

## ORDINANCE NO. 66-40

AN ORDINANCE TO AMEND THE BLOOMINGTON  
ZONING MAP, DATED JULY 18, 1950

WHEREAS, The Common Council of the City of Bloomington, Indiana, passed a zoning ordinance and adopted a zoning map on July 18, 1950, which said ordinance and map became effective on November 17, 1950, and

WHEREAS, said zoning Ordinance and map are now incorporated in the "Municipal Code of the City of Bloomington, Indiana, 1957", as Chapter 30 of said code, and

WHEREAS, The City Plan Commission has recommended that said Bloomington Zoning Map be amended by the rezoning of certain property, now

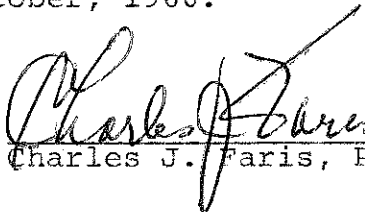
THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, UNDER AUTHORITY OF CHAPTER 174, ACTS OF 1947, OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA:

SECTION 1. That the Map entitled "Bloomington Zoning Map", dated July 18, 1950, be amended to rezone the following described lots in the City of Bloomington, Monroe County, Indiana, from their present R-1 ONE FAMILY ZONE classification to an R-3 MULTIPLE DWELLING ZONE, to-wit:

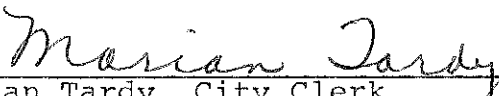
Lots numbered 11, 13, 15 and 17 in Maple Heights Addition to the City of Bloomington, Indiana.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the sixth day of October, 1966.

  
Charles J. Paris, President City Council

Attest:

  
Marian Tardy, City Clerk  
Clerk of the Common Council of the City of Bloomington, Indiana


Presented by me to the Mayor of the City of Bloomington, Indiana, on the Seventh day of October, 1966.

  
Marian Tardy, City Clerk

This Ordinance approved and signed by me on the seventh day of October, 1966, at the hour of ten o'clock A.M.

  
John H. Locker, Jr., Mayor

Attest:

  
Marian Tardy, City Clerk

FILED

NOV 2 1966

Earl Sutherland  
CLERK MONROE SUPERIOR COURT

STATE OF INDIANA }  
COUNTY OF MONROE } SS:

IN THE MONROE SUPERIOR COURT

CAUSE NO. 5577

JOHN E. GUTHRIE, and  
other land owners

VS

THE CITY OF BLOOMINGTON

THIS DECISION REVERSED  
BY INDIANA COURT of  
APPEALS 12/30/68

JUDGMENT

The Court now being sufficiently advised finds that the respondent, the City of Bloomington, Indiana, has, by its evidence, demonstrated the presence of the following determinants, and each of them, with relation to the territory to be annexed to said City under Ordinance 24, adopted the 4th day of September 1962, namely:

- (a) That the annexation is in the best interests of the City and of the territory to be annexed;
- (b) That the area is urban in character, being an economic and social part of the annexing City;
- (c) That the terms and conditions set forth in the ordinance are fair and just;
- (d) That the City is financially able to provide municipal services to the annexed area within the reasonably near future;
- (e) That the area sought to be annexed is needed for the development of the City in the reasonably near future;
- (f) That the lines of annexation are so drawn as to form a compact area abutting the municipality;

and the Court further finds that the costs of this action should follow the judgment.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that Ordinance Numbered 24 of the City of Bloomington, Indiana, by the terms of which said City annexed to the following described territory, to-wit:

Beginning at a point on the North line of the present city limits, more particularly described as the Northwest corner of Section Twenty-one (21), Range One (1) West, Township Nine (9) North; thence East on and along said North line to the east right-of-way line of State Highway 37 as established; thence south on and along said east right-of-way line to the south right-of-way line of an existing road commonly called "Old 37" road, thence east on and along said south right-of-way line to the north line of said Section Twenty-one (21); thence east on and along said north line to the Northeast corner of said Section Twenty-one (21); thence south on and along the east line to the southeast corner of said Section Twenty-one (21), which point is the northwest corner of Section Twenty-seven (27); thence east on and along the north line of Section Twenty-seven (27) and Twenty-six (26) to the northeast corner of the Northwest Quarter of the Northwest Quarter, Section Twenty-six (26); thence South on and along said quarter section line to the north line of Section Thirty-five (35); thence east on and along the north line of Section Thirty-five (35) and Thirty-six (36) to the northeast corner of the Northwest quarter of said Section Thirty-six (36); thence south on and along the half section line to the south right-of-way line of State Road No. 46; thence west on and along said south right-of-way line which line is the present city limits, to the east line of the Northwest Quarter of Section Two (2), Range One (1) West, Township Eight (8) North; thence south on and along said half section line to the southeast corner of said northwest quarter section; thence west on and along the south line of said northwest quarter section to the southwest corner of said northwest quarter section; thence south on and along the west line to the north right-of-way line of Moore's Pike as now established; thence east Sixteen and five tenths (16.5) feet more or less and to the east right-of-way line of the Sare Road extended; thence south One Thousand One Hundred Ninety-Four (1194.0) feet on and along said east right-of-way line and said line extended to the north line of the Sare Road Sewage Lift Station property; thence east One Hundred Thirty-Three and five tenths (133.5) feet to the northeast corner of said lift station property; thence south One Hundred Seventy-Four and five tenths (174.5) feet more or less to the center line of the creek; thence southwesterly on and along the center line of said creek to the east line of the Sare Road; thence south on and along the east line of said Sare Road to the south line of the Winslow (Rogers) Road as now established; thence west on and along the South line of the Winslow Road extended to the east line of the northwest quarter

of the northeast quarter Section Sixteen (16); thence south on and along said Quarter Section line to the south line of Rhorer Road or Gordon Pike; thence west on and along the south right-of-way line of said Road to the west right-of-way of South Rogers Street as now established; thence north on and along said west right-of-way line to the southeast corner of Section Seventeen (17); thence west on and along the south line of said section to the west line of the east half of said Section Seventeen (17); thence north along said half section line to the northeast corner of the northwest quarter of Section Eight (8); thence west on and along the north line of Section Eight (8) to the southwest corner of the southeast quarter of the southwest quarter of Section Five (5); thence north along the quarter section line to the south right-of-way line of Allen Street, as now established; thence west along said south right-of-way to the west right-of-way line of Adams Street as now established; thence north on and along the west right-of-way line of Adams Street to the south right of way line of Third Street as now established; thence west on and along the south right-of-way line of Third Street to the southwest corner of Section Thirty-Two (32), Range One (1) West, Township Nine (9) North extended; thence north on and along the west line of Section Thirty-Two (32) to the northwest corner of the southwest quarter of said Section Thirty-Two (32); thence east along the north line of said quarter section Six Hundred Sixty (660) feet; thence north on a line parallel to the west line of said Section Thirty-Two (32) to the north right-of-way line of 17th Street as now established; thence east on and along said north right-of-way line to the west line of the east half of Section Twenty-Nine (29); thence north on and along said half section line to the north right-of-way line of Gourley Pike as now established; thence east on and along said north right-of-way Six Hundred Sixty (660) feet; thence north on a line parallel to the west line of the east half to the north section line of said Section Twenty-Nine (29); thence west on and along said north line to the northwest corner of the east half of said Section Twenty-Nine (29); thence north on and along the west line of the east half of Section Twenty (20) to the northwest corner of said half section; thence east on and along the north line of said Section Twenty (20) to the northwest corner of said Section Twenty-One (21) which was the point of beginning, containing approximately Fifteen and five tenths (15.5) square miles in all.

be, and said ordinance is hereby sustained as against the  
remonstrance filed thereto by John E. Guthrie, et al.

*William M. Lienberger*

WILLIAM M. LIENBERGER  
Special Judge, Monroe Superior Court

SECTION 5. Licenses shall be issued without examination to applicants who, upon the effective date of this Ordinance, shall have been actively engaged in the electrical trade for at least three (3) years immediately preceding such date. The applicant shall file with the Board for the Examination and Registration of Electricians an affidavit setting forth the places and the approximate dates when and where such applicant has been engaged in electrical work for the three (3) year period immediately preceding the effective date of this Ordinance.

No license shall be issued without examination under the provisions of this Section after May 1, 1967.

SECTION 6. Upon payment of the registration and license fees as set forth in section 3 of this Ordinance, the Board for the Examination and Registration of Electricians may issue temporary licenses to applicants holding an electrician's license in good standing issued by any other city within the State of Indiana if such license of any other city within the State of Indiana shall have been issued by said city as the result of a comparable examination into the applicant's ability, experience, training and fitness. Such temporary licenses shall be valid and shall permit electrical work to be performed by the applicant under a single building permit issued by the City of Bloomington.

SECTION 7. In the event an applicant shall fail to pass the examination given by the Board for the Examination and Registration of Electricians, such applicant may, after sixty (60) days have elapsed from the date of filing the original application, file a second application and upon the payment of fees, as hereinabove provided for, shall be given a second examination by the Board for the Examination and Registration of Electricians concerning the applicant's ability, experience, training and fitness.

SECTION 8. All applicants for electrician licenses shall be notified by the Electrical Inspector as to the time and place the examination will be given.

SECTION 9. All licenses issued under the terms of this Ordinance shall expire on the 31st day of December in the year, for which the same was issued. No license shall be issued for a longer period than one calendar year, but a license may be renewed without re-examination as hereinafter provided. No license holder will be entitled to renew his license without examination unless he shall file an application in due form, with proper fee, for such renewal, not later than thirty (30) days after the expiration of his latest license, in the office of the City Electrical Inspector, but if said application is so filed and said fee is so paid within thirty days from such expiration date of the latest license, then such renewal license shall be granted without examination. No license shall be transferable to any other person, firm, corporation, or partnership.

SECTION 10. All fees for registration and for electrical licenses shall be deposited in and become a part of the City General Fund.

SECTION 11. All electrical installations within the corporate limits of the City of Bloomington, Indiana, shall be made by an electrician licensed under the provisions of this Ordinance. Nothing in this Ordinance shall be construed as prohibiting an owner of a single family residence from making normal electrical installations for his own residence.

The licensing provisions of this Ordinance shall not apply to any person or the employees of any firm when such person or firm is not engaged in the business of electrical contracting, but employs personnel and maintains an electrical service department to perform electrical service work to repair electric wiring upon his or its own property.

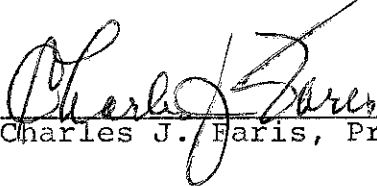
SECTION 12. The Mayor of the City is authorized to suspend for any determinate period the license of any electrician issued under the provisions of this Ordinance. All such suspensions by the Mayor shall be made after recommendation by the Board for the Examination

and Registration of Electricians. Such recommendations shall be in writing and shall set forth specifically the reasons for such action by such Board. Any person aggrieved by the action of the Mayor in suspending any license under this Ordinance may appeal to the Circuit or Superior Court of Monroe County by filing therein, within then (10) days after the action of the Mayor, his complaint against the City of Bloomington and the Board for the Examination and Registration of Electricians setting forth in such complaint the action of the Mayor complained of and specifically in what way such action by the Mayor is wrongful.

SECTION 13. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and shall upon conviction thereof be fined in an amount not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00). Each day of such violation shall constitute a separate offense.

SECTION 14. This Ordinance is to be in full force and effect from and after the 1st day of January, 1967.

PASSED AND ADOPTED BY THE COMMON COUNCIL of the City of Bloomington, Indiana, upon this seventeenth day of November, 1966.

  
 Charles J. Faris, Presiding Officer

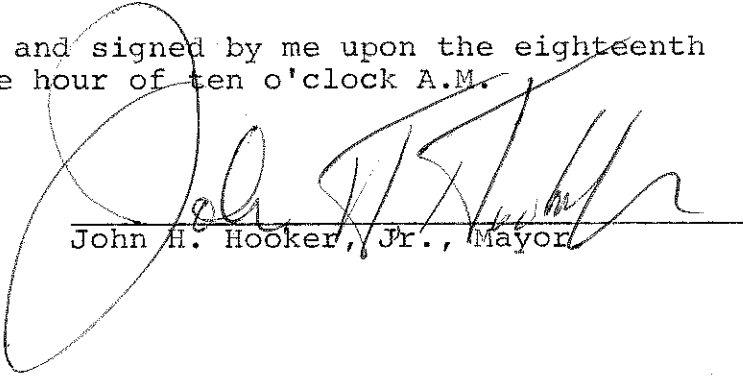
Attest:

  
 Marian Tardy, City Clerk

Presented by me to the Mayor of the City of Bloomington, Indiana, upon the eighteenth day of November, 1966, at the hour of ten o'clock A.M.

  
 Marian Tardy, City Clerk

This Ordinance approved and signed by me upon the eighteenth day of November, 1966, at the hour of ten o'clock A.M.

  
 John H. Hooker, Jr., Mayor