DIRECTOR. The Director shall be either a graduate engineer, a graduate industrial hygienist or a doctor of medicine, having experience in air pollution control or air pollution abatement, and having proven executive administrative, and personnel relations experience.

GENERAL DUTIES OF THE DIRECTOR

The Director shall:

- (a) Direct and administer the activities of the Bureau staff;
- (b) Make rules and regulations pertaining to the administration of the Bureau of Air Pollution Control subject to the approval of the Air Pollution Control Board;
- (c) Recommend to the Air Pollution Control Board proposals for additions or revisions to the Regulations or Ordinance;
- (d) Receive and institute complaints;

- (e) Prepare the Annual Budget subject to the approval of the Air Pollution Control Board;
- (f) Institute enforcement actions necessary to insure compliance with the prevention and abatement sections as may be provided for in the ordinance;
- (g) Be responsible for the preparation and execution of public relations plans and educational plans for securing the cooperation of the public in the reduction of air pollution;
- (h) Co-operate with Federal, State, County and other agencies concerned with air pollution with regard to studies, abatement programs, public complaints and like matters.
- (i) Serve as Secretary to the Air Pollution Control Board without vote or membership.

Section 2.5. INDIANAPOLIS AIR POLLUTION CONTROL BOARD. A Board shall be appointed by the Mayor and serve at the pleasure of the Mayor.

MEMBERSHIP—The membership of the Board shall be made up of:

- (a) A registered professional engineer in the State of Indiana, having experience in the field of air pollution.
- (b) A licensed physician in the State of Indiana having experience in toxicology.
- (c) An attorney, admitted to the Bar in the State of Indiana.
- (d) A member experienced in solid waste disposal.
- (e) A member experienced in fuel technology and combustion.
- (f) A member experienced in process manufacturing..
- (g) A member representing industry.
- (h) A member representing labor.
- (i) A member representing the public at large..

TERM OF APPOINTMENT. The terms of the appointed members shall be four years except that of the initially appointed members, two shall serve for one year; two shall serve for two years; two shall serve for three years; and three shall serve for four years. Whenever a vacancy occurs, the Mayor shall appoint a member for the remaining portion of the unexpired term created by the vacancy.

POWERS AND DUTIES OF THE BOARD.

The Board shall:

- (a) After thorough study and investigation, prepare and develop a comprehensive, effective, and continuing program for the prevention, abatement and control of air contaminants within the area, by:
 - (1) Setting air quality objectives.
 - (2) Determining need for specific controls to achieve and maintain the air quality objectives.
 - (3) Making and amending rules and regulations and setting standards based on the need, technical feasibility, and economic practicability.
- (b) Secure necessary scientific, technical, administrative, and operational assistance by contract or otherwise;
- (c) Institute investigations, consider complaints, listen to and decide on appeals, grant or deny variances, hold hearings, issue orders, and authorize and direct appropriate enforcement action, permitted by law and deemed necessary, to achieve compliance with the rules and regulations pursuant to the ordinance, taking into consideration:
 - (1) The character and degree of injury or interference with comfort, safety, health, or the reasonable use or enjoyment of the property;
 - (2) The social and economic value of the activity causing the emissions, and
 - (3) The practicability, both scientific and economic, of reducing or eliminating the emissions resulting from such activity.
- (d) Adopt, amend and repeal as necessary standards, rules and regulations under this ordinance which shall be incorporated hereunder and made a part hereof and violations of which shall be violations of this ordinance.
- (e) Maintain a register of violators.
- (f) List variances and compliance deadline.
- (g) Exclude small sources of air contamination by establishing practical minimum quantities of each air contaminant below which

neither control nor registration of the source of emission will be required.

CHAIRMAN. The Chairman and Vice Chairmen of the Board shall be elected by the Board members, and be members of the Board, and shall serve for one year.

COMPENSATION. The members of the Board shall serve without compensation.

VOTING. A quorum shall consist of five members. A majority of the entire board shall decide all votes on rules and regulations or changes thereto. All other votes shall be decided by a majority vote of those present.

FREQUENCY OF MEETINGS. The Board shall meet at least once each month, and more often if deemed necessary by the Chairman, or two (2) members of the Board. All members must be notified of all meetings.

Section 2.6. SUPERINTENDENT OF AIR POLLUTION CONTROL. The Superintendent of Air Pollution Control shall be appointed by the Director of the Air Pollution Bureau with the approval of the Air Pollution Control Board.

A. QUALIFICATIONS OF THE SUPERINTENDENT. The Superintendent shall be qualified by technical training; and shall have at least six years' total experience in the theory and practice of construction and/or operation of combustion devices, in the theory and practice of air pollution control equipment, or in the practice of air pollution abatement.

B. GENERAL DUTIES OF THE SUPERINTENDENT.

The Superintendent shall:

- (1) Report to and be responsible to the Director.
- (2) Advise the Director of violations.
- (3) Issue permits, certificates, and notices as may be provided for in the ordinance.
- (4) Administer and supervise the activities of the technical branch as follows:
 - (a) Establish and supervise the maintenance of an effective air sampling network and associated laboratory facilities so as to

keep the Air Pollution Control Board and other interested agencies advised of:

- (1) General ambient air conditions
 - (2) Adverse localized conditions
 - (3) Need for adjustment in emission control standards.
- (b) Make inspections and tests of existing and newly installed air pollution abatement devices.
- (c) Investigate complaints.

Section 2.7. CHIEF CHEMIST—The Chief Chemist shall be employed by the Superintendent of Air Pollution Control with the approval of the Director of the Air Pollution Bureau.

(A) QUALIFICATIONS OF THE CHIEF CHEMIST—He shall be a graduate chemist with experience in air quality determination.

(B) GENERAL DUTIES OF THE CHIEF CHEMIST

- (a) He shall report directly to the Superintendent.
- (b) He shall be responsible for all chemical determinations on air quality.
- (c) He shall be responsible for all air quality sampling and testing equipment, and the maintenance of same.

Section 2.8. CHIEF INSPECTOR—The Chief Inspector shall be appointed by the Superintendent with the approval of the Director of the Air Pollution Bureau and shall report to the Superintendent.

(A) QUALIFICATIONS OF THE CHIEF INSPECTOR

He shall be qualified by technical training; and shall have at least four years' total experience in the theory and practice of construction and operation of combustion devices, in the theory and practice of air pollution control equipment, or in the practice of air pollution abatement.

Section 2.9. ADMINISTRATIVE ASSISTANT—The Administrative Assistant shall be appointed by the Director of the Air Pollution Bureau.

(A) QUALIFICATIONS OF THE ADMINISTRATIVE ASSISTANT
He shall be knowledgeable in administrative and secretarial procedures.

Section 2.10. PLANS AND SPECIFICATION TECHNICIAN—Plans and Specification Technician(s) shall be appointed by the Superintendent of Air Pollution Control with the approval of the Director of the Air Pollution Department.

(A) QUALIFICATIONS OF THE PLANS AND SPECIFICATIONS TECHNICIAN

He shall be qualified by technical training or shall be experienced with combustion devices, air pollution control equipment, and plans and specifications study.

Section 2.11. TECHNICAL ASSISTANT TO CHIEF CHEMIST—Technical Assistant(s) to the Chief Chemist shall be appointed by the Superintendent of Air Pollution Control with the approval of the Director of the Air Pollution Bureau.

(A) QUALIFICATIONS OF THE TECHNICAL ASSISTANT TO THE CHIEF CHEMIST

He shall be qualified by technical training or shall be experienced with air quality testing and air quality sampling equipment.

Section 2.12. INSTRUMENT REPAIR TECHNICIAN—Instrument Repair Technician(s) shall be appointed by the Superintendent of Air Pollution with the approval of the Director of the Air Pollution Bureau.

(A) QUALIFICATIONS OF THE INSTRUMENT REPAIR TECHNICIAN

He shall be qualified by technical training or experience with air quality sampling or similar equipment maintenance and repair.

Section 2.13. AIR POLLUTION INSPECTORS—The Air Pollution Inspectors shall be appointed by the Superintendent of Air Pollution Control with the approval of the Director of the Air Pollution Bureau.

(A) QUALIFICATIONS OF THE AIR POLLUTION INSPECTORS
The Inspectors shall be qualified by technical training or shall be experienced with combustion devices, air pollution control equipment, air pollution abatement enforcement.

ARTICLE 3—PROMULGATION OF RULES AND REGULATIONS,
RIGHT OF APPEAL, VARIANCES, AND ENFORCEMENT

Section 3.1. RULES AND REGULATIONS—Before any rule or

regulation or standard is adopted by the Board, as prescribed per Article 2.5 Powers and Duties of the Board, they shall cause a notice to be published in a newspaper of general circulation printed and published in Marion County, Indiana, at least ten (10) days prior to the date set for a hearing. Such notice shall include a statement of the time and place of said hearing, a reference to the subject matter of the proposed rule(s) or regulation(s) and reference to the fact that a copy of such proposed rule(s) or regulation(s) is on file at the office of the Bureau of Air Pollution Control where it may be examined, **provided, however,** that no rule(s) or regulation(s) shall be invalid because the reference to the subject matter thereof in said notice may be inadequate or insufficient. At least five (5) copies of said proposed rule(s) or regulation(s) shall be on file in the office of the Bureau of Air Pollution Control from the date of publication of said notice continuously to the time of such hearing, and any interested persons shall be given an adequate opportunity to examine a copy of said proposed rule(s) or regulation(s).

On the date set for hearing any interested party shall be afforded an adequate opportunity to participate in the formulation of the proposed rule(s) or regulation(s) through the presentation of facts or argument or the submission of written data or facts. All relevant matters presented shall be given full consideration by the Board.

In case the Board desires to repeal, rescind or amend any rule(s) or regulation(s) the same procedures shall be followed as is provided in the preceding paragraph for the adoption of rule(s) or regulation(s).

Section 3.2. HEARINGS.—All hearings conducted by the Air Pollution Control Board shall be open to the public. Any person may appear and testify at a hearing, either in person or by a duly authorized representative or attorney.

The Air Pollution Control Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if he is absent or failing to vote, indicating such fact and shall also keep records of its hearings and other official actions.

At the conclusion of such public hearing the Board may adopt such rules and regulations or may provide for continuation of such hearing as the Board may deem appropriate, which further hearing may be held without requirement of publication of notice. There shall be published a notice once each week for two (2) consecutive weeks after each Board meeting at which rules or regulations were adopted that the Bureau of Air Pollution Control has adopted certain rules and

regulations, giving the number of the same and the general title thereof and stating that copies thereof are available for examination in the office of the Bureau of Air Pollution Control and in the office of the City Clerk.

After complying with requirements for publication, such rules and regulations shall become effective as adopted by the Board.

Section 3.3. APPEALS.—Any person may take an appeal to the Board if:

- (1) They are taking exception to and affected by any final decision, ruling, requirement, rule or order of the Director or Superintendent.
- (2) They make a request to the Director or Superintendent and he fails to act upon the request within ten (10) days.

Such appeal shall be taken within fifteen (15) days by filing with the Director or the Superintendent a notice of appeal directed to the Board specifying the ground thereof and the relief desired. Such an appeal shall act as a stay of the decision, ruling, requirement, rule or order in question until the Board has taken final action on the appeal. A fee of \$25.00 shall be posted by the Appellant at the time of filing of the appeal to cover the costs of the hearing and this shall be refunded only if the appeal is sustained. The Director or Superintendent whose action or failure to act is the subject of the appeal shall forthwith furnish to the Board his information relating to the case. The Board shall not less than ten (10) days after the date of filing of the appeal set a date for the hearing and shall give notice thereof by mail to the interested parties. The Board may at its discretion grant a continuance.

At the hearing any party may appear in person or by agent or attorney and present evidence both written and oral pertinent to the questions and issues involved and may examine and cross-examine witnesses. The Board after the hearing shall examine and affirm, modify or reverse the decision, ruling, requirement, rule, or order of the Director or Superintendent or order him to act. The decision of the Board shall be binding on the Director or Superintendent and Appellant unless reversed by a court of competent jurisdiction.

Section 3.4. VARIANCE.—In the event that the Board shall find that the compliance by a particular person with the provisions of this ordinance or of rules and regulations adopted by the Board pursuant to this ordinance would result:

- (1) in an arbitrary and unreasonable taking of property, or

- (2) in a practical closing and elimination of any lawful business, occupation or activity, or
- (3) in an undue hardship upon any person

without a sufficient corresponding benefit or advantage to the public in the reduction of air contamination, the Board shall prescribe other and different requirements, not more burdensome than the requirements of this ordinance or of the general rules and regulations adopted pursuant to this ordinance, applicable to plants and equipment operated by such person; **provided, however**, that no such variance may permit or authorize the maintenance of a nuisance.

Such variance shall be granted only after a public hearing, notice of which shall be published in the same manner as notice shall be given before promulgation by the Board of any rules or regulations, Section 3.1 of this Article. In addition, the person requesting such variance shall—not less than fifteen (15) days prior to the date of such hearing—either deliver personally or by registered or certified mail to the owner of all real estate located within 600 feet of the plant or equipment for which such variance is sought (as the names of such owners shall appear on the latest bound records of the appropriate township assessors), a notice setting forth the name of the petitioner, the time and place of the hearing and a general description of the plant or equipment for which variance is sought and the nature of the variance sought. Any variance so given shall be subject to such limitations as to time, and to such other conditions or limitations, as the Board may prescribe at the time of giving such variance. Any variance so given may be revoked or modified by the Board by written order, after a public hearing, notice of which shall be published in the same manner as notice shall be given before promulgation by the Board of any rules or regulations, held not more than ten (10) days after written notice of said hearing and its purpose shall have been served on the person or persons who will be subjected to greater restrictions if such order is revoked or modified as proposed, and upon all other persons who appear before the Board at the time of granting of such variance or who have filed with the Board a written request for such notification.

Section 3.5. ENFORCEMENT PROCEDURES ENFORCEMENT

The Director and the Superintendent of the Bureau shall be in charge of the enforcement of this ordinance and the enforcement of the rules and regulations adopted thereunder. Where a violation occurs the Director or Superintendent shall cite in writing any violator of

this ordinance or any rules or regulations adopted thereunder, including the time allowed for compliance:

The Bureau may take such appropriate action as it deems necessary to remedy any air pollution caused by the person, firm or corporation cited for a violation including the extension of time in which to correct defects and a direct order to comply with the ordinance or the rules and regulations adopted thereunder.

Upon failure to achieve final compliance within the time stipulated the Director may forward a notice of violation to the City Prosecutor (with a copy to the violator) who shall file a complaint ordinance violation against such person, firm, corporation or organization not in compliance. The City Prosecutor shall thereupon prosecute such case in the Municipal Court of Marion County.

The Director may instead direct the Department of Law of the City of Indianapolis to enjoin any nuisance or any health hazard or other air pollution condition by appropriate action to enjoin or restrain the same in the civil courts as the City may be authorized to accomplish the abatement of nuisances under existing law.

Section 3.6. OBSTRUCTION OF ENFORCEMENT.—Any person who shall fail to submit plans, or reports, or refuse to comply with, or who shall assist in the violation of any of the provisions of this article, or who, in any manner, hinders, obstructs, delays, resists, prevents or in any way interferes or attempts to interfere with the Superintendent of Air Pollution, or Air Pollution Control Inspectors, or police officers, in the performance of any duty herein prescribed, or shall refuse to permit such inspectors, or officers, to perform their duty by refusing them, or any of them, entrance at reasonable hours to any premises in which the provisions hereof are being violated, or refuse to permit the inspection, or examination, of such building, establishment, premises, or enclosures, for the purpose of enforcement of this title, shall be subject to the fines and penalties provided in the penalty section of this ordinance.

Section 4.1 REGISTRATION OF AIR POLLUTION SOURCES.—To bring about such compliance in an orderly and systematic manner, the Bureau of Air Pollution Control shall maintain a registration of air pollution sources emitting contaminants in excess of the minimums established by the rules and regulations, and it shall acquire and take over from the prior Air Pollution Control Bureau all existing records in this regard, and shall continue the same, and maintain such register on a current and continuing basis.

Section 4.2. SPECIAL POWERS OF BUREAU.—The Bureau of

Air Pollution Control is hereby authorized to acquire and to use all necessary equipment, devices, methods and systems to measure the quality of the ambient air in the control area, and to keep records, and charts, data and statistics and to conduct tests, make inspections, and do all that is necessary to control the purity of the Indianapolis area atmosphere.

Section 5.1. **CERTIFICATE OF OPERATION.**—The owner of, or person responsible for maintenance of, any existing process, fuel-burning, refuse-burning, or control equipment which is a source of air contaminants of the type covered by this ordinance and rules and regulations and which emits such contaminants in amounts in excess of the minimums provided in such rules and regulations, shall file with the Bureau a report setting forth, (1) the nature and quantity of the air contaminant produced, and (2) a description of any devices designed to control the emission of such contaminants into the atmosphere. Upon receipt of such report and payment of the required fee, the Superintendent shall, if he is satisfied that such process, fuel-burning, refuse-burning, and control equipment does not allow the emission into the atmosphere of air contaminants in excess of the maximums provided in this ordinance or the rules and regulations issued thereunder issue to such person a certificate of operation for such process, fuel-burning, refuse-burning, and control equipment. Such certificate of operation may be renewed on the third anniversary and every three (3) years thereafter, so long as such equipment remains in satisfactory operation. Invoice for renewal of certificate of operation shall be submitted to the owner of record by the Bureau. If the Director shall find that such process, fuel-burning, refuse-burning, or control equipment results in the emission into the atmosphere of air contaminants in excess of the maximum amounts provided in this ordinance and the rules and regulations issued thereunder, then the Director shall order the applicant to submit a program for bringing such process, fuel-burning, refuse-burning, or control equipment in compliance with this ordinance in accordance with Section 5.2.

Section 5.2. **PROGRAM FOR COMPLIANCE.**—Where emission sources in existence prior to adoption of the ordinance do not meet the emission limitations set in the Rules and Regulations then a program to meet the requirements stipulated in the Rules and Regulations shall be developed and offered to the Director by the owner of the equipment causing the emission. In evaluating such program, the owner and Director shall take into consideration the following factors:

1. Action taken to control atmospheric pollution within emission limitations in effect prior to his regulation.

2. Efficiency of any existing control equipment relative to that which would be required to meet emission limitations of this regulation.
3. Temporary interim control measures intended to minimize existing pollution levels.
4. The effect the source of emission has on air pollution generally or in the immediate vicinity of the source.
5. The degree of control in relation to other similar facilities which produce air pollution.
6. The age and prospective life of the facility in question.

This program shall be submitted upon the order of the Director within such time limit as shall be reasonably determined, but not more than ninety (90) days after such order. Such program shall include an estimate of time required to be completed, which shall not exceed three (3) years after the date of approval of the program by the Director. After said program has been approved by the Director, the owner of the equipment causing the emission shall not be in violation of this ordinance so long as said program is observed and reports indicating the progress of said program submitted semi-annually to the Director by the owner of the equipment causing the emission in question. If progress of the program is not maintained in accordance with provisions of the program, the Director may suspend the program and issue a violation notice. In event the owner of the equipment causing the emission and the Director cannot evolve a mutually acceptable program, or if the program cannot be completed within three (3) years after approval by the Director, the matter shall be referred to the Board for resolution and determination, after a hearing at which the Director and the owner of the equipment causing the emission shall have an opportunity to present facts and arguments, of an acceptable program, which shall be binding upon both the owners and the Director. In making their determination, the Board shall also take into consideration the factors noted in paragraph 1 through 6 of this section. When the program has resulted in the equipment complying with the ordinance and rules and regulations, the Director shall issue a certificate of operation which shall be renewed as provided in Section 5.1.

ARTICLE 6. NEW EQUIPMENT AND ALTERATION OF EXISTING EQUIPMENT

Section 6.1. INSTALLATION PERMIT—No person shall construct or install any process, fuel-burning, refuse burning, or control equipment pertaining thereto, which will be a source of air contaminant of this type covered by, and in excess of the minimum set

forth in, this ordinance and the rules and regulations thereunder, or reconstruct or alter any such process, fuel-burning, refuse-burning, or control equipment in such way as to change the nature, or increase the amount, of any such air contaminant produced thereby, or to effect any change in the equipment designed to control such air contaminant, until an application in duplicate shall be filed with the Bureau setting forth (1) the nature and quantity of the air contaminant product, (2) and two sets of properly prepared plans and specifications of the air contaminant control equipment used in connection therewith, and other such data as the Superintendent may reasonably require to evaluate the amount of such contaminants which may enter the atmosphere.

An application shall be acted on within thirty (30) calendar days after it is filed in the office of the Bureau. The Superintendent shall notify the person applying for the permit of approval or reasons for rejection of the application in writing.

Upon approval of the application and upon the payment of the prescribed fees, the Superintendent shall issue a permit for the construction, installation, reconstruction, or alteration of such process, fuel-burning, refuse-burning, or control equipment.

In lieu of such application, such persons may, at their option, file with the Bureau an application containing (1) a certificate stating the nature and quantity of such air contaminant that such process, fuel-burning or refuse-burning, may emit and (2) stating that the control equipment proposed, if any, complies with each and all of the applicable provisions and limitations of this ordinance. The Superintendent shall act upon such application within ten (10) days after receipt of such application.

Upon approval of the application and upon the payment of the prescribed fees, the Superintendent shall issue a permit for the construction, installation, reconstruction, or alteration equipment.

No construction, installation, reconstruction, or alteration shall be made which is not in accordance with the plans, specifications, and other pertinent information upon which the installation permit was issued without the written approval of the Superintendent.

Violation of the installation permit shall be sufficient cause for the Director to stop all work, in connection with said permit and he is hereby authorized to seal the installation. No further work shall be done until the Director is assured that the condition in question will be corrected and that the work will proceed in accordance with the installation permit.

If construction, installation, reconstruction, or alteration is not started within one (1) year of the date of the installation permit, the permit will become void and all fees shall be forfeited, unless an extension of time is warranted and granted by the Director.

Section 6.2. CERTIFICATE OF OPERATION. The person responsible for the installation, construction, or alteration of any process, fuel-burning, refuse-burning, or control equipment for which an installation permit is required, shall notify the Bureau when the work is completed and ready for final inspection. Pending such inspection, the process or equipment may be operated for the purpose and in the manner for which the installation permit was approved. Emission tests at the expense of the applicant may be required by the Superintendent before the insuring of an initial certificate of operation. After it is demonstrated to the satisfaction of the Superintendent that the process, fuel-burning, refuse-burning, or control equipment is being operated in compliance with this ordinance, a certificate of operation shall be issued by the Superintendent. Such certificate of operation shall be renewed every three (3) years so long as such equipment remains in satisfactory operation as provided in SECTION 5.1. Said certificate of operation shall be kept posted on or near the installation for which it was issued. The certificate of operation shall properly identify the equipment to which it pertains and shall specify the class of fuel, type of refuse, type of raw materials used, if any, which have been successfully used in the operating test.

Failure to operate successfully under test within the limitations and requirements of this ordinance shall constitute sufficient grounds for ordering changes in the process, fuel-burning, refuse-burning, or control equipment or appurtenances before initial certificate of operation can be granted. When the Superintendent refuses to issue a certificate of operation, the Director is authorized to seal the process, fuel-burning, refuse-burning, or control equipment until the person required to procure the certificate of operation shall have complied with the provisions of this ordinance.

The Director is hereby authorized to seal any equipment for which a certificate of operation was originally issued and has not been renewed. Installation permits and certificates of operation shall not be transferable.

Section 6.3. CONFIDENTIALITY OF DATA OR INFORMATION. Data or information relating to processes or production unique to one person or disclosure of such information which is made

public would tend to adversely affect the competitive position of that person will not be required to obtain an installation permit or certificate of operation under any section of this ordinance. Nothing in this section shall be construed as a permit to violate any of the air quality objectives, standards, or rules and regulations of the Bureau.

ARTICLE 7. FEES. Fees for the inspection of plans and issuing installation permits, for the installation, erection, and construction, reconstruction, alteration of, or addition to, fuel-burning, combustion or process equipment or devices, and installation of apparatus or devices for the prevention or arresting of the discharge smoke, particulate, liquid, gaseous, or other air contaminant matter shall be as follows:

Section 7.1. PERMITS. FUEL-BURNING EQUIPMENT, used for space heating, steam and hot water or power generation for each unit: Of a capacity of 650,000 BTU/Hr and less than
 2,880,000 BTU/Hr. ----- \$15.00
 Of a capacity of 2,880,000 BTU/Hr or more ----- \$25.00

Refuse-burning equipment, for each unit:

With less than fifteen square feet of grate area ----- \$10.00
 With fifteen or more square feet of grate area ----- \$15.00

Process Equipment:

Per each installation permit
 Installation cost less than \$100,000 ----- \$15.00
 Installation cost more than \$100,000 ----- \$25.00

Permit to sell or rent domestic incinerators ----- \$10.00

Section 7.2. CERTIFICATE OF OPERATION FEES. Fees shall be as follows for the issuance or renewal of certificates of operation which may require inspection of fuel-burning, combustion or process equipment or devices:

Fuel-burning equipment used for space heating, steam and hot water or power generation, for each unit:

Of a capacity of 650,000 BTU/Hr and less than
 2,880,000 BTU Hr. ----- \$15.00
 Of a capacity of 2,880,000 BTU/Hr or more ----- \$25.00

Refuse-burning equipment, for each unit:

With less than fifteen square feet of grate area ----- \$5.00
 With fifteen square feet or more of grate area ----- \$10.00

Sand or Grit Blasting Contractors:

Up to Three guns----\$15.00 More than Three guns---- \$25.00
 Individual employees not licensed.

Process equipment:

Per chimney or stack emitting air contamination in excess of
 the minimums but below the maximums established by the
 rules and regulations ----- \$5.00

Section 7.3. PAYMENT OF FEES. All fees or penalties prescribed for the issuance of permits, licenses, or certificates, or for the inspection of plans, premises, or equipment, under any provision of this ordinance shall be paid to the City Controller, who shall render to the person making such payment a receipt stating the amount and purpose for which such fee or penalty has been paid, a duplicate of which shall be made part of the records of the Department. All fees and penalties thus received shall be deposited with the City Controller.

Section 7.4. FEES ARE DEBT DUE THE CITY—SUIT FOR: All fees or penalties prescribed for, the payment of which is required under any provision of this ordinance shall constitute a debt due the City. The Corporation Counsel shall, at the direction of the Director, institute civil suit in the name of the City to recover the amount of any such unpaid fee or penalty. No civil judgment, or any act by the Corporation Counsel, the Director, or the violator, shall bar or prevent a criminal prosecution for each and every violation of this ordinance.

ARTICLE 8. EMERGENCY PROCEDURE

Section 8.1. EMERGENCY PROCEDURE. Any other provision of this ordinance to the contrary notwithstanding, if the Director finds that emissions from the operation of one or more air contaminant sources is causing imminent danger to human health or safety, he may order the person or persons responsible for the operation or operations in question to reduce or discontinue emissions immediately and such an order shall fix a place and time not later than twenty-four (24) hours thereafter for a hearing to be held before the Board. Not more than twenty-four (24) hours after the commencement of such a hearing, and without adjournment thereof, the Board shall affirm, modify or set aside the order of the Director.

Section 8.2. OTHER EMERGENCY ACTIONS. Nothing in this article shall be construed to limit any power which the Mayor or

any other officer may have to declare an emergency and act on the basis of such declaration if such power is conferred by statute or constitutional provision, or inheres in the office.

ARTICLE 9. RULES - REGULATIONS & STANDARDS

Section 9.1. PART OF ORDINANCE - VIOLATIONS - MAKING OF RULES, REGULATIONS AND STANDARDS SET BY THE BOARD. The Prevention of atmospheric pollution in the Indianapolis area, an industrial metropolitan complex, must be accomplished by adherence to atmospheric purity standards, which in a large measure must be done through engineering and scientific means, through measurement and control devices superimposed on chemical, manufacturing and combustion processes. Since air pollution abatement, control, and prevention is a special technical field, this council expressly delegates to the Bureau or Air Pollution Control, its personnel and such professional consultants as it may retain, the duty of determining such standards and the adoption of preventative measures, devices and processes which prevent the escape of pollutants into the atmosphere. The Board of Air Pollution Control of said Bureau is expressly and specifically empowered and the power of this Council is directly delegated to said Board to set air quality objectives, determine need for specific controls to maintain air purity, and to make and amend rules and regulations and set standards to control air contamination within the area. Such standards, rules and regulations when adopted as provided in this ordinance shall become a part of this ordinance and by this delegated power expressly incorporated herein, and all future regulations made in compliance herewith, upon their adoption shall become a part hereof.

Section 9.2. ORIGINAL STANDARDS, RULES AND REGULATIONS ADOPTED WITH THE ORDINANCE. Realizing the need for immediate enactment of rules and regulations to abate air pollution, Rules and Regulations Number I, II, III, and IV are hereby adopted in connection with this ordinance.

REGULATION I	Smoke
REGULATION II	Particulate Emission
REGULATION III	Open Burning Restrictions
REGULATION IV	Odors Gases and Aeromatics

Said rules and regulations and the standards set up therein are herein incorporated into and made a part of this Article and ordinance section as Rules, Regulations, and Standards which may, by the Board of Air Pollution Control be repealed, altered, amended, changed,

modified or continued in full force and effect without further action of this common council and as part of the standard setting, Rules and Regulations making delegated to said Board by the Common Council.

Said Board is further delegated the power to adopt further standards, rules and regulations as scientific developments unfold, and as the atmospheric purity of the Indianapolis area may require. Such standards, rules and regulations when adopted as provided herein, with such original rules regulations as guides shall become, by reference, a part of this ordinance and violators of such rules and regulations and prescribed standards shall be subject to all the penalties of this ordinance.

REGULATION I, SMOKE

It shall be unlawful for any person owning or in charge of any fuel-burning, refuse-burning, combustion process equipment or device, or open fire, to cause, suffer or allow the emission or discharge of smoke from any single such source into the atmosphere except in conformity with the limits set forth as follows:

I-1, Smoke Density

The Ringelmann Chart shall be used for grading the light obscuring power of smoke. It shall not be used for determining metallurgical fume emissions or measuring the opacity of non-combustion process emission or the measurement of particulate emission from any fuel combustion equipment. Two copies of the Bureau of Mines, Information Circular 8333 "Ringelmann Smoke Chart" shall be filed with the city clerk.

The production or emission of dense smoke is prohibited. No person shall cause, suffer or allow to be emitted into the open air from any fuel-burning equipment, internal combustion engine, premise, open fire, or stack, smoke the appearance, density, or shade of which is No. 2 or darker of the Ringelmann Chart except as provided below.

The Director of Air Pollution Control may require any person whom he believes to be in violation of this Section to provide a smoke monitor which shall be installed in such a manner that it continuously monitors the density of smoke emission from the stack in question. Measurements of the smoke monitor shall be automatically transmitted to a recording device capable of maintaining a record of the data which can be made available to the Director of Air Pollution Control upon request.

I-2, Exceptions Due to Maintenance or Breakdowns

The following exceptions to the provisions of this Section shall be permitted:

1. When building a new fire;
 2. When manually cleaning a fire or when blowing tubes and flues in a power plant, heating plant or domestic heating plant; and
 3. When cleaning air pollution control equipment for any process.
- Under these three conditions, smoke may be emitted of an appearance, density or shade No. 2 of the Ringelmann Chart or darker for a period or periods aggregating not more than six (6) minutes in any observed sixty (60) minute period.
4. If an operational breakdown of air pollution control equipment occurs, the Superintendent of the Bureau must be notified immediately. The Superintendent shall have discretion to allow a reasonable period of time for repairs.

REGULATION II, PARTICULATE EMISSION

It shall be unlawful for any person owning or in charge of any fuel-burning, refuse-burning, combustion or process equipment or device, or open fire, to cause, suffer or allow the emission of particulate matter into the atmosphere except in conformity with the limits set forth as follows.

II-1. PARTICULATE EMISSION FROM INDIRECT HEAT EXCHANGERS

The emission standards set forth shall be applicable to all existing and new equipment capable of emitting particulate matter to the atmosphere. These standards should be understood to be operating or performance standards, not design standards, and shall be subject to an exceptions clause for existing equipment.

Limitations for Combustion for Indirect Heating

Emissions of particulate matter from the combustion of fuel for indirect heating shall be limited by the ASME Standard No. APS-1, "Recommended Guide for the Control of Dust Emission—Combustion for Indirect Heat Exchangers." Figure 2 of this Standard shall apply,* however; irrespective of stack height the maximum allowable emission shall be 0.8 pounds of particulates per million BTU input.

*Excerpts of the ASME Standard, APS-1, to be used are included herein. This ASME Standard and any appendices to this Standard shall be used as references. Two copies of APS-1 shall be on file with the City Clerk.

Exceptions

The provisions of the Standards for Particulate Emission for Indirect Heat Exchangers, Section II-1, shall not apply to fuel burning equipment utilized with any structure designed and used exclusively as a dwelling for not more than three families.

NOTE: When calculating allowable dust emission for a stack height not on Fig. 2, equation (15) should be used to determine it with $C_{o_{max}} = 50$. For values of "a" in equation (15), see table I.

When calculating allowable dust emission for a plant with several stacks of unequal height, use a weighted average stack height calculated as follows:

1. Heat input times stack height for each unit
2. Add these products together
3. Divide by total heat input for plant

When calculating allowable dust emission for a plant with several stacks of equal height use the given stack height.

The average height calculated in the above manner or the given stack height is used in formula (15) or in Fig. 2 to determine D , allowable dust emission, assuming a single stack for the plant. This value is then divided by the appropriate factor from Table II according to the number of stacks at the plant to determine the allowable dust emission from a multiple stack plant.

TABLE I

Total Heat Input (Btu/hr)	Plume Rise Formula
Equal to or more than 4000×10^6	Lucas with 12% of total heat input up chimney. $a = 1.0$
Less than 4000×10^6	Specified fraction of Lucas with 12% of total heat input up chimney, as follows: <ol style="list-style-type: none"> 1. 67% of Lucas for stack heights 150 ft. and less. $a = 0.67$ 2. 80% of Lucas for stack heights 225 ft. and more. $a = 0.80$

TABLE II

For the same maximum suspended dust concentration given in Fig. 2, D (dust emission) in those figures must be reduced to take into account use of more than a single stack. Therefore, D (Dust emission) in those figures for a given stack height and total plant heat input must be divided by $n^{0.25}$. Values of $n^{0.25}$ are tabulated below.

Number of Stacks (n)	$n^{0.25}$
1	1.0
2	1.19
3	1.32
4	1.41
5	1.50

COMBUSTION FOR INDIRECT HEAT EXCHANGERS

NOMENCLATURE

a	= fraction to make allowance for less than theoretical plume rise, dimensionless ($a = 0.67$, for example, for 67 per cent of theoretical rise)	h_s	= stack height, ft
A	= constant in Lucas' plume rise equation, dimensionless	H_e	= "effective" stack height, ft ($H_e = h_s + \Delta h$)
C_0	= ground-level concentration, weight/unit volume	Δh	= plume rise, ft
C_{0max}	= maximum ground-level concentration with respect to distance, weight/unit volume	n	= number of stacks
C_{0max}^2	= maximum ground-level concentration with respect to distance and at the "critical" wind speed, weight unit volume	p	= vertical diffusion coefficient, dimensionless
D	= dust emission, lb dust/million Btu input	q	= horizontal diffusion coefficient, dimensionless
e	= base (2.718) of natural system of logarithms	Q	= dust emission rate, lb/sec
		QH	= total equipment capacity rating, heat input, Btu/hr
		Q_{mw}	= heat emission from stack, megawatts
		u	= wind speed, fps
		u_c	= "critical" wind speed, fps
		x	= downwind distance, ft
		∂	= symbol for partial differential

GUIDE FOR CONTROL OF DUST EMISSION

1. Bosonquet-Pearson [1] Dispersion Equation

Beneath the axis of a plume

$$C_o = \frac{Q_x e^{-H_e/p_x}}{\sqrt{2\pi p q u x^2}} \quad (1)$$

By maximizing (1) with respect to downwind distance, x

$$C_{o_{max}} = \frac{0.215 Q p/q}{u H_e^2} \quad (2)$$

Lucas' [6] plume rise formula is

$$\Delta h = \frac{A a Q_{nu}^{0.25}}{u} \quad (3)$$

Q_{nu} is the heat emission up the stack in megawatts (one megawatt = 3.42×10^6 Btu/hr). a is a factor, less than unity, to compensate for plume rise less than theoretical.

A is a constant, thought by Lucas and his co-workers to be about 5000 for a neutral atmosphere. Therefore, with $A = 5000$, Q_H (heat input) in Btu/hr, and assuming 12 per cent of this heat input goes up the chimney

$$\Delta h = \frac{68a Q_H^{0.25}}{u} \quad (4)$$

 $C_{o_{max}}$ is greatest in relation to wind speed when

$$\frac{\partial C_{o_{max}}}{\partial u} = 0. \text{ Therefore,}$$

$$u_c = -\frac{H_e}{2 \frac{\partial H_e}{\partial u}} \quad (5)$$

$$H_e = h_s + \Delta h \quad (6)$$

For a given stack height

$$\frac{\partial H_e}{\partial u} = \frac{\partial(\Delta h)}{\partial u} = -\frac{68a Q_H^{0.25}}{u^2} \quad (7)$$

Thus,

$$u_c = \frac{68a Q_H^{0.25}}{h_s} \quad (8)$$

and, therefore, at u_c

$$\Delta h = h_s \quad (9)$$

$$H_e = 2 h_s \quad (10)$$

and

$$C_{o_{max}} = \frac{0.215 Q p/q}{4 \times 68a Q_H^{0.25} h_s} \quad (11)$$

Taking $p/q = 0.63$ for a neutral or unstable atmosphere,

$$C_{o_{max}} = \frac{5.0 Q \times 10^{-4}}{a Q_H^{0.25} h_s} \quad (12)$$

Since,

$$Q = \frac{D Q_H \times 10^{-6}}{3600} \quad (13)$$

$$C_{o_{max}} = \frac{1.4 D Q_H^{0.75} \times 10^{-12}}{a h_s} \quad (14)$$

With the English system of units $C_{o_{max}}$ comes out in lb/cu ft. Multiply this times 15.9×10^6 to obtain the more conventional units of concentration of suspended dust in micrograms/cu m.

Thus,

$$* C_{o_{max}} = \frac{2.22 D Q_H^{0.75} \times 10^{-3}}{a h_s} \text{ micro-grams/cu m} \quad (15)$$

where D , Q_H , and h_s are in the English system of units as defined in Nomenclature.

* Concentration in the Bosonquet-Pearson equation (1) and succeeding ones is for a time duration of about 30 minutes. Concentrations for a shorter duration of 3 to 15 minutes will be approximately twice the concentration for 30 minutes. Figs. 1 and 2 were constructed, therefore, for maximum suspended dust concentration of about 200 and 100 micrograms/cu m, respectively, for a period of 3 to 15 minutes.

$$* C_{o_{max}}^c = 50 \text{ for Fig. 2}$$

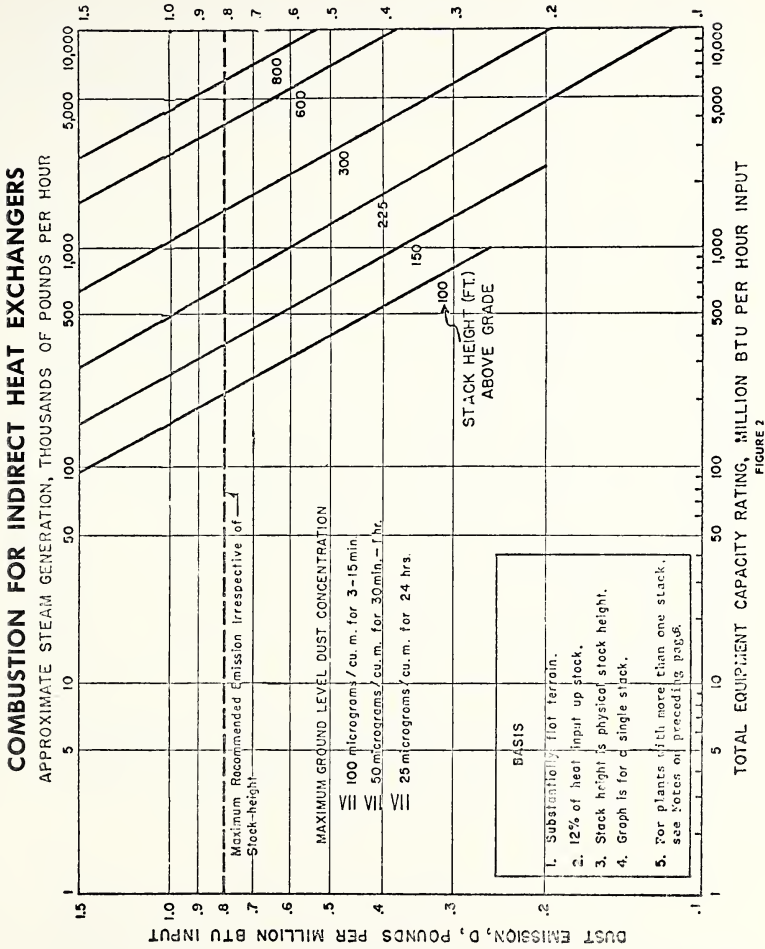


FIGURE 2

II-2. PARTICULATE EMISSION FROM MANUFACTURING PROCESSES

A. General Provisions

1. This regulation applies to any operation, process, or activity creating visible emission of particulate matter into the atmosphere except particulate emission from indirect heat exchangers, emission of incineration, open burning, and airborne particulates.

2. Wherever practical the system for measuring of these particulate emissions will be in grains per standard cubic foot of exhaust gas. Conversion tables are available for comparison with other standard systems of measurements that may be adopted by various legislatures and Control Boards. See Appendix 11-6-A.

B. Emission Limitations:

1. Except as provided for in Section B (2) no person shall cause, suffer, allow, or permit the emission of particulate matter in any one hour from any source in the excess of the amount shown in table 1, page No. 48 for the process weight allocated to such source.
2. No person shall cause, suffer, allow or permit the emission of particulate matter from any source in a concentration in excess of 0.40 grains per standard cubic foot of exhaust gases, corrected for 50% excess air at standard conditions. If provisions of this subsection B (2) would permit a greater emission of particulate matter per hour than allowed by subsection B (1), the provision of this subsection B (2) shall not apply, except that the following regulations shall apply to specific processes:
 - a. Cement Plants
 - b. Foundries
 - c. Metal Working
 - d. Refineries

TABLE I

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb/Hr	Tons/Hr	Lb/Hr	Lb/Hr	Tons/Hr	Lb/Hr
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.	19.2
600	0.30	1.83	30,000	15.	25.2
800	0.40	2.22	40,000	20.	30.5
1,000	0.50	2.58	50,000	25.	35.4
1,500	0.75	3.36	60,000	30.	40.0
2,000	1.00	4.10	70,000	35.	41.3
2,500	1.25	4.76	80,000	40.	42.5
3,000	1.50	5.38	90,000	45.	43.6
3,500	1.75	5.96	100,000	50.	44.6
4,000	2.00	6.52	120,000	60.	46.3
5,000	2.50	7.58	140,000	70.	47.8
6,000	3.00	8.56	160,000	80.	49.0
7,000	3.50	9.49	200,000	100.	51.2
8,000	4.00	10.4	1,000,000	500.	69.0
9,000	4.50	11.2	2,000,000	1,000.	77.6
10,000	5.00	12.0	6,000,000	3,000.	92.7
12,000	6.00	13.6			

Interpolation of the data in this table for process weight rates up to 60,000 lb/hr shall be accomplished by use of the equation $E = 4.10P^{0.67}$ and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lb/hr shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40, \text{ where } E = \text{rate of emission in lb/hr and}$$

$P = \text{process weight rate in tons/hr.}$

a. Cement Plants:

Cement plants shall be equipped to reduce the particulate matter in the gas discharged to the atmosphere so that it does not exceed 0.20 grains per standard cubic foot of exhaust gas corrected for 50% excess air at standard conditions.

b. Foundries:

(1) Existing Foundry Cupolas and Open Hearth Furnaces:

All existing foundry cupolas and open hearth furnaces shall be equipped with gas cleaning equipment to reduce particulate

matter discharged to the atmosphere in accordance with the following table:

Process Weight per Hour Lbs.	Maximum Allowable Discharge/Hour Lbs.
1,000	3.05
2,000	4.70
3,000	6.35
4,000	8.00
5,000	9.65
6,000	11.30
7,000	12.90
8,000	14.30
9,000	15.50
10,000	16.65
12,000	18.70
16,000	21.60
18,000	22.80
20,000	24.00
30,000	30.00
40,000	36.00
50,000	42.00
60,000	48.00
70,000	49.00
80,000	50.50
90,000	51.60
100,000	52.60

- (2) New Facilities Constructed Subsequent to the Enactment of these Rules and Regulations shall meet the following limitations:

(a) **Foundry Cupolas**

Cupolas for continuous ferrous production shall be equipped with gas cleaning devices to reduce the particulate matter in the gas discharged into the atmosphere so as not to exceed 0.20 grains per standard cubic foot.

(b) **Open Hearth Furnaces:**

Open hearth furnaces shall be equipped with gas cleaning devices to reduce the particulate matter in the gases dis-

charged to the atmosphere so as not to exceed 0.10 grains per standard cubic foot.

(c) **Electric Furnaces:**

Electric furnaces shall be equipped with gas cleaning devices to reduce the particulate matter in the gases discharged to the atmosphere so as not to exceed 0.10 grains per standard cubic foot.

c. **Metal Working:**

Metal working industries should be required to install dust collectors to meet the general requirements of this Regulation.

d. **Refineries:**

Particulate emission from a refinery will be considered satisfactory if the recovery of catalyst loading to the cyclones, cottrell precipitator, or electrostatic precipitator, used in a catalytic cracking unit recovers a minimum of 99% of the loading to the primary collectors.

C. **Emission Collectors:**

1. All existing dust collectors or systems having an overall efficiency of 99% or better shall be deemed in compliance with this regulation.
2. All new dust collecting systems ordered and installed after the effective date of this regulation, or existing systems that do not comply with (1) above, shall not permit the emission of particulate matter in any one hour, from any source, in excess of the amount shown in table 1 for the process weight allocated to such source.

D. **Additional Process Regulations:**

Where it can be demonstrated that a process cannot comply with the process weight table 1, within the limits of technological and economic feasibility, the person operating such a process may apply for a specific process regulation based on grain loading per standard cubic foot of exhaust gases. Such values shall in no instance exceed the basic limitation in Section B (2).

II-3, PARTICULATE EMISSION FROM INCINERATORS

A. **General Provisions:**

1. This regulation shall apply to any incinerator used to dispose of refuse or other waste by burning and the processing of salvageable

material by burning. Notwithstanding definitions in other regulations, as used in this regulation the word refuse includes garbage, rubbish, trade wastes, leaves, salvable materials, agricultural wastes, and other wastes. The word incinerator, as used in this regulation, includes incinerators and other devices, structures, or contrivances used to burn refuse (as defined herein) or to process refuse by burning.

2. The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Board in accordance with good engineering practice. In case of conflict, the findings of the Board shall govern.
3. In calculating the amount of particulate matter in stack gas, the loading shall be adjusted to 50% excess air. Emissions shall be measured when the incinerator is operating at its maximum capacity or at any other burning rate during which emission of particulate matter is greater, when expressed as pounds per 1000 pounds of dry exhaust. See Appendix Section II-6 for Source Emission Measurement.

B. Restriction of Emissions of Particulate Matter from Incinerators

1. No person shall cause or permit the emission of particulate matter from the stack or chimney of any incinerator in excess of the following:
 - (a) Incinerators with a maximum refuse burning capacity of 1000 or more pounds per hour, 0.4 pounds of particulate matter per 1000 pounds of dry exhaust gas corrected to 50% excess air.
 - (b) All other incinerators, 0.7 pounds of particulate matter per 1000 pounds of dry exhaust gas corrected to 50% excess air.
 - (c) No incinerator shall emit or produce smoke the appearance, density or shade as prohibited in Regulation 1.
2. No incinerator shall be used for the burning of refuse unless such incinerator is a multiple chamber incinerator and meets the standards set out in subsection B (1) of this regulation. Existing incinerators which are not multiple chamber incinerators may be altered, modified, or rebuilt as may be necessary to meet this requirement. The Director, with the concurrence of the Board, may approve any other alteration or modification to an existing incinerator if such found by him to be equally effective for the purpose of air pollution control as modification or alteration which would result in a multiple chamber incinerator. Existing incinerators which are not mul-

multiple chamber incinerators and do not otherwise meet the requirements of Section B (1) of this regulation shall be modified or rebuilt in compliance with this section.

C. New Installations

1. All new incinerator installations shall be multiple chamber incinerators and shall meet minimum standards of the latest edition of Incinerator Institute of America incinerator standards and two copies of the above shall be on file with the City Clerk.
2. They shall be equipped with wet scrubbing devices, settling chambers, electrostatic precipitators, secondary combustion chambers, or other proven gas cleaning devices to insure that the standards provided for in subsection B (1) of this regulation can be met.
3. All portable, packaged, completely assembled incinerators sold in the Indianapolis area shall be approved by the Bureau.

D. Exceptions

The standards set out in subsection B (1) and B (2) shall not apply to any existing incinerators utilized with any structures designed and used exclusively as a dwelling for not more than three families, provided the stack emission from these incinerators do not cause nuisance, detriment, or annoyance to any person or the public.

11.4, AIR-BORNE PARTICULATE

- A. No person shall cause or permit the handling or transporting or storage of any material in a manner which allows or may allow unnecessary amounts of particulate matter to become air-borne.
- B. No person shall cause or permit a building or its appurtenances or a road, or a driveway, or an open area to be constructed, used, repaired or demolished without applying all such reasonable measures as may be required to prevent particulate matter from becoming air-borne. The Director may require such reasonable measures as may be necessary to prevent particulate matter from becoming air-borne including but not limited to frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover.
- C. It shall be unlawful for any person to permit or cause the emission of such quantities of air contaminants from whatever source in such place or manner as to be detrimental to any person or to

the public or to endanger the health, comfort, or safety of any person or the public or in such a manner as to cause injury or damage to property or business.

- D. All Sandblaster Companies (or Gritblaster Companies) shall be licensed to operate in Marion County. Each individual or company shall be made aware of their responsibility to the community in respect to controlling their dust nuisance and to observe the following regulations:
1. Only wet sand-blasting—a system utilizing the simultaneous flow of water and grit or sand under pressure—be used in cleaning of buildings of over two stories high in congested areas.
 2. Sandblasting or gritblasting of high structures without protective cloths be restricted to days when the wind velocity is under fifteen miles per hour.
 3. The premises of the job, and other adjacent areas, be broom-cleaned at the close of each working day.

II-5, EXCEPTIONS TO PARTICULATE EMISSION STANDARDS

A. Exception When Cleaning Gas Cleaning Equipment

When cleaning gas cleaning equipment which does not require a shutdown of equipment, particulate matter may be emitted in excess of the limitations of II-1, 2 and 3 for a period or periods aggregating not more than six (6) minutes in any observed sixty (60) minute period.

B. Exceptions Due to Breakdown or Scheduled Maintenance

Upset conditions, breakdown or cleaning of gas cleaning equipment or related operating equipment requiring a shutdown of equipment or shutdown of such equipment for scheduled maintenance which causes emissions in excess of the limitations of II-1, 2 and 3 shall not be deemed violations provided the following are complied with:

1. Such conditions shall be reported annually to the Superintendent.
2. The person responsible for such emission shall, with all practicable speed, initiate and complete appropriate reasonable action to correct the conditions causing such emissions to exceed said limits; to reduce the frequency of occurrence of such conditions; to minimize the amount by which said limits are ex-

ceeded; and to reduce the length of time for which said limits are exceeded; and shall, upon request of the Superintendent, submit to him a full report of such occurrence, including a statement of all known causes and of the scheduling and nature of the actions to be taken pursuant to these Rules.

3. The above shall not apply to scheduled maintenance of air pollution control equipment except in those cases where the maximum reasonable effort, including off-shift labor where required, has been made to accomplish such maintenance during periods of shutdown of any related equipment.

A. Conversion Factors for Air Pollution Control Engineers

<u>Multiply</u>	<u>By</u>	<u>To Get</u>
Btu/hr input	10^{-7}	megawatts of steam-generated electricity (approx.)
stnd cu ft/sec	mol wt x 9.3	pounds of gas/hr
stnd cu ft/min	mol wt x 0.155	pounds of gas/hr
grams/sq m	2.85	short tons/sq m
grams/sq m/day	86.5	short tons/sq mi/mo
grains/stnd cu ft	1.89	pounds/1000 lb gas*
grains/stnd cu ft	2300	milligrams/stnd cu m
grains/stnd cu ft	2.30	grams/stnd cu m
grains/stnd cu ft (adjusted to 50% excess air)	2.20	pounds/ 10^6 BTU input
grams/stnd cu m	0.435	grains/stnd cu ft
grams of gas/stnd cu m	24.2×10^3 /mol wt	ppm by vol
megawatts of steam- generated electricity	10^7	Btu/hr input (approx)
micrograms of gas/stnd cu m	0.0242/mol wt	ppm by vol
milligrams of gas/stnd cu m	24.2/mol wt	ppm by vol
milligrams/stnd cu m	4.35×10^{-4}	grains/stnd cu ft
ppm by vol	mol wt x 41.3×10^{-6}	grams of gas/stnd cu m
ppm by vol	mol wt x 0.0413	milligrams of gas/ stnd cu m
ppm by vol	mol wt x 41.3	micrograms of gas/ stnd cu m

CONVERSION FACTORS FOR AIR POLLUTION CONTROL ENGINEERS (Cont.)

<u>Multiply</u>	<u>By</u>	<u>To Get</u>
ppm by vol	10^{-4}	percent by vol
Percent by vol	10^4	ppm by vol
Pounds of gas/hr	6.48/mol wt	stnd cu ft/min
pounds of gas/hr	0.108/mol wt	stnd cu ft/sec
pounds/1000 lb gas*	0.53	grains/stnd cu ft
pounds/1000 lb gas* (adjusted to 50% excess air)	1.18	pounds/ 10^6 Btu input
pounds/ 10^6 Btu input	0.45	grains/stnd cu ft (adjusted to 50% excess air)
pounds/ 10^6 Btu input	0.85	pounds/1000 lb gas* (adjusted to 50% excess air)
short tons/sq mi	0.35	grains/sq m
short tons/sq mi/mo	0.0116	grams/sq m/day

* mol wt = 29
 m = meter
 mol wt = molecular weight
 stnd = standard at 70 F and atmospheric pressure

B. Source Emission Measurement

Measurement of emissions of particulate matter from a particular source will be made according to the procedures recommended in the ASME Power Test Code 27-1957 "Determining Dust Concentration in a Gas Stream". Two copies of the ASME Power Test Code 27-1957 shall be filed with the City Clerk.

It shall be unlawful for any person to cause, suffer or allow the emission of air contaminants as a result of open burning except in conformity with the limits set forth as follows:

111-1. REFUSE BURNING RESTRICTIONS.

1. No person shall dispose of refuse by open burning or cause,

suffer, allow, or permit open burning of refuse except as provided in following subsections 2, 3, and 4 of those regulations.

2. In areas where no public refuse collection service is available on the effective date of this regulation, the open burning of refuse on residential premises of three families or less, of refuse originating in dwelling units on the same premises, shall not be in violation of this regulation until such refuse collection service becomes available.
3. In areas of low population density, open burning of refuse on residential premises of three families or less, of refuse originating in dwelling units on the same premises shall not be a violation of this regulation. The Director, with concurrence of the Board, after consultation with public agencies concerned with refuse collection and disposal, shall elect and publish the specific boundaries in areas in which such open burning or refuse will not be in violation of this regulation. In selecting such areas, he shall use a density of 100 families or less per square mile as an approximate definition of areas of low population density and he shall give due consideration to the desirability of having restrictive air pollution control regulations within the counterminous area comprising the Indianapolis metropolitan area under air pollution control. The Director, with the concurrence of the Board, shall select and publish revised boundaries, as described above, from time to time as plutation density changes.
4. Any open burning of refuse permitted by previous subsection 2 or 3 of this regulation shall be permitted only between the hours of 10:00 a.m. and 4 p.m.

111-2. PROHIBITION OF SALVAGE OPERATIONS BY OPEN BURNING.

No person shall conduct or cause or permit a salvage operation by open burning.

111-3. RESTRICTIONS ON OPEN BURNING OF TRADE WASTES

1. No person shall cause or permit the disposal of trade wastes by open burning, except as provided in following subsection 2 of this regulation.
2. The open burning of trade wastes may be permitted when it can be shown by a person that such open burning is absolutely necessary and in the public interest. Any person intending to en-

gage in open burning of trade wastes shall file a request to do so with the Director.

The application shall state the following:

- (a) The name, address, and telephone number of the person submitting the application.
- (b) The type of business or activity involved.
- (c) A description of the proposed equipment and operating practices, the type, quantity, and composition of trade wastes to be burned, and the expected composition and amount of air contaminants to be released to the atmosphere.
- (d) The schedule of burning operations.
- (e) The exact location where open burning will be used to dispose of trade waste.
- (f) Reasons why no method other than open burning can be used for disposal of trade waste.
- (g) Evidence that the proposed open burning has been approved by any fire department which may have jurisdiction. Upon approval of the application by the Director, the person may proceed with the operation without being in violation of subsection 1.

111-4. RESTRICTIONS ON OPEN BURNING OF AGRICULTURAL WASTES.

1. The burning of plant life is prohibited except as provided in subsection 2 and 3 of this regulation.
2. Open burning of plant life grown on the premises in the course of any agricultural operations may be permitted when it can be shown that such open burning is necessary and that no fire hazard will occur. Any person intending to dispose of plant life by open burning shall file a request to do so with the Director on forms provided by him. Such form shall require the provision of such information as the Director shall reasonably need to determine the air pollution aspects of the situation and whether the request should be granted. The applicant shall furnish the Director evidence that the proposed open burning has been approved by any fire department which may have jurisdiction. Upon approval of the application by the Director the person may proceed with the operation without being in violation of this subsection.

3. Any open burning permitted under provisions of subsection 2 of this regulation shall be permitted only between the hours of 10:00 a.m. and 4:00 p.m. and only at times when the actual or forecast surface wind speed, as given by the local U.S. Weather Bureau is 5 miles per hour or greater.

III-5. RESTRICTION ON OPEN BURNING OF TREE LEAVES

1. The open burning of tree leaves in such manner as to cause nuisance, detriment, or annoyance to any person or the public is prohibited.
2. The open burning of leaves is prohibited except between the hours of 10:00 a.m. and 4:00 p.m.

REGULATION IV, ODORS AND GASEOUS EMISSIONS

It shall be unlawful for any person to cause, suffer, or allow, contrary to the requirements of this regulation, the emission of gaseous or odoriferous emissions in the atmosphere, alter or revise such control devices relevant thereto, or install facilities for the processing or handling of certain materials which may permit release of gaseous emissions.

IV-1, EMISSION OF ODOROUS GASES

- A. No person shall cause, suffer, allow, or permit the emission of gaseous materials in such quantities to cause an "objectionable odor":
 1. In areas zoned residential.
 2. In areas zoned light industrial, when the ambient air diluted with 5 parts of odor-free air (5/1 dilution) is determined to be an "objectionable odor," or
 3. In areas zoned medium or heavy industrial, when the ambient air is diluted with 20 parts odor-free air (20/1 dilution), and is still determined to be objectionable.

B. Zoned Areas

Zoned areas referred to in this section (See IV-1-A) shall be as those defined in the Industrial Zoning Ordinance of Marion County, Indiana, as prepared by the Metropolitan Plan Commission, Docket No. 63-AO-4, dated November 7, 1963.

IV-2 MOTOR VEHICLE OPERATION

A. Internal Combustion Engines

No person shall cause, suffer, allow, or permit the emission of visible air contaminants from a motor vehicle which are:

1. Of a shade or density equal to or darker than that designated as No. 2 on the Ringlemann Chart.
2. When the presence of uncombined water is the only reason for failure of emission to meet the requirements of this paragraph, the provision of this regulation shall not apply.

B. Compliance with Federal Emissions Standards

The Federal Clean Air Act of 1963 (P.L. 88-206) as amended in 1965 (P.L. 89-272) provides for control of air pollution for new motor vehicles beginning with the 1968 model year. It shall be unlawful for any person to fail to maintain in good working order, remove, dismantle, or otherwise cause to be inoperative, any equipment or feature constituting an operational element of the air pollution control system or mechanism of the equipment, as may be prescribed by the Clean Air Act.

IV-3. PETROLEUM STORAGE SYSTEMS

A. No person shall build or install, or permit the building or installation of any stationary tank, reservoir, or other container of more than 65,000 gallon capacity which will or might be used for the storage of any petroleum distillate having a vapor pressure of 2.0 pounds per square inch absolute or greater under actual storage conditions, unless such tank, reservoir, or container is to be a pressure tank capable of maintaining working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and built and equipped with one of the following vapor loss control devices:

1. A floating roof consisting of a pontoon type or double deck type roof which will rest on the surface of the liquid contents and be equipped with a closure seal or seals to close the space between the roof edge and tank wall. The control equipment provided for in this paragraph shall not be permitted if the gasoline or petroleum distillate to be stored will have a vapor pressure of 12 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be built so as to be gas tight except when gauging or sampling is to take place.

2. A vapor recovery system consisting of a vapor gathering system capable of collecting the hydrocarbon vapor and gases discharged, a vapor disposal system capable of processing such vapors and gases so as to prevent their emission to the atmosphere, and with all tank gauging and sampling devices gas tight except when gauging or sampling is taking place.
3. Such other equipment or means of equal efficiency for purposes of air pollution control as may be approved by the director.

B. Submerged Fill Pipes Required

No person shall build or install or permit the building or installation of a stationary gasoline storage tank with a capacity of 250 gallons or more, unless such tank is equipped with a submerged fill pipe or is a pressure tank as described in Paragraph A-1 of this section of the regulation, or is fitted with a vapor recovery system as described in Paragraph A-2 of this section of the regulation. A submerged fill pipe is a fill pipe, the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. A submerged fill pipe when applied to a tank which is loaded from the side is defined as any fill pipe, the discharge opening of which is entirely submerged when the liquid level is 18 inches above the bottom of the tank.

ARTICLE 10—PENALTY

Section 10.1. Any person, firm, corporation or organization found guilty of violation of this ordinance or the rules and regulations made a part hereof or pursuant to the authority granted by this ordinance, may be fined in the sum not exceeding \$300.00 or imprisonment not to exceed ten (10) days which may be added for any second or subsequent offense. Each day's violation shall constitute a separate offense.

ARTICLE 11—EFFECTIVE DATE OF ORDINANCE

Section 11.1. This Ordinance shall be in full force and effect from and after the 1st day of January 1968, upon passage by the Common Council, approval by the Mayor and publication as by law required.

After the final effective date, and upon repeal of all prior ordinances relating to air pollution control the City Clerk shall insert this Ordinance into the City Code of Ordinances and renumber the sections hereof to comply with their proper order in said Municipal Code of

Ordinances and shall also receive all rules and regulations in two (2) copies and keep them among the permanent records of such office.

Which was read for the first time and referred to the Committee on Finance.

GENERAL ORDINANCE 110, 1967

Introduced by Councilman McGill:

AN ORDINANCE, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by repealing subsection 472 to Section 4-812, and by the addition of subsection 491 to Section 4-812, prohibiting parking at all times on certain streets and fixing a time when said amendment shall take effect.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is hereby amended by the repeal of subsection 472, as follows:

No.	Street	From	To	Side
472	Union Street	McCarty Street	Merrill Street	EAST

Section 2. That Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, be, and the same is hereby amended by the addition of subsection 491 thereto, to read as follows:

No.	Street	From	To	Side
491	Union Street	McCarty Street	Merrill Street	WEST

Section 3. The provisions of this Ordinance shall be subject to the penalties in Title 4, Chapter 8, Section 4-812, of the Municipal Code of Indianapolis, 1951, as amended.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Works.

GENERAL ORDINANCE 111, 1967

Introduced by Councilman McGill:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, and more particularly Title 4, Chapter 8, thereof by repealing Subsection No. 469, Section 4-812, prohibiting parking at all times, and the addition of Subsection No. 20, Section 4-823, limiting parking to one and one-half hours between 7:00 A.M. and 6:00 P.M., except Sundays and Holidays on certain streets and fixing a time when said amendment shall take effect.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be, and the same is hereby amended by the repeal of Subsection 469 as follows:

No.	Street	From	To	Side
469	York Street	Nordyke Avenue	Kentucky Ave.	NORTH

Section 2. That Title 4, Chapter 8, Section 4-823 of the Municipal Code of Indianapolis, 1951, General Ordinance 140, 1951, as amended, be, and the same is hereby amended by the addition of Subsection No. 20 thereto, to read as follows:

No.	Street	From	To	Side
20	York Street	Nordyke Avenue	Kentucky Ave.	NORTH

Section 3. The provisions of this Ordinance shall be subject to the penalties in Title 4, Chapter 8, Section 4-823 of the Municipal Code of Indianapolis, 1951, as amended.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Works.

GENERAL ORDINANCE 112, 1967

Introduced by Councilman Brydenthal:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 9 thereof by the addition of a new Chapter 13 and Sections thereof, regulating the duties of certain businesses, protection of surrounding neighborhoods, from debris and waste materials, requiring fence or wall, prescribing penalties for the violation thereof, and fixing a time when the same shall take effect.

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. DRIVE-IN RESTAURANTS DEFINED. A Drive-In Restaurant within the meaning of this Ordinance is hereby defined as any premises whose principal business is serving food and/or drink of any kind directly to patrons where motor vehicle parking space is provided and such food and/or drink of any kind is intended by the seller to be consumed in or about the motor vehicle parked upon the premises.

Section 2. DUTY TO KEEP PREMISES FREE FROM DEBRIS. It shall be the duty of the owner, manager, or any person in charge of said Drive-In Restaurant, to keep the premises whereon said Drive-In Restaurant is located, together with the parking area and that portion of any public Street or Streets adjoining said Drive-In Restaurant, free from all rubbish, waste products and debris, in-

cluding napkins, straws, paper cups and plates, and other waste materials at all times. Each Drive-In Restaurant shall provide a sufficient number of suitable containers to hold such waste material until the same is removed from the premises. Such containers shall be of metal construction or other approved material with self-closing, reach-in type cover.

Section 3. FENCE OR WALL—The owner or licensee of a Drive-in Restaurant shall provide a wall or fence of adequate height and design, at least thirty-six inches in height, for the protection of surrounding property owners and public streets and alleys, from debris and waste materials. Such fence or wall shall be of design and structure approved by the Board of Public Safety.

Section 4. PENALTIES—Any person violating any provision or section of this Chapter, upon conviction shall be fined in any sum not exceeding Three Hundred (\$300.00) Dollars, to which may be added imprisonment not exceeding thirty (30) days.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto and publication as required by law.

Which was read for the first time and referred to the Committee on Parks.

GENERAL ORDINANCE NO. 113, 1967

Introduced by Councilman Brydenthall:

AN ORDINANCE authorizing the execution of an intergovernmental agreement between the City of Indianapolis and the Mass Transportation Authority of Greater, Indianapolis, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. Mass Transportation Authority of Greater Indianapolis, a municipal corporation created pursuant to Indiana Acts 1967, Chapter 311 (herein referred to respectively as the "Authority"

and "Transportation Act"), and the City of Indianapolis (herein referred to as the "City") are authorized under Section 24 of the Transportation Act to enter into an agreement under which the Authority would as of January 1, 1968, acquire, control, program, design, construct, reconstruct, operate or maintain any roads or bridges or properties incident thereto within the City but also "within the boundaries of the Authority" on such terms and conditions as may be agreed upon. Commencing January 1, 1968, the Authority has exclusive jurisdiction within its boundaries to program, plan, design, construct, reconstruct and operate all thoroughfares. In order to eliminate duplicate costs and to afford a simpler administration of certain roads and bridges for the benefit of the residents living within the boundaries of the Authority, both within and without the City, it is desirable that the City and the Authority enter into an intergovernmental agreement as authorized by Section 24 of the Transportation Act.

Section 2. The City shall enter into, and the Mayor and the Clerk of the City are authorized to execute on its behalf, an agreement pursuant to the Transportation Act substantially in the following form:

INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF INDIANAPOLIS AND THE MASS TRANSPORTATION
AUTHORITY OF GREATER INDIANAPOLIS

The City of Indianapolis and the Mass Transportation Authority of Greater Indianapolis, both municipal corporations created by Indiana law (herein referred to respectively as the "City" and the "Authority"), hereby enter into an intergovernmental agreement in accordance with Section 24, Chapter 311, Indiana Acts 1967 (Burns Indiana Statutes Annotated, 1967 Pocket Supplement, Sec. 36-3455) (herein referred to as the "Transportation Act").

1. Subject Matter of the Agreement. At the present time the City has authority to program, design, construct, reconstruct, operate and maintain certain roads and bridges within its boundaries. Such roads and bridges are also within the boundaries of the Authority. It is agreed between the Authority and the City that as of January 1, 1968, the Authority shall have and acquire all of the powers and duties now or hereafter conferred by law upon the officials of the City to program, design, construct and operate all roads and bridges within the City, and as an incident thereto to maintain

all traffic control devices such as road signs, traffic lights and road markings, subject to exceptions and other terms and conditions set out in the succeeding paragraphs of this agreement.

2. Construction of this Agreement. This agreement and the terms used therein shall be construed in accordance with the Transportation Act.

3. Exclusions. The following matters shall be within the jurisdiction of the City and shall be excluded from the jurisdiction of the Authority except where the Authority shall have jurisdiction to give prior approval as provided in this numbered paragraph:

(a) Reconstruction of roads other than thoroughfares, and maintenance of all roads and bridges (including but not limited to thoroughfares, railroad crossings and grade structures), within the boundaries of the City as those terms are defined in Section 2 of the Transportation Act, excepting, however, reconstruction which is in fact the construction of a new road or bridge.

(b) Construction of a new road, bridge or other structure, a majority of the cost of which is assessed to abutting property owners in accordance with the terms of Indiana Acts 1933, Chapter 69, as amended and supplemented (Burns Indiana Statutes, Annotated, 1963, Replacement, Sec. 48-2801 et seq.).

(c) The vacation of streets, roads or parts thereof, granting permission to encroach on any right of way within the City by such items as transformer vaults under sidewalks, overhead pedestrian walks, underground and overhead utility services, loading docks, public telephone booths, newspaper racks, fire hydrants and street lighting fixtures, agreements relating to switch tracks, the making of curb cuts and street cuts, and the approval and extension of all loading zones on roads.

(d) Permits for house movers and temporary street closing permits.

(e) The granting of all taxicab licenses and the receipt of fees therefor.

The construction of any road, bridge or other structure by the City provided in (b) above, any action of the City with respect to any

item in (c) above, and any other item incident to operating roads within the City, as such term is used in Section 2 of the Transportation Act, shall, however, be subject to the prior approval of the Authority but solely in accordance with administrative provisions set out in paragraph 4 below.

4. Administration of Matters Requiring Approval of the Authority. Any matter requiring approval of the Authority but within the jurisdiction of the City under paragraph 3, shall be subject to the following administrative procedures:

(a) All applications shall be made to the City through its designated official, pursuant to its ordinances and regulations in effect from time to time.

(b) All fees shall be collected and retained by the City.

(c) Any bond required by the City shall be obtained by it but shall run for the benefit of the City and the Authority and such other body as the City shall determine.

(d) All supervision and inspection shall be performed by the City.

(e) The City shall forward to the Authority all documents, in forms requested by the Authority and furnished by the City, for its approval or disapproval a part of processing any such City action or approval, to the end that all applicants shall be forced to file papers at only one place. In connection therewith, the City shall make a copy of each document relating to traffic control and engineering in such form as the Authority shall prescribe so that a file thereof may be established in the office of the Authority.

5. Street Plans. The Department of Public Works of the City shall keep a file of all streets heretofore or hereafter constructed by it. All such files shall be open to the public and to officials of the Authority and the City, respectively, at all reasonable times. Where in the opinion of the Authority it would be more convenient to consolidate the plans on any thoroughfare or bridge or road either in the files of the City or in the files of the Authority, such consolidation shall be made upon order of the Authority through its duly delegated officers. The Authority and the City shall cooperate, each furnishing the other information, plans or surveys, necessary or desirable to carry out their respective functions as set out in this agreement.

6. Equipment and Other Property Transferred. The title to all equipment and other property now owned or leased by the City and necessary to the operation of all the roads and bridges within the City and maintenance of the equipment incident thereto, including but not limited to signs, traffic control devices, traffic computers, vehicular and other equipment used in the operation and maintenance thereof, shall in accordance with Sections 20 and 24 of the Transportation Act be transferred as of January 1, 1968, from the City to the Authority.

7. Traffic Meters. The Authority will as of January 1, 1968:

(a) Assume all indebtedness and obligations of the City with respect to its off-street parking properties and meters, including but not limited to its indebtedness of approximately \$6,000 and its obligation to pay lease rental on the Broad Ripple Parking lot to the Indianapolis Water Company.

(b) Take title to all equipment and other property used by the City in connection with the operation of parking meters.

(c) Contract with the City and its Board of Safety for the enforcement of payments into parking meters by "meter maids."

8. State Highway Commission of Indiana. Subject to the approval of the State Highway Commission, the Authority will assume as of January 1, 1968, the obligations of the City with the State Highway Commission dated July 1, 1955, relating to maintenance, installation of traffic signals, marking and signs on state routes in the City of Indianapolis and all amendments or supplements thereto.

9. Action by the City and the Authority. The City and the Authority separately agree to enact all ordinances and take all acts necessary to carry out the powers and responsibilities vested in the Authority pursuant to this intergovernmental agreement.

IN WITNESS WHEREOF, the City has caused this agreement to be executed by its Mayor and attested by its Clerk and the Authority has caused this agreement to be executed by the Chairman and attested by the Secretary of its Board of Directors.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read for the first time and referred to the Committee on Parks.

SPECIAL ORDINANCE 14, 1967

Introduced by Councilman Deluse:

AN ORDINANCE, changing the name of the City of Indianapolis Baseball Stadium known as Victory Field to the "OWEN J. BUSH STADIUM."

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA

Section 1. That the name of the City of Indianapolis Baseball Stadium known as Victory Field be changed to the "OWEN J. BUSH STADIUM."

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

Which was read for the first time and referred to the Committee on Safety.

ORDINANCES ON SECOND READING

Mr. Moriarty called for a second reading of Appropriation Ordinance No. 25, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Sleet, Appropriation Ordinance No. 25, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty called for a second reading of General Ordinance No. 108, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Sleet, General Ordinance No. 108, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty called for a second reading of Special Resolution No. 12, 1967.

The Clerk read the Resolution for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. Brydenthal, Special Resolution No. 12, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Resolution for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes,

Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. Moriarty called for a second reading of Special Resolution No. 13, 1967.

The Clerk read the Resolution for a second time.

Upon motion of Mr. Moriarty, seconded by Mr. McGill, Special Resolution No. 13, 1967, was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Resolution for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Mr. McGill called for a second reading of General Ordinance No. 107, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Sleet, General Ordinance No. 107, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes,

Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

President Wallace called for any Old Business.

OLD BUSINESS

Mr. Brydenthal requested a hearing on Special Ordinance No. 10, 1967 which was introduced on June 5, 1967.

The hearing on Special Ordinance No. 10, 1967 was held and the Ordinance was held for further study.

Upon motion of Mr. Hasbrook, seconded by Miss Waters, the Council adjourned at 9:50 P.M. upon unanimous voice vote.

We hereby certify that the above and foregoing is a full and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 16th day of October, 1967 at 7:30 P.M.

In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Joseph C. Wallace

ATTEST:

President

Angeline Allstatt

(SEAL)

City Clerk