

ORDINANCE NO. 66-54

AN ORDINANCE FOR THE CONTROL OF AIR POLLUTION AND CREATING AN AIR POLLUTION CONTROL COMMISSION.

Be it ordained by the Common Council of the City of Bloomington, Indiana:

SECTION 1. There is hereby created the City of Bloomington Air Pollution Control Commission, hereinafter designated as Commission.

SECTION 2. The Commission shall consist of eight members one of whom shall have a degree in chemistry. Six of such members shall be appointed by the Mayor, one shall be a member of the Common Council selected by such Common Council, and one shall be the chief of the Bloomington Fire Department.

Of the six members appointed by the Mayor, two shall be appointed to serve until December 31, 1967, two to serve until December 31, 1968 and two to serve until December 31, 1969. As such terms expire the vacancy resulting shall be filled by appointment for terms of two years.

SECTION 3. The Commission shall make investigations, consider complaints and hold hearings upon alleged violations of the air pollution control provisions of this ordinance.

SECTION 4. The Commission shall investigate all complaints of air pollution brought to its attention. Such complaints shall be filed with the City Clerk in writing and shall briefly state the nature of such pollution and shall be signed by the complainant. It is declared the duty of any member of the police, fire or engineering departments of the City who observe any such pollution to file such complaint with the City Clerk.

SECTION 5. The Commission shall investigate all such complaints and hold a hearing thereon within 30 days after the filing thereof. Notice of the time and place of such hearing shall be served not less than 10 days before such hearings upon the person having possession of the premises together with the owner of such premises complained of, if the owner not be in possession.

SECTION 6. Not less than 10 days after such hearing the Commission shall make its finding, determination and recommendation in writing to the City Engineer. Not less than a majority of the members of such commission shall concur in such finding determination and recommendation. A copy of such finding determination and recommendation shall be furnished to the person having possession of the premises together with the owner of the premises if the owner be not in possession.

SECTION 7. If the finding of the Commission shall require the abatement of any violation of the air pollution control provisions of this ordinance, the finding, determination and recommendation of the Commission shall designate a reasonable time within which the responsible person may abate such violation. If such abatement not be made within the time designated, the City Engineer shall proceed to act under the authority vested in him by Chapter 196 of the Acts of 1935 as amended (Burns Indiana Statutes Annotated, Section 48-6144 et seq.)

SECTION 8. It is hereby declared unlawful for any person, firm or organization to cause or to allow to be emitted from any building or structure located within the City of Bloomington any of the following:

- A. Smoke of the density equal to or greater than Ringelmann No. 2.
- B. Fly ash in excess of 0.20 grains per cubic foot of flue gas at a stack temperature of 500 degrees Fahrenheit at 50 per cent excess air. Or fly ash in excess

of 1.35 grains per cubic of flue gas at a temperature of 70 degrees fahrenheit and pressure of 14.7 pounds per square inch or 30 inches of mercury.

- C. Any substance such as soot, cinders, dust, dirt, fly ash, lint, chaff, mists, vapors, fumes or gasses in any matter so as to cause injury, detriment, or nuisance to any person or damage to any property.

The emission of substances from single family, private residences are sepcifically exempted from the terms of this ordinance.

SECTION 9. No construction, installation or alteration of any fuel burning equipment in any structure other than a single family resident shall be made in the City of Bloomington until the approval of the plans and specifications of such construction, installation or alteration by the Engineering Department of the City.

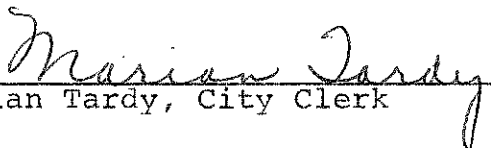
SECTION 10. This ordinance shall be in full force and effect from and after its passage, promulgation and publication in accordance with the law.

PASSED AND ADOPTED BY THE COMMON COUNCIL of the City of Bloomington, Indiana, upon this fifth day of January, 1967.



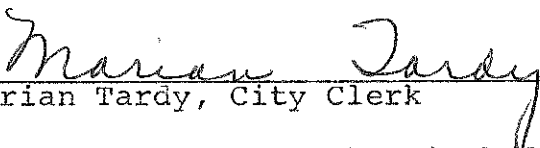
 Charles J. Faris, President

Attest:



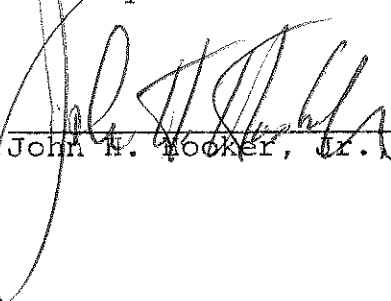
 Marian Tardy, City Clerk

Presented by me to the Mayor of the City of Bloomington upon the sixth day of January, 1967, at the hour of ten o'clock A.M.



 Marian Tardy, City Clerk

This ordinance approved and signed by me upon the sixth day of January, 1967, at the hour of one-thirty o'clock P.M.



 John H. Tucker, Jr. Mayor

Introduced by Councilman

 David Derge