

RESOLUTION 93-24
TO CONFIRM RESOLUTION 93-23 WHICH DESIGNATED THE PROPERTY
LOCATED AT 400 W. 7TH STREET
AS AN "ECONOMIC REVITALIZATION AREA"
(Eighth Street Development Corporation, Petitioner)

WHEREAS, Eighth Street Development Corporation has filed an application for designation of the property located at 400 W. 7th Street as an "Economic Revitalization Area"; and

WHEREAS, Petitioners seeking designation for their property as an Economic Revitalization Area must complete a Statement of Benefits and must, prior to March 1st of each year, provide the county Auditor and the Common Council with information showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, the application has been reviewed by the Departments of Redevelopment and Planning, and the Redevelopment Commission has passed a Resolution recommending to the Common Council the approval of the "Economic Revitalization Area" designation for said property and for said term of years; and

WHEREAS, the Common Council has investigated the area and reviewed the Statement of Benefits, attached hereto and made a part hereof; and

WHEREAS, the property described above is part of the Downtown area as defined in the Redevelopment Department's Community Development and Housing Plan, and has experienced a cessation of growth;

WHEREAS, the Common Council adopted Resolution 93-23 on July 21, 1993, which designated the above property as an "Economic Revitalization Area," and caused to be published a notice of the passage of Resolution 93-23 and requested in such notice that persons having objections or remonstrances to the designation appear before the Common Council at its public meeting on August 4, 1993; and

WHEREAS, the Common Council has reviewed and heard all such objections and remonstrances to such designation;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

1. The Common council hereby affirms its determination made in Resolution 93-23 that the area described above is an "Economic Revitalization Area" as set forth in Indiana Code 6-1.1-12.1-1 et. seq.; the Common Council further finds and determines that the owner of the property shall be entitled to a deduction from the assessed value of the property for a period of ten (10) years if the property is rehabilitated or redeveloped pursuant to I.C. 6-1.1-12.1-3 and for the sole purpose of building office space for professional and limited commercial office use.

2. As agreed to by Petitioner in its application, if the improvements described in the application are not commenced (defined as obtaining a building permit and actual start of installation) within twelve (12) months of the date of the designation of the above area as an "Economic Revitalization Area", this Common Council shall have the right to void such designation.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 4th day of August, 1993.

Regina Miller
JACK W. HOPKINS, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 5th day of August,
1993.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SYNOPSIS

This Resolution affirms the determination of the Common Council expressed in Resolution 93-23 which designated the property located at 400 W. 7th Street for a period of ten (10) years as an "Economic Revitalization Area."

Signed copies to
Petitioner
Redevelopment
File

M.C. Auditor
Assessor } Certified

93-65
RESOLUTION
OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA

WHEREAS, the Redevelopment Commission of the City of Bloomington recognizes the need to stimulate growth and to maintain a sound economy within the corporate limits of the City of Bloomington, and

WHEREAS, the Indiana Code at 6-1.1-12.1 et. seq. provides for the designation of "Economic Revitalization Areas" within which property taxes may be abated on improvements to real estate, and

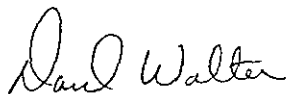
WHEREAS, property owners seeking designation for their property as an Economic Revitalization Area must complete a statement of benefits and must, prior to March 1st each year, provide the county Auditor and the Common Council with information showing the extent to which there has been compliance with the statement of benefits

WHEREAS, the Redevelopment Commission of the City of Bloomington has adopted Resolution 89-27 providing for a procedure for the prompt and careful processing of applications for designation of "Economic Revitalization Area", and

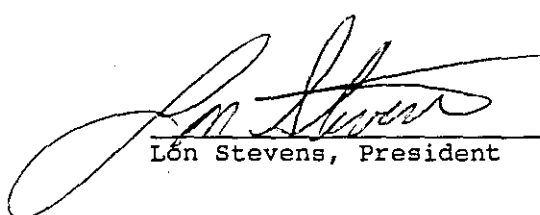
WHEREAS, an application for designation of an "Economic Revitalization Area" for the certain property located at 400 W. 7th Street has been received and reviewed by the Redevelopment Department and Planning Department of the City of Bloomington,

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Commission of the City of Bloomington does hereby recommend to the Common Council of the City of Bloomington that it approve said application for designation of the property located at 400 W. 7th Street as an Economic Revitalization Area.

BE IT FURTHER RESOLVED that the term of the "Economic Revitalization Area" designation on improvements to real property be for a period of 10 years.

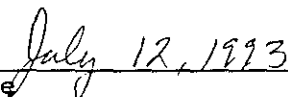


David Walter, Secretary



Lon Stevens, President

Date



July 12, 1993

4. PROPOSED IMPROVEMENTS:

- A. The Eighth Street Development Corporation plans to purchase the land and buildings and renovate the existing structure. The project will be available for lease *for Office Space* to commercial and professional tenants. The number of offices available will range from four to seven units. Restoration plans include maintaining the original character of the exterior of the building and renovation of the interior to suit tenant needs. The finished product will be similar in appearance to the Monroe County Convention Center.

Plans for the restoration of the smoke stack include a fountain from the top of the stack and a surrounding park. See attached drawing.

- B. A picture of the existing property is included. A sketch of the proposed project is not available at this time. The architectural firm of Odle Mcguire and Shook will design the project.
- C. No public improvements or costs will be necessary for this project.
- D. The anticipated start date for the project is September 1993 with completion scheduled for December 1994.
- E. The Eighth Street Development Corporation will hire one full-time leasing manager/bookkeeper and one part-time maintenance employee.

Approximately 50 to 75 additional jobs will be created in the Revitalization Zone as a result of the tenant businesses in this building. Prospective tenants include accounting, legal and medical service firms.

- F. Other beneficial economic effects on the city include:
1. Provide a \$1,675,000 construction project which will benefit the local economy.
 2. Preserve an historic landmark building and smoke stack as required for listing on national historical register.
 3. Convert currently deteriorated building into attractive property which will provide needed office space within the downtown economic development area.
 4. Provide incentive for other businesses to invest in the Economic Revitalization Area.
 5. After the abatement expires, significant increase in the real and personal property tax base of the area.

5. ELIGIBILITY:

- A. This project is located in the "Downtown Area", which has been identified as suffering from slow growth and deterioration of improvements in the Redevelopment Department's Community Development and Housing Plan.
- B. The Eighth Street Development Corporation will hire one full-time leasing manager/bookkeeper and one part-time maintenance employee. Estimated salaries, including benefits, are \$30,000 for the leasing manager and \$15,000 for the maintenance worker. Benefits will include paid vacation and holidays, compensated sick time and health insurance.
- C. A Statement of Benefits is attached.

ELIGIBILITY:

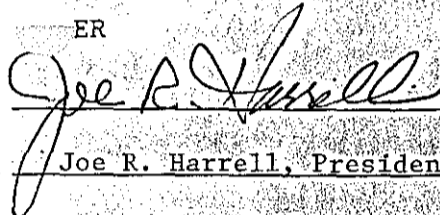
State reasons why the project site qualifies as an Economic Revitalization Area as defined under State Law ("lack of development, — cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property." In the case of manufacturing equipment, "any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues.")

- B. State the estimated number of new employees and employees retained as a result of the project. Also include salaries and a description of employee benefits.
- C. Complete and submit the attached Statement of Benefits form with narrative application.

I hereby certify that the representations made in this application are true and I understand that if the above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an Economic Revitalization Area, the Bloomington Common Council shall have the right to void such designation.

ER

DATE



Joe R. Harrell, President

June 11, 1993

*All owners must sign; all general partners must sign; the president of the corporation must sign.

Please submit this Application along with a non-refundable fee of \$100.00. Checks should be made out to the Department of Redevelopment to:

Redevelopment Department
City Municipal Building
220 East Third Street
Bloomington, Indiana 47401
(812) 331-6401

**STATEMENT OF BENEFITS**

State Form 27167 (R3 / 11-91)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

**FORM
SB - 1****INSTRUCTIONS:**

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property to which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
4. Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer Eighth Street Development Corporation	
Address of taxpayer (street and number, city, state and ZIP code) P.O. Box 1998, Bloomington, IN 47402	
Name of contact person Joe R. Harrell	Telephone number (812) 339-2579

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT		
Name of designating body Department of Redevelopment	Resolution number	
Location of property 400 West 7th Street	County Monroe	Taxing district
Description of real property improvements and / or new manufacturing equipment to be acquired (use additional sheets if necessary) Complete renovation and remodeling of existing building to accommodate commercial/professional offices.	Estimated starting date September 1993	Estimated completion date December 1994

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number	Salaries	Number retained	Salaries	Number additional	Salaries
none	NA	none	NA	2	\$45,000.00

	SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	425,000	134,960	NA	NA
Plus estimated values of proposed project	1,675,000	1,965,040 335,000		
Less values of any property being replaced				
Net estimated values upon completion of project	2,100,000	2,100,000		

SECTION 5 OTHER BENEFITS PROMISED BY THE TAXPAYER	
1. Generate \$1,675,000 construction project which will stimulate local economy.	
2. Convert currently deteriorated building into attractive, desirable property which will provide needed office space within the downtown revitalization area.	
3. Preserve historical landmark building.	
4. Provide incentive for other business to invest in the economic revitalization area.	
5. Additional jobs will be created in zone by tenant businesses.	

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative 	Title Joe R. Harrell President	Date signed (month, day, year) 6/11/93

CITY OF BLOOMINGTON
APPLICATION
PROPERTY TAX ABATEMENT PROGRAM

1. OWNERSHIP:

- A. Eighth Street Development Corporation
P.O. Box 1998
Bloomington, IN 47402
(812)339-2579
- B. Eighth Street Development Corporation - 100% ownership
- C. Joe R. Harrell, President
Patricia L. Harrell, Vice-President
4444 Tanglewood Rd.
Bloomington, IN 47404
(812) 876-7697 home
(812) 339-2579 work

2. PROPERTY DESCRIPTION:

- A. 400 west 7th Street
Bloomington, IN 47401
- B. See attached legal description.

3. CURRENT STATUS OF PROPERTY:

- A. Current zoning designation is BG, general business. There are no zoning changes anticipated.
- B. Improvements to the property currently include three(3) structures. The first is approximately 8,000 square feet, built in 1928. The second is approximately 15,000 square feet, built in 1932. The final is approximately 7,000 square feet, built in 1956. All of the structures are considered one property. The interior and exterior of all buildings are in a state of deterioration.
- C. The property is currently vacant.
- D. The current market value of the land and improvements combined is \$425,000. The current property tax assessment is \$134,960.
- E. A 160 foot brick smoke stack stands on the property. This unique Bloomington landmark was once used in the Johnson Dairy processing operation from 1928 through 1991.

**STATEMENT OF BENEFITS**

State Form 27167 (R3 / 11-91)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

**FORM
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1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment, or **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, **BEFORE** a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
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<ol style="list-style-type: none"> 1. Generate \$1,675,000 construction project which will stimulate local economy. 2. Convert currently deteriorated building into attractive, desirable property which will provide needed office space within the downtown revitalization area. 3. Preserve historical landmark building. 4. Provide incentive for other business to invest in the economic revitalization area. 5. Additional jobs will be created in zone by tenant businesses. 	

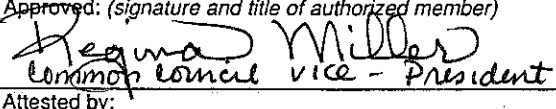
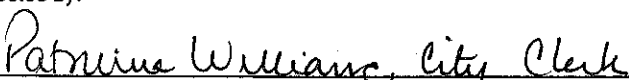
SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative 	Title Joe R. Harrell President	Date signed (month, day, year) 6/11/93

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; Yes No
 2. Installation of new manufacturing equipment; Yes No
 3. Residentially distressed areas Yes No
- C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to \$ _____ cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to \$ _____ cost with an assessed value of \$ _____.
- E. Other limitations or conditions (specify) _____
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for:
 5 years 10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member)  Regina Miller Common Council vice - President	Telephone number (812) 331-6408	Date signed (month, day, year) 08-04-93
Attested by:  Patricia Williams, City Clerk	Designated body Bloomington Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5 Namely: (see tables below)

NEW MANUFACTURING EQUIPMENT		
For Deductions Allowed Over A Period Of:		
Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT			
For Deductions Allowed Over A Period Of:			
Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed 2 actual lines, neither of which shall total more than four solid lines of the type in which the body of the Advertisement is set)-Number of equivalent lines

Head-Number of lines

Body-Number of lines

Tail-Number of lines

Total number of lines in notice

Four horizontal lines for data entry.

COMPUTATION OF CHARGES:

60 lines 1 COLUMN wide, equals 60 equivalent lines at 0.330 cents per line.....\$19.80

Additional Charges for notices containing rule or tabular work (50% of above amount).....

Charge for extra proofs of publication..... (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.....\$19.80

DATA FOR COMPUTING COST

Width of Single Column 12.5 ems

Size of type 6 point

Number of insertions 1 time

Pursuant to the provisions and penalties of Ch 155, Acts 1953.

I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: 11/21/93

Leah Leahy Title: billing clerk

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss

Personally appeared before me, a notary public in and for said county and state, the undersigned, Leah Leahy or Sue May who, being duly sworn, says that she is billing clerk for The Herald-Times newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication being as follows:

1993 : 11/21

Leah Leahy

Subscribed and sworn to before me 11/21/93

Notary Public Monroe Co. Indiana My Commission expires 1-10-96

Claim No. _____ Warrant No. _____
IN FAVOR OF
Herald-Times
P.O. Box 909, Bloomington, IN 47402

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. 351262682 _____

Allowed _____, 19__

In the Sum of \$ _____

* I have examined the within claim
* and hereby certify as follows:
* That it is in proper form.
* That it is duly authenticated
* as required by law.
* That it is based upon statu y
* authority.
* That it is apparently (correct)
* (incorrect).
*
*
*
*

* I certify that the within claim
* is true and correct; that the
* services therein itemized and for
* which charge is made were ordered
* by me and necessary to the public
* business.
*
* _____
* _____, 19__

NOTICE OF PUBLIC HEARING

ORI Notice is hereby given, pursuant to IC 6-1.1-12.1 as amended, that on the 21st day of July, 1993, the Board of Accounts...
POL Bloomington Common Council adopted Resolution 93-23, declaring the following property to be...
CI Economic revitalization area, and eligible for...
MO (Petitioner: Eighth Street Development Center)
A description of the affected area is available for inspection in the office of the County Assessor.
On the 4th day of August, 1993, at 7:30 p.m. in the Council Chambers of the Municipal Building, the Common Council will hold a public hearing at which time the Council will reconsider Resolution 93-24 and will receive and hear remonstrances and objections from all interested persons.
Submitted by Patricia Williams City Clerk of Bloomington

Board of Accounts General Form #99P (Rev 1988)
TO: The Herald-Times Dr.
Box 909
Bloomington, IN 47402

PUBLISHER'S CLAIM

not exceed 2 actual lines, neither of which shall solid lines of the type in which the body of the number of equivalent lines

Head-Number of lines
Body-Number of lines
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Total number of lines in notice

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Additional Charges for notices containing rule or tabular work (50% of above amount).....
Charge for extra proofs of publication.....
(\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM.....\$19.80

DATA FOR COMPUTING COST

Width of Single Column 12.5 ems Size of type 6 point
Number of insertions 1 time

Part (b) of Section 6.12.040 Designating areas of the Bloomington Municipality to be non-smoking areas shall be amended to read as follows:
Public place covered by this chapter other than a theater lobby shall be designated a "smoking area" in its entirety; provided further, that in eligible restaurants, a "smoking area" may not exceed seventh-five percent of total available seating, unless a sign, conspicuously posted at all public entrances of the restaurant states "% of available seating in this restaurant has been designated non-smoking." If an eligible bar is designated as a smoking area in its entirety, this designation shall be posted conspicuously on all entrances normally used by the public.

Provisions and penalties of Ch 155, Acts 1953.
that the foregoing is just and correct, that the amount due, after allowing all just credits, and that no part be paid.

Leah Leahy
Title: billing clerk

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss
Personally appeared before me, a notary public in and for said county and state, the undersigned, Leah Leahy or Sue May who, being duly sworn, says that she is billing clerk for The Herald-Times newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication being as follows:

1993 :
11/21

Leah Leahy

Subscribed and sworn to before me 11/21/93

Notary Public
Monroe Co. Indiana
My Commission expires 1-10-96

SECTION VI Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.
SECTION VII This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor and promulgation according to law.
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of November, 1993.
JACK W. HOPKINS, President
Bloomington Common Council
REGINA MILLER, Vice President
PATRICIA WILLIAMS, Clerk
City of Bloomington
PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of November, 1993.
PATRICIA WILLIAMS, Clerk
City of Bloomington
SIGNED and APPROVED by me upon this 3th day of November, 1993.
TOMILEA ALLISON, Mayor
City of Bloomington
SYNOPSIS
This ordinance amends Chapter 6.12 of the BMC entitled, "Smoking in Public Places," by prohibiting smoking or eliminating designated smoking areas in restaurants, health care facilities, public meetings, public places, theaters, libraries, museums, galleries and bars that commence operation or construction after November 14, 1993. Any of these places existing after that date would lose their designated smoking areas if it ceases to operate for more than six months, changes ownership after January 1, 1996, or changes location.

Claim No. _____ Warrant No. _____
 IN FAVOR OF
 Herald-Times
 P.O. Box 909, Bloomington, IN 47402

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. 351262682 _____

Allowed _____, 19__

In the Sum of \$ _____

* I have examined the within claim
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 * That it is duly authenticated
 * as required by law.
 * That it is based upon statute authority.
 * That it is apparently (correct)
 * (incorrect).
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* I certify that the within claim
 * is true and correct; that the
 * services therein itemized and for
 * which charge is made were ordered
 * by me and necessary to the public
 * business.
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CITY - CLERK
400 W. 7TH NOT

THE HERALD-TIMES
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

SECTION V. Part (b) of Section 6.12.040 Designated smoking areas, of the Bloomington Municipal Code be amended to read as follows:
(b) No public place covered by this chapter other than an eligible bar or a theater lobby shall be designated as a "smoking area" in its entirety, provided further, that in eligible restaurants, a "smoking area" may not exceed seventh-five percent of total available seating, unless a sign, conspicuously posted at all public entrances of the restaurant states "% of available seating in this restaurant has been designated non-smoking." If an eligible bar is designated as a smoking area in its entirety, this designation shall be posted conspicuously on all entrances normally used by the public.

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

SECTION VII. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor and promulgation according to law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of November, 1993.
JACK W. HOPKINS, President
Bloomington Common Council
REGINA MILLER, Vice President

ATTEST:
PATRICIA WILLIAMS, Clerk
City of Bloomington
PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of November, 1993.
PATRICIA WILLIAMS, Clerk
City of Bloomington
SIGNED and APPROVED by me upon this 8th day of November, 1993.
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS
This ordinance amends Chapter 6.12 of the BMC entitled, "Smoking in Public Places," by prohibiting smoking or eliminating designated smoking areas in restaurants, health care facilities, public meetings, public places, theaters, libraries, museums, galleries and bars that commence operation or construction after November 14, 1993. Any of these places existing after that date would lose their designated smoking areas if it ceases to operate for more than six months, changes ownership on January 1, 1996, or changes location.

State of Indiana)
County of Monroe.....) ss

Leah Leahy or Sue May being duly sworn on oath, says that she is billing clerk of The Herald-Times, a public newspaper of general circulation, printed in the town of Bloomington in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

1993 :
07/25

Leah Leahy

Subscribed and sworn to before me on 07/25/93 .

John D. Leary

Notary Public or Clerk

My commission expires 1-10-96

Publication Fee \$10.50