

TITLE 920 INDIANA WAR MEMORIALS COMMISSION

ARTICLE 1. GENERAL PROVISIONS

Rule 1. Use of World War Memorial Facilities; Limitations on Structures and Real Estate Within 300 Feet of World War Memorial

920 IAC 1-1-1 Use of auditorium and meeting rooms

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 1. The auditorium and meeting rooms may be used, subject to the limitations of the maintenance fund appropriated to the Indiana War Memorials Commission, for the following purposes:

(a) Meetings of organizations of veterans or members of the Armed Forces of the United States. Such meetings shall have preference in the use of the auditorium and other facilities of the Memorial building.

(b) Meetings of organizations or persons whose programs have patriotic, civic, educational, historical, charitable, agricultural, scientific, or cultural purposes.

(c) Meetings for purposes of general public interest which conform to law and these rules [920 IAC].

(Indiana War Memorials Commission; Rule 1; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 143; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)

920 IAC 1-1-2 Admission charges and solicitation by users prohibited

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 2. No admission fee shall be charged and no solicitation made by those who use the auditorium, meeting rooms or other facilities. At no time shall there be a sale of admission tickets to the Memorial Building or to any of the Memorial facilities. *(Indiana War Memorials Commission; Rule 2; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 143; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-3 Donations, gifts or contributions; use of; commission approval

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 3. (a) The commission may accept donations to defray maintenance costs from persons or organizations using the auditorium or other facilities of the memorial.

(b) The commission may accept donations, gifts and other contributions to the commission in the name of the state of Indiana. The acceptance being reserved in the commission requires approval and receipt of the donation, gift or other contribution by the commission. The commission shall use any donation, gift or other contribution according to the current needs.

(c) No benefit shall be received and no work performed in relation to any donation, gift or other contribution, until the commission has given its approval.

(d) Prior to approval it is prohibited for a donor to cause a third party to perform work or services. *(Indiana War Memorials Commission; Rule No. 3; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 234; filed Feb 10, 1967, 2:25 pm: Rules and Regs. 1968, p. 213; filed Dec 4, 1986, 10:04 am: 10 IR 881; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-4 Subversive organizations not to use facilities (Repealed)

Sec. 4. *(Repealed by Indiana War Memorials Commission; filed Mar 25, 1982, 4:13 pm: 5 IR 994)*

920 IAC 1-1-5 Denial of requests; hearing

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 5. No request for the use of any Memorial facility shall be approved for the conduct of commercial affairs, dancing morally offensive or obnoxious, or other such inappropriate activities. Disapproval of such a request shall be forwarded to the applicant in writing stating why such request was disapproved. A hearing may be requested by any applicant aggrieved by any denial and shall be held at the next meeting of the Commission. (*Indiana War Memorials Commission; Rule No. 5; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 234; filed Feb 10, 1967, 2:25 pm: Rules and Regs. 1968, p. 213; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*)

920 IAC 1-1-6 Revocation of permit; notice

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 6. Any permit to use the Memorial facilities or auditorium shall be upon the understanding that it may be revoked by the Indiana War Memorials Commission for cause, upon written notification of the organization or persons to whom the permit was granted. Such notification shall state clearly the cause for revocation of the permit. (*Indiana War Memorials Commission; Rule No. 6; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 235; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*)

920 IAC 1-1-7 Smoking, eating, and drinking prohibited in auditorium

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 7. The users of the Auditorium shall not permit smoking, eating or drinking of beverages therein. (*Indiana War Memorials Commission; Rule 5; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 236; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 7 by 1962 amendment.

920 IAC 1-1-8 Admission limited to seating capacity

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 8. The users of the Auditorium shall not permit admission in excess of the seating capacity thereof. (*Indiana War Memorials Commission; Rule 6; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 236; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 8 by 1962 amendment.

920 IAC 1-1-9 Use of auditorium limited

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 9. Permission to use the Auditorium shall not be granted when other rooms of the Memorial are available and adequate for the desired purpose. (*Indiana War Memorials Commission; Rule 7; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 236; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 9 by 1962 amendment.

920 IAC 1-1-10 Liability of users of facilities to commission

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 10. All citizens especially visitors and users of Memorial facilities shall seek to revere and safeguard the Memorial facilities.

(A) Every Organization permitted to use the Memorial facilities shall agree to indemnify the Indiana War Memorials Commission for any damage caused to the Memorial facilities by the acts or omissions of its officers, members, guests and/or

employees.

(B) Every organization permitted to use the Memorial facilities shall agree to defend the State and the Indiana War Memorials Commission, its officers and employees against claims resulting from the acts or omissions of the organization, its officers, members, guests and employees.

(Indiana War Memorials Commission; Rule 8; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; filed Mar 25, 1982, 4:13 pm: 5 IR 993; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)

920 IAC 1-1-11 Preferred use of facilities

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 11. In the event of conflict as to time, preference in the use of the Memorial facilities shall be given the meeting having, in the judgment of the Memorial Commission the greater public interest. *(Indiana War Memorials Commission; Rule 9; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)* NOTE: Renumbered Rule 11 by 1962 amendment.

920 IAC 1-1-12 Disclosure in application

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 12. All applicants for use of the facilities of the War Memorials shall furnish the required information in the Application. *(Indiana War Memorials Commission; Rule 10; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 144; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 233; filed Mar 25, 1982, 4:13 pm: 5 IR 994; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)* NOTE: Renumbered Rule 12 by 1962 amendment.

920 IAC 1-1-13 Display of flag; opening ceremonies

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 13. The Flag of the United States shall be in prominent view and in respected position during any and all activities. It is desired that the National Anthem and/or Pledge of Allegiance to the Flag of the United States shall be included in the opening ceremonies of every activity. *(Indiana War Memorials Commission; Rule No. 13; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 235; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-14 Open hours

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 14. The Memorial and the Monument shall be open during such days and periods of time as shall be determined by the Commission as the needs of the public require. *(Indiana War Memorials Commission; Rule No. 14; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 235; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-15 Elevator fee

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 15. Nominal charge for the use of the elevator in the Soldiers and Sailors Monument to the observation deck shall be determined by the Commission from time to time and such charge shall be duly posted. *(Indiana War Memorials Commission; Rule No. 15; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 235; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-16 Application for use of facilities; forms; affidavit (Repealed)

Sec. 16. *(Repealed by Indiana War Memorials Commission; filed Mar 25, 1982, 4:13 pm: 5 IR 994)*

920 IAC 1-1-17 Applicability of rule

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 17. Where applicable these rules [920 IAC] shall apply with equal force over all properties within the jurisdiction of the Commission. *(Indiana War Memorials Commission; Rule No. 17; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 235; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352)*

920 IAC 1-1-18 Restrictions on structures near World War Memorial Place

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 18. No building, or structure of any kind or character, shall be erected within three hundred (300) feet of the outside boundaries of the Indiana World War Memorial Place, which shall be of a temporary construction or character, or which shall be used for a tavern, theatre, burlesque house, or massage parlor, or for any purpose, which shall do violence to the purposes of the State of Indiana in establishing said Memorial. All structures, and the remodeling thereof, shall be constructed with a permanent type material—brick, stone, steel, etc.,—and the architectural design and exterior finish thereof shall conform to the harmonious and unified architectural scheme of the Memorial place. *(Indiana War Memorials Commission; Rule 1; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 145; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 236; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352) NOTE: Renumbered Rule 18 by 1962 amendment.*

920 IAC 1-1-19 Restrictions on display signs near World War Memorial Place

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 19. No display sign, shall be erected or maintained upon any structures or the real estate in said area facing the Memorial, which shall not conform to the general architectural scheme of the Memorial place. Such display signs shall be erected so as to extend only at right angles to said Memorial. Each display sign erected and maintained on said area within 300 feet of the Memorial and the advertising legend thereof shall be considered individually and the approval thereof shall be dependent upon the relationship of each such sign,—its size, location, advertising material, etc.—to the general architectural scheme and dignity of the Memorial buildings and plaza. *(Indiana War Memorials Commission; Rule 2; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 145; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 236; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352) NOTE: Renumbered Rule 19 by 1962 amendment.*

920 IAC 1-1-20 Approval of construction and use of realty near World War Memorial Place

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 20. Any person, firm, corporation, partnership or association who hereafter owns, erects, or remodels buildings upon, leases or otherwise occupies or uses any ground, real estate, building or structure within three hundred (300) feet of the outside boundaries of the Indiana World War Memorial Place, shall before any such lease, use and occupancy of, or construction upon such real estate, for any purpose whatsoever, procure the written approval of the Commissioners of the Indiana World War Memorial for such lease, construction, remodeling, occupancy or use. *(Indiana War Memorials Commission; Rule 3; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 145; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 233; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352) NOTE: Renumbered Rule 20 by 1962 amendment.*

920 IAC 1-1-21 Application for proposed construction or use

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 21. Such approval shall be procured by filing an application with such Commission, together with plans and specifications, setting forth in detail such proposed construction, lease, occupancy or use to which such real estate shall be used. (*Indiana War Memorials Commission; Rule 4; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 145; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 21 by 1962 amendment.

920 IAC 1-1-22 Action on application of proposed use or construction

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 22. Upon receipt of such application and plans, said Commission shall promptly consider and determine whether such proposed lease, construction, remodeling, occupancy or use will conform to the harmonious and unified architectural and aesthetic effect of the entire grounds used and dedicated for the Indiana World War Memorial and the purposes of the State of Indiana in establishing such Memorial. If said use is approved, the Commission shall immediately notify said applicant of said approval. (*Indiana War Memorials Commission; Rule 5; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 145; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 232; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 22 by 1962 amendment.

920 IAC 1-1-23 Approval of construction and use of nearby realty

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 23. No construction, remodeling, lease, occupancy or use of any such real estate shall be made prior to approval of said Commission in conformity to the Acts of 1920, Chapter 50, and Acts of 1957, Chapter 218 of the Indiana General Assembly, and these rules [920 IAC]. (*Indiana War Memorials Commission; Rule 6; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 146; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 233; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 23 by 1962 amendment.

920 IAC 1-1-24 Reconsideration of application

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 24. Any application denied by said Commission may be modified and resubmitted for reconsideration. (*Indiana War Memorials Commission; Rule 7; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 146; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 233; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 24 by 1962 amendment.

920 IAC 1-1-25 Notice of action on application

Authority: IC 10-18-1-18

Affected: IC 10-18-1

Sec. 25. All applicants shall be notified in writing by the Commission of the Indiana World War Memorial of the action taken on applications submitted under these rules [920 IAC]. (*Indiana War Memorials Commission; Rule 8; filed Jul 16, 1954, 3:30 pm: Rules and Regs. 1955, p. 146; filed Sep 10, 1962, 11:15 am: Rules and Regs. 1963, p. 233; readopted filed Nov 27, 2001, 10:18 a.m.: 25 IR 1352*) NOTE: Renumbered Rule 25 by 1962 amendment.

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