

CITY-COUNTY GENERAL ORDINANCE NO. 12, 2012
Proposal No. 136, 2012

A PROPOSAL FOR A GENERAL ORDINANCE amending Sec. 616 with respect to nonsmoking areas.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically Sec. 616-102 is be and is hereby amended by inserting the underlined text and deleting the stricken-through text, to read as follows:

Sec. 616-102. Definitions.

The following words and phrases, whenever used in this Chapter, shall be construed as defined in this Section:

(a) "Ashtray" means any receptacle that is used for disposing of smoking materials, including, but not limited to, ash and filters.

~~(a)~~(b) "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including, but not limited to, retail establishments where goods or services are provided to the public, and other entities where accounting, counseling, legal, medical, dental, engineering, architectural, or other professional services are delivered.

~~(b)~~(c) "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services.

~~(c)~~(d) "Employer" means a person, business, association, municipal corporation, trust, or nonprofit entity that employs the services of one or more individual employees.

~~(d)~~(e) "Enclosed Area" means all space closed in by a roof, ceiling, or other overhead covering of any material, and walls or other side coverings of any material on at least two sides with appropriate openings for ingress and egress.

~~(e)~~(f) "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. The term "Health Care Facility" shall include all waiting rooms, hallways, private rooms, semi private rooms, and wards within health care facilities.

~~(f)~~(g) "Place of Employment" means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles.

~~(g)~~(h) "Public Place" means an enclosed area, whether owned publicly or privately, to which the public is invited or in which the public is permitted.

~~(h)~~(i) "Retail Tobacco Store" means a retail store:

- (1) utilized primarily for the sale of tobacco and tobacco-related products including, but not limited to, cigarettes, cigars, tobacco, pipes, cigarette paper, and lighters;
- (2) that is not licensed for the consumption of meals or alcoholic beverages on the premises or operated in conjunction with another business that is licensed for the on-premises consumption of meals or alcoholic beverages; and
- (3) in which the sale of tobacco and tobacco-related products accounts for not less than ~~66~~ 85% of the store's gross sales.

"Retail Tobacco Store" does not include a tobacco department of a larger commercial establishment such as a grocery store, department store, or discount store or hotel.

~~(j)~~(i) "Shopping Mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

~~(j)~~(k) "Smoking" means the carrying or holding of a lighted cigarette, cigar, pipe, or any other lighted smoking equipment, the use of an electronic cigarette (also known as an e-cigarette), or the inhalation or exhalation of smoke from any lighted smoking equipment. "Smoking" does not include the burning of incense.

~~(k)~~(l) "Sports Arena" means sports pavilions, stadiums, athletic fields, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise or recreation, participate in athletic competition, or witness sports or other events.

~~(l) "Tobacco bar" means a business that:~~

- ~~a. offers alcoholic beverages for sale to customers for consumption on the licensed premises pursuant to a Type 210 retailer permit issued by the Indiana Alcohol & Tobacco Commission;~~
- ~~b. does not admit customers or hire employees who are less than twenty-one (21) years old;~~
- ~~c. generated ten percent (10%) or more of its total annual gross income from the on-site sale of tobacco products in the calendar year end.~~

SECTION 2. The "Revised Code of the Consolidated City and County," specifically Sec. 616-204 is hereby amended by inserting the underlined text and deleting the stricken-through text, to read as follows:

Sec. 616-204. Exceptions.

(a) The following areas shall be exempt from the provisions of Sections 616-201 through 616-~~203~~ 202:

- (1) Private residences, except when used as a licensed child care, adult day care, or health care facility.
- ~~(2) Family-owned and operated businesses in which all employees are related to the owner, and offices of self-employed persons in which all employees are related to the self-employed person, but only if the enclosed areas these businesses and offices occupy are not open to the public.~~
- ~~(3) Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that not more than twenty percent (20%) of rooms rented to guests in a hotel or motel may be so designated. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.~~
- (4)(2) Retail tobacco stores.
- ~~(5) Private and semi-private rooms in nursing homes and long-term care facilities that are occupied by one (1) or more persons, all of whom have requested in writing to be placed in a room where smoking is permitted.~~
- ~~(6) Any vehicle used by an employee while in the service of an employer when the vehicle is occupied only by that employee, and the vehicle is not used by other employees at any other time.~~
- ~~(7) Any tobacco bar.~~

~~(8) Any bowling alley.~~

~~(9) Any bar or tavern that:~~

- ~~a. Holds a beer, liquor, or wine retailer's permit under the laws of this state;~~
- ~~b. Allows no customer to enter at any time who is under the age of eighteen (18);~~
- ~~c. Employs no person under the age of eighteen (18);~~
- ~~d. Is not physically located within a business otherwise required to be smoke free by this Chapter;~~
- ~~e. Has provided notice by sending notice to the Marion County Health Department as part of its annual application for a retail food establishment license; that it intends to allow smoking, intends to serve only customers over the age of eighteen (18), and that it is otherwise entitled to an exemption under this Section, provided however, that an election for this exemption may be made no more than once in a calendar year.~~

~~(10)~~(3) Any business that as of April 1, 2012:

- a. Is exempt from federal income taxation under 26 U.S.C. § 501(c);
- b. Is a "club" as that term is defined by Ind. Code § 7.1-3-20-1, or a "fraternal club" as that term is defined by Ind. Code § 7.1-3-20-7;
- c. Holds a beer, liquor, or wine retailer's permit under the laws of this state; and
- d. Provides food or alcoholic beverages only to its bona fide members and guests; and, in addition,

Sends notice to the Health and Hospital Corporation of Marion County by September 1, 2012, that through a majority-vote of its General Membership at a formal meeting or ballot of same, has elected to allow smoking, and that it is otherwise entitled to an exemption under this Section.

(4) Tobacco businesses licensed under Chapter 988 of this code.

(5) Any business that on or before April 1, 2012 held a license pursuant to IC 4-31-5.5 to operate a satellite facility in the Consolidated City and County.

(b) None of the areas in the preceding subsection shall be exempt from the provisions of Sections 616-201 through 616-203202 if the smoke from smoking enters any area, through entrances, windows, ventilation systems, or other means, where smoking is otherwise prohibited by this Chapter.

(c) Any business claiming an exemption pursuant to this Section shall provide to any enforcement agency listed in Section 616-401(a) within three (3) business days of demand, adequate written proof that it qualifies for the exemption claimed. Such written proof shall be certified under the penalties for perjury by an authorized representative of the business.

SECTION 3. The "Revised Code of the Consolidated City and County," specifically Sec. 616-301 is hereby amended by inserting the underlined text and deleting the stricken-through text, to read as follows:

Sec. 616-301. ~~Posting~~Additional requirements.

(a) All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this Chapter by the owner, operator, manager, or other person having control of the area.

(b) Any establishment exempted from the Chapter under Section 616-205204(a) ~~(4)(2), (7)(3), or (8)(4) or (9)~~ shall clearly and conspicuously post the following sign at every entrance: "Warning: This is a Smoking Establishment."

SECTION 4. The "Revised Code of the Consolidated City and County," specifically Sec. 616-401 be and is hereby amended by inserting the underlined text and deleting the stricken-through text, to read as follows:

Sec. 616-401. Enforcement.

(a) This Chapter shall be enforced by:

- (1) The deputy director of the department of code enforcement, division of inspections; ~~and~~
- (2) Fire department personnel authorized to conduct fire inspections in accordance with Section 591-221,
- (3) Officers of the Indianapolis Metropolitan Police Department, and
- (4) The director of the division of public health, the director's authorized representative, a supervisor in the division, or an environmental health specialist of the Health and Hospital Corporation of Marion County.

~~(b) Any citizen who desires to register a complaint under this Chapter may initiate enforcement with the Corporation Counsel defined in Section 202-101, or with the City Prosecutor referred to in Section 403-5.~~

~~(e)(b)~~ An owner, manager, operator, or employee of an establishment regulated by this Chapter shall inform persons violating this Chapter of the appropriate provisions thereof and shall ask those persons to refrain from smoking.

~~(d)(c)~~ For a ~~bar or tavern~~ business that elects to be exempted under the provisions of Sec. 616-205204(a) ~~(8)(3)~~, it shall be the duty of the owner, manager, or operator to ensure that no persons under the age of eighteen (18) are allowed to enter, except as provided ~~in that section~~ by state law.

SECTION 5. The Revised Code of the Consolidated City and County be, and is hereby, amended by adding a new Chapter 988, to read as follows:

CHAPTER 988 – TOBACCO BUSINESSES

Sec. 988-101. Purpose

It is the purpose of this chapter to regulate certain businesses where use of non-cigarette tobacco products is permitted.

Sec. 988-102. Definitions.

The following words and phrases, whenever used in this Chapter, shall be construed as defined in this Section:

(a) "Cigar" means any roll of tobacco that has a wrapper or cover consisting only of tobacco, weighing more than four and one-half pounds per 1,000 and is sold without a filter.

(b) "Cigarette" means:

- (1) any roll for smoking containing tobacco wrapped in paper or in any substance other than tobacco leaf or
- (2) any roll for smoking containing tobacco wrapped in any substance, however labeled or named, which because of its appearance, size, the type of tobacco used in the filler, or its packaging,

pricing, marketing, or labeling, is likely to be offered to, purchased by, or consumed by consumers as a cigarette as defined above.

(c) "Tobacco Specialty Bar" means a business that, as of January 1, 2012:

- (1) is licensed to sell alcoholic beverages pursuant to a permit issued by the Indiana Alcohol and Tobacco Commission for on-premises consumption and in which the service of food is only incidental to the consumption of such beverages and the sale of cigars or Hookah tobacco;
- (2) is engaged in the business of selling cigars or Hookah tobaccos and where at least twenty percent (20%) or more of its total annual gross income over the preceding calendar year was derived from the on-site sale of cigars or Hookah tobaccos;
- (3) that is not physically located within a business otherwise required to be smoke free and
- (4) that does not sell cigarettes or allow smoking of cigarettes on the premises.

Sec. 988-103. Licenses authorized.

A tobacco business wishing to permit smoking of tobacco products other than cigarettes at its business location may apply to the license administrator for a license as a Tobacco Specialty Bar, by making application under this Chapter.

Sec. 988-104. Application for Tobacco Business License.

(a) The application for a tobacco business license under this chapter shall be filed by the owner of the business and shall contain the following information which shall be verified by the owner under penalties for perjury:

- (1) An application by a tobacco specialty bar shall include verification that it meets the definition in Sec. 988-102(c), that it permits no one under the age of twenty-one years to enter its business, that it employs no one under the age of twenty-one years, is not physically located within a business that is otherwise required to be smoke free under Chapter 616, and has notified the Marion County Health Department that it intends to allow smoking on the premises.
- (2) Tobacco vending machine sales and/or humidor rental shall not be considered as comprising part of the revenue requirement from Section 988-102(c)(2) above.

(b) The application shall be accompanied by a fee of \$215.

Sec. 988-105. License.

If the license administrator determines that the applicant qualifies for a tobacco license under this Chapter, the license shall be issued for the remainder of the calendar year upon payment of the annual license fee of \$215 for a tobacco specialty bar. The license shall be renewed annually only upon application by the business demonstrating it still qualifies under this Chapter.

Sec. 988-106. Transferability of Tobacco Business License.

Nothing in this chapter shall be deemed to restrict or prevent a license issued under this chapter from being sold or transferred, providing that all standards set herein continue to be met and the tobacco specialty bar remains a business in good standing under all applicable laws, including tax, liquor, licensing and other laws applicable to it.

Sec. 988-107. Enforcement and Penalties.

Any violation of this chapter shall be subject to the enforcement procedures and penalties provided in Sec. 103-3 of this Code.

SECTION 6. Section 131-501 of the "Revised Code of the Consolidated City and County" regarding the schedule of license and permit fees is hereby amended by the deletion of the language that is stricken-through and by the addition of the language that is underlined, to read as follows:

Sec. 131-501. Schedule of license and permit fees.

The following fees are established for their respective licenses and permits issued by the city or county.

<i>Code Section</i>	<i>License or Permit</i>	<i>Fee</i>
441-364	Operation of certain trucks on certain streets	\$162.00
536-211	Transfer of building permit	\$48.00
536-602	Construction or placement of, or additions to, Class 2 structures for a primary Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of two hundred and seventeen dollars (\$217.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply. Square feet calculation shall include the area of an attached garage or carport and the area of a finished basement or attic, but exclude the area of an unfinished basement or attic
536-602	Accessory Class 2 structure appurtenant to a primary Class 2 structure	For accessory structures less than or equal to 200 square feet a fee of forty-two dollars (\$42.00). For accessory structures greater than 200 square feet and less than or equal to 1,000 square feet, a minimum fee of one hundred and ninety-three dollars (\$193.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-602	Construction or placement of, or additions to, Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of three hundred and fifty-one dollars (\$351.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-603	Remodeling, alteration, or repair of Class 2 structures; provided, however, that when remodeling, alteration, or repair of a Class 2 structure is accomplished at the same time as an addition to an existing structure, a single permit fee shall be determined according to section 536-602	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred and fifty-nine dollars (\$159.00); for each additional 500 square feet, an additional fee of thirty-nine dollars (\$39.00) shall apply
536-603	Remodeling, alteration, or repair of Class 1 structures	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred and fifty-seven dollars (\$257.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Installation of a plumbing system in a new Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of one hundred and eighty-five dollars (\$185.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply

536-604	Installation or alteration of a plumbing system in a Class 1 structure	For the first ten (10) fixtures installed, a minimum fee of one hundred and eighty-two dollars (\$182.00); for each additional five (5) fixtures, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Alteration, repair or replacement of plumbing in an existing Class 2 structure	For structures less than or equal to 1,000 square feet, a minimum fee of one hundred and fifty-three dollars (\$153.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-604	Initial connection or reconnection of plumbing to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$134.00
536-605	Installation of an electrical power distribution system in a new structure or in an addition to an existing structure other than a Class 2 structure	For structures less than or equal to 2,500 square feet, a minimum fee of two hundred and two dollars (\$202.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Repair, alteration or remodeling of an electrical power distribution system in an existing structure, or in an addition to a Class 2 structure	For structures less than or equal to 1000 square feet, a minimum fee of one hundred and sixty-nine dollars (\$169.00); for each additional 500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space heating equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of space cooling equipment using electricity as its primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and forty-six dollars (\$146.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Installation or replacement of combined space heating and space cooling equipment using electricity as their primary source of energy	For structures or affected areas less than or equal to 10,000 square feet, a minimum fee of one hundred and seventy-eight dollars (\$178.00); for each additional 2,500 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-605	Initial connection or reconnection of electrical power to a structure that has been removed from one (1) location and is being placed at another location or to a factory constructed building	\$89.00

536-605	Installation, alteration, replacement or repair of a system distributing electrical power to service equipment supplying power to manufactured home located in a manufactured home park	\$498.00
536-605	Obtaining each "electrical craft work certificate of compliance" form, as allowed in subsection 536-404(b)	\$22.00
536-606	Installation, replacement, or addition of a heating system, space heating equipment or other types of heating transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred and fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, addition or replacement of a cooling system, space cooling equipment, or other types of cooling transfer, or installation, replacement, alteration, or addition to duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred and fifty-three dollars (\$153.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Installation, replacement, or addition of combined heating systems and cooling systems, combined space heating equipment and space cooling equipment, or other types of heating or cooling transfer, or installation, replacement, alteration, or addition of duct work only	For structures or affected areas less than or equal to 2,500 square feet, a minimum fee of one hundred and eighty-five dollars (\$185.00); for each additional 1,000 square feet, an additional fee of twenty-three dollars (\$23.00) shall apply
536-606	Refrigeration equipment	\$156.00
536-607	Demolition or removal of primary Class 2 structures located on the same premises	\$127.00
536-607	Demolition or removal of accessory Class 2 structure	\$94.00
536-607	Demolition or removal of Class 1 structures with ground floor area of less than two thousand and five hundred (2,500) square feet	\$141.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than two thousand and five hundred (2,500) square feet, but less than five thousand (5,000) square feet	\$199.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than five thousand (5,000) square feet, but less than ten thousand (10,000) square feet	\$231.00
536-607	Demolition or removal of Class 1 structures with ground floor area equal to or greater than ten thousand (10,000) square feet	\$292.00

536-607	Demolition or removal of smokestacks, aboveground storage tanks, overhead hoppers, or other similar structures	\$296.00
536-608	Master permit	The sum of the applicable fees
536-609	Administrative fee	\$215.00
536-610	General service activity permit fee	\$89.00
536-612	General construction permit, where not specified by chapters 536 or 131 of this code	\$170.00 for Class 1 structures; and \$141.00 for Class 2 structures
536-615	Amendment of a building permit that requires submittal of additional plans	\$101.00
536-616	Building permit renewal after expiration	\$56.00
536-619	Additional service fee for applying for all demolition, master, sign, structural, and infrastructure related permits	\$32.00
536-620	Plan review of a primary or accessory Class 2 structure. Review includes appropriate structural and mechanical plan review	Eighty-five dollars (\$85.00) for structures less than 1,000 square feet. For each additional 500 square feet an additional fee of twenty-one dollars (\$21.00)
536-620	Plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	Three hundred and forty-six dollar (\$346.00) initial fee; review time in excess of three (3) hours shall be billed at a rate of ninety-one dollars (\$91.00) per hour in addition to the initial fee
536-620	Accelerated plan review of Class 1 structures. Review includes appropriate structural and mechanical plan review	\$316.00 per hour
575-7	Administrative fee for abatement of environmental public nuisance	\$288.00
601-8	Operation of sanitary landfill	\$437.00
645-548	Transfer of right-of-way overhead or subsurface use permit	\$48.00
645-579	Encroachment	\$360.00
671-22	Extension, amendment, or transfer of sewer connection permit	\$56.00
671-122	Private disposal facility	\$100.00
671-159	Extension of sanitary sewer construction permit	\$56.00
671-167	Amendment of sanitary sewer construction permit	\$56.00
671-170	Transfer of sanitary sewer construction permit	\$56.00
801-310	Administrative fee – licensing	\$215.00
807-203	Adult entertainment business	\$377.00
811-213	Alarm business	\$250.00
831-2	Amusement location	\$207.00
836-2	Kennel, pet shop, or stable	\$200.00

845-105 841-106	Ticket broker	\$57.00
875-701	New listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00 for a business entity; and \$377.00 for an individual
875-701	Renewal of a listing or license for a sole proprietor, partnership or corporation as a general contractor, or for licensing a person, sole proprietor, partnership or corporation as an electrical contractor, heating and cooling contractor or wrecking contractor	\$247.00
875-701	Registration of state licensed plumbing contractors who are sole proprietors, and individuals within a corporation who are eligible to secure permits	\$142.00
875-701	Additional names of persons eligible to secure permits for a contractor	\$63.00
881-7	Dance permit	\$209.00
881-7	Annual dance license	\$335.00
886-8	Fire extinguisher service company	\$207.00
895-1	Horse-drawn carriage	\$105.00
901-3	Hotel	\$291.00
903-102	Pedal cabs	\$70.00
909-103	Lobbyist	\$100.00
911-6	Massage parlor, bathhouse, escort service, body painting studio or nude modeling studio	\$319.00
911-6	Massage therapist, escort, body painting model or nude model	\$103.00
931-201	Commercial parking facility	\$207.00
936-2	Public pay telephone	\$81.00
951-104	Pawnbroker	\$320.00 for each place of business of licensee
951-404	Dealers in salvage or scrap metal	\$568.00 for each place of business of licensee
955-1	Trash hauling	\$286.00
961-204	Vendor cart in franchise zone or commercial franchise zone	\$99.00
961-209	Vendor cart transfer	\$69.00
961-303	Vendor cart franchise zone drawing	\$40.00
986-103	Special event fee – 250 to 2,500 attendees	\$75.00, or \$175.00 if the special event requires fire department personnel or apparatus

986-103	Special event fee – Over 2,500 attendees	\$268.00, or \$368.00 if the special event requires fire department personnel or apparatus
986-202	Limited duration license without inspection	\$75.00
986-202	Limited duration license with inspection	\$139.00
987-102	Transient merchant	\$121.00
988-103	<u>Tobacco specialty bar</u>	<u>\$215.00</u>
995-201	Tow business	\$145.00, and \$21.00 for every five (5) tow truck operators employed or contracted by the licensee
996-25	Taxicab operator	\$59.00
996-47	Public vehicle for hire – per vehicle	\$208.00

SECTION 7. Should any provision (section, paragraph, sentence, clause or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The foregoing was passed by the City-County Council this 16th day of April, 2012, at 8:53 p.m.

ATTEST:

Maggie A. Lewis
President, City-County Council

NaTrina DeBow
Clerk, City-County Council

Presented by me to the Mayor this 19th day of April, 2012.

NaTrina DeBow
Clerk, City-County Council

Approved and signed by me this _____ day of April, 2012.

Gregory A. Ballard, Mayor

