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Be it ordained by the Common Council of the City of Bloomington, Indiana,
that the Municipal Code of Bloomington, Indiana of 1941
is hereby adopted as the official code of this City.

TITLE 1.—ADMINISTRATION

CHAPTER 1.—Common Council, Councilmanic Districts, and Precincts.

CHAPTER 2.—Officers, Bonds, Boards and Commissions.

CHAPTER 3.—Cemeteries and Sewage Disposal Works.

CHAPTER 1.—Common Council, Councilmanic Districts, and Precincts.

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1—101. Common Council—Rules. The following rules be, and are hereby prescribed and adopted for the conduct of the meetings and business of the Common Council of said City to-wit;

Rule 1. Said Common Council shall meet in regular session on the first and third Tuesdays of each and every month, and may transact any business which may lawfully come before such meetings, all such regular meetings shall be convened and held at the hour of 7:30 o'clock P. M., except the meetings beginning on the first Tuesday of November of each year and ending on the first Tuesday of May of each year, inclusive, which shall be convened and held at the hour of 7:00 o'clock P. M.

Rule 2. Special meetings of the Council may be held at any time on the call of the Mayor in the manner and form provided by law, provided, however, any two members of the Common Council may call a special meeting of the Council at any time, in the event of a call of a special meeting either by the Mayor, or two members of the Council, such call or notice of such meeting shall be in writing signed by the Mayor or the two members as the case may be, and such call or notice shall be served by the City Clerk or his deputy upon all the members elect of the Council if such member can be found within the corporate limits of said City they shall be served by reading such call or notice to and within their presence and hearing. In the event any member or members be at the time absent from such City a true and exact copy of such call or notice shall be left by such clerk or his deputy at the last usual place of residence of such member or members, and the due return shall be made under oath of such service and filed in the office of the City Clerk and such call or notice, together with the Clerk's return thereon showing service shall be incorporated into and made a part of the minutes of such special meeting provided, however, such Clerk or his deputy shall have the right to serve any member of such Council over the telephone by reading such call or notice to such member over the phone.

Rule 3. Said Council may by motion or resolution duly adopted adjourn any regular or special meeting from day to day or to any date in the future, at such adjourned meeting. Said Council shall have the right to transact any unfinished business, or it may transact any new business lawfully coming before such adjourned meeting.

Rule 4. At any special meeting or adjournment thereof such Council shall not transact any business except such business as is stated and set forth in the call or notice of such meeting, provided however, this rule may be suspended by unanimous consent of the members present at such meeting whereupon, any business may be transacted at such special meeting or an adjournment thereof which may lawfully and legally come before such special meeting.

Rule 5. All meetings, regular, special or adjournments thereof, shall be held in the Council chamber at the City Hall in said City.

Rule 6. All meetings shall be public and shall be promptly convened and commenced at the hour set forth in Rule 1 of this chapter or in case of a call meeting at the hour set forth in such call or notice or in case of an adjournment, as set forth in the motion or resolution for such adjournment, the Mayor, when present, shall preside at all meetings of such Council; in his absence the Council shall designate one of its members as presiding officer.

Rule 7. Said Common Council shall have the right to organize itself for the

transaction of business, and by motion or resolution made in writing it shall have the right, and it is hereby made its duty, to name, appoint, arrange or re-arrange its several standing committees, the personnel of which shall consist of not less than three members on each of the standing committees, and said Council may at any time create and appoint special committees to investigate and report on any matter brought before such Council. Any committee, regular or special may be given power to act in the premises without report back to the Council. Provided, however, "Power to Act" shall never be given any regular or special committee without a majority vote of all the members-elect of such Council.

Rule 8. For the transaction of its business said Council hereby creates the following standing committees to which matter coming before such Council from time to time may be referred for investigation and report to-wit:

Committees

1. Streets, Sidewalks, Bridges.
2. Water Works, Sewers, and Alleys.
3. Lights.
4. Finance, Claims and Purchasing; provided that no head of department or other employee of said City shall purchase or contract for any material or supplies without an order from this committee or from the Council.
5. Cemetery.
6. Fire Department.
7. Schools, Sanitation, Public Health and Charities.
8. City Ordinance and Printing.
9. City Buildings, and Property, provided that no room in the City Hall shall be used for any other purpose than that as this time designated, except by consent of this committee or by action of the City Council.

Provided, however, that such Council may create additional standing committees from time to time, and define the duties thereof, by motion or resolution, or it may abolish any such committees hereby created or which may hereafter be created.

Rule 9. The order of business for the regular sessions of said Common Council shall be as follows:

- A. Reading and action on the minutes of the former meetings.
- B. Opening and referring of sealed proposals or bids for public improvements.
- C. Communications from the Mayor.
- D. Communications from Citizens, Petitions, etc.
- E. Hearing of remonstrances and objections from those affected by proposed public improvements.
- F. Report of City Officers.
- G. Report from Official Boards.
- H. Reports from standing committees in the order in which such committees appear in Rule 8 of this section.
- I. Report from special committee.
- J. Messages and papers from the Councilman.
- K. Appropriation ordinances.
- L. Introduction of general and special ordinances.
- M. Introductions of Resolutions.
- N. Ordinance on Second readings.
- O. Unfinished and miscellaneous business.
- P. Examination and allowance of bids or claims.
- Q. Adjournment.

Provided, however special orders of business may be taken up at any time during a session or meeting, if so ordered by the Council.

Rule 10.—No ordinance shall be passed on the same day, or at the same meeting that it is introduced except by unanimous consent of all the members present to suspend this Rule and then only in case there are present and voting at least two-thirds of all the members-elect of the Council. Before any ordinance or resolution is voted upon it shall be publicly read by the Clerk.

Rule 11. As required by law, all ordinances and resolutions shall be drafted by the City Attorney upon the completion of all drafts such City Attorney shall immediately deliver them to the chairman of the ordinance committee for inspection and consideration before introduction.

Rule 12. The Superintendent of Police, Superintendent of the Water Works, Chief of the Fire Department and Street Commissioner shall attend all regular meetings of the Common Council, and when called upon they shall furnish such Council or any member thereof with any information desired concerning their respective departments, and upon order of such Council any other City Official or employee of such City shall appear before such Council and furnish such Council with any information within his or her knowledge the business or work carried on in any office or department.

Rule 13. During all meetings or sessions of such Council the Superintendent of the Police Department shall be in attendance and shall keep order in the Council chambers, and he shall be subject to the orders and direction of such Council. He shall call or summons all persons whose presence are desired at such meetings, and shall serve all papers and notices ordered served by him; and he shall do all other acts necessary for the conduct of the business of such Council.

Rule 14. On the day following a regular or special meeting of the Common Council, all City Officials shall appear at the office of the City Clerk who shall inform such officials and heads of departments of the various orders, if any, made by the Common Council at its meeting on the preceding day, whereupon such

orders shall be respectively carried out and complied with they shall respectively report the same back to the Clerk in writing who shall lay such reports before the Council at its next regular meeting. If such orders are not carried out or complied with such facts shall be reported back to the clerk in writing and the reason set forth therein why such order or orders were not complied with or carried out.

Rule 15. All communication to the Council which are in writing shall be handed to the Clerk who shall publicly read them to the Council for consideration and action.

Rule 16. Any member of the Council, or any citizen who desires to speak or address the Council shall arise to his feet.

Rule 17. For the conduct of its meetings or business at such meetings, such Common Council hereby adopts the parliamentary rules and laws which now governs the procedure of the general assembly of the State of Indiana when in session, and all parliamentary tactics shall be controlled by such parliamentary rules and law.

(Ord. No. 225, 1921)

1-102. Councilmanic Districts.—The said City of Bloomington is hereby divided into five (5) districts known as councilmanic districts and bounded as follows.

1-103. — District No. 1.—All territory east of the Alley between Walnut Street and College Avenue, north of the Township line, south of the center line of Ninth Street, all within the Corporate limits of said City, containing precincts one (1), three (3), and thirteen (13), shall constitute the first councilmanic district.

1-104. — District No. 2.—All territory within the following described boundaries to-wit: Beginning at the intersection Jackson Street and the north corporation line, thence south on the center line of Jackson Street to the intersection of Jackson and Ninth Streets, thence east on the center line of Ninth Street to the intersection of the Alley between College Avenue and Walnut Street thence south on said Alley to Township line, thence west on Township line to west corporation line, all within the corporate limits of said City with Bloomington Township containing precincts two (2), four (4), six (6) and eight (8) shall constitute the second Councilmanic District.

1-105. — District No. 3.—All the territory lying east of Jackson Street, north of center line of Ninth Street, all within the corporate limits of said City containing precincts five (5), seven (7), Nine (9), and twelve (12) shall constitute the third councilmanic district.

1-106. — District No. 4.—All that territory within the following described boundaries to-wit: Beginning with the intersection of west corporation line and Township line, thence east on Township line to center line of Washington Street, thence south on Washington Street to intersection with First Street, thence east on First Street to east corporation line, all within the corporate limits of said City; Containing precincts one (1), two (2), six (6), twelve (12) and five 5. All within the corporate limits of said City, within Perry Township, shall constitute the fourth Councilmanic district.

1-107. — District No. 5.—All territory lying east of Washington Street, south on Township line and north of First Street, containing precincts three (3), thirteen (13), four (4) and nine (9) all within the corporate limits of said City, within Perry township, shall constitute the Fifth Councilmanic District.

(Ord. No. 2, 1933)

1-108. Precincts, Bloomington City, Precinct One.—All territory lying east of the Alley between Walnut Street and College Avenue, North of the Township line, south of the Alley between Fifth Street (commonly known as Kirkwood Avenue) and Sixth Street, and west of Indiana Avenue and within the corporate limits of said City, shall be and the same is hereby fixed and designated as the First Precinct.

1-109. — Precinct Two.—All the territory lying west of the Alley between College Avenue and Walnut Street, south of the center line of Fifth Street (commonly known as Kirkwood Avenue) north of the Township line, and within the corporate limits of said City shall be and the same is hereby designated and fixed as the Second Precinct.

1-110. — Precinct Three.—All territory lying east of the alley between College Avenue and Walnut Street, north of the Alley between Fifth Street (commonly nown as Kirkwood Avenue) and Sixth Street, west of Indiana Avenue and South of Ninth Street, within the corporate limits of said City, shall be and is hereby designated and fixed as the Third precinct.

1-111. — Precinct Four.—All territory lying west of the Alley between College Avenue and Walnut Street, south of the center line of Seventh Street, north of the center line of Fifth Street (commonly known as Kirkwood Avenue) and within the corporate limits of said City, shall be and the same is hereby designated and fixed as the Fourth Precinct.

1-112. — Precinct Five.—All territory lying north of the center line of Ninth Street, east of the alley between College Avenue and Walnut Street, South of Illinois Central Railroads main track and west of the center line of Dunn Street, shall be and the same is hereby designated and fixed as the Fifth Precinct.

1-113. — Precinct Six.—All territory lying west of the Alley between College Avenue and Walnut Street, South of center of Ninth Street, north of the center line of Seventh Street and within the corporate limits of said City, shall be and is hereby designated and fixed as the Sixth Precinct.

1-114. — Prcinct Seven.—All the territory lying east of the center line of Dunn Street, north of the center line of Ninth Street, south of the Illinois Cen-

tral Railroads main track and within said City shall be and is hereby designated and fixed as the seventh Precinct.

1-115. — Precinct Eight.—All territory lying north of the center line of Ninth Street, west of center line of Jackson Street, and within the corporate limits of said City shall be and is hereby designated and fixed as the Eighth Precinct.

1-116. — Precinct Nine.—All territory lying east of the Alley between College Avenue and Walnut Street, north of the Illinois Central Railroad main track and within the corporate limits of said City shall be and is hereby designated and fixed as the Ninth Precinct.

1-117. — Precinct Twelve.—All that territory lying west of the Alley between College Avenue and Walnut Street, north of Ninth Street, east of Jackson Street, all within the corporate line of said City, shall be and is hereby designated and fixed as the Twelfth Precinct.

1-118. — Precinct Thirteen.—All that territory lying east of Indiana Avenue south of Ninth Street, north of Township line and within the corporate limits of said City, shall be and is hereby designated and fixed as the Thirteenth Precinct.

1-119. Precincts, Perry City—Precinct One.—All territory lying south of the Township line, west of Rogers Street, north of First Street and within the corporate limits of said City, shall be and the same is hereby designated and fixed as the First Precinct.

1-120. — Precinct Two.—All that territory east of Rogers Street, north of First Street, west of Washington Street and south of the Township line shall be and the same is hereby designated and fixed as the Second Precinct.

1-121. — Precinct Three.—All that territory lying in the following described boundaries to-wit: Beginning at the intersection of Washington and First Street hence on the center line of First Street to the Center line of Grant Street, thence north on the center line of Grant Street to center of intersection of Grant Street and Second Street, thence east on center line of Second Street to center of intersection of Second Street and Dunn Street, thence north on center line of Dunn Street to center of intersection of Dunn Street and Township line, thence west on Township line to center line of Washington Street, thence south on center line of Washington Street to point of beginning. Said territory bounded thusly is designated and fixed as the Third Precinct.

1-122. — Precinct Four.—All that territory within the following described boundaries to-wit: Beginning at the intersection of Hawthorne Drive and Township line, thence south on center line of Hawthorne Drive to center line of First Street, thence west on center line of First Street to center of intersection of First Street and Park Avenue, thence north on center line of Park Avenue to center line of intersection of Park Avenue and Atwater Avenue, thence east on center line of Atwater Avenue to center of intersection with center line of Woodlawn Avenue, thence north on center line of Woodlawn Avenue to intersection of Township line, thence east on said Township line to point of beginning. Said territory bounded thusly is designated and fixed as the Fourth Precinct.

1-123. — Precinct Five.—All the territory lying east of the center line of Walnut Street and South of the center line of First Street and north of Grimes Lane within the corporate limits in said City, shall be and the same hereby designated and fixed as the Fifth Precinct.

1-124. — Precinct Six.—All the territory lying west of the center line of Walnut Street and south of the Center line of First Street within the corporate limits of said City, and shall be and the same is hereby designated and fixed as the Sixth Precinct.

1-125. — Precinct Nine.—All the territory lying east of Hawthorne Drive, south of center line of Third Street, north of First Street, within the corporate limits of said City, shall be and is hereby designated and fixed as the Ninth Precinct.

1-126. — Precinct Twelve.—All that territory lying east of the center line of Walnut Street, south of Grimes Lane, and within the corporate limits of said City, shall be and the same is hereby designated and fixed as the Twelfth Precinct.

1-127. — Precinct Thirteen.—All that territory within the following described boundaries to-wit: Beginning at intersection of first Street and Grant Street, thence east on First Street to intersection with Park Avenue, thence north on Park Avenue to intersection with Atwater Avenue, thence east on Atwater Avenue, to intersection with Woodlawn Avenue, thence north on Woodlawn Avenue to Township line, thence west on Township line to center line of Dunn Street, thence South on Dunn Street to intersection with Second Street, thence West on Second Street to intersection with Grant Street, thence south on Grant Street to place of beginning. Said territory bounded thusly is designated and fixed as the Fourth Precinct.

(NOTE: It is suggested that the City Engineer describe the corporate boundaries and that such description be included in the code).

CHAPTER 2—Officers, Bonds, Boards and Commissioners

1-202. City Attorney—Assistant.

1-203. City Court.

1-204. Officers, Trial and Removal—Charges.

1-205. — Reference to Committees.

1-206. — Reference to City Attorney.

1-207. — Issuance of Service of Process.

1-208. — Trial.

1-209. — Verdict and Judgment.

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- 1-211. — Adjournment During Trial.
- 1-212. Officials' Bonds.
- 1-213. Board of Barber Examiners.
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- 1-215. — Membership—Appointment.
- 1-216. — General Supervision of Playground, Etc.
- 1-217. — Discretionary Powers.
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- 1-219. — Membership—Appointment—Qualifications.
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- 1-223. City Plan Commission.
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- 1-225. — Members from Council and Park Board.
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- 1-227. — Compensation—Expenses—Powers.
- 1-228. Board of Plumbing Examiners.
- 1-229. — Organization.
- 1-230. — Powers and Duties.
- 1-231. — Payment of Expenses.
- 1-232. — Revocation of Licenses.
- 1-233. Plumbing Inspector—Appointment and Duties.
- 1-234. — City Clerk to Furnish Blanks.
- 1-235. Police Department, Eight Hour Days.
- 1-236. — Exception.
- 1-237. — Police Pension Fund.
- 1-238. Fire Department—Authorized to Serve Rural Districts.
- 1-239. — Fireman Pension Fund.
- 1-240. City Attorney—Assistant.—The City Attorney be and is hereby authorized to employ an assistant City Attorney at a salary payable out of the general fund of the City of Bloomington, Indiana, not otherwise appropriated.

(Ord. No. 155, 1920)

1-203. City Court.—The City Court of said City shall assume and exercise jurisdiction in civil cases as now given by law to City Courts in cities of the third class.

(Ord. No. 16, 1920)

1-204. Officers, Trial and Removal—Charges.—Any member of this Council or any voter of said City may prefer charges against any officer thereof. The charges shall be in writing and be filed with the Clerk who shall lay them before the Council at its next meeting. If preferred by a member of this Council they shall be signed by him, but if preferred by anyone else they need not be signed.

1-205. — Reference to Committees. Such charges shall be referred to a committee of three members of the Council who shall examine into the same and they shall report in writing at the next meeting of the Council (unless further time be given by the Council) if in their opinion, there be good grounds for the accusation contained therein.

1-206. — Reference to City Attorney.—If said Committee report that there are good grounds for such accusations the Council shall at once refer such charges to the City Attorney, if deemed necessary by the Council, who shall re-draft and present in due form numbering each specific charge, the same forthwith to the Council or at the next meeting thereof, at the option of the Council; and the same shall be marked "filed" by the Clerk. But if such Committee report that there are no good grounds for such accusations then no further steps shall be taken unless the Council refuses to accept such report and refer such charges to the City Attorney for presentation in due form as aforesaid.

1-207. — Issuance of Service of Process.—When such formal charges shall have been filed with the City Clerk by the City Attorney or by the Committee, the Mayor or in case he is the person accused, the President pro tem, shall issue a summons to the City Marshal or a policeman of the City requiring the accused to appear before said Council at a certain hour named to answer such accusation on a day therein named, not less than five nor more than ten days from the date of issuing the same; which summons said Marshal or policeman shall serve upon the accused by reading the same to him or by leaving a copy thereof at his last and usual place of residence.

1-208. — Trial.—At the hour set for trial, the Council, if not in regular session, shall be called together in special session, either by the Mayor or three councilmen thereof, as a trial court evidence shall be taken in such case the attendance of witnesses enforced by subpoena or attachment and all proceedings generally shall be the same as in actions or suits at law. The accused shall be required to answer such charges, and shall have the right to call witnesses, produce evidence and be heard either in person or by counsel.

1-209. — Verdict and Judgment.—At the conclusion of the evidence and argument, a vote, viva voca shall be taken on each separate charge; and if two thirds of the whole number of the councilmen elected shall determine that the accused is guilty of any one of such charges he shall be deemed removed from his office. Sentence of removal shall at once be pronounced by the presiding officer of Council, to take effect in three days from the time of said sentence.

1-210. — Charge Against Councilman or Mayor.—When a charge is preferred against a member of the Council, he shall have no vote in any of the pro-

ceedings instituted against him. If the Mayor shall be such accused person, the Council shall appoint one of its own members President pro tem to serve as such until such charge be determined; but such appointment shall not have the effect to deprive said Mayor of the right to perform the duties of his office except to preside over the Council during his trial.

1-211. — Adjournment During Trial.—During the trial the Council may adjourn from day to day, or from one day over to any other, until the same is completed.

Bk. 4, P. 21, 1913

1-212. Officials' Bonds.—The penal sum of the official bonds of the following named officers, shall be and the same is hereby fixed at the following amounts:

That of the Mayor the sum of -----	\$ 3,000.00
That of Cemetery Sexton the sum of -----	500.00
That of City Clerk the sum of -----	2,000.00
That of Civil Engineer the sum of -----	2,000.00
That of Marshal the sum of -----	2,000.00
That of City Attorney the sum of -----	3,000.00
That of Treasurer the sum of -----	60,000.00
That of Member of the Board of Health the sum of -----	1,000.00
That of Fire Chief the sum of -----	2,500.00

(This ordinance shall be in full force and effect on and after its passage.)

(Ord. 3—1935) (Ord. 228—1921) (Ord. 130—1898) (Ord. 4—1934) (Ord. 229—1929)

1-213. — Board of Barber Examiners.—A Board of Examiners consisting of three barbers who have been engaged in the practice of barbering in the City of Bloomington, Indiana, at least five (5) years prior to appointment, shall be selected as hereinafter provided; Two Examiners, one of whom shall be a barber shop proprietor and one of whom shall be a journeyman barber, shall be selected by a majority vote of all barbers who have been engaged in the practice of barbering in the City of Bloomington, Indiana at least five (5) years prior to the date of said selection by said Board. The two Examiners to be appointed and selected as herein before provided by a majority vote of barbers as herein before provided shall select a third examiner who shall be a barber science graduate or equivalent training. Said Examiner shall act in conjunction with the health inspector and the Board of Examiners and shall have the right to set up reasonable rules pertaining to the sanitation of barbers and barber shops not inconsistent with the provisions of this code. Any of said Examiners may be removed during their term of office by a majority vote of all barbers in the City of Bloomington, Indiana, who have been engaged in the practice of barbering in the City of Bloomington, Indiana, for at least five (5) years.

A. The terms of office of such Board of Examiners shall be for the calendar year during which they are appointed, and until their respective successors shall be appointed and qualified. (The first member of said Board shall be appointed within thirty (30) days after the effective date of this ordinance) and they shall serve until the end of the present calendar year.

B. The Examiners shall each receive as compensation for their services a fee of two (\$2.00) for each applicant examined. (Ord. 8—1938)

1-214. Board of Park Managers.—There is hereby constituted and created a Board of Park Managers, of the public parks of the City of Bloomington, who shall have the direct and immediate care and supervision of said parks under the general supervision of the common council of said City.

1-215. — Membership—Appointments.—The said Board of Park Managers shall consist of three (3) members, to be nominated by the Mayor and the nominations approved by a majority vote of the Council.

The first Board of Park Managers so appointed shall hold office for one (1), two (2), and three (3), years respectively and the Mayor and the Common Council shall designate the terms of the respective members at the time of their appointment. Their successors shall be appointed in the same manner but shall be for three (3) years.

1-216. — General Supervisions of Playgrounds, Etc.—The said Board of Parks Managers shall have the general supervision, care, and oversight of all of the Public Parks and park property of the City of Bloomington, Indiana, and shall have and exercise such powers as pertain usually to the Board of Trustees of Public Parks of cities, provided that they shall act under the general supervision of the Common Council.

The members of said Board shall serve without remuneration other than the re-imbursement for their actual expense.

1-217. — Discretionary Powers.—The said Board of Park Managers may in their discretion hire such employees as they may see fit and may use any income derived from the privileges and fees charged to users of the park and also such funds as may have been appropriated by the Common Council of the said City but shall incur no indebtedness nor make any expenditures in excess of the said Board of Park Managers' income and funds previously appropriated by the Common Council. The said Board of Park Managers shall make such financial reports to the Common Council of the City as may be required of them and shall furnish such information as may be necessary for the purpose of estimating the budget of expense upon which to base the annual tax levy for park purposes.

(Ord. No. 16, 1934)

1-218. Board of Recreation.—A Board of Recreation is hereby established in conformity with Chapter 172 of the Acts of the General Assembly of the State of Indiana, 1925.

1-219. — Membership—Appointment—Qualifications.— Said Board of

Recreation shall consist of 5 (five) members, all appointed by the Mayor of the City of Bloomington, Indiana, all of whom shall be resident freeholders; one of whom shall be a member of the Board of School Trustees; and all of whom shall be qualified for membership by reason of and interest in and knowledge of the social and educational value of recreation. The first member so appointed shall hold office for one year; the next member so appointed shall hold office for two years; the next member so appointed shall hold office for three years; and the fourth and fifth members of said Board of Recreation shall hold office for four years each.

1-220. — General Supervision.—Said Board of Recreation shall have general supervision of, and full control and custody of playgrounds and recreational centers, and may enforce such rules, regulations, and by-laws as provided by the Statutes of the State of Indiana.

(Ord. No. 14, 1939)

1-221. Recreational Centers.—There be established, equipped and maintained in said City of Bloomington, Indiana, playgrounds and recreational centers on certain public grounds of said Civil City which the Council may, in its judgment deem to be required or adaptable for such purposes.

1-222. — Appropriations.—The establishment, equipment and maintenance of such playgrounds and recreational centers herein provided for shall be subject to appropriations made for such purpose and upon such public grounds as the Council may, in its judgment, deem required and adaptable for such purpose.

(Ord. No. 28, 1929)

1-223. City Plan Commission.—There is hereby established a City Plan Commission for said City, to consist of seven members as follows; four citizens members appointed by the Mayor of said City, one member from the City Park Board, one member of the City Council, and the City Engineer.

1-224. — Term of Office—Vacancies.—The four citizens appointed by the Mayor shall hold office as follows; one for a term of two years, one for three years, and two for four years, from and after the first day of January of the year of their appointment. Annually thereafter on or before the first day of February of each year the Mayor shall appoint a Commissioner to fill the vacancy caused by the expiration of the term of office of any commissioner, such commissioner shall hold office for four years from the first day of January of the year of his appointment.

1-225. — Members from Council and Park Board.—As soon as the City Plan Commission shall have been established, the Common Council and the City Park Board shall each select a member of their respective bodies to serve on the City Plan Commission, their terms to expire with their respective terms of office.

1-226. — Meetings—Organization.—The City Plan Commission shall meet immediately after its formation and organize by electing one of its members President, one as Vice-President, and one as Secretary. Thereafter the election of officers shall be made annually at the first regular meeting in February.

1-227. — Compensation—Expenses—Powers.—The members of the City Plan Commission shall serve without pay except their actual expenses which shall be subject to the approval of the Mayor. The Commission shall have such powers, and perform such duties as provided in the Acts of the General Assembly, 1921, Chapter 209, and all Acts amendatory thereof and supplemental thereto.

1-234. Board of Plumbing Examiners.—There is hereby created in the City of Bloomington the Board for the Examination and Registration of Plumbers, to consist of five (5) members; The secretary of the Board of Health and the city Civil Engineer, and these two shall appoint three (3) additional members, one of whom shall be an architect, if one is eligible, and if not a disinterested citizen, and two (2) plumbers, one of whom shall be an employer of not less than ten (10) years of experience as a plumber, and an employee of like experience, all of whom must be residents of the City of Bloomington, and the said plumbers must be registered and licensed as herein provided. The term of office of three (3) appointive members shall be for one (1), two (2) and three (3) years respectively, their successors shall be appointed for three (3) years, it being the intention that the term of office of one appointive member shall expire each year. The Secretary of the Board of Health and the City Civil Engineer shall be members by virtue of their respective offices and shall serve without additional compensation. The appointive members shall receive one dollar (\$1.00) for each examination.

1-235. — Organization.—The Board for the Examination and Registration of Plumbers shall meet at the City Hall for the purpose of organization. It shall elect a chairman and secretary to hold office for one (1) year or until a successor is elected and qualified. Three (3) members shall constitute a quorum and the board shall have the right to make rules and regulations not inconsistent with the law or with this code for purpose of enforcing the provisions of this code relating to plumbers and plumbing.

1-236. — Powers and Duties.—The said board shall keep a record of its proceedings, a record of all applications for registration, showing the date thereof, the name, education, qualification, residence, and place of business of the applicant, whether licensed or rejected, and the date, and the board shall have full power to examine all such applicants for license, determine their fitness and qualification, issue a certificate, and to refuse license and registration to ineligible and incompetent persons.

(Ord. No. 13, 1915)

1-237. — Payment of Expenses.—Said Board shall not have the right or power to create any expense unless the money therefor has been duly appropriated

by the board, including the salary of the appointive members, shall be paid on voucher approved by the president and secretary of the board and shall be paid from the funds derived from the collection of the license and fees provided by this code.

(Ord. No. 13, 1915)

1-238. — Revocation of License.—The Board shall have the power to suspend or revoke any license issued under this Code for any fraud or deceit in obtaining a license or gross incompetence, neglect, or misconduct in the practice of plumbing. Any person may prefer charges of fraud, misrepresentation, deceit, neglect, incompetence, or misconduct against any licensed plumber, which charges shall be in writing, verified by the complainant and filed with the secretary of the board. The board shall fix a time and place of the hearing and due notice thereof shall be given the accused and he shall be furnished a copy of the charges, no hearing shall be had by the board until after the expiration of thirty (30) days from notice to the accused. The board or a quorum thereof shall hear the charges and the conduct of such hearing as to the rights of the parties and the procedure shall be conducted, as far as possible, under the rules of the courts of justice. It shall require the vote of three (3) members to find the accused guilty. Upon the conviction of the accused under such charges, the board may order the City Clerk to suspend or revoke his license. A license suspended or revoked may be ordered reissued by the clerk upon a vote of three (3) or more members of the board at a meeting of the board.

(Ord. 13, 1934)

1-239. Plumbing Inspector—Appointment and Duties.—It shall be the duty of the City Board of Health to appoint an Inspector of Plumbing and House Drainage in the said City of Bloomington, as provided by law, and it shall be the duty of such Inspector to make inspections of plumbing under the laws of the State of Indiana, the regulations of the Board of Health, and this Code, and for each inspection he shall receive fees as follows: one dollar (\$1.00) for the first opening and twenty-five (25) cents for each additional; provided these fees are subject to change and adjustment by the Board of Health.

1-240. — City Clerk to Furnish Blanks.—The said board and the City Clerk shall prepare the necessary forms and blanks for the proper enforcement of the provisions of this code relating to plumbers and plumbing and the same shall be furnished to persons entitled thereto without charges other than herein set forth.

1-241. Police Department, Eight Hour Days.—Hereafter eight hours shall constitute a working day for the members of the Police Department of the City of Bloomington, Indiana, in conformity with Chapter 36 of the Acts of the General Assembly of the State of Indiana, 1939.

1-242. — Exceptions.—The provisions of this section shall not apply to the Chief of Police or Superintendent of the Police Department, or that nothing herein contained shall interfere with or suspend any rule or order of the Board of Public Works and Safety or Metropolitan Police Commissioners of this City regarding extra hours of service in case of Public emergency or entertainment.

(Ord. No. 21, 1939)

1-243. — Police Pension Fund.—A police pension fund for the Metropolitan Police Department in the City of Bloomington, Indiana, is hereby created and established.

(Ord. No. 6, 1938)

1-244. Fire Department—Authorized to Serve Rural Districts.—The fire department of the City of Bloomington, Indiana be authorized to render service to the rural districts within a five (5) mile radius of the City of Bloomington, Indiana, and to make a minimum charge of five dollars (\$5.00) and ten dollars (\$10.00) per hour for one hour or less for said service and ten dollars for each additional hour over the first hour, to be charged against the township in which the property is located or against the property owner calling for said service.

(Ord. No. 4, 1939)

1-245. — Fireman's Pension Fund.—A Board of Trustees and Fireman's Pension Fund for the Fire Department of the City of Bloomington, Indiana, is hereby established in conformity with the provisions of Chapter 31, of the Acts of the General Assembly of the State of Indiana of 1937.

(Ord. No. 5, 1938)

CHAPTER 3.—Cemeteries and Sewerage Disposal Works.

1-301. Burial Crypts.

1-302. — Removal.

1-303. — Register.

1-304. Rose Hill Cemetery Rules.

1-305. Sexton—Duties.

1-306. — Salary.

1-307. — Right to Occupy Dwelling.

1-308. — Police Powers.

1-309. Sewage Disposal Works—Rates.

1-310. — Delinquent Collection.

1-311. Conservation of Water—Proclamation by Mayor.

1-312. — Publication of Notice.

1-313. — Penalty.

1-301. Burial Crypts.—Hereafter the use of crypts belonging to the City of Bloomington, Indiana, and situated in the mausoleum in Rose Hill Cemetery in

said City shall be granted and let to use only upon the following terms and condition, to-wit:

There shall be charged and collected before the body of any deceased person shall be placed in any one of said crypts, the sum of five dollars (\$5.00) and which sum shall be payment for use of one crypt for any period not exceeding five days, and if such body remain in said crypt for a period of more than five days the charge shall be at the rate of one dollar per day for each day over five days that the body remain in any crypt for a period longer than sixty (60) days.

Before any crypt shall be let to use the person desiring said use shall apply to the City Clerk for a permit which shall be granted by the clerk in all proper cases, upon the payment of the initial sum of \$5.00, and such person shall receive a permit in writing which shall designate the crypt for use of which such permit is given.

Provided, that in case it shall be made to appear to the City Clerk or to the Mayor of said City, that the deceased was an indigent person and that the payment of the sum herein required would be a hardship upon any one interested in same, then in that case a permit may be granted without payment, but only upon all the conditions herein provided being complied with.

1-302. — Removal. Before any permit shall be granted by the Clerk as aforesaid for the use of any crypt aforesaid, the next of kin to the deceased for the use of whose body the crypt is desired shall sign an agreement to abide by all rules governing the use of the same (except as to payment in case of poor or indigent persons as herein provided) and that in case said body is not removed from said crypt within a period of sixty days from the time the body is placed therein, the City of Bloomington shall have the right without legal process or proceedings, to remove said body from said mausoleum and inter the said in any part of Rose Hill Cemetery.

1-303. — Register.—The Clerk of said City shall keep a mausoleum account and register of crypts in and out of use, and shall collect all accounts due on the account of the use of all crypts let under permit as aforesaid and make annual report of the same to the City Council of said City and pay the amounts collected to the treasurer of said City.

1-304. Rose Hill Cemetery Rules.—The following rules, be and the same are now and hereby established in connection with the government and use of Rose Hill Cemetery in said City.

Rule One: The gates to said Cemetery shall be opened at seven o'clock A. M. and closed at eight o'clock P. M. of each day.

Rule Two: All hauling or using of driveways in said Cemetery for public convenience or commerce is prohibited.

Rule Three: Any person found committing trespass or acts of vandalism in said Cemetery will be subject to arrest and punishment as by law provided in such cases.

Rule Four: Children will not be allowed in said Cemetery unless accompanied by an adult.

Rule Five: Said Cemetery may be policed day and night and above laws strictly enforced from and after date of publication thereof.

1-305. Sexton—Duties.—The sexton of said Cemetery shall not permit any body to be placed in any crypt in said mausoleum belonging to said City until said sexton is presented a permit, duly issued as aforesaid, granting permission to use said crypt.

1-306. — Salary.—The compensation to be paid the sexton or superintendent of the Rose Hill cemetery shall be paid semi-monthly upon bills being filled and allowed therefor in the manner and form provided by law.

1-307. — Right to Occupy Dwelling.—In addition to the compensation above provided for in section 306 of this chapter, said sexton or superintendent shall have the right to occupy the residence or dwelling house located on said cemetery without paying any rentals therefor, and said city shall provide and pay for a telephone in said home for the use of said sexton or superintendent for cemetery use and also for the use of his family.

(Ord. No. 146, 1920)

1-308. — Police Power.—The sexton of said Cemetery shall have all the powers of police officers to arrest any person violating any of the provisions of this chapter and to conduct the offender before the Mayor or other proper magistrate or if necessary to commit him to the county jail until a hearing can be had.

1-309. Sewage Disposal Works—Rates.—Rates or charges shall be collected for the use of and the service rendered by said sewage disposal works, from the owners of each and every lot, parcel of real estate or building that is connected with and uses such sewage disposal works, which rates or charges shall be payable as hereinafter provided, and in amount determinable as follows:

(a) the rates or charges shall be based upon the quantity of water used on or in the property or premises subject to said rates or charges, as the same is measured by the City water meter there in use, except as herein otherwise provided.

(Ord. No. 12, 1934)

(b) The schedule on which the amount of said rates or charges shall be determined shall be as follows:

First	2,000 Gallons	.15 per 1,000 gallons
Next	3,000 Gallons	.14 per 1,000 gallons
Next	5,000 Gallons	.13 per 1,000 gallons

Next 10,000 Gallons .12 per 1,000 gallons
 Next 30,000 Gallons .11 per 1,000 gallons
 Next 50,000 Gallons .10 per 1,000 gallons
 Next 100,000 Gallons .09 per 1,000 gallons
 Next 200,000 Gallons .08 per 1,000 gallons

(Ord. No. 22, 1939)

(c) Water which is used in process of manufacture or for any other purpose which does not discharge to the sanitary sewers shall be exempted, provided, however, that the property owner shall install the necessary meters to indicate the amount of water used which does not discharge into the sanitary sewers.

(d) In the event a lot, parcel of real estate or building discharging sanitary sewage, water or other liquids into the sanitary sewage system of the City, either directly or indirectly, is not a user of water supplied by the City, and the water used thereon or therein is not measured by a city water meter or by a meter acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City in order to determine the rate or charge provided for in these sections, or the owner or other interested party, at his expense, may install and maintain a meter acceptable to the City for said purpose.

(e) In the event a lot, parcel of real estate or building discharges sewage in the form of industrial waste either directly or indirectly into the City sanitary sewerage system and the city finds that it is not practical to attempt to measure such wastes by meter, it shall measure the same in such manner and by such method as it may find practicable in the light of the conditions and attendant circumstances of the case in order to determine the rate or charge according to the corresponding rates per thousand cubic feet provided in this chapter.

(f) Such rates and charges shall be billed monthly and shall be due and payable on or before the tenth day of the calendar month next succeeding the date of the billing.

(g) The minimum rate or charge for any service where user is a metered water consumer shall be 25c per month. The minimum rate or charge for any service where user is not a metered water consumer shall be \$12.00 per year.

(h) For service rendered to the City of Bloomington, said city shall be subject to the same charges and rates hereinabove provided for.

1-310. — Delinquent Collection.—The rates and charges fixed herein shall be extended to and cover any additional premises hereafter served without the necessity of any hearing or notice. If any service rate or charge hereby established shall not be paid within thirty days after the same is due, a statement therefor shall be placed in the hands of the City Attorney, and it shall be the duty of the City Attorney to institute a civil action in the name of the City to recover the amount thereof, together with a penalty of ten per centum (10 percent) and a reasonable attorney's fee, as provided by statute.

(Ord. No. 12, 1934)

1-311. Conservation of Water—Proclamation by Mayor.—In case of emergency caused by excessive dry weather or drought over a period of time sufficient to cause the supply of water in the lakes or reservoirs of the City Water Works System to be reduced to such an extent as to be dangerous to the public health and general welfare of the citizens of said City; and after notice of such condition shall have been given by the Mayor of said City and the Superintendent of said Water Works System by publication one time in two newspapers printed and published in said City; it shall be unlawful for any person, firm, or corporation patron of said Water Works System to use water from said water works system for washing automobiles, filling swimming pools, or sprinkling streets, alleys, sidewalks, yards, gardens, golf courses, or other uses through hose or sprinklers, except in cases of fire.

1-312. — Publication of Notice.—Such emergency shall be determined by the Mayor of the City of Bloomington, Indiana, and the Superintendent of the City Water Works of said City, and notice thereof given the public by publication as provided by section 311 of this chapter.

1-313. — Penalty. Any person, firm, or corporation, (patron of the Water Works System of the City of Bloomington, Indiana) violating the provisions of this chapter shall have their water privileges cancelled and the water turned off at their premises, until the Superintendent of said Water Works shall decide to again turn the water on.

(Ord. No. 17, 1930)

TITLE 2—BUILDINGS

- 2-101. Fire Limits.
- 2-102. — Construction Within.
- 2-103. House Numbering.
- 2-104. — Philadelphia Plan Applied.
- 2-105. — Type of Numbers—Location.
- 2-106. Plumbers Rules.
- 2-107. Plumbing—Application of State Code.
- 2-108. — Notice to Inspector.
- 2-109. — Inspection Required.
- 2-110. — Plan Filed.
- 2-111. — Statement of Work.
- 2-112. Public Sewers—Cesspools and Overflow Connections.
- 2-113. — Injuring.
- 2-114. — Water and Gas Pipes.
- 2-115. — Obstructions.

- 2-116. — Trenches.
- 2-117. — Materials for Sewers and Drains.
- 2-118. — Pipe Laying.
- 2-119. — Main Soil and Waste Pipes.
- 2-120. — Joints.
- 2-121. — Inspection Required.
- 2-122. — Water Closets, Urinals, Etc., Traps.
- 2-123. — Vent Pipes.
- 2-124. — Safes.
- 2-125. — Overflows.
- 2-126. — Type of Water Closets.
- 2-127. — Strainers.
- 2-128. — Drainage Forbidden.
- 2-129. — House Connections Crossing Creek Beds.
- 2-130. Structures Obstructing Streets or Sidewalks.
- 2-131. — Engineers' Report of Obstructions.
- 2-132. — Notice to Owner.
- 2-133. — Removal After Notice.
- 2-134. — Cost of Removal.
- 2-199. Penalty.

2-101. Fire Limits.—It shall be unlawful for any person to construct, reconstruct, erect, place or move from one place to another any building or part of a building within the following described limits in said City, unless the outer walls of said building or part of said building be constructed of brick or stone and said building or part of said building covered with slate or metal roof, to-wit:

Commencing at the center of the intersection of Fourth Street and Morton in said City, running thence east along Fourth Street to the intersection of Washington Street, thence north to the intersection of Seventh Street thence west along Seventh Street to the intersection of Morton Street, thence south along Morton Street to the place of beginning.

2-102. — Construction Within.—Any person who shall construct, reconstruct, erect, place or move from one place to another, within the aforesaid limits, any building, or part of a building, the outer walls of which shall not be constructed of brick or stone and which shall not be covered with slate or metal roof, in accordance with the provisions of the foregoing sections shall upon conviction there of, be deemed guilty of violating the provisions of this chapter provided, however that these provisions shall not prohibit the owners of one story frame buildings within the above described limits from erecting a second story thereon, if the same, when erected, be covered with a slate or metal roof.

(Ord. No. 151, 1899)

2-103. House Numbering.—The plan known as the Philadelphia System of numbering houses be and the same is hereby adopted in the City of Bloomington, Indiana.

2-104. — Philadelphia System Applied.—The Philadelphia System of numbering houses as adopted by the preceding section shall be applied to this City as follows:

Of the streets running north and south, Walnut Street shall be taken as a base and from which all houses on streets running east and west shall be numbered with the even numbers on the right hand side and odd numbers on the left hand side according to the Philadelphia System, commencing on each street running east and west from Walnut Street with the numbers 100 and 101 adjacent to said Walnut Street and adding 100 to the serial at the beginning of each block on each street running east and west from Walnut Street.

Of the Streets running east and west, Kirkwood Avenue shall be taken as a base and from which all houses on streets running north and south shall be numbered with even numbers on the right hand side and odd numbers on the left hand side according to the Philadelphia system, commencing on each street running north and south from Kirkwood Avenue with the numbers 100 and 101 adjacent to said Kirkwood Avenue and adding 100 to the serial at the beginning of each block on each street running north and south from Kirkwood Avenue.

All short and angling streets shall take the nearest parallel corresponding block numbers and all stairways and basements shall be given half numbers. In assigning numbers on any street twenty-two feet shall be taken as a unit.

2-105. — Type of Numbers—Location.—Every residence and business house within the corporate limits of the City of Bloomington, Indiana shall be numbered in accordance with sections 103 and 104 of this chapter with substantial figures on a metal base, which figures shall not be less than two and one half inches in height, placed in some conspicuous place in plain view from the street on the side of the building which faces the street. Numbers shall be placed upon new buildings within thirty days after the completion of the same.

(Ord. No. 85, 1895)

2-106. Plumbers Rules.—All materials used must be of a good quality and free from defects, the work must be executed in the most thorough and workmanlike manner. No material shall be used inside of the building or to a point three feet outside of the foundation walls of the building for soil-waste or vent-pipe other than cast or wrought iron pipes or lead pipes with soldered or wiped joints. Cement or putty joints, tin or sheet-iron pipes whether galvanized or not, shall not be used. No soil or waste-pipe shall have fall of less than one inch in ten feet.

All cast iron pipes must be sound, free from cracks or holes and shall be of standard weights as measured by good practice in plumbing trade. All fittings

used in connections with such pipes shall correspond to the pipe in weight and quality. Where lead pipe is used to connect fixtures with vertical soil or waste-pipes or to connect traps with vertical vent-pipes, it must not be lighter than "light pipe." The arrangement of soil and waste pipes must be as direct as possible. The drain, soil, waste-pipes and traps should if possible, be exposed to view at all times for ready inspection and convenience of repairing. When necessarily placed within partitions or in recesses of walls, soil and waste-pipes shall be covered with woodwork so fastened with screws as to be readily removed.

2-107. Plumbing—Application of State Code.—All plumbing in the City of Bloomington shall be installed as provided in "State Building Council Law" approved and adopted May 26, 1925, according to an Act of the General Assembly, (except that these sections shall apply to all private as well as public buildings, approved March 3, 1923, and in accordance with the latest revision thereof, and to the satisfaction of the Plumbing Inspector hereinafter provided for or his duly authorized representative.

2-108. — Notice to Inspector.—The Plumbing Inspector herein provided for must be notified in writing when work is ready for inspection and shall be allowed a sufficient length of time (at least twenty-four (24) hours) after notice has been given that work is ready for inspection, before any plumbing work may be covered or concealed from view.

2-109. — Inspection Required.—It shall be unlawful for any person, firm, or corporation to make any connection in any manner with the water system or the sewage disposal system of the said City with any public or private plumbing until the same has been inspected and approved by the Plumbing Inspector provided for by this code.

(Ord. No. 13, 1934)

2-110. — Plan Filed.—No plumbing shall be installed in any building until a permit therefor shall have been issued to the owner thereof, plans and specifications therefor filed in the office of the City Clerk and approved by said City. Every plan shall contain a full and clear description of the plumbing, showing the position, size, kind and weight of all pipes and the position and kind of traps, closets and other fixtures. All work done under such plan shall be subject to the inspection of the City of Bloomington or its authorized agent and no alterations shall be made in any plan without a special permit in writing.

2-111. — Statement of Work.—The plumber shall on the completion of work file in the office of the City Clerk on blanks furnished for the purpose, a correct statement of the work done under the permit.

2-112. Public Sewers—Cesspools and Overflow Connections.—No open gutter cesspool or privy vault shall be connected with any sewer and drain cellar or cistern overflow may be connected with the sewer or drain only when they are trapped in such a manner that the water seal cannot be destroyed. All connections between the main sewer and slaughtering houses, butcher shops, hotels, restaurants, manufacturing establishments or other buildings, furnishing a sewerage of like nature, shall be made through intervening receiving tanks built of masonry whose number dimensions and forms shall be prepared by the City of Bloomington or its authorized agent. The sewerage for water-closets in the above enumerated establishments shall be drained directly to the sewer without passing through any intervening receiving tanks.

2-113. — Injuring.—No person, firm or corporation shall injure break or remove any portion of the sewer system or its appurtenances or throw or deposit or cause to be thrown or deposited in any sewer opening or receptacle connecting with the sewer system any garbage, offal, dead animal, vegetable parings, ashes, cinders, rags, papers or any other matter or anything whatsoever, which should tend to clog the sewer and which may not be considered as proper to be carried away by the sewer.

2-114. — Water and Gas Pipes.—Any person, firm or corporation desiring to lay pipe for water, gas, steam or any other purpose in the street or alley on which sewers are laid shall give at least twenty-four hours notice to the City of Bloomington or its authorized agents before opening the streets or beginning such work and the manner of excavating, laying and manner of back-fill over such pipes shall be subject to the approval of the City of Bloomington or its authorized agent. All such work shall be placed and executed so that no injury shall occur to any public sewer or drain or to any house-sewer or drain connected otherwise.

2-115. — Obstructions.—The City of Bloomington shall have the power to stop and prevent the discharge into the sewer system of any private drain through which substances are discharged which are liable to injure the sewer or obstruct the flow of sewerage.

Before any old private drain or sewer shall be connected to the sewer system the owner thereof shall prove to the satisfaction of the City of Bloomington that it is clean and conforms in every respect to these rules and regulations.

2-116. — Trenches.—The house-sewer trench shall be dug so that it will meet with the public sewer at the position of the "Y" branch as located by the City. The material thrown from the trenches shall be placed so as not to obstruct and so as to cause the least inconvenience to the public. Proper barriers and lights must be maintained on the banks of the trenches to guard the public against accident during the progress of the work. In back-filling the earth shall be carefully rounded or flooded so as to keep the pipe in proper position and avoid settling and no stones shall be used as back filling until there has been a

depth of two feet of fine earth or gravel placed over the pipe. If blasting of rock be required in any trench for a construction, the utmost caution shall be used to cover the blast with suitable and sufficient protection such as timber, brush, etc., so that life and property in the vicinity may not be in jeopardy. On streets that are paved or macadamized, care shall be exercised to keep the pavements or broken stone separate from the remainder of the filling and upon refilling the trench the street must be restored to its original condition as nearly as practicable.

2-117. — Material for Sewer and Drains.—The house-sewer from a point three feet outside of the house to the street, shall be of first quality of salt-glazed, vitrified earthenware pipe. Its drainage shall not be less than six inches.

2-118. — Pipe Laying.—The cover of the "Y" branch on the sewer shall be carefully removed so as not to injure the socket on the pipe. The first length of pipe attached to the "Y" branch shall be curved and set so as to give a good fall to the sewer. The grade of house-sewers liable to receive solid substances shall be as follows, six inches in diameter $\frac{1}{4}$ inches per foot, eight inches or over in diameter $\frac{1}{2}$ inches per foot. No pipe shall be laid at a less grade than the above without special permission of the City of Bloomington or its authorized agent. All pipe shall be laid to a uniform grade, curve pipes shall be used for every deflection from a straight line of more than six inches in two feet.

2-119. — Main, Soil and Wastepipes.—A main wastepipe into which wash basins, bath tubs or kitchen sinks discharge must be at least two inches in diameter with one and one-half inch branches. The main pipe from the sewer connection to the house, trap must be at least four inches in interior diameter in every part. No trap or any manner of obstruction to the free flow of air throughout the whole course of the main house-sewer or soil pipe will be allowed. This may be secured by an untrapped main house-sewer and soil pipe or, if a trap is placed in the main soil pipe, by a ventilated pipe leading to the roof of the lower side of the trap and a fresh air inlet connecting with the foot of the soil pipe just above the trap. Every vertical soil pipe and wastepipe must be extended at least two feet above the trap, highest part of the roof or coping. It must be of undiminished size without return bend, and with open or basket end. It must not open near a window or air shaft.

2-120. — Joints.—All joints in iron drain pipes, soil pipes and waste pipes except where screw pipes joints are used must be filled with oakum and lead and bondcaulked so as to make them gas tight. All connections of lead with iron pipe must be made with a brass or lead sleeve or ferrule of the same size as the lead pipe. The lead must be attached to the ferrule by a wiped or overcast joint. All connections of lead with waste and vent pipe shall be made by means of wiped joints.

2-121. — Inspection Required.—Before connecting fixtures with the pipe system of the building, pipes shall be hermetically sealed at all openings below the top, filled with water throughout and tested for leaks. All work already in place will be examined by other effective tests. All work or material found to be defective shall be removed and replaced with proper material and workmanship. In cases where plumbing work has been completed in a building before these rules and regulations came into force, the connections with the sewer shall be made in the same manner as connections made with new work.

2-122. — Water Closets, Urinals, Etc., Traps.—Every water-closet, urinal sink, wash tray, bath tub and every tub or set of tubs, must be separately and effectively trapped. Traps must be placed as near the fixtures as is practicable. In no case shall water from bath tub or other fixtures be connected with water-closet trap. Wash rooms for carriages must be provided with means for intercepting the mud.

2-123. — Vent Pipes.—Traps must be protected from syphonage or the waste pipe leading from them ventilated by a special air pipe taken out of crown of the trap. No trap vent pipe shall be used as a waste or soil pipe. No chimney flue shall be used as a sewer ventilator, not to ventilate any trap soil drain or waste pipe.

2-124. — Safes.—Every lead safe under a waste tray, urinal, refrigerator or water-closet must be drained by special pipe not directly connected with any water pipe, soil pipe or sewer. The sink pipe from refrigerators shall be trapped if connected with the soil or waste pipes or with the sewer.

Rain water conductors shall not be connected with the sewer.

2-125. — Overflows.—Overflows from fixtures must in each case be connected on the inlet side of the trap.

2-126. — Type of Water-Closets.—Water-Closets must be of a pattern satisfactory to the City of Bloomington or its authorized agent and shall be supplied with a flushing device such that they are thoroughly cleansed and flushed.

2-127. — Strainers.—Exit pipes to all fixtures except water-closets, shall be furnished attached strainers.

2-128. — Drainage Forbidden.—Cellars, basements, downspouts, springs or other water used for washing buggies, wagons or automobiles at livery barns or garages shall not be connected with said sewer.

2-129. — House Connections, Crossing Creek Bed.—Whenever it is necessary in making a house connection with main sewer, to cross the creek bed, that part of the house connection pipe to be laid within the creek bed shall be six inches cast iron pipe laid with lead joints.

2-130. Structure Obstructing Streets or Sidewalks.—It shall be unlawful and it is hereby declared to be a nuisance for any person, firm or corporation to con-

the streets, alleys or sidewalks of said City and it shall be unlawful and it shall be a nuisance for any person, firm or corporation to construct, erect or maintain any building, fence or other structure so that the same or any appendage thereof shall extend or project into or upon any street, alley or sidewalk of said City, is hereby declared a public nuisance and is condemned and shall be abated and removed in the manner and form hereinafter provided.

2-131. — Engineers' Report of Obstruction.—Whenever it is ascertained by the City Civil Engineer, by survey or otherwise that any building, fence, or other structure, or any appendage thereof, is being constructed, erected or maintained in whole or in part in any street, alley or sidewalk within said City he shall report such fact in writing to the Mayor of said City giving the location of such building, fence or other structure, or appendage thereof, indicating the name of the owner, the leasee, if any and he shall furnish in such report an accurate description of the structure complained of, showing by measurements what portion of the same projects or extends into the street, alley or sidewalk and such engineer shall also state therein the estimated cost of the removal of such structure or part thereof.

2-132. — Notice to Owner.—It shall be the duty of such Mayor upon the receipt of such written report from the City Engineer to immediately file the same with the Clerk of said City and it shall be the duty of such Clerk upon the filing of such report in his office to issue written notices over his signature to the owner of the structure complained of commanding him to remove within ten days from the date of receiving such notice the portion or part of the building, fence or other structure which is shown by the Engineers' report to be in the street, alley or sidewalk. Said notice shall be served by the City Marshal by delivering to the owner and the leasee, if any, a true and exact copy of such notice and said City Marshal shall not make any return on said notice until after the expiration of ten days from the date of service thereof. At the expiration of such ten days said City Marshal shall make his return in writing on said notice to the Mayor of said City showing thereon the date said notice was received by him, the date of service, and whether or not the structure mentioned in the notice has been removed by the owner or leasee within the time required.

2-133. — Removal After Notice.—Should the return of said City Marshal on said notice show that the owner or leasee if any of such structure has failed to comply with such notice and has failed to remove the same within the time required by such notice, it shall be the duty of such Mayor to issue his warrant under the seal of such City, directed to such City Marshal commanding him to forthwith remove such structure or as much thereof as projects into the street, alley or sidewalk. Said Mayor shall deliver such warrant to such City Marshal who shall proceed to carry the same into execution by removing the structure mentioned in said warrant, or so much thereof as extends or projects into any street, alley or sidewalk, using all proper care and doing no unnecessary damage to the owner or leasee thereof.

2-134. — Cost of Removal.—The City Marshal shall keep an accurate account of the cost of the removal of such structure and expense account shall be verified by such Marshal and by him filed with the Clerk of said City together with his return on said warrant and the cost of such removal shall be assessed and charged against the owner of the structure so removed and the City of Bloomington shall have a lien against the property of the owner to the amount of the cost of such removal and said City may sue and foreclose such lien in any Court of competent jurisdiction and such owner shall be liable for the cost of such foreclosure proceedings.

(September 9, 1911)

2-199. Penalty.—Any person violating any of the provisions of this chapter, shall upon conviction be fined in any sum not to exceed one hundred (\$100.00) dollars, together with cost of prosecution and each days continuance in such violation shall constitute a separate offense.

TITLE 3—HEALTH AND SANITATION

CHAPTER 1.

- 3-101. Bone Dust, Fertilizer—Storage.
- 3-102. Garbage—Containers Provided.
- 3-103. — Garbage and Trash Separated.
- 3-104. — Private Collection Prohibited.
- 3-105. — Authority to Hire Collector.
- 3-106. Milk—Compliance with State Law.
- 3-107. — Tests.
- 3-108. —Containers.
- 3-109. Nuisances.
- 3-110. — Waste Disposal—Rank Weeds.
- 3-111. — Abatement.
- 3-114. Unsanitary Premises.
- 3-115. — Abatement.
- 3-116. — Dumping Prohibited.
- 3-117. — Cleaning Stables.
- 3-118. — Sanitary Privy Construction.
- 3-119. — Filling Abandoned Wells.
- 3-120. Venereal Diseases.
- 3-121. — Report.

- 3-122. — Preventive Measures.
- 3-123. — Investigation of Cases.
- 3-124. — Protective Measures.
- 3-125. — Druggists Prescribing and Advertising Remedies.
- 3-126. — Employment of Diseased Persons.
- 3-199. Penalty.

3-101. Bone Dust Fertilizer—Storage.—It shall be unlawful for any person to keep in store, or on deposit bone dust, or other offensive to the small fertilizers in any storehouse, cellar, outhouse, or building of any kind within the corporate limits of the City of Bloomington. Provided; that any person shipping, and dealing in said bone dust, or other offensive to the smell fertilizers, may be permitted to keep the same on the side track of the railroad, in the cars in which the same may be shipped, for the purpose of unloading, and disposing of the same, a period not exceeding three days.

(Ord. No. 48, 1888)

3-102. Garbage—Containers Provided.—The owner or owners, whether person, persons, firm, company or corporation, or hotels, boarding houses, restaurants, cafes, flats, apartment houses and private homes, shall unless otherwise contracted for in writing between lessor and lessee, provide said hotels, boarding houses, restaurants, cafes, flats, apartment houses and private homes with galvanized iron garbage cans in sufficient number or sufficient size and of approved construction to sanitarily care for and protect from flies all garbage of said hotels, boarding houses, restaurants, cafes, flats, apartment houses and private homes.

3-103. — Garbage and Trash Separated.—All garbage cans shall be placed and kept so the garbage collector can have ready and convenient access to the same, and said garbage cans shall be used to contain garbage only and the term garbage shall include all kitchen and table refuse and remains of food substances, excluding all trash which term includes rags, sweepings, empty pasteboard cartons, waste paper, wooden and metal articles, dirt, broken crockery, broken glass, etc; and all trash shall be kept in boxes, barrels, bins, or galvanized iron cans entirely separate from the garbage, and all garbage and trash receptacles shall be conveniently placed and kept so the garbage and trash collectors may have ready and reasonable access to the same.

3-104. — Private Collection Prohibited.—It shall be unlawful for any person, persons, firm or corporation to collect and haul through the streets of Bloomington, Indiana, from residences, sorority or chapter house or any restaurants, hotel or any other building, garbage of any kind whatsoever. It shall be unlawful for any resident, proprietor or manager of any residence, flat, apartment house, sorority house, chapter house, or restaurant or hotel or boarding house or any other place where garbage is accumulated to permit from such places. All garbage shall be left for collection by the City Garbage Department and none other.

3-105. — Authority to Hire Collector.—The enforcement of these sections is hereby invested in the Common Council of the City, and the said Common Council is hereby authorized to employ such men, to purchase such equipment and materials as their judgment may deem necessary for the proper discharge and enforcement of these sections. The Committee on Health of the Common Council to act in an advisory capacity.

(Ord. No. 15) 1925)

3-106. Milk—Compliance with State Law.—No person shall offer or expose for sale or exchange or deliver or have within his possession with the intent to sell or deliver within the City of Bloomington, Indiana, any milk, cream, or buttermilk which has not been produced and handled in accordance with the laws of the State Board of Health of the State of Indiana, and the terms and provisions of this code.

3-107. — Tests.—It shall be the duty of the Sanitary Officer or Secretary of Board of Health of Bloomington, to secure a sample of milk offered for sale within the City of Bloomington, by every person licensed under the terms of this code at least once every thirty (30) days and it shall be the duty of every licensed distributor to furnish such sample to said Sanitary Officer or Secretary of the Board of Health at any time upon request, and the said Sanitary Officer or Secretary of Board of Health shall secure or cause to be made a bacteriological count of each of such samples so taken. The report upon the said count shall be filed in the office of the Secretary of the Board of Health of the City and shall be open to public inspection and licensee notified of the result of the count of each sample so furnished by him. After four (4) samples have been taken and said results filed as herein set out, such health officer shall take the average of the last three (3) samples and classify the results as follows:

1. Where the bacteriological count is less than 100,000 per cubic centimeter, the milk licensee shall be graded as satisfactory.
2. If the average of the bacteriological count exceed 100,000 per cubic centimeter, the milk of the licensee shall be graded as unsatisfactory and said licensee shall be given five (5) days notice to appear before the Secretary of the Board of Health of the said City of Bloomington, Indiana, and show cause why his license should not be revoked. He shall be notified of the time and place of such hearing, and the Secretary of the Board of Health is authorized to revoke such license upon such hearing.

3-108. — Containers.—All bottles, cans, packages, or other containers containing milk as defined by this chapter shall be plainly labeled or marked with:

1. The name of the contents.
2. The word "pasteurized", if the contents have been pasteurized.

3. The word "raw" if the contents are raw.
4. The name of the producer or distributor.

(Ord. No. 17, 1935)

3-109. Nuisance.—It shall be unlawful and it shall be a nuisance for any person, persons, company or corporation to erect, construct, cause, permit, keep or maintain within the limits of said City anything whatsoever which is injurious to health or indecent or offensive to the senses or an obstruction to the free use of property, and any person, persons, company or corporation maintaining any nuisance as above set forth is declared to be the author and maintainer of a nuisance.

3-110. — Waste Disposal—Rank Weeds.—It shall be unlawful for any person, persons, company or corporation to throw or deposit, or suffer to be thrown or deposited, or suffer or permit any child, servant or member of the family or any person under his, her or their control, to throw or deposit any manure, rubbish, putrid or unsound animal or vegetable matter, or any filthy, noxious or unwholesome liquid or slops, or any liquid or slops, or substance that are liable to become unwholesome in or into or upon any street, lane, alley, sidewalk, gutter, crossing, lot, cellar, premises or commons, creek or branch and it shall also be unlawful for any rank weeds to be allowed to grow on any ground within the corporation of the City. And it shall be unlawful and it shall be a nuisance for any over flowing vault or non-fly proof privy to exist, and it shall be unlawful and it shall be a nuisance to keep any hog or hogs for the purpose of feeding within the corporation of the City.

3-111. — Abatement.—The City Board of Health, all Deputy Health Officers, the City Police and Street Commissioner shall have full power and authority to enter into or upon any street, lot, alley, premises or grounds for the purpose of making a sanitary survey of the same, and if a nuisance or any unsanitary conditions are found it shall be the duty of the City Health Officers, when informed of the existence of the same to immediately notify, in writing, the person or persons so offending, fixing a time limit to abate the nuisance. If such person or persons fail or refuse to abate the nuisance within the time specified, it shall be the duty of the Street Commissioner, upon notice of the Health Officer, to cause the same to be abated, keeping an accurate account of the expense thereof, which shall be paid from the City Treasurer upon the sworn voucher of the Street Commissioner and said expense shall be a lien on the property, and collected as taxes are collected, and turned into the City Treasurer.

(Book 3, P. 34, 1910)

3-114. Unsanitary Premises.—It shall be unlawful for any person, firm, company or corporation to place, deposit, permit or have upon their premises, whether owned or leased by them, any one or more of the following unsanitary fly-producing disease-causing conditions to-wit:

- (1) Animal manure in any quantity which is not securely protected from flies.
- (2) Filthy or littered cellars, house yards, barn yards, stable yards, factory yards, vacant areas in rear of stores, and vacant lots.
- (3) Privies, vaults, cess pools, pits or like places which are not securely protected from flies and rats, and which are foul and malodorous.
- (4) Garbage in any quantity which is not securely protected from flies in galvanized iron receptacles.
- (5) Trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, tin cans, lumber not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire danger.

3-115. — Abatement.—It shall be the duty of the Health Officer upon learning in any way whatsoever of the existence of one or more of the unlawful conditions described in section 114 of this chapter to notify the offender in writing, upon official blanks provided by the Board of Health, to remove or abate said unlawful condition, stating the shortest reasonable time for such removal or abatement. In event of the refusal or neglect on the part of the notified offender to obey such order, within the time limit named in said order, the Health Officer shall inform the Street Commissioner or Sanitary Police Officer upon a blank provided by the Board of Health, and it shall then be the duty of said Official and he shall have power and authority to remove and abate the unlawful conditions, and he shall keep an accurate account of the cost and expense thereof, which shall be paid from the City Treasury upon sworn vouchers of the Street Commissioner or Sanitary Police Officer, and said cost and expenses shall be a lien upon the property and shall be collected by law as taxes are collected and duly paid into the City Treasury.

3-116. — Dumping Prohibited. It shall be unlawful for any person, firm, company, or corporation to place, dump, or deposit for a period of over seventy-two hours, any thing whatsoever in or upon alleys, streets, vacant lots, City grounds, parks, or public places, provided, building material to be used soon in the construction of buildings may be stored to a reasonable degree in streets and alleys and on vacant lots.

3-117. — Cleaning Stables.—All stables or barns or other shelters wherein animals are kept shall be cleaned daily in the months of April, May, June, July and August and all manure shall be kept in dark water-tight, fly-tight bins, pits or boxes which shall be emptied and the manure hauled away when full or when ordered in writing by the Health Officer or Police.

After cleaning stables or barns or other shelter where animals are kept the

floors shall be sprinkled with a ten percent solution of crude carbolic acid or five per cent solution of formaldehyde or a ten percent solution of copperas or liberally sprinkled with slacked lime, the crude carbolic acid and formaldehyde solutions preferred.

3-118. — Sanitary Privy Construction.—Unless connected with a sewer each and every house, store, hotel, restaurant, factory, mill or other building where people live or work, shall be provided with a sanitary privy, or outhouse, by the owner or owners of the property and said sanitary privy or outhouse shall be so constructed as to be rat and fly proof, so constructed as not to pollute the air or the earth and so constructed as to be well ventilated and to be conveniently cleaned.

3-119. — Filling Abandoned Wells.—It shall be unlawful for any person, company, firm or corporation to fill up an abandoned vault or pit or any kind without first cleaning same to the bottom and sprinkling liberally with quick lime or other approved disinfectant.

(March 24, 1914)

TITLE 4—LICENSE, PERMITS AND COMMERCIAL REGULATIONS. CHAPTER 1.

- 4-101. Auctioneers—License.
- 4-102. — Application and Fee.
- 4-103. — Auctioning on Sidewalks.
- 4-104. Barbers—Definition.
- 4-105. — License Required.
- 4-106. — Application for Practicing Barber.
- 4-107. — Application for Non-Practicing Barber.
- 4-108. — License Renewal Fee.
- 4-109. — Apprentice Barber.
- 4-110. — Failure to Apply for License.
- 4-111. — License Non-Transferable.
- 4-112. — Shop Regulations.
- 4-113. — Inspections.
- 4-114. — Revocation of License.
- 4-115. — Practicing after Revocation of License.
- 4-116. License, Miscellaneous—General Provisions.
- 4-117. — Circuses.
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- 4-133. Milk Distribution License—Application, Inspection
- 4-134. — Definition.
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- 4-136. — Tenure, License Tag—Disposition of Funds.
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- 4-142. Plumbers License.
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- 4-148. — Renewing.
- 4-149. — Public Liability Insurance and Bond.
- 4-150. Plumbing Permit.
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- 4-154. — Goods to be Held 24 Hours.
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- 4-158. Transient Merchant—License.
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- 4-160. — Application for License.
- 4-161. — License Fees.
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- 4-163. Taxi Cabs—Definitions.
- 4-164. — License Required.
- 4-165. — License Application, Requirements.
- 4-166. — License Fees—Tags.
- 4-167. — Inspection, License Revocation.
- 4-168. — Rates Displayed.
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- 4-170. — Regulations.
- 4-171. — Application for License—Qualifications.
- 4-172. — Indemnity Bond Required.
- 4-173. — Issuance of License.
- 4-174. — Issuance of Certificate of Convenience and Necessity.
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- 4-179. — Found Articles Reported.
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- 4-181. Omnibusses, Hacks, Drays, Etc.—License.
- 4-182. — Application—Fee.
- 4-186. Building Permits.
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- 4-190. — Exceeding Privilege of Permit.
- 4-191. — Removal after Expiration of Permit.
- 4-192. Moving Buildings—Permit.
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- 4-194. Street Excavation Permit.
- 4-195. — Replacement Guaranteed by Deposit.
- 4-199. Penalty.

4-101. Auctioneers—License.—It shall be unlawful for any person to act as auctioneer in crying off any kind of goods, wares, merchandise, livestock or other articles or things at public outcry in the City of Bloomington, whether in doors or out of doors, without having first procured a license therefor.

4-102. — Application and Fee.—The license for any auctioneer shall be one (\$1.00) per day, which license can be procured by the applicant making a statement in writing to the Treasurer of said City, the particular purpose and the length of time for which desired, paying said Treasurer the amount of said license, who shall indorse a receipt therefor on said application and which shall then be filed with the City Clerk, who shall file and register the same and issue to said applicant a license signed by the Mayor of said City, and said City Clerk.

(April 2, 1907, Bk. 3, p. 50)

4-103. — Auctioning on Sidewalks.—It shall be unlawful for any person to offer at auction any goods, or other property for sale on any sidewalks of this City.

(Ord. No. 3, 1876)

4-104. Barbers—Definition.—A barber is hereby defined to be every person who shaves or trims the beard or cuts the hair, or gives facial or scalp massage or facial or scalp treatments with oils or creams and other preparations made for the purpose, either by hand or by mechanical appliances, or singes or shampoos the hair, or applies hair tonic to or dyes the hair of any person, provided, however, nothing in these sections shall be construed to include a person performing such services upon members of his immediate family, persons licensed by law of this state to practice medicine or surgery; also undertakers, morticians and registered nurses, in connection with their professional duties.

Registered beauty culturists under the Indiana Beauty Culture Act, shall be exempt from this act insofar as their acts are covered in the Beauty Culture Act and they shall be permitted to cut, trim or snip the stray or straggling ends of hair of a patron or customer incidental to and in connection with the arranging or dressing of a woman's hair.

A barber shop any place where the aforesaid work or business of a barber is performed; the term shall include barber school and barber college and shall be any premises, buildings, or any parts of a building or places whereupon or within which any combination of the practice of barbering as herein defined is carried on.

Barber chair shall include each and every chair, stool or contrivance on which a person sits or reclines for the purpose of receiving any of the services rendered by a barber as defined by this chapter.

Person shall include an individual, firm, corporation or co-partnership.

4-105. — License Required.—It shall be unlawful for any person to engage in the business of barbering without first having obtained a City license therefor, as hereinafter provided.

4-106. — Application for Practicing Barber.—Every person who continuously since January 1, 1938, has been working practicing as a barber in the City of Bloomington, Indiana, under a state license, may obtain a license from the City of Bloomington to continue his work or employment as a barber in the City of Bloomington by appearing in person at the office of the City Clerk Treasurer in the City of Bloomington and filing his verified application for said license on a form prescribed by the City Clerk Treasurer which said application shall give the following information:

1. Name of Applicant.
2. The number of Indiana certificate or license for the year in which the person applies for a City license.
3. The residence of the applicant and the location of the shop or place where the applicant proposes to work and also the location of the place or shop where he is then working.

The City Clerk-Treasurer shall thereupon issue a license to said applicant to work or practice as a barber in the City of Bloomington, Indiana, for the remainder of the calendar year, on the payment of a license fee of two dollars (\$2.00) to the City Clerk-Treasurer.

4-107. — Application for Non-Practicing Barber.—Any person holding a State license to work or practice as a barber, who has not continuously since Jan. 1, 1938, worked and practiced as a barber in the City of Bolomington may obtain a license to work or practice as a barber in the City of Bloomington by observing the following requirements:

He shall appear in person at the office of the City Clerk and file his verified application giving the following information to-wit:

1. Name of applicant.
2. The number of the Indiana certificate or license for the year in which the applicant proposes to work. Said applicant shall pay to the City Clerk-Treasurer twenty-five dollars (\$25.00) at the time he so files his application, except at the time the applicant files his application if he elects so to do, he may pay ten dollars (\$10.00) down and two dollars (\$2.00) each month thereafter until the same of twenty-five dollars (\$25.00) is paid in full, he shall then present his receipt for said payment to the Secretary of the Board of Health of the City of Bloomington who shall give the applicant not later than one day thereafter, a thorough physical examination and if the applicant is found free from contagious and infectious disease and venereal diseases, such Secretary shall issue him a certificate to that effect, and then he shall present said certificate to that effect, and then he shall present said certificate from said Secretary to the City Clerk-Treasurer who shall issue an order directed to the Board of Examiners hereinafter provided for, who shall give him a thorough examination as to his qualifications to work or practice as a barber. If the applicant shall pass the examination given by the Board of Examiners, they shall issue him a certificate to that effect and on presentation of said certificate to the City Clerk-Treasurer shall issue a City Barber's license to said applicant. Upon the failure of the applicant to pay the deferred installments as provided in this section for said license, his license shall be cancelled and wholly void.

4-108. — License Renewal Fee.—All licenses hereunder shall expire on December 31st of each calendar year but may be renewed by paying the City Clerk an annual license fee of two dollars (\$2.00) on or before the 1st day of January of the succeeding year.

109. — Apprentice Barber.—Each barber shop in the City of Bloomington shall be privileged to use one apprentice barber. Said apprentice barber shall not work in a barber shop until he has paid a fee of two dollars (\$2.00) to the City Clerk-Treasurer for apprentice's license for the remainder of the calendar year for which the payment is made, nor until he has received such a license, nor until he has passed the medical examination by the Secretary of the Board of Health showing him to be free from contagious diseases and venereal diseases. Apprentice licenses must be issued annually but cannot be issued more often than three (3) times to any one person.

4-110. — Failure to Apply for License.—Any barber who is eligible (at the time of the passage of this ordinance for a license in the City of Bloomington, under the provisions of section 106 hereof, and who fails to apply for a license thirty (30) days from the effective date of this ordinance) shall not be entitled to a license except upon the filing of the application set forth in said section 106 and the payment at the time of the license fee of fifteen dollars (\$15.00) in advance and he must pass the examination required by the Board of Examiners.

4-111. — License Non-Transferable.—Such license shall not be transferable, but nothing herein shall prevent any person licensed under the terms of this chapter from using his or her license in case of removal of his or her business to another location within the City limits of the City of Bloomington. Any license issued under the terms of this chapter shall be placed in a conspicuous place in said barber shop.

4-112. — Shop Regulations.—It shall be unlawful for any person, firm or corporation to own, operate or manage any barber shop or establishment or engage in the practices of barbering in any shop or establishment within the City of Bloomington;

1. Unless the room or rooms in which such practices of barbering are conducted is well lighted, well ventilated and kept in a clean, orderly and sanitary condition.
2. Unless such barber shop or establishment display a recognizable sign indicating that it is a barber shop, which said sign shall be clearly visible at the main entrance of said shop.
3. In any residence or in connection with a business where food is handled unless a separate room is provided for the barber work. Every such place or shop in a residence shall maintain a separate entrance which shall not open off from any living quarters of such residence or any part of the residence other than the entrance of the building.
4. Unless continuous hot and cold running water is provided therein.

5. Wherein any towel that is used on one patron is used on another patron before such towel has been thoroughly relaundersed and boiled.

6. Unless all towels, wash cloths and neck protectors with a relaundersed towel or a sheet of clean paper for each patron.

7. Unless the head rest on each chair is provided with a relaundersed towel or a sheet of clean paper for each patron.

8. Unless there is placed around each patron's neck a clean strip of cotton, towel or neck band so the hair cloth does not come in contact any time with the neck or skin or the patron's body.

9. Wherein is used any styptic pencil, finger bowl, sponges, lump alum or powder puffs, alum or other materials used to stop the flow of blood shall be used in liquid form or powder form and shall be applied with sterile cotton. Possession of a styptic pencil, finger bowl, sponge, lump alum or powder puffs in a barber shop or establishment is prima facie evidence that the same is being used there in the practices of barbering.

10. Wherein if used on any patron any razors, scissors, tweezers, combs, rubber discs or parts of vibrators which have been used on another person or patron, unless the same have been kept in an apporved sterilizer and immersed in boiling water, or in a solution of two percent carbolic acid or its equivalent for at least twenty minutes before used upon each patron or customer.

11. Wherein any barber or apprentice shall knowingly serve any person afflicted with an infection or communicable disease, or shall knowingly undertake to treat any such disease of the skin.

12. Unless all cups, bowls, basins and strops shall be kept clean at all times.

13. Unless there is a disinfecting container for each chair which is kept well filled at all times with disinfectant.

14. Unless the hair or neck duster is washed with soap and hot water and dipped in a disinfectant solution at least once each day.

15. Unless each barber and apprentice therein washes his or her hands with soap and fresh water immediately before serving each customer.

4-113. — Inspections.—The Secretary of the Board of Health and an Inspector to be appointed by the Board of Examiners, under his direction, shall have the power and it shall be their duty to make regular inspections of all barber shops in the City of Bloomington and if a barber shop does not comply with the provisions of these sections, the Secretary of the Board of Health or the Inspector shall file charges and/or complaints for the violation of these sections and may order the barber shop be closed as a public nuisance. If any barber licensed under this chapter shall fail or refuse to obey the sanitary rules and regulations set out in these sections or shall lose his license under the state laws, or shall be convicted of felony, or of a crime involving immorality or become a habitual drunkard a complaint with the Mayor for the revocation of said barber's license and the Mayor shall try the same under the rules and regulations of the statutes of this state.

If any barber at any time shall become afflicted with a contagious or infectious or venereal disease he shall immediately report to the Secretary of the Board of Health and cease work until cured and if not cured in three months, his license shall be revoked.

(Ord. No. 8, 1938)

4-114. — Revocation of License.—In the case of any violation of the provisions of these sections the license for said person found guilty of violating the terms of Examiners which said vote shall be certified to the Mayor of the City of Bloomington.

4-115. — Practicing after Revocation of License.—Any person who shall engage in the business of barbering after his license therefor shall have been revoked as herein provided shall upon conviction be deemed guilty of violating the provisions of this chapter.

(Ord. No. 8, 1938)

4-116. License, Miscellaneous—General Provisions.—All licenses herein mentioned that shall be issued under these sections or any section thereof shall be issued by the City Clerk upon application to him and payment to him of the correct license fee. All licenses herein above mentioned shall be issued under these sections for a period of one year unless otherwise specified and shall expire on the 31st day of December of the year in which they are issued unless otherwise specifically set forth in each particular license. In the event of an application for a license to go into effect at any time after the first of January of any calendar year, said applicant shall be required to pay for license a pro-rata part for the portion of the year remaining up to the said last day of December of said year. Provided, however, that no calendar month shall be divided in making said computation and that any portion of a calendar month shall be counted as one month in the computations of time for such remaining portion of said year.

All licenses herein mentioned that shall be issued under these sections shall be void as to all intents and purposes as applying to the Streets, Alleys, Public Lawns, Sidewalks, or any Public Buildings in the territory of the City of Bloomington, commonly known and referred to as the congested District and defined (in the Traffic Ordinance on December 1st, 1926,) as "all that territory lying and being within the following boundary line in the said City to-wit: The North line of Seventh Street, the west line of Morton Street, the South line of Fourth Street, and the east line of Washington Street." The City Clerk shall, at the time of issuance of the various licenses that may become applicable, indicate or state on the same the provisions of this sections of the chapter herein contained. And it shall be the duty of the patrolman of said City to enforce these sections any li-

cense, or permit of any authority whatever, to the contrary notwithstanding.

Any person transacting any business or engaging in any activity requiring a license under the provisions of these sections shall exhibit the same, whenever requested to do so by any Peace Officer, Patrolman, Inspector, City Officer, or any patron or prospective patron.

No license shall be required under these sections from any church, school, benevolent or fraternal organization, nor from any committee thereof, for doing any act under these sections, where the proceeds thereof are to be used exclusively for religious, charitable, educational or scientific purposes.

4-117. — Circuses.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct within the corporate limits of the said City of Bloomington any entertainments or show under tents, commonly called and known as a circus, for gain or profit, without first obtaining a license so to do. The license fee for such shall be the sum of \$100.00 per day.

(Ord. No. 1, 1931)

4-118. — Theatres and Cinema.—It shall be unlawful for any person, firm or corporation to operate, manage, or conduct within the corporate limits of the said City of Bloomington, Indiana, any opera house, theater or moving picture house, where entertainment is furnished the public for gain or profit without first obtaining a license so to do. The license fee for such business shall be the sum of \$25.00 per year for each opera house, theater and moving picture house so operated. Provided, however, that no license shall be required from any church, school, benevolent or fraternal organization for any operatic or theatrical performance, lectures or musical entertainments, museums or exhibitions of any kind given by them for religious or charitable purposes.

(Ord. No. 9, 1934)

4-119. — Carnivals.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct within the corporate limits of the said City of Bloomington, Indiana, for gain or profit, any entertainment or show or shows, whether under tents or otherwise, which is of the class and character known as a carnival, or carnival company without first obtaining a license so to do. The license fee for such shall be the sum of \$500.00 per day.

4-120. — Museums or Shows.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct any museum, shows of puppets, wax figures, monsters, monstrosities, natural or artificial curiosities or other exhibitions or shows other than those herein above specifically set out, for gain or profit, within the corporate limits of the City of Bloomington, without first having obtained a license so to do. The fee for such license shall be the sum of \$10.00 per week. Provided however, that no license shall be required for any church, school, benevolent or fraternal organization, for any performance, lecture, or entertainment of any kind given for religious, educational, or charitable purposes.

4-121. — Aerial Exhibitions.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct any airplane exhibition, balloon ascension, rope-walking exhibition, legerdemain, theatrical performance other than that here above specifically set out, within the corporate limits of the City of Bloomington, for gain or profit, without first obtaining a license to do so. The fee for such license shall be the sum of \$10.00 per day.

4-122. — Skating Rinks.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct within the corporation limits of the said City of Bloomington for gain or profit, a skating rink, without first obtaining a license to do so. The fee for such license shall be \$500.00 per year.

4-123. — Boxing and Wrestling.—It shall be unlawful for any person, firm or corporation to hold, within the corporation limits of the said City of Bloomington, for gain or profit, any public exhibition of boxing or wrestling without first obtaining a license so to do. The fee for such license shall be the sum of \$10.00 for each performance. Provided, however, that nothing herein shall apply to any such exhibition given under the authority of any school, high school, or university.

4-124. — Public Dance Hall.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct a public dance hall or house within the corporate limits of the City of Bloomington, for gain or profit without first obtaining a license so to do. The license fee therefor shall be the sum of \$25.00 per week.

4-125. — Shooting Galleries.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct a shooting gallery within the corporate limits of the City of Bloomington, for gain or profit, without first obtaining a license so to do. No license for such shall be issued except with the approval of the Chief of Police of said City as to the equipment used. The license fee for such shall be the sum of \$50.00 per year, of \$25.00 per six months, or \$5.00 per month for a period of less than six months.

4-126. — Amusement Devices.—It shall be unlawful for any person, firm or corporation to operate, manage or conduct any merry-go-round, ocean wave, ferris wheel, roller coaster, switch back or other similar amusement devices or appliances, for gain or profit, within the corporate limits of the City of Bloomington, without first obtaining a license to do so. The fee therefor shall be the sum of \$15.00 per week.

4-127. — Fire and Bankruptcy Sales.—It shall be unlawful for any person, firm or corporation who are non-residents of the City of Bloomington, to operate, manage or conduct any fire sale or Bankrupt Sale for gain within the cor-

porate limits of said City of Bloomington, without first obtaining a license so to do. The fee for such shall be the sum of \$150.00 per day.

4-128. — Lunch Wagons.—It shall be unlawful for any person, firm or corporation to operate on the public streets and alleys, within the corporate limits of the City of Bloomington, for gain or profit, any wagon, motor or other vehicle, selling or offering for sale articles of food and drink, commonly known and designated as a lunch wagon, without first obtaining a license so to do. The fee for such license shall be the sum of \$5.00 per day.

4-129. — Vending Machines.—It shall be unlawful for any person, firm or corporation to operate, manage, maintain, or conduct within the corporate limits of the City of Bloomington, for gain or profit any vending machine used for the purpose of selling goods or materials of any kind or for weighing or exhibition of pictures or views of any kind without first obtaining a license so to do. The fee for such license shall be the sum of \$3.00 per year for each machine or instrument so operated, and the license shall be furnished with each license a suitable tag to be pasted on said machine, showing that such license has been paid.

4-130. — Peddling and Hawking.—It shall be unlawful for any person or persons to engage in the business of hawking or peddling or as an itinerant dealer, for gain or profit, about the Streets, Alleys, Hotels, Business Houses, Private dwellings, or any public or private place in the said City of Bloomington or to offer for sale, for gain or profit, from house to house, door to door, any goods, wares, or merchandise of any kind or character, or to take orders for any or all such goods, wares or merchandise, for immediate or future delivery, without first obtaining a license so to do. The fee for such license shall be as follows:

Resident hawkers and peddlers using any wagon, cart, or other vehicle, not including lunch wagons, the fee for six months shall be \$10.00 and for one year \$20.00 and for all resident hawkers (other) and peddlers, \$5.00 for six months and \$10.00 for one year. For all non-resident hawkers and peddlers, \$5.00 per day. A resident hawker or peddler under this ordinance is one who has resided in this county of Monroe for one year prior to application for license, such residence to be established by affidavit of two resident free holders. Provided, however, that nothing in this chapter contained shall refer to hucksters and persons who go about the streets of said City from house to house and door to door and offer for sale melons, vegetables and other articles or food produced from the field, farm and orchard, or products raised, produced or manufactured by the person offering the same for sale.

4-131. — Pawn Brokers.—It shall be unlawful for any person, firm or corporation to engage in, carry on, or conduct the business of a pawnbroker or advance money on a pledge of personal property, for gain, interest or profit, within the corporate limits of the said City of Bloomington, provided that such person, firm, or corporation is not authorized so to do under and by virtue of the laws of the State of Indiana in what is known as the Petit Loan Act, without first obtaining a license so to do. The license fee in such case shall be the sum of \$25.00 per year.

(Ord. 1, 1931)

4-132. — Pool and Billiard, Bowling Alleys.—It shall be unlawful for any person, firm, association, corporation or co-partnership to operate, manage or conduct within the corporation limits of the said City of Bloomington, for gain or profit, any pool or billiard table or bowling alley, without first obtaining a license to do so. The fee for such license shall be the sum of \$50.00 per year for the first table or alley, and \$5.00 for each table or alley so operated, provided, however that the total license fee for 5 or more tables shall be \$5.00 for each table or alley so operated. In case there is a transfer of ownership or change of location, notice must be given to the City Clerk-Treasurer within twenty-four hours of such transfer of ownership, or change of location, and a fee of \$1.00 paid to the City Clerk-Treasurer for recording such transfer of ownership or change of location, which fees shall be paid into the general fund of the City of Bloomington.

No license shall be issued for any pool or billiard table or bowling alley permitting the licensee to operate the same in any room above the ground floor. Provided, however that it shall be lawful for any person, firm or corporation to operate bowling alleys consisting of four (4) or more bowling alleys in one room above the ground floor in any building in the City of Bloomington, Indiana.

(Ord. No. 8, 1936)

4-133. Milk Distribution License—Application, Inspection.— Any person, firm, association, or corporation desiring to engage in the distribution of milk in the City of Bloomington, Indiana, shall first procure a license so to do from the Clerk-Treasurer of said City. Such person shall file his written application with such Clerk-Treasurer directed to the Secretary of the City Board of Health upon a form provided by the Clerk-Treasurer for that purpose, stating his name, the address of his place of business, and the average daily amount of milk sold by him. Upon the filing of said application said Clerk-Treasurer shall notify the Sanitary officer or the Secretary of the Board of Health of the City of Bloomington, Indiana, of said application, and it shall thereupon be the duty of said sanitary officer to inspect the place of business and equipment of said applicant. Upon the completion of said inspection, said sanitary officer shall file a report of same with the City Clerk-Treasurer. Upon the filing of said written report of said inspection, and upon a showing of satisfactory evidence that said applicant

has complied with all requirements and regulations of the State Board of Health, and with all requirements and regulations of the respective Boards of Health of the City of Bloomington, Indiana, and the County of Monroe, in said state, said Clerk-Treasurer shall issue to the applicant a license upon the payment of the fee herein provided for and report such fact to the City Board of Health.

4-134. — Definition.—The business of distributing milk as referred to in this code shall include the delivering of fluid milk or cream or buttermilk in the City of Bloomington, Indiana, directly to the consumer or to hotels, restaurants, grocery stores, or any other agencies where said milk, cream, or buttermilk shall be resold for consumption, other than to those persons, firms, or corporations licensed under this code.

4-135. — Fees.—The following license fee shall be collected by said City Clerk-Treasurer for the issuance of a license:

1. For milk processors an annual fee of fifteen dollars (\$15.00) for each processing plant and an additional three dollars and seventy-five cents (\$3.75) for each vehicle used in the distribution of milk, or cream, or buttermilk.

2. A milk processor is a person who operates a plant where milk is concentrated and pasteurized. For a producer distributor, an annual fee of three dollars and seventy-five cents (\$3.75) for each dairy farm operated by him and an additional two dollars (\$2.00) for each vehicle used in distributing milk, if he distributes an average of twenty-five (25) to seventy-five (75) quarts daily, the annual fee shall be seven dollars and fifty cents (\$7.50) for each dairy farm operated by him and an additional two dollars (\$2.00) for each vehicle used in distributing milk in the City of Bloomington.

A producer distributor is one producing milk from his own herd in an amount in an excess of twenty-four (24) quarts daily.

3. For milk venders a fee of thirty-five (\$35). A milk vendor is any person who produces milk from his own herd and distributes the same in an amount not to exceed twenty-four (24) quarts daily. It is understood that one-half pint of table cream or one-fourth pint of whipping cream shall be considered as the equivalent of one quart of milk for the purpose of this section.

4-136. — Tenure, License Tag—Disposition of Funds.—All licenses issued hereunder shall expire on the last day of the calendar year in which they are issued, and the fees for the license issued for less than a year shall be prorated and the Clerk-Treasurer shall charge for the remaining months of the calendar year, including the month of issuance.

The Clerk-Treasurer shall furnish a certificate or license showing that the said distributor holds a license as such dealer under this chapter and the date thereof. Said Clerk-Treasurer shall furnish to the licensee a card or tag on which shall be printed the words "Licensed Milk Dealer" of sufficient size to be plainly visible at a distance of one hundred (100) feet, and the same shall be by the licensee attached in a conspicuous place on the outside of such vehicle operated by him.

All fees collected under the provisions of this chapter shall be paid in to the City Treasury to be used in defraying the expenses of the administration of these sections, and the same shall be self sustaining.

(Ord. No. 17, 1935)

4-137. Miniature Golf Courses—License.—The license fee for operating miniature golf courses in the City of Bloomington, Indiana shall be \$5.00 dollars per month for a nine hole course or less, and for all owners \$10.00 dollars per month, while in operation.

4-138. — Fee Payable Monthly.—The license fee provided in section 137 shall be paid to the Clerk of said City on the first of each and every calendar month in advance.

4-139. — Fee for Part of Month.—If any person, firm or corporation shall commence the business of operating any such golf course within said City during any one month the license fee shall be paid in advance for the remaining proportional part of said month.

4-140. — Fee in Advance.—It shall be unlawful for any person, firm or corporation to operate any public miniature golf course without having first paid in advance for such privilege, the fees prescribed in this chapter, and anyone failing to pay such fee in advance shall be fined the sum of \$5.00 per day for so operating the same and each day shall constitute a separate offense.

4-141. — Operating Hours.—It shall be unlawful for any person, firm, or corporation to operate such miniature golf course or to allow persons to congregate or loiter in and about the same before seven o'clock A. M. and after eleven o'clock P. M.

(Ord. No. 15, 1930)

4-142. Plumbers License.—It shall be unlawful for any person, firm, or corporation to engage in the practice of plumbing unless such person, firm, or corporation has been duly registered and licensed so to do under the terms and provisions of this chapter.

(Ord. 13, 1934)

4-143. — Application.—Every person desiring to practice the business of plumbing shall make application to the City Clerk and pay to the said City Clerk the sum of five dollars (\$5.00) as a preliminary fee and if, upon examination, such applicant is found by the board to be qualified, it shall order the said Clerk to issue to the applicant a certificate of registration upon the payment by the applicant of the further sum of two dollars (\$2.00), and the said Clerk shall issue such license to the applicant for the year, all licenses expiring on December

thirty-first of each calendar year; provided that the above fee shall be for a journeyman plumber, but if the license shall be for a master plumber the license fee shall be ten dollars (\$10.00), a journeyman plumber being one who does the manual installation or directs the actual installation of plumbing and the master plumber is a person, firm or corporation engaged in the business of plumbing as a contractor or dealer in plumbing materials business of plumbing as a contractor or dealer in plumbing materials at retail and whose actual installation of plumbing is done by employees.

In case of persons, firms, or corporations not doing the actual manual installation, the license shall be taken in the name of some duly qualified and authorized person who shall make the application on behalf of such person, firm or corporation.

4-144. — Examination.—Application for examination for license shall be by the City Clerk transmitted to the Secretary of the Board, who shall furnish on the examination a list of questions to be answered in writing. The application shall be verified and signed by the applicant, giving the name and address of the applicant, the full name and address of the person on whose behalf the application is made, and such other facts as the Board may require. The examination shall be of such a character as to test the fitness and qualifications of the applicant and may be partly in writing, partly oral, and practical demonstrations, all at the discretion of the Board. A grade of seventy (70) per cent shall be required on such examination to entitle an applicant to a license.

Fraud, misrepresentation, or falsehood in the application or examination shall be grounds for refusal of the license and dismissal of the application. The examination fee, for the privilege of taking the examination, will in no case be returned to the applicant.

After a refusal of a license or dismissal of an application from any cause, no examination shall be given nor license issued to the applicant until after the expiration of three (3) months.

4-145. — Exemption of Established Plumbers.—Any person, firm or corporation actively engaged in the trade, business, or calling of plumbing within the City of Bloomington and who has been so engaged for a period of six (6) months or more shall, upon the proof of such facts to the secretary of the board and upon the payment to the said board of the sum of five dollars (\$5.00) thru the City Clerk as a fee, receive from the said board a license without further or additional compensation. After the expiration of the said term of ninety (90) days no license shall be issued except upon examination under the terms and provisions of this chapter.

(Ord. 13, 1934)

4-146. — Exhibition.—The licensed master plumber shall display in a conspicuous place at his office, shop, or place of business a sign reading "Master Plumber." The journeyman plumber or actual manual worker at the trade shall carry his license on his person and exhibit it to any competent authority.

4-147. — Not Transferable.—No license, nor renewal thereof, granted under the provisions of these sections shall be assignable or transferable, and every such license, or renewal of the same, shall specify the name of the person, firm, or corporation to whom issued, and whether an employer (Master Plumber) or an employee (Journeyman Plumber) and if issued to a firm or corporation, the name of the member or representative qualifying as a plumber. If the member of a firm or the officer or representative of a corporation named in the license, or renewal thereof, qualifying as a plumber shall cease to be a member of such firm or shall cease to be the officer or representative of such corporation, then and in that event all rights of such firm or corporation under such license, or renewal thereof, shall cease, and said firm or corporation shall be required to make a new application to the Board of Plumbing Examiners as provided for in this part, the same as if it had never been granted any license by such Board.

(Ord. 13, 1934)

4-148. — Renewing.—Any person, firm or corporation having been heretofore duly licensed as a plumber, as provided in this chapter, and now in good standing as a plumber, shall have the right without further examination to obtain a license each year thereafter, upon payment to the Clerk of a license fee of five dollars (\$5.00) for an employer (Master Plumber), or two dollars (\$2.00) for an employee (Journeyman Plumber), provided however that should his license be under suspension or revoked for any cause, at time of making application for new license that said applicant shall be required to appear before the Plumbing Board and show cause, if any, why said license should be issued.

(Ord. 3, 1939)

4-149. — Public Liability Insurance and Bond.—All persons, firms, or corporations engaged in installation of plumbing in public or private buildings within the City of Bloomington shall provide insurance for the protection of the City of Bloomington for public liability, protecting the City and all other persons against damages on account of an opening in the street or other operation in connection with said plumbing installation, which shall be in the sum of not less than ten thousand dollars (\$10,000) and shall further furnish for the protection of said City a bond in the sum of five hundred dollars (\$500.00) conditioned for the restoration of the street to its original condition and a maintenance thereof for a period of two (2) years after such work. These bonds may be either general in their scope or for the specific job.

(Ord. No. 14, 1934)

4-150. Plumbing Permit.—Before any plumbing work shall be commenced

for any building or structure, on any lot or premises, or the excavation commenced in any public highway or on any lot or premises for any water service, waste, sewage or drainage systems connecting with the sanitary sewer system and the water works system of the City of Bloomington, a permit and license shall be obtained from the Plumbing Board of Examiners of the City of Bloomington, Indiana, except as provided for in section 151.

(Ord. 3, 1939)

4-151. — Owners Permit.—Any person, firm, or corporation may appear before the Board for permission to do plumbing work on property owned or leased by said individual, firm, or corporation to the extent of the permission granted in writing by the Board.

(Ord. 13, 1934)

4-152. Second Hand Dealers—License.—Any person, firm, association, corporation or co-partnership, desiring to engage in the business of buying, selling, trading for, or otherwise collecting or purchasing used goods, wares and merchandise in the City of Bloomington, Indiana shall first procure a license so to do from the Clerk-Treasurer of said City. Any person, firm, association, corporation or co-partnership so desiring to engage in said business as set out herein shall file his written application with the City Clerk-Treasurer for a used goods, wares and merchandise dealers license, stating in such application the name of the applicant; if the applicant be a firm, the names of the members; and if the applicant be a corporation, the names of the officers, together with the place of business of said applicant, and pay to said Clerk-Treasurer the sum of fifty cents (50c), which said sum shall be paid into the City Treasury to be used in defraying the expenses of the administration of these sections; and said Clerk-Treasurer shall thereupon issue to said applicant a license to buy, sell, trade for or otherwise collect and purchase used goods, wares and merchandise in the City of Bloomington, Indiana, at the place named in said application for one (1) year, and said Clerk-Treasurer shall keep a record of said licenses.

4-153. — Record to be Kept.—Every person, firm, association, corporation or co-partnership licensed to deal in used goods, wares, and merchandise, shall keep a record on forms to be supplied by the City Clerk-Treasurer, in a book open to public inspection, and for the inspection by any proper Police Officer at all times, and kept for that exclusive purpose, showing all used articles of goods, wares and merchandise purchased, together with any registration or identification mark, and a specific description of said used articles, and showing the person or persons from whom purchased, with post office address and the date of purchase, and the signature of the person from whom such used goods, wares and merchandise were purchases.

4-154. — Goods to be Held 24 Hours.—Every firm, person, association, corporation, or co-partnership, licensed under the provisions of these sections, shall hold all used goods, wares and merchandise purchased as provided by this chapter for a period of twenty-four hours before making a sale thereof.

4-155. — Exhibiting License.—No person to whom a license has been issued under the provisions of these sections shall refuse, upon request made, to show such license to any Police Officer of the City of Bloomington, Indiana, or to any person to whom he shall offer to sell any goods, wares and merchandise.

4-156. — Interstate Commerce Exempted.—The provisions of these actions shall not apply to transactions of interstate commerce.

4-157. — Unlawful Acts.—Any person, firm, association, corporation or co-partnership who shall engage in the business of buying, selling, trading for or otherwise collecting or purchasing used goods, wares, and merchandise in the City of Bloomington, Indiana, without a valid license as provided herein, or who shall fail to keep a record of used goods, wares and merchandise bought and sold as required by this act, or who shall make a false entry in such record as herein provided, or who shall violate any of the provisions of this chapter, shall, upon conviction, be deemed guilty of violating the provisions of this chapter.

(Ord. No. 16, 1935)

4-158. Transient Merchant—License.—It shall be unlawful for any transient merchant to sell, offer or expose for sale any goods, wares or merchandise of any kind whatsoever in said City of Bloomington, Indiana, or otherwise engage in, do or transact any business as such in said City without first obtaining a license therefor in accordance with the provisions of these sections.

4-159. — Definition.—The words "Transient Merchant" where used in these sections shall be construed to include all persons, individuals, co-partners and corporations both of principals and agents who engage in, do or transact any temporary or transient business in said City of Bloomington, Indiana.

4-160. — Application for License.—Any transient merchant desiring to sell, offer or expose for sale any goods, wares or merchandise of any kind whatsoever in said City of Bloomington, Indiana, or otherwise engage in, do or transact any business as a transient merchant in said City shall file his application for a license for that purpose with the Clerk of said City, in which application he shall state his name, the location of his proposed place of business, the kind of business proposed to be conducted and the length of time for which he desires to do such business and shall accompany said application with the receipt of the treasurer of the said City, showing the payment of the license fee as hereinafter provided for the length of time he shall desire to transact business in said City as a transient merchant, as shown by said application, and thereupon it shall be the duty of the Mayor and Clerk of said City to issue to such applicant a license to do business as a transient merchant in said City at the place and of the kind

described in such application and for the length of time for which payment was made, as shown by the treasurer's receipt is aforesaid. Provided however that such licensee shall not be good for more than one person unless such person shall be co-partners, nor for more than one place in said City.

4-161. — License Fees.—The fee for such license shall be ten dollars for each day or part thereof for which said transient merchant shall desire to transact business as such in said City, as shown by his application is herein before provided, which amount shall be paid to the City Treasurer in advance for the entire time at the time such license is issued.

4-162. — Exemptions.—The provision of these sections shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to bona fide sales of goods, wares and merchandise by sample for future delivery or to hawkers on the streets or to peddlers from vehicles or baskets or packs carried on backs, or to sheriffs, constables and other public officers selling goods, wares and merchandise according to law, nor to bona fide assignees or receivers appointed by the Monroe Circuit Court or Judge thereof in vacation, selling goods, wares, and merchandise for the benefit of creditors.

(Ord. No. 186, 1902)

4-163. Taxi Cabs—Definition.—Unless otherwise expressly stated, whenever used in these sections, the following terms shall respectively be deemed to have the meaning here given:

"Taxicab," a motor driven vehicle used for the purpose of carrying passengers for hire and not operating on a fixed schedule or route but not including ambulances and funeral cars.

"License", a license issued by the Common Council, in accordance with the provisions of these sections, to operate a taxicab on the streets of the City

"Street", any Street, Alley, Avenue, Court, Bridge, land or public driveway in the City of Bloomington.

"Owner", every person, firm or corporation owning or having the use or control of one or more taxicabs as herein defined.

"Vehicle", a taxicab.

4-164. — License Required.—No person, firm or corporation shall engage in the business of operating a taxicab upon the streets of Bloomington, Indiana, without first obtaining a license for that purpose as in these sections provided.

4-165. — License Application, Requirements.—A verified written application for such license shall be filed with the City Clerk-Treasurer, which application shall state the name and address of the applicant if an individual, the name of the firm and the names and addresses of partners if a partnership, the name of the corporation and the names and addresses of the officers and directors if a corporation, a specific description of all equipment, the condition thereof, and a complete financial statement of the assets and liabilities of said applicant.

4-166. — License Fees—Tags.—Upon the filing of said application and upon the compliance with all of the provisions and conditions of these said sections, the City Clerk-Treasurer shall issue to said applicant a license upon the following fees for the following term:

Every person, firm or corporation shall pay license fees for the operation of taxicabs in the City of Bloomington, Indiana, for any calendar year or fraction thereof, in the year of said application according to the following schedule of fees which said schedule of fees is hereby adopted:

1. For the operation of one (1) taxicab ----- \$25.00
2. For the operation of two (2) taxicabs ----- \$40.00
3. For the operation of three (3) taxicabs ----- \$50.00
4. For the operation of any additional taxicabs in excess of three (3), an additional license fee of \$5.00 for each additional taxicab in excess of three (3).

Cash or certified check must accompany each application.

Two tags (2) to be furnished by said City shall be displayed in the front and rear of each of said vehicles used for hire. Said tags shall be issued by the City of Bloomington, Indiana, upon the payment of the fee as herein specified and upon full compliance with the terms of these sections. All licenses issued in accordance with these sections shall expire on the 31st day of December of the calendar year in which said license is issued.

It shall be unlawful for any person, firm or corporation to use the tags described herein on any vehicle owned or operated by anyone except the person, firm or corporation to which they were issued. It shall also be unlawful for any person, firm or corporation to use these license tags on any vehicle unless said vehicle is designated as a taxicab by two or more colored signs, which said signs must be permanently painted signs of a fast color on the body of said vehicle. Said signs must designate the person, firm or corporation to which said vehicle belongs and must be readable at one hundred fifty feet (150) or more by the naked eye of a person of normal vision.

4-167. — Inspection, License Revocation.—No taxicab shall be licensed until it has been thoroughly and carefully inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers. The City Clerk-Treasurer shall make or have made by the Police Department such inspection before issuing a license and file a report of said inspection with the Board of Public Works and Safety. The Board of Public Works and Safety are hereby authorized to enter an order denying a license to any applicant or may revoke

any license theretofore issued, if any taxicab is found to be in an unfit and unsafe condition for the transportation of passengers by said Board after a hearing by said Board and due notice to the owner of said taxicab, the terms and nature of which said notice shall be determined by said Board.

Upon the entry of an order by said Board as set out in these sections denying a license to any applicant, license shall be issued to said applicant.

Upon the entry of an order of said Board revoking any license to operate taxicabs in the City of Bloomington, Indiana, as set out herein, such license to operate any taxicab found to be unfit and unsafe for the transportation of passengers shall be cancelled and wholly void.

4-168. — Rate Displayed.—Each taxicab shall have placed in a conspicuous manner and in plain view of passengers, a card or placard upon which is plainly written the rates for taxicab service.

(Ord. No. 1, 1938)

4-169. Auto Bus—Definition.—For the purpose of these sections the term "auto bus" shall be taken to mean any self-propelled vehicle other than a street car, interurban car, railroad car or railroad locomotive traversing a public street, Avenue or other highway between definite points or terminals or along a definite route or routes and carrying passengers for hire or furnishing passenger transportation for hire, along or over public streets, avenues, or other highways from to or between definitely fixed localities or distances, provided, however, such terms shall not be taken to mean any such vehicle known as a "taxicab" operated only upon call under a special contract for hire, rented from a public or private garage, and the destination or route of which is under the direction of a passenger transported therein.

4-170. — Regulations.—It shall be unlawful for any person, firm or corporation to drive, own or operate any auto bus upon or along any street, avenue or other highway in the City of Bloomington, except in accordance with the regulation, terms and conditions established by these sections.

4-171. — Application for License—Qualifications.—Any person, firm or corporation desiring to operate an auto bus along or upon any street, avenue or other public highway of the City of Bloomington, shall, before undertaking so to do, file a signed application in writing for a license duly sworn to by the applicant, with the Board of Public Works and Safety of the City of Bloomington, which application shall contain the following, to-wit:

- (a) The name of the person, firm or corporation desiring the license.
- (b) The place of residence of applicant.
- (c) A financial statement duly sworn to by the applicant showing all of his, its, or their respective assets and liabilities.
- (d) A description of the proposed route or routes in said City to be traversed by said auto busses, which route or routes shall be in conformity with route or routes specified in certificate of convenience and necessity to be procured as hereinafter provided, it being provided that the term "route" as used in these sections shall include as one route the operation of such auto busses either way over the streets named and designated.
- (e) The schedule of trips to be run in said City by said auto busses which schedule shall cover at least two (2) round trips hourly through out sixteen (16) consecutive hours each day.

Said auto bus owner shall file with the City Clerk-Treasurer and keep on file at all times a statement showing:

- (a) The make, model and factory number of each motor vehicle in operation as an auto bus by said owner or operator.
- (b) The normal seating capacity of such auto bus which shall not be less than twenty (20) passengers, exclusive of the driver.
- (c) The Indiana state license number of each auto bus in operation.
- (d) The date on which the certificate of public convenience and necessity was granted by the Board of Public Works and Safety.
- (e) A list of all drivers and the age and experience of said drivers on all auto busses in operation by said owner or operator in said City.

Such person, firm or corporation shall pay to the City Clerk-Treasurer for the benefit of said City, an annual license fee in the sum of sixty dollars (\$60.00) for each route operated in said City, which said sum may be paid in quarterly installments, in advance, said fees above provided to include all scheduled busses and substitute and auxiliary busses.

4-172. — Indemnity Bond Required.—No license shall be issued and no auto bus shall be operated upon any street, avenue or public highway in the City of Bloomington, until there shall have been filed with the Board of Public Works and Safety or with the Public Service Commission of Indiana, and approved by said Board of Public Works and Safety of the City of Bloomington, a bond, indemnity undertaking, or policy of insurance, executed by a legally constituted stock company legally authorized to execute such instrument in the State of Indiana, running for the year of the license to be issued to the applicant as by this chapter provided, providing for the payment of any final judgment that may be rendered against the insured for damages to property or for bodily injury or death of passengers or other persons resulting from collision or other accident for which said person, firm or corporation may be liable while operating each of the auto busses described in said application, in the sum of ten thousand dollars (\$10,000.00), to or for any one person or fifty thousand dollars (\$50,000.00) to or for more than one person as the result of one accident. No license shall be issued until there shall have been filed with the Board of Public Works and Safety of the City of Bloomington, Indiana, and approved by said Board, a bond, indem-

nity or undertaking, in the amount of two thousand (\$2,000.00) payable to the City of Bloomington, Indiana, to insure the operation of said auto buses for the period of one year of said license to be granted as herein provided.

4-173. — Issuance of License.—Upon the filing of said application, and the payment of the proper fee, as hereinbefore fixed, and the filing of the bond, indemnity undertaking, or policy of insurance, as hereinbefore provided, and upon exhibiting the certificate of convenience and necessity issued by the Board of Public Works and Safety as hereinafter provided, the Mayor and the City Clerk-Treasurer shall issue to the applicant a license permitting the operation of an auto bus service over the route or routes therein described for a period of one year, which said license may be renewed each year upon the payment of such license fee and the renewal of such bond, indemnity undertaking or policy of insurance as above provided, subject to the revocation hereinafter provided. That in event any street or portion thereof on said route shall become impassable temporarily such auto buses may be operated on street adjacent or near thereto pending the repair necessary to avoid such impassable portion.

4-174. — Issuance of Certificate of Convenience and Necessity.—No auto bus, except as hereinafter provided, shall be operated upon any public street, avenue or other highway of the City of Bloomington, until after there shall have been obtained from the Board of Public Works and Safety of the City of Bloomington, a certificate of convenience and necessity. Before said certificate shall be issued as hereinafter provided, a public hearing shall be held before the Board of Public Works and Safety, at which hearing, convenience of the service, if any, rendered in the territory of the proposed auto bus operation, by other auto buses or other public utilities shall be considered. Such Board of Public Works and Safety at said hearing shall determine the routes and terminal points of said auto buses and attach said determination to said certificate. Such Board of Public Works and Safety is empowered to adopt rules and regulations to govern applications for certificates of convenience and necessity. That no person, firm or corporation shall receive any certificate of convenience and necessity or license to operate less than two buses regularly over any one route unless such person, firm or corporation shall have in reserve at least one auxiliary bus for each route operated.

4-175. — Qualification of Drivers.—No person shall drive an auto bus who is not a resident of Monroe County, Indiana, twenty-one (21) years or more of age, and experienced and careful in operating automobiles, or who is suffering from impairment of sight, or any impairment of the use of his body, or who has been convicted two or more times of any violation of the motor speed laws, or who has been convicted of transporting intoxicating liquors or who has been convicted of any felony in connection with the violation of any other motor vehicle or traffic laws.

4-176. — Condition, Size—Kind and Route of Buses.—Every auto bus shall be kept in good repair and in a clean and sanitary condition, so far as to be capable of safely and comfortable transporting passengers therein, and shall be operated each day substantially on the schedule stated in said application for said license. The Board of Public Works and Safety shall have the full power to regulate and designate the size and kind of buses to be operated upon the streets in the City of Bloomington, and shall make other regulations with reference to said buses and routes to be traversed by said buses as may be necessary for the convenience of the public and as will fully safeguard the public in the use thereof.

4-177. — Rate of Fare.—The rate of fare to be charged any passenger for one continuous trip in any auto bus shall not exceed five cents between the hours of 5:00 A. M. and midnight, it being provided that transfers may be issued from one bus line to another, licensed under these sections and that the issuer may charge in addition to such fare a transfer of not to exceed two cents.

4-178. — Stop at R. R. Crossings.—Every auto bus shall be brought to a stop and the driver thereof shall see that the way is clear and safe before crossing the tracks of any steam, street or interurban railroad in the City of Bloomington.

4-179. — Found Articles Reported.—It shall be the duty of every person, firm or corporation operating under the provisions thereof, to promptly notify the Police Department of said City of Bloomington of all articles found in any such auto bus operated by them, and of a description thereof, and where they are kept and may be found, so that such articles may be returned to the owners.

4-180. — Revocation of License or Certificate.—Any license or certificate of convenience and necessity may be revoked by the Mayor for any cause if the holder of said license or the driver of any vehicle covered by such license shall violate any of the provisions of these sections or violate any of the rules and regulations hereafter promulgated by the Board of Public Works and Safety, or shall have been convicted of the violation of any ordinance of the City of Bloomington or of any of the laws of the State of Indiana, regulating or controlling traffic upon the streets of the City of Bloomington or if, upon the report of the Chief of Police, that the vehicle so licensed does not comply with the regulations of said Board of Public Works and Safety concerning vehicles, or is not in good repair. Any holder of any license under the terms of these sections who shall have such license revoked shall not be entitled to any license for a term of one year from the date of such revocation.

(Ord. No. 9, 1936)

4-181. Omnibusses, Hacks, Drays, Etc.—License.—Any person wishing to

run, or use any omnibus, hack, carriage, dray, or other vehicle for transportation, or conveyance of personal property within the City of Bloomington, Ind. for hire, shall before doing such business procure a license from the Mayor of said City for a term of one year, or for the term of the annual fair of the Monroe County Agricultural, Livestock and Driving Association.

4-182. — Application—Fee.—Whenever any person shall produce to the Mayor of said City, the City Treasurer receipt for ten dollars, the Mayor shall issue a license to such person, duly attested, and countersigned, and numbered by the City Clerk, which shall entitle the person so licensed to run one omnibus, hack, carriage, dray or other vehicle for one year.

4-186. Building Permit.—When any person, persons, firm or corporation shall desire to erect or construct any building or an addition to any building or excavate for the construction or erection of any building within the corporate limits of said City of Bloomington, Indiana, an application for a permit shall be applied for at the office of the City Clerk-Treasurer of said City and said application for said permit shall furnish to said City Clerk-Treasurer written specifications and plans showing construction or excavation or addition upon a blank form furnished said City Clerk-Treasurer by the City Engineer of said City, giving information as to the kind of building, location as to street, lot and location of lot and such other information as will give said City Engineer knowledge as to where said construction or excavation or addition is being made. Said person, persons, firm or corporation shall present said specifications to the City Engineer of said City of Bloomington, Indiana, and said City Engineer shall, after making due investigation, present same to the Board of Public Works and Safety of the City of Bloomington, Indiana, who shall determine whether such permit shall be so issued, said person, persons, firm or corporation shall pay to the City Clerk-Treasurer the sum of one dollar (\$1.00) for the issuing of said permit before said construction, excavation or addition shall be made.

(Ord. No. 1939)

4-187. Building Materials in Street—Permit.—It shall be unlawful for any person to place building material in or upon any of the streets, gutters, or sidewalks of streets, or alleys of said City, unless permission is first obtained as hereafter provided.

4-186. — Application—Bond.—Any person desiring to place building material of any kind in or upon any street, gutter, or sidewalk of any street or alley of said City of Bloomington, shall file with the City Clerk an application in writing, stating particularly the place where the same is to be placed, how long said permit is to extend, and the kind of material to be used, and file therewith in said City Clerk's office his or her bond, to be approved by the Clerk in such amount as may be fixed by said City Clerk, conditioned for the faithful compliance with the terms of said permit, and that the applicant will pay all damages to any property, person, or persons injured thereby through any neglect to properly protect and guard said premises and the streets and alleys adjacent thereto and same said City harmless on account thereof.

4-189. — Conditions.—When application and bond shall be filed with the City Clerk, as provided in the second of this chapter, the said City Clerk shall thereupon issue to the applicant a permit to place building material in the streets or upon any part thereof including the sidewalks, or gutters, provided that not more than one half in width of any sidewalk shall be so used, and sufficient room shall be left unused in any such alley for the passage of vehicles, and that no gutter, or channel for the passage of water shall be filled up, or so obstructed as to interfere with the free flow of water.

4-190. — Exceeding Privilege of Permit.—Any person having a permit under these sections who shall fail to carefully guard, and maintain the same, or unnecessarily encumber and obstruct the streets, sidewalks, or gutters of any street, or any alley, or exceed in any manner the privilege granted by such permit, shall upon conviction, be deemed guilty of violating the provisions of this chapter.

4-191. — Removal after Expiration of Permit.—Any person having a permit under these sections who shall fail after the expiration of such permit, to remove all such material from any street, sidewalk, gutter, or alley, upon conviction thereof shall be deemed guilty of violating the provisions of this chapter.

(Ord. No. 57, 1893)

4-192. Moving Buildings—Permit.—When any person or persons shall be desirous of moving any building or part of building within the corporation limits of said City he or they or his or their authorized agent shall make application at the office of the City Clerk of said City, for application for a permit and shall furnish said City Clerk with a written statement, upon a blank form furnished by said Clerk for that purpose, giving information as to the kind of building, location as to street, lot and location on lot and such other information as will give knowledge as to whether said contemplated building or part of building is being moved in violation of any ordinance of said City and said person or persons or his or their authorized agent shall present this statement to the City Engineer of said City, who shall say in writing whether such contemplated moving is or is not in violation of any provision of this code and the said City Engineer shall in such written statement say that no provision is violated by such moving and such person or persons or his or their authorized agent shall pay into the City Treasury one dollar (\$1.00), the City Clerk shall then issue a permit to do such moving as set out in such statement.

4-193. Filling Station Permits.—Hereafter no private or public gasoline or oil tank, container or pump, or air hose shall be constructed or installed in any street, alley or public place without a permit having been first granted therefor by