

ORDINANCE OF THE CITY OF BLOOMINGTON,
COUNTY OF MONROE, STATE OF INDIANA,
No. 4, 1951

An Ordinance amending Section 128 of Ordinance
No. 6, 1950, said Ordinance No. 6, 1950, being
an Ordinance in reference to zoning.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON,
COUNTY OF MONROE, STATE OF INDIANA:

Section 1: That Section 128 of Ordinance No. 6, 1950, be, and the
same hereby is, amended to read as follows:

"The Board of Zoning Appeals as constituted at the time of the
effective date of this ordinance, and the terms of office of the members
thereof, shall be continued.

Meetings of the Board shall be held at the call of the Chairman
and at such other times as the Board may determine. The Chairman, or in
his absence, the Acting Chairman, may administer oaths and compel the
attendance of witnesses. Petitions addressed to the Board shall, prior
to public hearing, be referred to the Commission for written recommendation
thereon. If the Commission shall fail to act within 25 days, it shall
be deemed to approve each petitions.

Prior to decision on such petitions, the Board shall hold a public
hearing thereon, notice of which shall be mailed to the petitioner and to
the owners of all property deemed by the Board to be affected thereby
as they appear in the current records of the County Auditor and also
advertised ten days prior to the public hearing in two newspapers of
general circulation published in the City. The cost of notifying affected
property owners and the cost of advertising the notice of the public hear-
ing shall be borne by the petitioner.

The concurring vote of three members of the Board shall be necessary
to reverse any order, requirement, decision, or determination of the en-
forcement officer or other duly authorized administrative officer, and
the concurring vote of four members of the Board shall be required to
decide in favor of the petitioner on any matter within the discretion
of the Board upon which it is required to pass under this ordinance or to
affect any variation in the application of this ordinance.

The Board shall cause to be made a detailed report of all its pro-
ceedings, setting forth its reasons for its decisions, the vote of each
member participating therein and the absence of a member or his failure
to vote. Such record, immediately following the Board's decision shall
be filed in the offices of the Board and of the enforcement officer, and
shall be open to public inspection. Notice of such decision shall be
mailed forthwith to each party in interest as aforesaid.

Any person or persons, jointly or severally aggrieved by any
decision of the Board may proceed in the manner prescribed in Section 82,
Chapter 174, Acts of 1947, General Assembly of the State of Indiana.

This Ordinance shall be in full force and effect from and after
its passage by the Common Council and its approval by the Mayor.

Passed and Adopted by the Common Council of the City of Bloomington,
Indiana, this 18th day of December, 1951.

/s/ Thos. L. Lemon
Mayor and Presiding Officer

ATTEST:

/s/ Helen Zell
City Clerk-Treasurer

Presented to the Mayor of the City of Bloomington, Indiana,
this 18th day of December, 1951, at the hour of 8:55 o'clock P. M.

/s/ Helen Zell
City Clerk-Treasurer

Approved and signed by me this 18th day of Dec., 1951, at the
hour of 8:55 o'clock P. M.

/s/ Thos. L. Lemon
Mayor of the City of Bloomington,
Indiana.

ATTEST:

/s/ Helen Zell
City Clerk-Treasurer