

ORDINANCE 89-14

TO AMEND TITLES 2, "ADMINISTRATION AND PERSONNEL", 10, "WASTEWATER", AND 15, "VEHICLES AND TRAFFIC", OF THE BLOOMINGTON MUNICIPAL CODE

WHEREAS, the Legal Department has recommended that certain changes be made in Title 2 "Administration and Personnel", Title 10 "Wastewater" and Title 15 "Vehicles and Traffic" of the Bloomington Municipal Code;

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

SECTION I. Section 2.04.350(d) shall be amended to read as follows:

If a city zoning ordinance is vetoed under subsection (b), it is defeated unless the city legislative body, at its first regular or special meeting after receiving the veto message, passes the ordinance over the veto by a two-thirds vote.

SECTION II. Section 2.12.070(3) shall be amended to read as follows:

Qualifications. Each Council appointee shall be a resident of the City or of the City's two mile fringe with preference being given so that each Councilmanic district is represented.

SECTION III. Section 2.24.060 shall be amended to read as follows:

Compensation. Members of the Board shall be paid a salary, to be budgeted from utilities funds, and determined annually as part of the Utilities Salary Ordinance, which is approved annually by the Common Council. No member of the Board who is an elected or salaried official of the City shall receive the above mentioned salary. Members shall be reimbursed for expenses properly incurred in connection with their duties pursuant to this section.

SECTION IV. Section 10.08.100(a) shall be amended to read "IC 36-9-23-31" in lieu of "IC 19-2-5" whenever such appears in the Section.

SECTION V. Section 15.04.060 shall be amended to read as follows:

Officer. "Officer" means every officer of the Bloomington Police Department or any other duly constituted law officer who may be aiding the Bloomington Police Department at any time, including state, county and university officers.

SECTION VI. Section 15.04.100 shall be amended to read as follows:

Physically handicapped person. "Physically handicapped person" means a person who has been issued a special handicapped or disabled registration plate or decal for a motor vehicle, by the State of Indiana, or any other state or province, which limits eligibility to one who is severely and permanently restricted in mobility, or visually impaired.

SECTION VII. Section 15.32.150(d) shall be amended to read as follows:

It shall be unlawful to park a vehicle without a valid handicapped parking permit, valid disabled veteran's registration plate, or a valid handicapped registration

plate or decal (all issued under the laws of Indiana or any state or province), in a handicapped parking space. Tickets issued for violations of this section shall be referred to the Monroe County Prosecutor for enforcement as a Class C infraction.

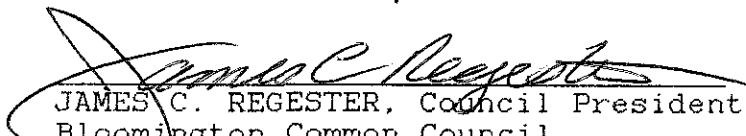
SECTION VIII. Chapter 15.38 of the Bloomington Municipal Code shall be amended to read "Parking Enforcement Division" in lieu of "Controller" whenever such appears in the chapter.

SECTION IX. Section 15.60.060 Train speed at grade crossings. shall be repealed.


SECTION X. 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 section, 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 section are declared to severable.

SECTION XI. 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.


PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe county, Indiana, upon this 19 day of April, 1989.


JAMES C. REGISTER, Council President
Bloomington Common Council

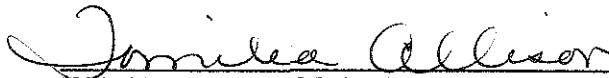
ATTEST:


PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of April, 1989.


PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 20 day of April, 1989.


TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance updates various sections of the Bloomington Municipal Code by bringing them into compliance with current state statutes and case law. Additionally this ordinance corrects heretofore undiscovered errors in the Bloomington Municipal Code.

signed copies to:

*Legal
Police
Parking Division
Utilities
Public Works
BMC File*