

ORDINANCE NO. 134

An Ordinance to repeal Ordinance No. 133, passed November 28, 1949, to become effective December 15, 1949.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SPEEDWAY, INDIANA:

SECTION 1. Whereas, Ordinance No. 133 passed November 28, 1949, to become effective December 15, 1949, entitled "An Ordinance concerning the use of real estate located within the Town of Speedway for the deposit of refuse matter, declaring such user within limits proscribed to be a nuisance and preventing and requiring the abatement of such nuisance" has been attacked as invalid and proceedings in court have been brought to enjoin enforcement of the ordinance on the ground, among others, that said ordinance was not posted in public places in the Town and this Board finds that said ordinance was not posted at the Town Hall, in addition to the other places of posting; that said Ordinance No. 133 contained an effective date of December 15, 1949, and amendment thereof is not practicable if the same is invalid; that questions about the validity of Ordinance No. 133 will continue to be raised if this Board now orders the posting thereof, it is therefore deemed advisable to repeal said Ordinance No. 133.

SEC. 2. Said Ordinance No. 133 of the Town of Speedway passed November 28, 1949, to become effective December 15, 1949, be and hereby it is repealed.

SEC. 3. This ordinance shall be in full force and effect on passage.

\* \* \* \* \*

Passed this 27 day of December, 1940.

Paul N. Lindley  
Paul N. Lindley, President  
of Board of Trustees

Attest:

J. Wayne Baxter  
J. Wayne Baxter,  
Clerk-Treasurer

G. H. Schoenewey  
G. H. Schoenewey, Trustee  
R. H. Stewart  
R. H. Stewart, Trustee