

POSTPONED REGULAR MEETING

Monday, September 24, 1973, 7:00 p.m.

A Postponed Regular Meeting of the City-County Council of Indianapolis-Marion County convened in the Council Chambers of the City-County Building at 7:00 p.m., Monday, September 24, 1973. President Hasbrook in the Chair. Councilman Beurt SerVaas opened the meeting with prayer, followed by the Pledge of Allegiance.

The Clerk read the call for the Special Meeting as follows:

TO THE MEMBERS OF THE CITY-COUNTY COUNCIL,
INDIANAPOLIS, INDIANA:

Ladies and Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the CITY-COUNTY COUNCIL held in the Council Chamber on September 24, 1973, at 7:00 P.M., the purpose of such SPECIAL MEETING being to receive communications from City-County Officials, introduce new proposals and consider for final adoption all eligible proposals and to conduct any and all other business requiring the attention of the Council at this time.

Respectfully,

THOMAS C. HASBROOK, President
City-County Council

ROLL CALL

The President instructed the Clerk to take the roll. Twenty-six members being present, he announced a

quorum. The roll call was as follows: *Present:* Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Cantwell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gilmer, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Ruckelshaus, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West. *Absent:* Mrs. Gibson, Mrs. Noel and Mr. Brown.

APPROVAL OF JOURNAL

President Hasbrook called for additions or corrections to the Journal for September 10, 1973, as distributed. There being no corrections, the Journal of September 10, 1973, stands approved, as distributed.

OFFICIAL COMMUNICATIONS

President Hasbrook called for reading of communications. The Clerk read the following:

September 12, 1973

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the City-County Council, Mrs. Jean A. Wytenbach, the following City-County Ordinances.

FISCAL ORDINANCE NO. 63, 1973 . . . levying taxes and fixing the Rate of Taxation for the purpose of raising revenue to meet the necessary expenses of Indianapolis and Marion County Government and its institutions for the calendar year 1974.

FISCAL ORDINANCE NO. 64, 1973 . . . amending the City-County Annual Budget for 1973 and appropriating the sum of \$30,000.00 for certain purposes of the Legal Division, Department of Administration.

Respectfully submitted,

RICHARD G. LUGAR
Mayor, City of Indianapolis

INTRODUCTION OF GUESTS

Councilman Clark recognized Robert Bell of the Indianapolis Star and the years of service he has given covering the affairs of government in the City-County Building. He informed the Council Mr. Bell has received a new assignment to the Federal Building.

Councilman Hasbrook introduced Dr. W. Brooks Fortune who gave a report on the Ambulance Study Committee of which he is Chairman. The report was assigned to the Municipal Corporations Committee. Because of their participation as members of the Ambulance Study Committee, the Chair stated that Councilmen Broderick, Kimbell and Schneider should be included in any discussion by the Municipal Corporations Committee pertaining to this Study.

PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

President Hasbrook called for presentation of petitions.

PROPOSAL NO. 402, 1973. Introduced by Councilman

Griffith. The Clerk read the proposal for a Special Resolution in memoriam of Reverend Ruben H. Lindstrom. Councilman Griffith moved, seconded by Councilman Giffin, to adopt Proposal No. 402, 1973. The proposal was adopted by unanimous voice vote. Proposal No. 402, 1973, was retitled Special Resolution No. 27, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 1973

A PROPOSAL FOR A SPECIAL RESOLUTION: In memoriam of the Rev. Ruben H. Lindstrom.

WHEREAS, the Reverend Ruben H. Lindstrom, pastor of Southport Baptist Church from 1929 to 1967 and pastor emeritus until his death was loved and respected by his congregation and community; and

WHEREAS, the Reverend Ruben H. Lindstrom served not only his church, but also his community as a member of the Southport City Council; and

WHEREAS, the Reverend Ruben H. Lindstrom will be greatly missed by the many citizens of this community who not only know him, but who benefitted by his counsel and leadership; and

WHEREAS, the Reverend Ruben H. Lindstrom is owed the gratitude and respect of the citizens of Indianapolis and Marion County for his contributions to them; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The City-County Council, on behalf of its members and for the City of Indianapolis and Marion County, reverently acknowledges the sorrow and loss felt by the community upon the death of Reverend Ruben H. Lindstrom and does hereby commend him posthumously for his activities and contributions in this community.

Section 2. The City-County Council does hereby extend its sym-

pathy and respect to the widow and family of Reverend Ruben H. Lindstrom and to his congregation and friends.

Section 3. The Mayor of the City of Indianapolis is invited to join in this expression of sympathy and respect by affixing his signature hereto.

Section 4. The Clerk of the City-County Council is instructed to suitably inscribe a copy of this resolution for delivery to the widow of Reverend Ruben H. Lindstrom, Mrs. Frieda Lindstrom.

PROPOSAL NO. 400, 1973. Introduced by Councilman Boyd. Councilman Boyd read the proposal for a Special Resolution honoring Judge Rufus C. Kuykendall. Councilman Boyd moved, seconded by Councilman Broderick, to adopt Proposal No. 400, 1973. The Proposal was adopted by unanimous voice vote. Proposal No. 400, 1973, was retitled Special Resolution No. 28, 1973, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 28, 1973

A PROPOSAL FOR A SPECIAL RESOLUTION honoring Judge Rufus C. Kuykendall.

WHEREAS, Judge Rufus C. Kuykendall has for all his 70 years been a citizen of the City of Indianapolis; and

WHEREAS, Judge Rufus C. Kuykendall has been a practicing member of the Bar for 21 years; and

WHEREAS, Judge Rufus C. Kuykendall served as a member of the Common Council of the City of Indianapolis for three years and compiled one of the most impressive electoral victories ever; and

WHEREAS, Judge Rufus C. Kuykendall has distinguished himself as a Judge of the Superior Court of Marion County for six years and nine months; and

WHEREAS, Judge Rufus C. Kuykendall has caused the citizens of this community and members of this Council to benefit immeasurably from his advice and counsel; and

WHEREAS, the Indianapolis-Marion County City County Council wishes to extend its appreciation and indebtedness to the Honorable Rufus C. Kuykendall for the service and contributions he has continuously made; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The City-County Council, on behalf of its members and for the City of Indianapolis and Marion County, extends its heartfelt thanks and appreciation to the Honorable Rufus C. Kuykendall on the occasion of his September 26, 1973 testimonial dinner.

Section 2. The Mayor of the City of Indianapolis is invited to join in the expression of this Resolution by affixing his signature hereto.

Section 3. The Clerk of the City-County Council is instructed to suitably inscribe copies of this Resolution for delivery to Judge Rufus C. Kuykendall upon the occasion of his testimonial dinner, September 26, 1973.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 386, 1973. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A proposal for a General Resolution approving the annexation and incorporation of additional territory into the Indianapolis Sanitary District;" and the President referred it to the Public Works Committee.

PROPOSAL NOS. 387-396, 1973. Introduced by Councilman Egenes. The Clerk read the proposal entitled: "A proposal for rezoning ordinances, certified from the Met-

ropolitan Plan Commission on September 21, 1973;" and the President referred them to the Committee of the Whole and ordered them placed on the agenda under Special Orders—Final Adoption.

PROPOSAL NO. 397, 1973. Introduced by Councilman Gorham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of \$9,300 for certain purposes of the City Market;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 398, 1973. Introduced by Councilman McPherson. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 and appropriating the sum of \$50,000 for certain purposes of the Municipal Garage Division, Department of Public Works;" and the President referred it to the Public Works Committee.

PROPOSAL NO. 399, 1973. Introduced by Councilman Griffith. The Clerk read the proposal entitled: "A proposal for a General Ordinance amending the 'CODE OF INDIANAPOLIS AND MARION COUNTY, 1970' requiring standards for privately owned buses, prohibiting passing such buses when loading and unloading and fixing penalties for violation of this ordinance;" and the President referred it to the Public Safety Committee.

PROPOSAL NO. 401, 1973. Introduced by Councilman

Cottingham. The Clerk read the proposal entitled: "A proposal for a Fiscal Ordinance amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 and appropriating the sum of \$27,720 for certain purposes of the Marion County Home by reducing the Unappropriated County General Fund;" and the President referred it to the County and Townships Committee.

MODIFICATION OF SPECIAL ORDERS

PROPOSAL NO. 384, 1973. Councilman Egenes moved, seconded by Councilman Griffith, to consider Proposal No. 384, 1973, under Special Orders—Final Adoption. The motion carried by voice vote.

PROPOSAL NO. 202, 1973. Councilman Kimbell moved, seconded by Councilman Tintera, to consider Proposal No. 202, 1973, under Special Orders—Final Adoption. The motion carried by voice vote.

PROPOSAL NO. 347, 1973. Councilman Gilmer moved, seconded by Councilman Gorham, to continue the public hearing on Proposal No. 347, 1973, until October 15, 1973, pursuant to waiver of hearing by petitioner. The motion carried by voice vote.

SPECIAL ORDERS—FINAL ADOPTION

PROPOSAL NO. 202, 1973. After discussion, Proposal No. 202, 1973, *passed* on the following roll call; vote *viz:* 19 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Clark, Mr. Dowden, Mr. Egenes, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Hasbrook, Mr. Hawkins, Mr.

Kimbell, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. Schneider, Mr. SerVaas and Mr. Tintera. 6 Noes: Mr. Byrum, Mr. Cantwell, Mr. Cottingham, Mr. Gilmer, Mr. Griffith, and Mr. West. Councilman Ruckelshaus was out of Chambers when vote was taken. Proposal No. 202, 1973, was retitled General Ordinance No. 45, 1973, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 45, 1973

A PROPOSAL FOR A GENERAL ORDINANCE enlarging the boundaries of the Fire Special Service District and Police Special Service District of the City of Indianapolis, amending "The Code of Indianapolis and Marion County, 1970," and fixing a time when the same shall be effective.

WHEREAS, the majority of owners of the real property hereinafter described have petitioned to have said real estate included within the boundaries of the Fire Special Service District of the City of Indianapolis; and

WHEREAS, the Department of Metropolitan Development has made its findings of fact and recommendations with respect to said petition, which findings of fact and recommendation were mailed to the Indianapolis Fire Chief, Lawrence Township Trustee and petitioners on May 18, 1973; and

WHEREAS, the Metropolitan Development Commission has recommended approval of the annexation proposed by petitioners; and

WHEREAS, this council after public hearing now determines that reasonable and adequate fire protection can be provided within such expanded area by the City Fire Force and that the extension of such boundaries is in the public interest of the citizens of the Consolidated City of Indianapolis; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. The boundaries of the Fire Special Service District of

the City of Indianapolis are hereby extended to include the territory of the Consolidated City, which is described in Section 3 of this ordinance.

Section 2. Owners of real estate therein having petitioned this council and the council having determined that adequate police protection can be provided therein and that it is in the public interest of the citizens of the Consolidated City of Indianapolis to do so, the boundaries of the Police Special Service District of the City of Indianapolis are hereby extended to include the territory of the Consolidated City which is described in Section 3 of this Ordinance.

Section 3. SPECIAL SERVICE DISTRICT EXTENSION

Part of the west half of the northeast Quarter of Section 22, Township 17 North, Range 4 East, Lawrence Township, Marion County, State of Indiana, more particularly described as follows: Commencing at the southwest corner of the Northeast quarter of said section; thence N 00° 24' 06" W for a distance of 496.44 feet; thence N 89° 35' 54" E for a distance of 58.00 feet to the place of beginning of this description (said point also being 124.00 feet north of the Southwest corner of a 120 foot by 500 foot Building); thence N 00° 24' 06" W for a distance of 50.00 feet; thence N 89° 35' 54" E for a distance of 60.00 feet; thence S 00° 24' 06" E for a distance of 50.00 feet; thence S 89° 35' 54" W for a distance of 60.00 feet to the place of beginning containing 3000 square feet.

Section 4. Title 1, Chapter 3 of the Code of Indianapolis and Marion County, 1970, is hereby amended to include additional sections, appropriately numbered and titled by the Clerk, containing the descriptions in Section 3 of this ordinance as expansions of the Special Service Districts as provided in Sections 1 and 2.

Section 5. This Ordinance shall be in full force and effect from and after passage, approval by the Mayor, and publication according to law.

PROPOSAL NO. 384, 1973. After discussion, Councilman Dowden moved, seconded by Councilman Schneider, to indefinitely postpone Proposal No. 384, 1973. The motion *failed* on the following roll call vote; *viz: 10 Ayes:*

Mr. Byrum, Mr. Clark, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Hawkins, Mrs. Miller, Mr. Paterson and Mr. Schneider. 15 Noes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Cottingham, Mr. Egenes, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mr. SerVaas, Mr. Tintera and Mr. West. Councilman Ruckelshaus was out of chambers when vote was taken.

After further discussion, Proposal No. 384, 1973, failed for lack of a statutory majority on the following roll call vote; viz: 13 Ayes: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Cantwell, Mr. Egenes, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. McPherson, Mr. SerVaas, Mr. Tintera and Mr. West. 12 Noes: Mr. Bayt, Mr. Byrum, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Hawkins, Mrs. Miller, Mr. Paterson and Mr. Schneider. Councilman Ruckelshaus was out of Chambers when vote was taken.

PROPOSAL NO. 352, 1973. Councilman Egenes moved, seconded by Councilman Griffith, to amend Proposal No. 352, 1973, as follows:

CITY-COUNTY COUNCIL MOTION

Mr. President:

I move that City-County Council Proposal No. 352 be amended as follows:

1. In the first sentence of section 8-301 (d) the word "beaming" be changed to the word "bearing."
2. In section 8-307 (e) the language "or an agent of the person"

be deleted and the phrase "firm or corporation be inserted in its stead.

3. In the fourth sentence of section 8-409 (a) the letter "n" be deleted from the word "personnally" on the first occasion in which that word is used in the sentence, so as to cause the word to be spelled **correctly**.
4. In the title sentence of section 8-303 the word "or" which appears in the phrase "Professional Services or Architects" be changed to the word "of".

HAROLD J. EGENES
Councilman

The motion to amend carried by voice vote. Following further discussion, Proposal No. 352, 1973, as amended, *passed* on the following roll call vote; *viz*: 17 *Ayes*: Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Elmore, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. McPherson, Mrs. Miller, Mr. Patterson, Mr. SerVaas, Mr. Tintera and Mr. West. 5 *Noes*: Mr. Dowden, Mr. Giffin, Mr. Gorham, Mr. Kimbell and Mr. Schneider. Councilmen Bayt, Byrum, Cantwell and Ruckelshaus were out of Chambers when vote was taken. Proposal No. 352, 1973, as amended, was retitled General Ordinance No. 44, 1973, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 44, 1973

A PROPOSAL FOR A GENERAL ORDINANCE amending Title 8 of the CODE OF INDIANAPOLIS AND MARION COUNTY, 1970, as amended, (City-County General Ordinance No. 81, 1970, as amended), and revising nomenclature, altering procedures and changing standards, providing for the certification of contractors and registration of plumbing contractors and fixing penalties and creating remedies for violation of the provisions of Title 8.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section I. That Section 8-104 of the present code is hereby repealed and this section is inserted in its stead as follows:

8-104 Application. The City of Indianapolis Building Code, 1970, and all amendments, additions, and supplements thereto, shall apply throughout the limits of the Consolidated City of Indianapolis, State of Indiana, and to any and all building or construction activity therein including but not limited to the erection, construction, repair, alteration, conversion, removal, demolition, maintenance, moving, razing or remodeling of any new or existing structure, or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal or maintenance of building equipment located in or connected directly to a new or existing structure.

That this section is hereby inserted immediately following Section 8-105 of the present code:

8-106 Building Equipment Defined. As used herein, the phrase "building equipment" means any machine, device, apparatus or material used to supply or distribute water, remove wastes, supply or transmit electricity, supply or distribute fuel, create conditions of heat or of cold, accomplish the movement of air, or accomplish the movement of persons or things as in an elevator or escalator.

That Section 8-106 of the present code is hereby re-numbered as Section 8-107.

That Section 8-107 of the present code is hereby re-numbered as Section 8-108.

That Chapter 2 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 2

MINIMUM STANDARDS FOR STRUCTURES NOT REGULATED BY ADMINISTRATIVE BUILDING CODE

8-201 Any building or construction activity, including but not

limited to, the erection, construction, repair, alteration, conversion, removal, demolition, maintenance, moving, razing, or remodeling of any new or existing structure or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal, or maintenance of building equipment located in or connected directly to a new or existing structure, for which rules or standards are not fixed by the Administrative Building Council in accordance with Chapter 338 of the Acts of 1969, as amended, shall be regulated by the most recently fixed set of rules or standards of the Administrative Building Council which are most reasonably applicable to that kind of building or structure or building equipment. The determination of what set of rules or standards are applicable shall be made by the Administrator of Buildings taking into account the size, method of construction, nature of materials, and ultimate use of the building or structure or building equipment.

That Chapter 3 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 3

BUILDING PERMITS AND DESIGN AND SUPERVISION

8-301 When Required. No person, firm or corporation shall engage in any building or construction activity, including but not limited to, the erection, construction, repair, alteration, conversion, removal, demolition, maintenance, moving, razing or remodeling of any new or existing structure or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal or maintenance of building equipment located in or connected directly to a new or existing structure unless a written building permit issued by the Division of Buildings, Department of Metropolitan Development, designating the pertinent real estate, is in force relative to the person, firm or corporation who will supervise or is contractually responsible for the accomplishment of such work, provided, however, that building permits shall not be required for the following work:

- (a) Ordinary repair or maintenance accomplished with regard to a structure where the activity does not include work which, if done improperly, is a potential health or safety hazard such as the changing of any load-bearing wall, partition or portion thereof, the cutting of any structural beam or bearing support, or change of parts of the structure affecting the exit-way requirements.

- (b) Ordinary repair or maintenance accomplished with regard to building equipment where the activity does not include work, which is done improperly, is a potential health or safety hazard such as the alteration or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring, or mechanical work.
- (c) Erection of any sign in those categories of signs described in Section 8-802 (e) of this title.
- (d) Building or construction activity accomplished with regard to a structure, other than ordinary repair or maintenance, where the total cost of labor and materials does not exceed \$500, and the activity does not include work which, if done improperly, is a potential health or safety hazard, such as, without limiting the generality thereof, the following: the construction or alteration of a chimney or venting system; a change in exterior bulk or facade; the creation or cutting away of any load-bearing wall, partition or portion thereof; the creation, removal or cutting of any structural beam or beaming support; the creation, removal or change of any required means of egress; rearrangement of parts of a structure affecting the exit-way requirements; or a change of the use, group occupancy or structure type. This sub-section does not apply to the erection of signs.
- (e) Building or construction activity, other than ordinary repair and maintenance, accomplished with regard to building equipment where the total cost of labor and materials does not exceed \$500, and the activity does not include work which, if done improperly, is a potential health or safety hazard, such as, without limiting the generality thereof, the following: the installation of an electrical system, installation of an electrical service, increase in the number of circuits in an existing electrical system, increase in amperage of an existing electrical system, installation of an air conditioning, heating or refrigeration system, installation of water supply lines, installation or relocation of a fixture or the installation, relocation or addition to drain, waste or vent piping. Notwithstanding anything to the contrary stated hereinbefore, such written building permit shall not be required for building and construction activity accomplished with regard to the installation of house-hold appliances when such installation does not include the install-

ing of an electrical circuit. The term "house-hold appliances" shall mean all types of appliances ordinarily used now or hereafter in homes of single family occupancy and shall include, without limiting the generality thereof, the following: window air conditioner, refrigerator, refrigerator with automatic ice-maker, range, clothes dryer, clothes washer, dishwasher and trash crusher.

Notwithstanding the above-stated subsections, such work for which a permit is required may be accomplished without a permit being then in force in the circumstance where an emergency need for such work occurs on a day when the office of the Division of Buildings is not open for business and the person, firm or corporation who has accomplished such work applies for a building permit on the first day the office of the Division of Buildings is open for business after the initiation of such work.

8-302 How Building Permits Are Obtained. Application for a building permit shall be made to the Division of Buildings, Department of Metropolitan Development. The application shall be in writing on a form prescribed by the Division of Buildings and shall be supported with:

- (a) Three copies of detailed plans and specifications drawn to scale which indicate in a precise manner the nature and location of all work to be accomplished pursuant to the building permit. It shall be within the discretion of the Administrator of the Division of Buildings to accept three copies of a written statement indicating the nature and location of the work to be done pursuant to the building permit where such written statement describes the work as precisely as a copy of detailed plans and specifications drawn to scale.
- (b) Three copies of a plot plan drawn to scale which reflect the location of the structure in relation to existing property lines and which show streets, curbs and sidewalks, and proposed changes or additions to such streets, curbs and sidewalks; except, however, such plot plan shall not be required in the instance where all of the construction activity is to occur inside an existing structure.
- (c) An improvement location permit (which is currently issued pursuant to General Ordinance #39, 1971, adopted March 15,

1971, which can also be identified by its Metropolitan Development Commission docket number 71-AO-1), if required by the ordinance providing for the improvement location permit.

- (d) Written approval from the Marion County Health and Hospital Corporation for any contemplated private water supply or private sewage disposal system.
- (e) Written approval from the Administrative Building Council of the State of Indiana, if required by Indiana law or any rule or standard of the Administrative Building Council.

In the instance where a building permit is requested for the purpose of allowing the demolition or razing of a structure, such application shall be supported with a written statement from each utility that its service to the premises has been disconnected and a written statement from the record title holder of such premises which authorizes the demolition or razing.

8-303 Structures Requiring Professional Services or Architects or Engineers—Plans and specifications for every structure other than one- and two-family dwelling houses, and structures appurtenant or accessory thereto, shall be designed by and prepared under the control and supervision of a registered architect or engineer duly licensed to practice in the State of Indiana.

All plans and specifications required to be designed by and prepared under the control and supervision of a registered architect or engineer, when submitted with an application for a building permit, shall bear the stamp or seal and registration number of such architect or engineer and shall be accompanied by the usual form of certification in triplicate which is now or may be hereafter prescribed for use by architects and engineers by the Administrative Building Council of the State of Indiana.

8-304. Scales of Plans—All plans shall be drawn to scale or scales suitable to illustrate the work using accepted professional practices. Drawing scale or scales must be noted on each sheet. Drawings not so noted shall not be accepted.

8-305. Numbering Prints—All prints, or other drawings or plans, in sets, shall be numbered, and an index furnished on the first print, or drawing or plan, setting forth each sheet and the character thereof.

8-306. Who May Obtain—Only a person, firm or corporation included in a category listed below may be issued a building permit:

- (a) Any person, firm or corporation who is currently certified in accordance with Chapter Four of Title 8; or
- (b) Any person who is either a registered architect or registered engineer licensed to practice in the State of Indiana for the sole purpose of obtaining a building permit to allow the accomplishment of work relative to which the Administrative Building Council of the State of Indiana was required to and has given prior approval; or
- (c) Any person for the sole purpose of obtaining a building permit to allow such person himself to accomplish work on a one- or two-family residential dwelling house or building appurtenant or accessory thereto on property which is both owned and possessed by such person and which is not being modified for the purpose of sale or lease to another; or
- (d) Any person, firm or corporation which is licensed under Chapter 12, 14 and 15 of this title or is registered under Chapter 13 of this title for the sole purpose of obtaining a building permit to allow the accomplishment of work relative to which the person, firm or corporation holds a municipal license, or in the instance of plumbing work, a state license.

8-307. Issuance of Building Permit—A building permit shall be issued if:

- (a) The application and supporting information required by Section 8-302 have been properly prepared and submitted; and
- (b) The application and supporting information filed in accordance with Section 8-302 reflect compliance with the standards reflected in Title 8; and
- (c) The fee has been paid in compliance with Chapter 16 of Title 8; and
- (d) The applicant for the building permit complies with the requirements of Section 8-306; and

- (e) The applicant is the person, or an agent of the person, who will either actually accomplish the work, supervise accomplishment of the work or is contractually responsible for accomplishment of the work allowed by the building permit.

The Division shall mark all plans as approved and then return two copies of the detailed structural plans and two copies of the plot plan to the applicant.

8-308. Permit and File Stamped Plans to be Available—Any person, firm or corporation to whom a building permit has been issued shall prominently display such permit at the job site during construction and shall have available for inspection at all times and plans and specifications bearing the file stamp of the Division of Buildings. Any change in such plans and specifications, except for minor deviations that neither diminish structural quality nor would cause non-compliance with applicable state or municipal building standards, shall be filed with and approved by the Division of Buildings prior to the time construction involving the change occurs.

8-309. Expiration by Operation of Law—If the work or activity for which a building permit has been issued has not been commenced within one hundred fifty (150) days from the date of its issuance, the permit shall expire by operation of law and shall no longer be of any force or effect; provided, however, the Administrator, Division of Buildings, Department of Metropolitan Development may, for good cause show in writing, extend the validity of any such permit for a new additional period not to exceed sixty (60) days. Such extension shall be entered on all plans previously file marked.

8-310. Defacing Permit—It shall be unlawful for any person to intentionally remove, deface, obscure, mutilate, mark or sign a posted building permit without authorization from the Division of Buildings.

That Chapter 4 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 4

CERTIFICATION OF CONTRACTORS

8-401. Certification of Contractors. Any person, firm or corporation who has entered into a contractual relationship with another per-

son, firm or corporation to engage in any building or construction activity, including but not limited to, the erection, construction, repair, alteration, conversion, removal, demolition, maintenance, moving, razing or remodeling of any new or existing structure or any part thereof; or the construction, installation, extension, repair, alteration, conversion, removal, or maintenance of building equipment located in or connected directly to a new or existing structure, must be certified by the Board of Contractors Certification, Division of Buildings, Department of Metropolitan Development. This requirement shall not apply, however, with reference to persons, firms or corporations who are described in Section 8-306 (b), (c) or (d) and whose construction work is confined to the activities described in those subsections.

8-402. General Bonding Provision—As a part of the certification, any such person, firm or corporation referred to in Section 8-401 shall pay to the Division of Buildings, Department of Metropolitan Development an annual certification fee of ten dollars (\$10.00) and shall for each period between August 1 and July 31 of the following year, post a \$2,500.00 corporate surety bond with the Division of Buildings, Department of Metropolitan Development, in which the City of Indianapolis, or its nominee or nominees, and an unknown third party, shall be named as obligees and which shall be conditioned on the performance of the work for which any such permit is issued in accordance with the standards provided for by this building code, and by rules and regulations of the State Administrative Building Council. Each such surety bond shall be a continuing obligation and depending on when obtained, shall remain in full force and effect for a period in excess of one year and up to two years. Such surety bond posted on August 1 of a given year shall remain in full force and effect until July 31 of the second year following. Any bond posted after August 1 of a given year but before July 31 of the year following shall remain in full force and effect until July 31 of the second year following the August 1, preceding the date when the bond is posted. Since a new bond is required each year, it is the intention of this section to require that persons, firms or corporations continuing in operation to have two surety bonds in effect at any given time. In the instance where a person, firm or corporation is licensed as a heating and cooling contractor in accordance with Chapter 15 and has posted a \$2,500 corporate surety bond as required by Section 8-1507 (a) such heating and cooling contractor shall not be required to post a single bond for the one-year period from August 1 until July 31 of the following year, but rather may submit two bonds which comply with Section 8-1507 in all respects except that they together cover the period of time from August 1 until July 31 of the following year.

8-403. Board of Contractors Certification. There is hereby created a Board of Contractors Certification, hereafter referred to as the "board" which shall be composed of seven members. The Administrator and chief building investigator shall serve as ex-officio and non-voting members of the board, and five members shall be appointed by and serve at the pleasure of the Mayor. All of the appointed members of the board shall have had at least five years' experience as contractors. Appointments shall be made in such manner that varied fields of contracting are represented on the board. Three members shall be appointed for one-year terms and two members shall be appointed for two-year terms. Thereafter, all such members of the board shall be appointed for two-year terms. Each of the appointed members shall be residents of Marion County and shall serve without compensation. The board shall have jurisdiction over all persons desiring to be engaged in this county as certified contractors.

8-404. Organization of Board—The Board shall elect one of its members as a chairman at its initial meeting after appointment, to serve for the balance of the year. Thereafter, the Board shall meet annually in each January, on a date specified for regular monthly meeting in the office of the Administrator of Buildings, and elect a new chairman and any other officers, who shall serve one year.

8-405. Meetings of Board. The Board shall hold regular meetings one time each month, at the office of the Administrator of Buildings, if there is some business to come before the Board. Special meetings may be called by the chairman or any two members upon giving written notice fixing the time and place of the meeting at least two days in advance of the special meeting. Three (3) voting members of the Board shall constitute a quorum for the transaction of all business. No action of the Board shall have any force or effect, however, unless concurred in by a majority of the voting members of the Board.

8-406. Record of Proceedings. Registry of Certifications. The Board shall keep a record of its proceedings and of all persons, firms and corporations who are registered as certified contractors.

8-407. Board's Certification The certification of a contractor shall be entered upon the Board's Certification Registry for such person, or to such firm or corporation, as the case may be, if:

- (a) An application form indicating the name, address and legal status of the contractor is submitted to the Division of Buildings; and

- (b) The certification fee is paid in compliance with Section 8-402; and
- (c) A Surety Bond is posted in compliance with Section 8-402; and
- (d) The certification of the person, firm or corporation has not been revoked within a period of the preceding 365 calendar days and neither any person nor any partner in a firm nor any officer in a corporation applying for certification has either had his certification revoked within a period of the preceding 365 calendar days as a sole proprietor or was a partner in a firm or an officer in a corporation which had its certification revoked within a period of the preceding 365 calendar days.

No prerequisites other than the four listed in this section shall be imposed in determining which persons, firms and corporations may be registered as certified contractors. All certifications and renewals shall expire on the thirty-first of July each year.

No certification shall be issued to any person, firm or corporation as a Certified Contractor except as provided in this chapter.

8-408. Renewal of Certification. Each contractor to whom a certification has been issued under the provisions of this chapter, may obtain a new certification for the following year from the Board upon the payment of the annual certification fee and the posting of the Surety Bond as required by this chapter. A certification is not transferable from one person, firm or corporation to another.

8-409. Suspension or Revocation of Certification.

- (a) If after any person, firm or corporation obtains a certification, or any renewal thereof, as a Certified Contractor pursuant to the provisions of this chapter, and thereafter the Administrator of Buildings discovers a violation of state or municipal building standards, revokes a building permit or issues a Stop-Work Order to such Certified Contractor and the violation(s) causing any of these actions are uncorrected for a period of ten (10) days from date of issuance of notice of building code violation, revocation of permit or issuance of Stop-Work Order, or in the instance where a period of ten days is not sufficient, such longer period of time as may be fixed by the Administrator of Buildings in writing, then the

Board may suspend or revoke the certification of the person, firm or corporation. The order suspending or revoking the certification shall be made at a hearing. At least ten (10) days before such hearing, the Board shall serve a written notice of the time and place of hearing upon the Certified Contractor. Said service shall be made either personally to the person, or personally to a member of the firm, or personally to an officer of a corporation, or by United States Certified Mail, Return Receipt Requested, addressed to the Certified Contractor at the address shown on the Certified Contractor's application for Certification. The ten or more days shall run from the date such notice is so served, or placed in the United States Mail, as shown by the postmark thereon.

- (b) The Certified Contractor may appear in person, by agent, or by counsel and produce evidence (including testimonial and documentary evidence), make argument and cross-examine witnesses at such hearing. The Division of Buildings shall have the same right. The Board may cause or allow any other relevant evidence to be introduced. On the basis of the evidence presented at the hearing, the Board shall decide whether such certification should be either suspended, revoked, or unaffected, and the Board shall enter an order in accordance with such findings, which order, however, shall not become effective until ten days after notice and a copy thereof has been served upon the Certified Contractor, in the same manner required as aforesaid for notice of the hearing.
- (c) On or before ten (10) days after such service of said order, the Certified Contractor may appeal therefrom to the Director, Department of Metropolitan Development, by serving a notice of appeal upon him either in person or by filing it at his office with a copy thereof delivered to said Board, at the office of the Administrator of buildings, who shall deliver such copy to said Board. Unless such appeal is so taken the aforesaid order of the Board shall be final.
- (d) If so appealed, such order of the Board shall be stayed until the appeal is heard and determined by the Director, under the procedure prescribed by Chapter 129 of the Acts of 1905, as amended. He shall thereupon, within thirty days after appeal, render such decision as he finds justified and sustained by the evidence either affirming, reversing, or modifying the terms of the order of the Board. The Director's order shall be final

and conclusive and be binding upon both the Certified Contractor and the Board.

8-410. Improper Display. It shall be unlawful for any person who is not registered as a Certified Contractor to use the word "certified" in connection with his business. Such a person shall not, for example, use the word "certified" on any display used for advertising or identification or on any of his business forms.

That Section 8-501 of the present code is hereby repealed and this section is inserted in its stead as follows:

8-501. Filing Required—Within sixty (60) days after completion of any work for which a building permit has been issued pursuant to the provisions of this Building Code or any amendments, additions or supplements thereto, the responsible architect, if any, engineer, if any, and the person, firm or corporation to whom the building permit has been issued, shall file with the Division of Buildings, Department of Metropolitan Development, a duly verified and acknowledged certificate of completion and compliance in the following form:

(a) If an architect or engineer, this form:

ARCHITECT'S/ENGINEER'S
CERTIFICATE OF COMPLIANCE

The undersigned Architect/Engineer hereby certifies that, except as stated below, he has inspected the project described in the Plans and Specifications filed with the Division of Buildings, Department of Metropolitan Development of the City of Indianapolis, Indiana, in respect to

PERMIT NO. _____

and located at

throughout the progress of construction, and that all work inspected by him, or those working under his direction, was performed to the best of his knowledge and belief in conformity with all applicable

building codes for the City of Indianapolis and Marion County, Indiana. This certificate is subject to the following exceptions and limitations:

DATE:-----

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

----- the undersigned, being duly sworn upon his oath, deposes and says that he has read the foregoing Architect's/Engineer's Certificate of Compliance, and that the recitations therein contained are true.

Registration No. -----

Before me, a Notary Public in and for said County and State, personally appeared ----- who acknowledged the execution of the foregoing Architect's/Engineer's Certificate of Compliance, and who, having been duly sworn, subscribed his name to the foregoing verification that the representations therein contained are true.

Witness my hand and Notarial Seal this ____ day of -----, 19_____.

My Commission Expires: Signature -----
----- Printed -----, Notary Public

(b) and, if a person, firm or corporation, other than an architect or engineer, this form:

CONTRACTOR'S
CERTIFICATE OF COMPLIANCE

The undersigned Contractor hereby certifies that, except as stated below, all work performed to date by him or those working under his direction on the project described in the Plans and Specifications filed with the Division of Buildings, Department of Metropolitan Development of the City of Indianapolis, Indiana, in respect to

PERMIT NO. -----

and located at

has been performed in conformity with all applicable building codes for the City of Indianapolis and Marion County, Indiana.

This certificate covers completion of

and replaces any and all prior certificates given on this project by the undersigned.

This certificate is subject to the following exceptions and limitations:

DATE: -----

REGISTRATION NO. ----- BY -----

STATE OF INDIANA)

) SS:

COUNTY OF MARION)

-----, the undersigned, being duly sworn upon his oath, deposes and says that he has read the foregoing Contractor's Certificate of Compliance, and that the recitations therein contained are true.

Before me, a Notary Public in and for said County and State, personally appeared -----, who acknowledged the execution of the foregoing Contractor's Certificate of Compliance, and who, having been duly sworn, subscribed his name to the foregoing verification that the representations therein contained are true.

Witness my hand and Notarial Seal this ___ day of -----, 19____.

My Commission Expires: Signature -----
----- Printed -----, Notary Public

That Section 8-503 of the present code is hereby repealed.

That Chapter 6 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 6

FIRE PREVENTION

8-601. Submission of Building Plans to Bureau of Fire Prevention—Concurrently with the submission of an application for a building permit for any structure the minimum standards for which are covered by the provisions of state law or rules or standards of the Administrative Building Council of the State of Indiana, a copy of the plans and specifications submitted therewith shall be presented to the Bureau of Fire Prevention or the similarly designated division of the Department of Public Safety, for examination as to adequacy of fire prevention services, systems and equipment, including, but not limited to, fire fighting fixtures, fire exits, fire escapes, fire sprinkling systems, and fire alarm systems. The standard of adequacy to be applied shall be in accordance with the following, as they may be amended from time to time hereafter, in the order designated:

- (a) First, State Law.
- (b) Second, Rules and Regulations promulgated by the Administrative Building Council of the State of Indiana.
- (c) Third, Ordinances of the Indianapolis-Marion County City-County Council.
- (d) Fourth, National Fire Codes formulated by the National Fire Protection Association, where such codes have been legally adopted by the State of Indiana or the Consolidated City of Indianapolis.

In the event state law is germane to all parts and portions of the plans and specifications, then it will be unnecessary to look to the items in (b) (c) and (d) immediately above; otherwise, it will be necessary to apply in order each item, with respect to the various parts or portions of the plans and specifications. A current copy of the Fire Codes formulated by the National Fire Protection Associ-

ation, a multi-volume publication, as amended from time to time hereafter, shall be available for public inspection during regular business hours in the office of the Bureau of Fire Prevention or Division of Buildings. Approval of such plans and specifications by the Bureau of Fire Prevention, shall be a condition to the issuance of any building permit for any such structure; however, final approval of all plans and specifications shall be made by the Administrator, Division of Buildings.

That Section 8-1202 of the present code is hereby repealed.

That Section 8-1203 of the present code is hereby re-numbered as Section 8-1202.

That Section 8-1204 of the present code is hereby re-numbered as Section 8-1203.

That Section 8-1205 of the present code is hereby re-numbered as Section 8-1204.

That Section 8-1206 of the present code is hereby re-numbered as Section 8-1205.

That Section 8-1207 of the present code is hereby re-numbered as Section 8-1206.

That Section 8-1208 of the present code is hereby re-numbered as Section 8-1207.

That Section 8-1209 of the present code is hereby re-numbered as Section 8-1208.

That Section 8-1210 of the present code is hereby re-numbered as Section 8-1209.

That Section 8-1211 of the present code is hereby re-numbered as Section 8-1210.

That Section 8-1212 of the present code is hereby re-numbered as Section 8-1211.

That Section 8-1213 of the present code is hereby re-numbered as Section 8-1212.

That Section 8-1214 of the present code is hereby re-numbered as Section 8-1213.

That Section 8-1215 of the present code is hereby re-numbered as Section 8-1214.

That Section 8-1216 of the present code is hereby re-numbered as Section 8-1215.

That Section 8-1217 of the present code is hereby re-numbered as Section 8-1216.

That Section 8-1218 of the present code is hereby re-numbered as Section 8-1217.

That Section 8-1219 of the present code is hereby re-numbered as Section 8-1218.

That Section 8-1220 of the present code is hereby re-numbered as Section 8-1219.

That Section 8-1221 of the present code is hereby re-numbered as Section 8-1220.

That Section 8-1222 of the present code is hereby re-numbered as Section 8-1221.

That Section 8-1223 of the present code is hereby repealed.

That this section is hereby inserted immediately following Section 8-1222 of the present code, said Section 8-1222 having been hereinabove re-numbered as Section 8-1221:

8-1222. Suspension or Revocation of Licenses.

- (1) If any person obtains a license, or any renewal thereof, as a wrecking contractor, pursuant to the provisions of Chapter 12 of this title, by fraud, falsehood, or deceit in examination therein required, or as to his qualifications as such licensee, or if a representative of the Division of Buildings or any other person prefers charges in writing against a licensee stating facts relating to any negligence, incompetence, fraud or de-

ceit, in the performance of any function by such licensee, then the board shall fix a date and place for hearing such matter, and at least ten days before such date it shall serve a written copy of any such charges and notice of the time and place of hearing thereon, upon the licensee, either personally, or by registered mail with return receipt addressed to the licensee at his main place of business as shown by the licensee's application for a license or request for a renewal of license. The ten or more days shall run from the date such notice is so served, or mailed, as shown by the postmark thereon.

- (2) The board shall cause any investigation of the facts to be made in such matters. The licensee may appear personally and by counsel and cross-examine witnesses against him and produce evidence in his own behalf, and any complainant shall have the same right. The board may cause or allow any other relevant evidence to be introduced, and a majority of the board shall decide whether such license should be either suspended, revoked or unaffected, and the board shall enter an order in accordance with such finding, which order, however, shall not become effective until ten days after notice and a copy thereof has been served upon the licensee, in the same manner required as aforesaid for notice of the hearing.
- (3) On or before ten days after such service of said order, the licensee may appeal therefrom to the Director, Department of Metropolitan Development, by serving a notice of appeal upon the Director, Department of Metropolitan Development, either in person or by filing it at his office, with a copy thereof delivered to said Board, at the office of the Administrator of Buildings, who shall deliver such copy to the Board. Unless such appeal is so taken, the aforesaid order of the board shall be final.
- (4) If so appealed, such order of the board shall be stayed until the appeal is heard and determined by the Director, Department of Metropolitan Development, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. The Director shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing, or modifying, the terms of the order of the board. The Director's order shall be final and conclusive and be binding upon both the licensee and the board.

That Chapter 13 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 13

REGISTRATION OF PLUMBING CONTRACTORS

8-1301. Any person or corporation who is licensed by the Indiana Plumbing Commission as a plumbing contractor in accordance with Public Law 188 of the Acts of 1972, as amended, and who performs any work within the Consolidated City of Indianapolis, Indiana, which he is privileged to accomplish pursuant to such license, shall register with the Administrator of the Division of Buildings, Department of Metropolitan Development. Such registration shall be accomplished by annually paying a fee of \$10.00 and furnishing the following information on a form supplied by the Division of Buildings:

- (a) Name of Business.
- (b) Legal status (whether sole proprietor, member of partnership, or corporation).
- (c) Address of business.
- (d) The date of issuance or identifying number on the license issued by the Indiana Plumbing Commission.

Such registration shall expire on December 31 of the year of registration.

That Chapter 15 of the present code is hereby repealed and this section is inserted in its stead as follows:

Chapter 15

LICENSING OF HEATING AND COOLING CONTRACTORS

8-1501. Definitions. For the purpose of this chapter:

- (a) "Air conditioning system" shall mean a system which is used to cool any building or structure, but shall not include a sys-

tem which is capable of maintaining a constant temperature below 60° Fahrenheit in a building or structure.

- (b) "Heating and cooling contractor" shall mean any person who engages in the business of servicing or installing either 1) air conditioning systems; or 2) heating systems (including high pressure steam boilers); or 3) refrigeration systems.
- (c) "Heating system" shall mean a system which is used to heat any building or structure.
- (d) "High pressure steam boiler" shall mean a boiler in which a pressure of fifteen pounds per square inch or more may be exerted.
- (e) "Refrigeration system" shall mean a system which is capable of maintaining a constant temperature below 60° Fahrenheit in a building or structure. A refrigeration system shall include, but not be limited to, ice-making machines which are not used for residential purposes.

8-1502. License Required. It shall be unlawful for any person, firm, or corporation to engage in the business of a heating and cooling contractor within the consolidated city without first obtaining a license of the proper classification under the provisions of this chapter.

8-1503. Board of Heating and Cooling Contractors. There is hereby created a "Board of Heating and Cooling Contractors", hereafter referred to as the "board". The board shall be composed of nine (9) members as follows: The Administrator of the Division of Buildings (ex-officio and non-voting); the Director of the Bureau of Fire Prevention (ex-officio and non-voting); and seven (7) members who have had at least five (5) years of experience in the fields of heating or cooling contracting and who are residents of the consolidated city. The seven voting members of the board shall be appointed by the Mayor for two-year terms in such a manner that three terms expire on January 1 of one year and four terms expire on January 1 of the next year. Members shall not receive compensation for serving on the board and those appointed by the Mayor shall hold no other elective or appointive office in the city or county government.

8-1504. Organization of Board. The board shall elect one of its members as chairman at its initial meeting after appointment, to

serve for the balance of the year. Thereafter, the board shall meet annually in each January, on a date specified for regular monthly meeting, in the office of the Administrator of Buildings, and elect a new chairman and any other officers, who shall serve one year.

8-1505. Meetings of the Board. The board shall hold regular meetings one time each month, at the office of the Administrator of Buildings if there is one or more applications for license pending or other business to come before the board. Five (5) voting members of the board shall constitute a quorum for the transaction of all business.

8-1506. Record of Proceedings. Register of Applications. Powers of Board.

(a) The board shall keep a record of its proceedings and a register of all applicants for registration as heating and cooling contractors showing on each the date of application, the name, age, education and other qualifications of the applicant, his place of business and residence, and whether the application was rejected, or a certificate of registration granted, and the date of such action. The board shall have jurisdiction over all persons desiring to engage in this city in the business of a heating and cooling contractor and shall have authority to and shall examine all persons applying for a license to engage in the business of a heating and cooling contractor in this city, to determine their fitness and qualifications therein. Such examination shall consist of questions by the board to be answered in writing by the applicant, and a passing grade shall be at least seventy (70) percent. The board shall issue certificates of registration to all such persons who shall have passed such examination.

(b) Falsehood, fraud, or deceit by such person in an examination shall be a sufficient cause for a refusal of such certificate, together with a dismissal of his application. Upon a failure to pass such examination, three months must elapse before such person can take another examination.

8-1507. Qualifications of Licensee. No person shall be entitled to receive a license under this chapter, unless that person:

(a) Has posted a \$2,500 corporate surety bond of the type specified in Section 8-402 of this title, which bond, however, shall

be obtained for each calendar year period and shall remain in force and effect from January 1 or any other date during that calendar year when obtained until December 31 of the following year when the bond has expired. Since a new bond is required each year, it is the intention of this section to require that persons, firms or corporations continuing in operation to have two surety bonds in effect at any given time.

- (b) Possesses general knowledge of the provisions of this building code and of any other ordinances of the city regulating the servicing and installation of the kind of heating or cooling system relative to which licensure is requested; and
- (c) Possess expert knowledge about the proper and safe method of servicing and installing the kind of heating or cooling system relative to which licensure is requested; and
- (d) In the instance where licensure in the "A" classification is requested, the person must submit and have approved by the Corporation Council a certificate of insurance evidencing a minimum liability coverage of \$100,000; and
- (e) In the instance where licensure in either the "B", "B1", "B2", or "B3" classification, or any combination of any two or more classifications is requested, the person must submit and have approved by the Corporation Council a certificate of insurance evidencing a minimum liability coverage of \$300,000.

8-1508. Licensing Partnerships and Corporations. No firm or corporation shall be entitled to receive or hold a license as a heating and cooling contractor unless, if a firm, some member thereof, or if a corporation, some officer or employee, shall possess the qualifications required and shall comply with all the applicable provisions of this chapter. Said board shall keep, or cause to be kept, proper records showing the name and address of all firms and corporations making application and receiving such licenses and the name and address of the person who possessed the qualifications which entitled the firm or corporation to receive a license.

8-1509. Board's Certificate. License. The certificate of registration of the board shall be signed by a majority of the voting members of said board. Said certificate shall be directed and delivered to the Controller, who shall issue a license to such person, or to such

firm or corporation as the case may be, for a period of one year, or for the remainder of the calendar year, following the issuing of such license. All licenses and renewals of the same shall expire on the thirty-first day of December each year. No license shall be issued by the Controller to any person, firm or corporation as a heating and cooling contractor except as provided in this chapter.

8-1510. Fees. See Chapter 16 of this Title 8.

8-1511. Renewal of Licenses. Each person to whom a license as a heating and cooling contractor has been issued as provided in this chapter, shall have the right without further examination, to obtain a license of the same classification each calendar year thereafter from said Controller, upon payment to the Controller of the annual license fee; except that whenever any license issued under the provisions of this chapter and code has expired for a period of twelve (12) calendar months, then the licensee thereunder can only renew his license by re-examination as provided by this chapter and code in the case of an initial application for such license.

8-1512. License Personal and Not Transferable. No permit or license of any kind, or renewal thereof, granted under the provisions of this chapter, shall be assigned or transferred. If a member of a firm, or an officer or employee of a corporation, named in the permit or license, or in the renewal thereof, as qualifying as such heating and cooling contractor, shall cease to be a member of such firm, or to be the officer or employee of such corporation, then and in that event, all rights of such firm, or such corporation, under such permit or license, or renewal thereof, shall cease, and said firm or corporation shall be required to make a new application to said board and to obtain a new license, as provided in this Chapter.

8-1513. Types of Licenses. Licenses for heating and cooling contractors shall be classified as follows:

- (a) Type A. Allows service and installation in commercial buildings of one story and in all residential buildings of:
 - 1. Air conditioning systems which are single phase and which have an input of less than 2,000,000 B.T.U., and
 - 2. Heating systems (including, but not limited to electric, gas fired or oil fired furnaces, duct heaters, unit heaters

and low-pressure boilers) which both have an input of less than 2,000,000 B.T.U. and which do not utilize a high-pressure steam boiler.

- (b) Type B. Allows service and installation of all air conditioning, all refrigeration and all heating systems, specifically including, but not limited to, the work allowed by the Type A, B1, B2, and B3 license classifications.

Type B1. Allows installation and service of:

1. All air conditioning systems which have an input of less than 4,000,000 B.T.U. provided, however, that no pre-assembled air conditioning condensing units which are part of the system may exceed a rating of 50 tons under ARI standards.
2. Heating systems which have an input of less than 4,000,000 B.T.U. and which do not utilize a high pressure steam boiler.

This classification specifically includes, but is not limited to, the work allowed by Type A. license qualification.

Type B2. Allows installation and service of all refrigeration systems.

- (c) Type B3. Allows installation and service of high-pressure steam boilers.

8-1514. Suspension or Revocation of Licenses.—

- (a) If any person obtains a license, or any renewal thereof, as a heating and cooling contractor, pursuant to the provisions of this chapter, by fraud, falsehood, or deceit in examination therein required, or as to his qualifications as such licensee, or if a representative of the Division of Buildings or any other person prefers charges in writing against a licensee stating facts relating to incompetence, fraud or deceit, in the performance of any function of the trade by such licensee, then the board shall fix a date and place for hearing such matter, and at least ten days before such date it shall serve a written copy of any such charges and notice of the time and place of

the hearing thereon, upon the licensee, either personally, or by registered mail with return receipt, addressed to the licensee at his main place of business as shown by the licensee's application for a license or request for a renewal of license. The ten or more days shall run from the date such notice is so served, or mailed, as shown by the postmark thereon.

- (b) The board shall cause an investigation of the facts to be made in such matters. The licensee may appear personally and by counsel and cross-examine witnesses against him and produce evidence in his own behalf, and any complainant shall have the same right. The board may cause or allow any other relevant evidence to be introduced, and a majority of the board shall decide whether such license should be either suspended, revoked or un-affected, and the board shall enter an order in accordance with such findings, which order, however, shall not become effective until ten days after notice and a copy thereof has been served upon the licensee, in the same manner required as aforesaid for notice of the hearing.
- (c) On or before ten days after such service of said notice, the licensee may appeal therefrom to the Director, Department of Metropolitan Development, by serving a notice of appeal upon him, either in person or by filing it at his office, with a copy thereof delivered to said board, at the office of the Administrator of Buildings, who shall deliver such copy to the board. Unless such appeal is so taken, the aforesaid order of the board shall be final.
- (d) If so appealed, such order of the board shall be stayed until the appeal is heard and determined by the Director, under the procedure prescribed by statute for hearings on the suspension or revocation of licenses. He shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, reversing, or modifying, the terms of the order of the board. The Director's order shall be final and conclusive and be binding upon the licensee and the board.

8-1515. Installation of Equipment on One's Own Property. An unlicensed person may service or install heating or air conditioning equipment on property owned or leased by such person if authorized in writing by the board.

8-1516. Heating and Cooling Installations Must Conform to Rules and Regulations Therefor.

- (a) The service and installation of all air conditioning systems, heating systems (including high-pressure steam boilers) and refrigeration systems shall conform to all applicable rules and regulations of the Administrative Building Council of Indiana as created by Chapter 338 of the Acts of 1969, as amended.
- (b) It shall be the duty of the City Clerk at all times to keep on file in his office, and available for public inspection, at least two copies of the aforesaid heating and air conditioning rules and regulations so incorporated by reference into this code; and also two copies of all such later amendments and additions thereto.

That Section 8-1602 of the present code is hereby repealed and this section is inserted in its stead as follows:

8-1602. Fees for general permits. Fees for the issuance of the building permits provided for by this title, shall be in the amounts now or hereafter prescribed. Such fees for various kinds of construction work, inspections and licenses are as follows:

(1) New Construction Permits

(a) Single and two family dwelling structures

- 1. Minimum fee—\$25.00

A house and attached garage up a maximum total of 1800 square feet.

- 2. General Rate—1½ cents per sq. ft. of gross floor area, each floor, living area, including attached garage or carport.
- 3. Separate garages and carports \$5.00 per car space.
- 4. Minimum fee for private accessory buildings \$5.00
- 5. Moveable buildings, no foundation, no permit required.

(b) The following fees shall apply to all new construction other than one and two family dwellings.

1. 1½ cents per sq. ft. of gross floor area, each floor
Minimum Fee \$35.00
2. Filling station \$35.00

(2) Remodel Permits, excluding One & Two Family Residential

(a) Remodeling and miscellaneous work

1. Minimum Fee—including garages, private accessory buildings and carports—\$5.00
2. General Rate—\$5.00 per \$1,000.00 total contract price

(b) Replacement of Roofing

1. Minimum Fee—\$5.00
2. General Rate—25 cents per 100 sq. ft. of gross area

(c) Application and/or replacement of siding or building veneer and store fronts

1. Minimum fee—\$10.00
2. General rate—\$3.00 per \$1,000.00 total contract price

(3) Remodel Permits, Single and Two Family Dwelling Structures

(a) Remodeling and Repair Permits: Building, Plumbing, Heating and Electrical

1. Minimum Fee—\$5.00
2. General rate—\$5.00 per \$1,000.00 of total contract price
3. Foundations for houses moved \$10.00

(b) Replacement of Roofing

1. Minimum Fee—\$5.00
2. General rate—25 cents per 100 sq ft. of gross area

(c) Application and/or replacement of siding or building veneer

1. Minimum Fee—\$5.00

2. General rate—\$3.00 per \$1,000.00 total contract price

(d) Gutters

1. Minimum Fee—\$5.00

Note: In general remodel or repair permit fees enumerated in paragraphs (2) and (3) above will apply when the work being performed involves replacement of existing material or equipment. When re-design or re-arrangement of the structure is involved the rates for new work listed in Paragraph (1) will apply, if they result in a lesser permit fee.

(4) Electrical Permits

(a) Minimum general fee—\$20.00

(b) General rate, lighting and power—20% of Building Permit Fee

(c) Modular housing licensed Electrician needed—\$5.00

(d) Two family dwelling \$30.00 if two services are used

(e) Apartments—Per Unit \$3.00 Minimum Fee instead of 20% of Builders Permit Fee

(f) Air Conditioning Wiring

1. Minimum Fee—\$5.00

(g) Heating—Electric

1. Minimum fee—\$12.00

2. General rate—15% of Building Permit Fee

3. Apartments—Heating Units, \$3.00 per unit, Minimum fee instead of 15% of Building fee.

(h) Temporary service where no regular Electrical Service Permit has been obtained \$5.00

(5) Plumbing Permits

(a) Minimum Fee—\$15.00

(b) General Rate—15% of Building Permit Fee

(c) Replacing Bathroom & Kitchen Fixtures in house that does not need a new sewer connection or vent, No Fee required.

(d) Sprinkler fee

1. Minimum fee—\$10.00

2. General rate—4% of Building Permit Fee

(e) Permit for Modular Housing \$15.00 for sewer and water connections. Licensed Plumber needed

(f) Apartment units \$3.00 Minimum fee instead of 15% of Building Fee

(6) Heating and/or Air Conditioning Permits

(a) Heating

1. Minimum fee—\$12.00

2. General Rate—15% of Building Permit Fee

3. Replacing Old unit with New unit, Minimum fee \$12.00

4. Home Owner Permit for Modular Housing—\$12.00

5. Apartment units each \$3.00 Minimum Fee instead of 15% of Building Fee

(b) Air Conditioning:

1. Minimum Fee—\$12.00
2. General Rate—15% of Building Permit Fee
3. Replacing Old Unit with New Unit, Minimum Fee \$12.00
4. Apartment Units each \$3.00 Minimum Fee instead of 15% of Builders fee

(7) Refrigeration

- (a) Walk in coolers and refrigerators, 50 cents per thousand with a Min. \$12.00; Max. \$200.00
 - (b) Commercial repairs 50 cents per hundred, Minimum \$5.00; Maximum \$200.00
- (8) Fees for Reinspections (Does not apply where an existing permit is still in effect.)

Whenever so requested, if for any cause it becomes the duty of the Administrator of Buildings to reinspect, or cause to be reinspected any building, structure, electrical circuit, machinery, device, Elevator, or Apparatus or Equipment for combustion, the owner, Lessee or Tenant or person in possession or control thereof, or of the premises on or in which the same may be situated, shall pay in advance a fee of \$30.00 to Controller, if he requests such reinspection.

In the event of any emergency, the Administrator of Buildings may inspect, or cause to be inspected, any buildings or structure, or parts thereof, or any Electrical Circuit, Plumbing, Machinery or device, Elevator, or Plant Apparatus or equipment for combustion, when in the opinion of said Administrator any dangerous or defective condition exists on or within any building, structure or premises in the city; provided, however, that this section shall not affect the requirement of any periodical inspection prescribed by any other section of this code, or by any ordinance or law.

That this section is inserted immediately following Section 8-1603 of the present code:

8-1604. Moving Fees. The fees for a building permit to move any one or two family residences of two (2) stories or less on or over any street, alley or public highway, shall be fifty dollars (\$50.00).

Moving any house on a lot: \$10.00 for each floor; All other structures, fees shall be \$50.00 each floor; Foundation for house being moved, \$10.00.

That Section 8-1605 of the present code is hereby repealed and this section is inserted in its stead as follows:

8-1605. Demolition Fees. The permit fee to wreck any structure shall be as follows: A building permit must be obtained before accomplishing the removal of any building or structure or part of the building or structure. No permit will be issued for wrecking buildings and structures unless the application is signed by the owner of the property or verified by affidavit.

(1) Houses

One Story	—\$15.00
One and One-Half Story	—\$20.00
Two Story	—\$25.00

(2) Garages (Residential) \$5.00

(3) All other structures

a. Ground area up to 2,000 sq. ft.	\$25.00
b. Ground area up to 4,000 sq. ft.	\$50.00
c. Ground area up to 10,000 sq. ft.	\$75.00
d. Ground area up to 20,000 sq. ft.	\$100.00
e. Ground area over 20,000 sq. ft.	\$200.00

(4) For each additional story in height, add:

a. Residential	\$10.00
b. Commercial, Industrial & Multi Story Apartment	50% of Ground area fees for each floor, that is, the charge for each

floor, above the first floor is one-half of charge for first floor.

That Section 8-1607 of the present code is hereby repealed and this section is inserted in its stead as follows:

8-1607. License, registration and examination fees.

(1) Plumbing Contractors

(a) Annual registration -----\$10.00

(2) Electrician Licenses

(a) Examination Fee -----\$15.00

(b) Annual Master Electrician License Fee -----\$50.00

(3) Heating and Cooling Licenses

(a) License examination fee -----\$15.00

(b) Type A annual license fee -----\$25.00

(c) Type B, B1, B2, or B3 (or any combination thereof) Annual license fee -----\$50.00

(4) Wrecking License

(a) Examination Fee -----\$15.00

(b) Annual Unlimited "A" License Fee -----\$200.00

(c) Examination Fee -----\$15.00

(d) Annual Limited "B" License Fee -----\$100.00

(e) Examination Fee -----\$15.00

(f) Annual Limited "C" License Fee -----\$25.00

(g) Examination Fee for different license than the one which is presently held by the applicant shall be \$10.00.

That Section 8-1608 of the present code is hereby repealed.

That Section 8-1609 of the present code is hereby re-numbered as Section 8-1608.

That this section is inserted immediately following Chapter 16 of the present code.

Chapter 17

PENALTIES

8-1701. Failure to File Certificate of Completion and Compliance—Any person, firm or corporation who, being required to do so, fails to file with the Division of Buildings a Certificate of Completion and Compliance in accordance with Chapter Five of this Title 8 shall not be eligible to obtain a building permit for any other project until such Certificate of Completion and Compliance is filed. This sanction shall in no way limit the operation of penalties provided elsewhere in this Chapter.

8-1702. Fees for Permits or Licenses Obtained After Commencement of Work—If work for which permit or license is required by this Title 8 has commenced without compliance with the provisions of Section 8-301 of this Title 8, the permit or license fee shall be double the applicable amounts stated in Chapter 16 of this title; and if work for which a permit or license is required is completed or is substantially completed without compliance with the provisions of Section 8-301 of this Title 8, the permit or license fee shall be ten times the applicable amounts stated in Chapter 16 of this title, provided, however, that the maximum fee incurred under this section shall be \$300.00 plus the amount of the normal fee for the permit or license. This sanction shall in no way limit the operation of penalties provided elsewhere in this Chapter.

8-1703. Revocation of Permits—The Administrator of Buildings may revoke a building permit in the circumstances where the application, plans or other supporting documents required by Section 8-302 reflect either:

- (a) any false statement or misrepresentation as to a material fact;
- or

- (b) any lack of compliance with state or municipal building standards; or
- (c) a failure to comply with the requirements of 8-302 or 8-306

This sanction shall in no way limit the operation of penalties provided elsewhere in this Chapter.

8-1704. Stop-Work Order—Whenever the Administrator of Buildings or his authorized agents discover the existence of any of the circumstances listed below, they shall be empowered to issue an order requiring the suspension of the work. The Stop-Work Order shall be in writing and shall state the reason for its issuance. The Stop-Work Order shall be given to the person doing the work and if conveniently possible, the owner of the property or his agent, and shall state the conditions under which work may be resumed.

- (a) Work which is regulated by this Title 8 is proceeding in an unsafe manner, including, by way of example and not of limitation, in violation of any standard set forth in Chapter 10 of this title; or
- (b) Work which is regulated by this Title 8 is occurring in violation of a state or municipal building standard or without compliance with the plans and specifications filed with and approved by the Division of Buildings and in such manner that if work is allowed to proceed, there is a reasonable probability that it will be substantially difficult to correct the violation; or
- (c) Work which is regulated by this Title 8 has been accomplished in violation of a state or municipal building standard or without compliance with the plans and specifications filed with and approved by the Division of Buildings and a period of fifteen calendar days has elapsed since written notice of the violation or non-compliance was given to the person doing the work, and if conveniently possible, the owner of the property or his agent, without the violation or non-compliance being corrected; or
- (d) Activity for which a building permit is required is proceeding without a building permit being in force. In such an instance, the Stop-Work Order shall indicate that the effect of the order terminates when the required building permit is obtained; or

- (e) Work which is regulated by this Title 8 and for which a building permit was issued more than 30 calendar days earlier, its proceedings without there being in force permits and approvals required by governmental units (including, but not limited to, Department of Public Safety, Bureau of Fire Prevention, Department of Public Works, Department of Transportation, Health and Hospital Corporation of Marion County, Indiana, State Board of Health, Indiana State Highway Department) for compliance with standards for drainage, flood control, fire safety, vehicular access, and waste treatment and disposal on the real estate on which the building or structure is located. In such an instance, the Stop-Work Order shall indicate that the effect of the order terminates when the required permits and approvals are obtained.

This sanction shall in no way limit the operation of the penalties provided elsewhere in this Chapter.

8-1705. The City of Indianapolis may initiate a civil action in a court of competent jurisdiction to restrain any person, firm or corporation from violating a provision of this Title 8. The purposes for which injunctive relief may be obtained shall include, but not be limited to:

- (a) Preventing a person, firm or corporation which is not licensed or certified from engaging in an activity for which a license or certification is required by this Title 8; or
- (b) Enforcing the provisions of a Stop-Work Order issued pursuant to Section 8-1704; or
- (c) Preventing work in violation of a state or municipal building standard or without compliance with the plans and specifications filed with and approved by the Division of Buildings; or
- (d) Requiring the reconstruction of any structure or building equipment, or part thereof, which was constructed in violation of state or municipal building standards or without compliance with the plans and specifications filed with and approved by the Division of Buildings.

The sanction shall in no way limit the operation of the penalties provided elsewhere in this Chapter.

8-1706. General Penalty—Any person, firm or corporation violating any provision of this Title 8, may be subject to a fine in any sum not exceeding \$1,000, to which may be added imprisonment for a period not to exceed six months. This penalty shall in no way limit the operation of special penalties for specific provisions of this Title 8, nor shall such special penalties in any way limit the operation of this general penalty.

Section II. Severability. In the event any portion of these amendments are found to be invalid, the provisions relating to severability found in Section 8-108 and Section 1-112 of the Code of Indianapolis and Marion County, 1970, as herein amended, shall be applicable.

Section III. Effective date. This ordinance shall be in full force and effect from and after 12:01 A.M. on January 1, 1974.

PROPOSAL NO. 358, 1973. After discussion, Proposal No. 358, 1973, *passed* on the following roll call vote; *viz:* 16 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Byrum, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Egenes, Mr. Gilmer, Mr. Griffith, Mr. Hasbrook, Mr. Kimbell, Mr. Patterson, Mr. SerVaas, Mr. Tintera and Mr. West. 8 Noes: Mr. Dowden, Mr. Elmore, Mr. Giffin, Mr. Gorham, Mr. Hawkins, Mr. McPherson, Mrs. Miller and Mr. Schneider. Councilmen Cantwell and Ruckelshaus were out of Chambers when vote was taken. Proposal No. 358, 1973, was retitled Special Resolution No. 29, 1973, and reads as follows:

CITY-COUNTY COUNCIL PROPOSAL NO. 358, 1973

INDIANAPOLIS, MARION COUNTY, INDIANA

A PROPOSAL FOR A SPECIAL RESOLUTION approving the proposed Urban Renewal Plan for the areas identified as Project Area Crown Hill Sub Area #1, NDP Area #1 and Project Area Regional Center Sub Area #8, NDP Area #2B and approving the inclu-

sion of said project areas in a contract (which also includes other project areas) between the Department of Metropolitan Development and the United States Department of Housing and Urban Development, including the financial assistance therefor.

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 1973

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective urban renewal area included in the Neighborhood Development Program (hereinafter "Program") be approved by the governing body of the locality in which the area is situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal areas by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan and Program; and

WHEREAS, the Department of Metropolitan Development (hereinafter "Local Public Agency") has applied for financial assistance to said above two areas under such act and proposed to enter into a contract (which will also include financial assistance to the following NDP A-11 project areas: 6-1; 6-2; 8-1; 8-2A and 9-1) with the Department of Housing and Urban Development for the undertaking of, and for making available, financial assistance for, the entire program; and

WHEREAS, it is desirable and in the public interest that the Local Public Agency undertake and carry out the Program identified as

"The Neighborhood Development Program for 1973 and 1974" and encompassing the area located within the solid block lines, known as the Inner Need Area shown on Exhibit A, attached hereto, which Area is in the City of Indianapolis of Marion County, State of Indiana (hereinafter "Locality"); and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures; land use, environmental influences, and social, cultural, and economic conditions of the urban renewal area comprising the Program and has determined that the area is deteriorating and it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the locality at large because of which the Commission now finds that all of said area above referred to is one in which: (a) most of the buildings are used for residential purposes; (b) that if said conditions are not corrected then in the course of time there would be necessitated excessive and disproportionate expenditure of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities of the City and impair the value of property in surrounding areas, (c) the existing conditions result in the reduction of value of taxable property within the City; (d) such redevelopment program for all of said area is for a public use and purpose, and the members of this governing body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the City-County Council of the locality (hereinafter "Governing Body") for review and approval an Urban Renewal Plan for the said additional areas, attached hereto as (Exhibit B, dated May 4, 1973 and consisting of 10 pages and 4 maps); and

WHEREAS, the Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Urban Renewal Plan, which is attached hereto as Exhibit C; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be

displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

WHEREAS, although the necessity of relocating owners and occupants in the area is not anticipated since the project is for rehabilitation only, the Department is prepared to perform said activities if circumstances require the same; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the program and the assembling and analysis of the data and information obtained from such studies, surveys and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the several urban renewal areas and of the availability of proper housing in the locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Urban Renewal Plan for the Program in conformity with the contracts for financial assistance between the Local Public Agency and the United States of America acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, this Governing Body approves the Program, involving one or more urban renewal projects, and further approves the filing of an application for financial assistance to enable the Local Public Agency to carry out the Program; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; and

WHEREAS, the Local Public Agency's share of said project cost will be furnished by non-cash credits; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

1. That it is hereby found and determined that the Urban Renewal Areas comprising the Program are blighted or deteriorating areas and qualify as an eligible area or a as under the Indiana Code Sections 18-7-8-1 to 18-7-8-30 (Burns Indiana Statutes Sections 48-8501 to 48-8534).

2. That the Urban Renewal Plan for the Program, attached hereto as Exhibit B, having been duly reviewed and considered, is hereby approved.

3. That it is hereby found and determined that where clearance is proposed that the objective of the Urban Renewal Plan cannot be achieved through more extensive rehabilitation of the urban renewal area comprising the Program.

4. That although at this time the Urban Renewal Plan does not contemplate residential use of the project area, due consideration shall be given, if necessary to the provision of adequate park and residential areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.

5. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the locality.

6. That it is hereby found and determined that the financial aid to be provided pursuant to the proposed contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the area comprising the Program.

7. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area comprising the Program will afford maximum opportunity consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.

8. That it is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings

in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the areas comprising the Program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with references, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

10. That the financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, (along with the Local Public Agency's share being furnished by non-cash credits) is necessary to enable to land in the area comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I and to enter into the above described contract with the said Department of Housing and Urban Development and to expressly include in said application for the carrying out of said Program the following two urban renewal areas: (a) Project Area Crown Hill Sub Area #1, NDP Area #1, (b) Project Area Regional Center Sub Area #8, NDP Area #2B.

PROPOSAL NO. 361, 1973. After discussion, Proposal

No. 361, 1973, *passed* on the following roll call vote; *viz*:
20 Ayes: Mr. Bayt, Mr. Boyd, Mr. Broderick, Mr. Campbell, Mr. Clark, Mr. Cottingham, Mr. Dowden, Mr. Egenes, Mr. Giffin, Mr. Gorham, Mr. Griffith, Mr. Hasbrook, Mr. Hawkins, Mr. Kimbell, Mr. McPherson, Mr. Patterson, Mr. Schneider, Mr. SerVaas, Mr. Tintera and Mr. West.
3 Noes: Mr. Byrum, Mr. Elmore and Mrs. Miller. Councilmen Cantwell, Gilmer and Ruckelshaus were out of Chambers when vote was taken. Proposal No. 361, 1973, was retitled Fiscal Ordinance No. 68, 1973, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 68, 1973

A PROPOSAL FOR A FISCAL ORDINANCE amending the CITY-COUNTY ANNUAL BUDGET FOR 1973 (City-County General Ordinance No. 72, 1972, as amended) and appropriating the sum of Four thousand dollars (\$4,000.00) for certain purposes of the Juvenile Court of Marion County by reducing certain other appropriations for that department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, the CITY-COUNTY ANNUAL BUDGET FOR 1973, as amended, is hereby further amended by the increases and reductions hereinafter stated for certain purposes of expansion and increased costs of supplies and service of the Juvenile Court of Marion County by reducing certain other appropriations for that department.

Section 2. The sum of Four thousand dollars (\$4,000.00) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the appropriations as shown in Section 4.

Section 3. The following additional appropriations are hereby approved:

JUVENILE COURT OF MARION COUNTY

	County General Fund
200 Services Contractual	\$ 1,000.00
300 Supplies	1,300.00
700 Properties	1,700.00
	<hr/>
TOTAL INCREASES	\$ 4,000.00

Section 4. The said additional appropriations are funded by the following reductions:

JUVENILE COURT OF MARION COUNTY

	County General Fund
100 Services Personal	\$ 4,000.00
	<hr/>
TOTAL REDUCTIONS	\$ 4,000.00

Section 5. This Ordinance shall be in full force and effect from and after adoption.

ANNOUNCEMENTS

Councilman Kimbell announced a Public Safety Committee meeting on Thursday, October 11, 1973, at 7:30 p.m.

Councilman Gilmer announced a meeting of the Parks and Recreation Committee with the Board of the Park Department at 4:00 p.m., Tuesday, September 25, 1973.

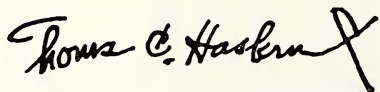
ADJOURNMENT

Upon motion made by Councilman Byrum, seconded

by Councilman Gorham, the meeting adjourned at 9:50 p.m.

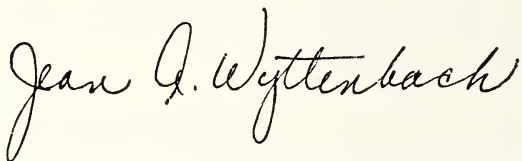
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 24th day of September, 1973.

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



President

ATTEST:



Clerk of the City-County Council

(SEAL.)