Therefore, in conclusion, my answers to your questions are as follows:

1. Consent from county officials—The consent of the County Commissioners is necessary because they are the governing body having control and jurisdiction of all county roads within the limits of their respective counties, and

2. Consent from city and town officials—In cities of the first and second class, that have a Board of Public Works, inasmuch as such body has control over streets and alleys in their municipalities, an approving resolution must be adopted and made a part of the record; in cities of the third, fourth and fifth classes, a resolution or ordinance, showing approval is necessary and in towns, the approval of the Board of Town Trustees is necessary. Thus the necessary contemplated meeting of the minds, as between the state and any of the affected municipalities will be achieved.

OFFICIAL OPINION NO. 45

October 25, 1957

Honorable Allan G. Weir
State Representative
620-22 Wysor Building
Muncie, Indiana

Dear Representative Weir:

I have your letter dated October 5, 1957, in which you ask the following question:

"Does the City of Muncie have the authority under Section 48-7402 of Burns' Indiana Statutes to enter into a contract with a private ambulance service to supplement the City facilities and to guarantee sufficient personnel and equipment to handle any anticipated emergency?"

That portion of the statute referred to above as found in Burns' (1950 Repl.), Section 48-7402 which is pertinent reads as follows:

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"(1) Such board of health is hereby authorized and directed to prepare ordinances, and the common council of every city shall, in addition to its other powers, have the power to enact ordinances * * * for the maintenance, if deemed necessary, of an ambulance service for the speedy removal of sick and needy persons * * *.”

It should be noted that the language of the above quoted statute provides for the maintenance of an ambulance service. There is no specification as to whether such maintenance shall be accomplished by ownership of the equipment or by other means such as contract with an owner of such equipment. Therefore, I find no objection to the City contracting with a private ambulance owner in order to provide the service as permitted under the statute.

OFFICIAL OPINION NO. 46

October 30, 1957

Mr. Howard F. Tudor
Chairman, Indiana Real Estate Commission
145 West Washington Street
Indianapolis, Indiana

Dear Mr. Tudor:

I am in receipt of your letter of October 4, 1957, in which you request an Official Opinion, and which reads as follows:

“1. Was Chapter 249 of the Acts of 1921 approved on March 10, 1921 and providing for the issuance of licenses to non-resident real estate dealers, repealed by the enactment of the Real Estate License Law of the State of Indiana, being Chapter 44 of the Acts of 1949, in force on March 2, 1949?

“2. If so repealed are any licenses issued prior to March 2, 1949, to non-resident real estate dealers pursuant to the provisions of said Chapter 249 of the Acts of 1921, still in force and effect?”

The Acts of 1921, Ch. 249, as amended by the Acts of 1945, Ch. 211, as found in Burns’ (1952 Repl.), Sections 42-1001 to

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