

1 #ZORD-2019-0006

2 BILL NO. G-19-09-13

3 ORDINANCE NO. G-23-19

4 AN ORDINANCE amending Chapter 157  
5 of the City of Fort Wayne Municipal Code

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
7 INDIANA:

8 SECTION 1. That the current Chapter 157 (Zoning Ordinance), Section 157.217(B) is hereby  
9 amended by amending note "(3)" in the "Notes" section for the list of C4 Intensive Commercial  
10 Specific Permitted Uses, as follows:

C4 INTENSIVE COMMERCIAL SPECIFIC PERMITTED USES	
...	...
...	...
Notes:	
...	
(3) Subject to the standards in § 157.414	

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15 SECTION 2. That the current Chapter 157 (Zoning Ordinance) Additional General Standards  
16 subchapter is hereby amended by adopting a new § 157.414 Sexually Oriented Business  
17 Location Standards, to read as follows:

18 **§ 157.414 SEXUALLY ORIENTED BUSINESS LOCATION STANDARDS**

19 (A) *Purpose.* It is the purpose of this ordinance to regulate sexually oriented businesses in  
20 order to promote the health, safety, and general welfare of the citizens of the City, and to  
21 establish reasonable and uniform regulations to prevent the deleterious secondary effects  
22 of sexually oriented businesses within the City. The provisions of this ordinance have  
23 neither the purpose nor effect of imposing a limitation or restriction on the content or  
24 reasonable access to any communicative materials, including sexually oriented materials.  
25 Similarly, it is neither the intent nor effect of this ordinance to restrict or deny access by  
26 adults to sexually oriented materials protected by the First Amendment, or to deny access  
27 by the distributors and exhibitors of sexually oriented entertainment to their intended  
28 market. Neither is it the intent nor effect of this ordinance to condone or legitimize the  
29 distribution of obscene material.  
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1 (B) *Findings and Rationale*. Based on evidence of the adverse secondary effects of adult  
2 uses presented in hearings and in reports made available to the City, and on findings,  
3 interpretations, and narrowing constructions incorporated in the cases of *City of Littleton*  
4 *v. Z.J. Gifts D-4, L.L.C.*, 541 U.S. 774 (2004); *City of Los Angeles v. Alameda Books, Inc.*,  
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7 *Fantasy Ranch, Inc. v. City of Arlington*, 459 F.3d 546 (5th Cir. 2006); *Richland Bookmart,*  
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14 *City of San Diego*, 505 F.3d 996 (9th Cir. 2007); *U.S. v. Baston*, 818 F.3d 651 (11th Cir.  
15 2016); *Johnson v. California State Bd. of Accountancy*, 72 F.3d 1427 (9th Cir. 1995);  
16 *Spencer v. World Vision, Inc.*, 633 F.3d 723 (9th Cir. 2010); *Gammoh v. City of La Habra*,  
17 395 F.3d 1114 (9th Cir. 2005); *Z.J. Gifts D-4, L.L.C. v. City of Littleton*, Civil Action No.  
18 99-N-1696, Memorandum Decision and Order (D. Colo. March 31, 2001); *People ex rel.*  
19 *Deters v. The Lion's Den, Inc.*, Case No. 04-CH-26, Modified Permanent Injunction Order  
20 (Ill. Fourth Judicial Circuit, Effingham County, July 13, 2005); *Reliable Consultants, Inc. v.*  
21 *City of Kennedale*, No. 4:05-CV-166-A, Findings of Fact and Conclusions of Law (N.D.  
22 Tex. May 26, 2005);

23 and based upon reports concerning secondary effects occurring in and around sexually  
24 oriented businesses, including, but not limited to, "Correlates of Current Transactional  
25 Sex among a Sample of Female Exotic Dancers in Baltimore, MD," *Journal of Urban*  
26 *Health* (2011); "Does the Presence of Sexually Oriented Businesses Relate to Increased  
27 Levels of Crime?" *Crime & Delinquency* (2012) (Louisville, KY); *Metropolis, Illinois –*  
28 *2011-12; Manatee County, Florida – 2007; Hillsborough County, Florida – 2006;*  
29 *Clarksville, Indiana – 2009; El Paso, Texas – 2008; Memphis, Tennessee – 2006; New*  
30 *Albany, Indiana – 2009; Louisville, Kentucky – 2004; Fulton County, GA – 2001;*  
*Chattanooga, Tennessee – 1999-2003; Jackson County, Missouri – 2008; Ft. Worth,*  
*Texas – 2004; Kennedale, Texas – 2005; Greensboro, North Carolina – 2003; Dallas,*  
*Texas – 1997; Houston, Texas – 1997, 1983; Phoenix, Arizona – 1995-98, 1979; Tucson,*  
*Arizona – 1990; Spokane, Washington – 2001; St. Cloud, Minnesota – 1994; Austin,*  
*Texas – 1986; Indianapolis, Indiana – 1984; Garden Grove, California – 1991; Los*  
*Angeles, California – 1977; Whittier, California – 1978; Oklahoma City, Oklahoma – 1986;*  
*New York, New York Times Square – 1994; the Report of the Attorney General's Working*

1 Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of  
2 Minnesota); Dallas, Texas – 2007; “Rural Hotspots: The Case of Adult Businesses,” 19  
3 Criminal Justice Policy Review 153 (2008); “Stripclubs According to Strippers: Exposing  
4 Workplace Sexual Violence,” by Kelly Holsopple, Program Director, Freedom and Justice  
5 Center for Prostitution Resources, Minneapolis, Minnesota; “Sexually Oriented  
6 Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House  
7 Committee on Ethics and Constitutional Law, Jan. 12, 2000; Sex Store Statistics and  
8 Articles; Indianapolis / Marion City Board of Zoning Appeals Documents; Law  
9 Enforcement and Private Investigator Affidavits (Adult Cabarets in Forest Park, GA and  
10 Sandy Springs, GA); and Strip Club-Trafficking Documents, the City finds:

- 11 (1) Sexually oriented businesses, as a category of commercial uses, are associated  
12 with a wide variety of adverse secondary effects including, but not limited to,  
13 personal and property crimes, human trafficking, prostitution, potential spread of  
14 disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking,  
15 negative impacts on surrounding properties, urban blight, litter, and sexual assault  
16 and exploitation.
- 17 (2) Sexually oriented businesses should be separated from sensitive land uses to  
18 minimize the impact of their secondary effects upon such uses.
- 19 (3) Each of the foregoing negative secondary effects constitutes a harm which the City  
20 has a substantial government interest in preventing and/or abating. The City’s  
21 interest in regulating sexually oriented businesses extends to preventing future  
22 secondary effects of either current or future sexually oriented businesses that may  
23 locate in the City. The City finds that the cases and documentation relied on in this  
24 ordinance are reasonably believed to be relevant to said secondary effects.

25 The City hereby adopts and incorporates herein its stated findings and legislative record  
26 related to the adverse secondary effects of sexually oriented businesses, including the  
27 judicial opinions and reports related to such secondary effects.

- 28 (1) It shall be unlawful to establish, operate, or cause to be operated a sexually  
29 oriented business within the planning jurisdiction of Fort Wayne that is within:
  - 30 (a) 500 feet of any existing Allen City or Fort Wayne A or R district; or
  - (b) 300 feet of any existing sexually oriented business; or
  - (c) 750 feet of any existing or pending religious institution or school.
- (2) For the purpose of this section, measurements shall be made in a straight line from  
the closest part of any structure occupied by the sexually oriented business to the  
closest property line of uses outlined in subsection (B)(1), above.

1 SECTION 3. That the current Chapter 157 (Zoning Ordinance) Section 157.506 (Definitions) is  
2 hereby amended by amending the following defined terms to read as follows:

3 Bar

4 An eating/drinking establishment providing or dispensing by the drink for on-site consumption  
5 fermented malt beverages, and/or malt, special malt, vinous or spirituous liquors, and in which  
6 the sale of food products such as sandwiches and light snacks is secondary. A bar/tavern may  
7 include the provision of live entertainment and/or dancing; however, a bar/tavern shall not  
8 include any sexually oriented business use.

8 Dance Hall

9 An enclosed structure used for dancing or similar social gatherings. Any use that falls under the  
10 definition of sexually oriented business shall not be included under this definition.

11 Entertainment Facility

12 A facility that offers indoor or outdoor entertainment uses, including performing arts theaters,  
13 cinemas, concert venues, or circus/festivals, but does not include any sexually oriented  
14 business use.

15 Nightclub

16 An establishment dispensing liquor and meals in which music, dancing, or entertainment is  
17 provided. Any establishment that meets the definition of sexually oriented business is not  
18 included under this definition.

18 Sexually Oriented Business

19 An establishment that meets the definition of "sexually oriented business" as defined in Chapter  
20 121.02 of the Municipal Code of the City of Fort Wayne, which definition is incorporated herein  
21 by reference.

22 SECTION 4. That the current Chapter 157 (Zoning Ordinance) Section 157.506 (Definitions) is  
23 hereby amended by deleting the following defined terms:

24 Adult Bookstore, Adult Novelty Store, Adult Video Store

25 Adult Cabaret

26 Adult Entertainment Establishment

27 Adult Motion Picture Theater

28 Adult Night Club

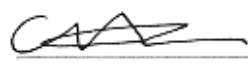
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- Nude or Semi-Nude Model Studio
- Nude or State of Nudity
- Semi-Nude or State of Semi-Nudity
- Sexual Encounter Establishment
- Specified Anatomical Areas
- Specified Sexual Activities

SECTION 5. That this Ordinance, after its passage by the Common Council, shall be in full force and effect as of its approval by the Mayor.

  
\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Carol T. Helton, City Attorney

## FACT SHEET

Case #ZORD-2019-0006 Bill # G-19-09-13 Project Start: September 2019

PROPOSAL:	ZORD-2019-0006 1. To amend Chapter 157.414 (C-4 / Intensive Commercial); and 2. To amend Chapter 157.506 (Definitions).
APPLICANT:	Fort Wayne Plan Commission
REQUEST:	To amend Chapter 157.414 (C-4 / Intensive Commercial) and to amend Chapter 157.506 (Definitions).
LOCATION:	City of Fort Wayne planning jurisdiction
COUNCIL DISTRICT:	All
ASSOCIATED PROJECTS:	none
SPONSOR:	City of Fort Wayne Plan Commission

### 9 September 2019 Public Hearing

- There were no public comments at the hearing
- Justin Shurley was absent.

### 16 September 2019 – Business Meeting

#### Plan Commission Recommendation: DO PASS w/Written Commitment

A motion was made by Rachel Tobin-Smith and seconded by Patrick Zaharako to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

#### 8-0 MOTION PASSED

- Tom Freistroffer was absent.

Fact Sheet Prepared by:  
Michelle B. Wood, Senior Land Use Planner  
September 26, 2019

Reviewed by:



Paul B. Blisk  
Deputy Land Use Director

## PROJECT SUMMARY

In 2018 the Fort Wayne Board of Zoning Appeals was sued in Federal Court in part over the sexually oriented business section of the Fort Wayne Zoning Ordinance. Even though the City prevailed in that court case, several issues were identified that needed updated based on current court cases and changes in business practices. After the court case the City's legal team made several recommendations to City Council and the Plan Commission to amend the City's Zoning Ordinance.

In August of 2019 the Fort Wayne City Council approved an ordinance governing the operations of sexually oriented business. In June of 2019 the Fort Wayne Plan Commission initiated a zoning ordinance text amendment in anticipation of Council's action. The amendment was filed in August and is before you this month. In summary the following changes are proposed:

1. The distance between establishments would be reduced from 1000 feet to 300 feet;
2. The way the distance is measured would be from building to property line. Currently it is measured from property line to property line.
3. In the Chapter 157.506, Definitions,
  - a. The definitions of Bar, Dance Hall, Entertainment Facility, and Nightclub will be clarified that these uses shall not include any sexually orientated business.
  - b. Sexually oriented business will be defined as in Fort Wayne City Code Section 121.02.
  - c. The terms; Adult Bookstore, Adult Novelty Store, Adult Video Store, Adult Cabaret, Adult Entertainment Establishment, Adult Motion Picture Theater, Adult Night Club, Nude or Semi-Nude Model Studio, Nude or State of Nudity, Semi-Nude or State of Semi-Nudity, Sexual Encounter Establishment, Specified Anatomical Areas, and Specified Sexual Activities will be deleted because these definitions are incorporated by reference into the Fort Wayne City Code Section 121.02

### **PUBLIC HEARING SUMMARY:**

Presenter: Scott Berghold, attorney, presented the proposal to the Plan Commission, as outlined above.

Public Comments:

none

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Amendment to the Fort Wayne Zoning Ordinance  
Case Number: ZORD-2019-0006  
Bill Number: G-19-09-13  
Council District: All districts

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Introduction Date: September 24, 2019

Plan Commission  
Public Hearing Date: September 9, 2019

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: A proposal to amend the Fort Wayne Zoning Ordinance (Chapter 157) Sexually Oriented Business provisions, and definitions

Location: Within the planning jurisdiction of Fort Wayne

Applicant: The Fort Wayne Plan Commission

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Related Petitions: A similar amendment was recently approved for the Allen County Zoning Ordinance

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Effect of Passage: These amendments are proposed to update sections of the zoning ordinance related to sexually oriented business uses by:

- 1) Reducing the distance between sexually oriented business uses from 1,000 feet to 300;
- 2) Clarifying several definitions related to entertainment type uses, where the current language is unclear;
- 3) Deleting specific adult/sexually oriented business use definitions; these definitions are now located in Chapter 121.02 of the Municipal code

Effect of Non-Passage: The City of Fort Wayne Zoning Ordinance sexually oriented business use provisions will continue to face potential legal challenges; the Fort Wayne provisions will not be aligned with the Allen County provisions, and the definition in the zoning ordinance will not be clear, or aligned with those in Municipal code.

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13 01-00505-CR, 2002 WL 1722154 (Tex. App. July 25, 2002); *Fantasyland Video, Inc. v.*  
14 *City of San Diego*, 505 F.3d 996 (9th Cir. 2007); *U.S. v. Baston*, 818 F.3d 651 (11th Cir.  
15 2016); *Johnson v. California State Bd. of Accountancy*, 72 F.3d 1427 (9th Cir. 1995);  
16 *Spencer v. World Vision, Inc.*, 633 F.3d 723 (9th Cir. 2010); *Gammoh v. City of La Habra*,  
17 395 F.3d 1114 (9th Cir. 2005); *Z.J. Gifts D-4, L.L.C. v. City of Littleton*, Civil Action No.  
18 99-N-1696, Memorandum Decision and Order (D. Colo. March 31, 2001); *People ex rel.*  
19 *Deters v. The Lion's Den, Inc.*, Case No. 04-CH-26, Modified Permanent Injunction Order  
20 (Ill. Fourth Judicial Circuit, Effingham County, July 13, 2005); *Reliable Consultants, Inc. v.*  
21 *City of Kennedale*, No. 4:05-CV-166-A, Findings of Fact and Conclusions of Law (N.D.  
22 Tex. May 26, 2005);

23 and based upon reports concerning secondary effects occurring in and around sexually  
24 oriented businesses, including, but not limited to, "Correlates of Current Transactional  
25 Sex among a Sample of Female Exotic Dancers in Baltimore, MD," *Journal of Urban*  
26 *Health* (2011); "Does the Presence of Sexually Oriented Businesses Relate to Increased  
27 Levels of Crime?" *Crime & Delinquency* (2012) (Louisville, KY); *Metropolis, Illinois –*  
28 *2011-12; Manatee County, Florida – 2007; Hillsborough County, Florida – 2006;*  
29 *Clarksville, Indiana – 2009; El Paso, Texas – 2008; Memphis, Tennessee – 2006; New*  
30 *Albany, Indiana – 2009; Louisville, Kentucky – 2004; Fulton County, GA – 2001;*  
*Chattanooga, Tennessee – 1999-2003; Jackson County, Missouri – 2008; Ft. Worth,*  
*Texas – 2004; Kennedale, Texas – 2005; Greensboro, North Carolina – 2003; Dallas,*  
*Texas – 1997; Houston, Texas – 1997, 1983; Phoenix, Arizona – 1995-98, 1979; Tucson,*  
*Arizona – 1990; Spokane, Washington – 2001; St. Cloud, Minnesota – 1994; Austin,*  
*Texas – 1986; Indianapolis, Indiana – 1984; Garden Grove, California – 1991; Los*  
*Angeles, California – 1977; Whittier, California – 1978; Oklahoma City, Oklahoma – 1986;*  
*New York, New York Times Square – 1994; the Report of the Attorney General's Working*

1 Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of  
2 Minnesota); Dallas, Texas – 2007; "Rural Hotspots: The Case of Adult Businesses," 19  
3 Criminal Justice Policy Review 153 (2008); "Stripclubs According to Strippers: Exposing  
4 Workplace Sexual Violence " by Kelly Holsopple, Program Director, Freedom and Justice  
5 Center for Prostitution Resources Minneapolis, Minnesota; "Sexually Oriented  
6 Businesses: An Insider's View," by David Sherman, presented to the Michigan House  
7 Committee on Ethics and Constitutional Law, Jan. 12, 2000; Sex Store Statistics and  
8 Articles; Indianapolis / Marion City Board of Zoning Appeals Documents; Law  
9 Enforcement and Private Investigator Affidavits (Adult Cabarets in Forest Park, GA and  
10 Sandy Springs, GA); and Strip Club-Trafficking Documents, the City finds:

- 11 (1) Sexually oriented businesses, as a category of commercial uses, are associated  
12 with a wide variety of adverse secondary effects including, but not limited to,  
13 personal and property crimes, human trafficking, prostitution, potential spread of  
14 disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking,  
15 negative impacts on surrounding properties, urban blight, litter, and sexual assault  
16 and exploitation.
- 17 (2) Sexually oriented businesses should be separated from sensitive land uses to  
18 minimize the impact of their secondary effects upon such uses.
- 19 (3) Each of the foregoing negative secondary effects constitutes a harm which the City  
20 has a substantial government interest in preventing and/or abating. The City's  
21 interest in regulating sexually oriented businesses extends to preventing future  
22 secondary effects of either current or future sexually oriented businesses that may  
23 locate in the City. The City finds that the cases and documentation relied on in this  
24 ordinance are reasonably believed to be relevant to said secondary effects.

25 The City hereby adopts and incorporates herein its stated findings and legislative record  
26 related to the adverse secondary effects of sexually oriented businesses, including the  
27 judicial opinions and reports related to such secondary effects.

- 28 (1) It shall be unlawful to establish, operate, or cause to be operated a sexually  
29 oriented business within the planning jurisdiction of Fort Wayne that is within:  
30 (a) 500 feet of any existing Allen City or Fort Wayne A or R district; or  
(b) 300 feet of any existing sexually oriented business; or  
(c) 750 feet of any existing or pending religious institution or school.
- (2) For the purpose of this section, measurements shall be made in a straight line from  
the closest part of any structure occupied by the sexually oriented business to the  
closest property line of uses outlined in subsection (B)(1), above.

1 SECTION 3. That the current Chapter 157 (Zoning Ordinance) Section 157.506 (Definitions) is  
2 hereby amended by amending the following defined terms to read as follows:

3 Bar

4 An eating/drinking establishment providing or dispensing by the drink for on-site consumption  
5 fermented malt beverages, and/or malt, special malt, vinous or spirituous liquors, and in which  
6 the sale of food products such as sandwiches and light snacks is secondary. A bar/tavern may  
7 include the provision of live entertainment and/or dancing; however, a bar/tavern shall not  
8 include any sexually oriented business use.

9 Dance Hall

10 An enclosed structure used for dancing or similar social gatherings. Any use that falls under the  
11 definition of sexually oriented business shall not be included under this definition.

12 Entertainment Facility

13 A facility that offers indoor or outdoor entertainment uses, including performing arts theaters,  
14 cinemas, concert venues, or circus/festivals, but does not include any sexually oriented  
15 business use.

16 Nightclub

17 An establishment dispensing liquor and meals in which music, dancing, or entertainment is  
18 provided. Any establishment that meets the definition of sexually oriented business is not  
19 included under this definition.

20 Sexually Oriented Business

21 An establishment that meets the definition of "sexually oriented business" as defined in Chapter  
22 121.02 of the Municipal Code of the City of Fort Wayne, which definition is incorporated herein  
23 by reference.

24 SECTION 4. That the current Chapter 157 (Zoning Ordinance) Section 157.506 (Definitions) is  
25 hereby amended by deleting the following defined terms:

26 Adult Bookstore, Adult Novelty Store, Adult Video Store

27 Adult Cabaret

28 Adult Entertainment Establishment

29 Adult Motion Picture Theater

30 Adult Night Club

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Nude or Semi-Nude Model Studio  
Nude or State of Nudity  
Semi-Nude or State of Semi-Nudity  
Sexual Encounter Establishment  
Specified Anatomical Areas  
Specified Sexual Activities

SECTION 5. That this Ordinance, after its passage by the Common Council, shall be in full force and effect as of its approval by the Mayor.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Carol T. Helton, City Attorney

**BILL NO. G-19-09-13**

**REPORT OF COMMITTEE ON REGULATIONS**

**October 8, 2019**

***Tom Freistroffer Chair***

***Michael Barranda Co-Chair***

***All Council Members***

An Ordinance amending Chapter 157 of the City of Fort Wayne Municipal Code



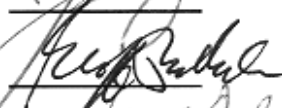
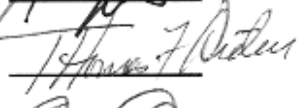
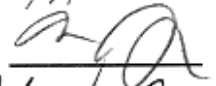
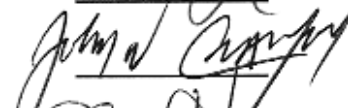

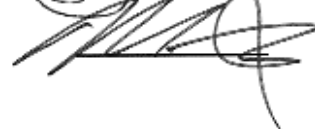
COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

DO PASS


DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
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**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilman Freistroffer.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilman Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARRANDA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRAWFORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: October 8, 2019

  
\_\_\_\_\_  
LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. G-19-09-13 on the 8th day of October, 2019

  
\_\_\_\_\_  
LANA R. KEESLING  
CITY CLERK

  
\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th  
of October 2019, at the hour of 1:45 o'clock P.M. E.S.T.

  
\_\_\_\_\_  
LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10<sup>th</sup> day of OCTOBER

2019, at the hour of 9:00 o'clock AM E.S.T.

FORT WAYNE, INDIANA  
RECEIVED

OCT 11 2019

LANA R. KEESLING  
CITY CLERK

  
\_\_\_\_\_  
THOMAS C. HENRY, MAYOR