

SPECIAL MEETING.

COUNCIL CHAMBER, CITY OF INDIANAPOLIS, IND.

May 19, 1921.

The Common Council of the City of Indianapolis met in the Council Chamber, May 19, 1921, at 10:00 o'clock a. m., in special session, President Russell Willson in the chair, pursuant to the following call:

To the Members of the Common Council, Indianapolis, Indiana:

You are hereby notified that there will be a special meeting of the Common Council held in the Council Chamber on Thursday, May 19, 1921, at 10 o'clock A. M., the purpose of such meeting being to receive communications from the Mayor or City Controller of said City for the introduction and consideration of Declaratory Resolution No. 4, 1921, as follows:

DECLARATORY RESOLUTION No. 4, 1921.

Be it Resolved by the Common Council of the City of Indianapolis, Indiana: That said City should proceed alone or jointly with Marion County, in which it is located to carry out the purpose of An Act of the General Assembly of the State of Indiana, entitled "An Act authorizing any city in the State of Indiana, to acquire grounds, real estate and interest therein by purchase, donation or condemnation, and to erect and maintain thereon suitable structures to commemorate the valor and sacrifice of the soldiers, sailors and marines of the United States, of all patriotic organizations and all others who rendered loyal service and made sacrifices at home and overseas in the great world war, and to provide therein a place or places of meetings and headquarters for organizations of such soldiers, sailors and marines, of all patriotic organizations and others, and for other public purposes, and authorizing any city to join with the county in which it is located in the acquisition of such grounds, real estate and interests therein, and the erection and maintenance of such memorial structures, and to provide for the creation of a board of trustees, its powers and duties., and authorizing any such city to acquire, or to join with the county in which it is located in the acquisition of real estate and interests therein, by purchase, donation or condemnation, to be dedicated and set apart for world war memorial and other public purposes and added to and use in connection with any real estate which may have been, or

may be hereafter designated for use, or dedicated and set apart by the State of Indiana for world war memorial and other public purposes; authorizing such city and such county jointly by proper contract, deed or grant to convey to the State of Indiana the real estate so acquired for world war memorial and other public purposes, as provided therein, and to provide for the levy of taxes and the issuance of bonds, and the appropriation of money for said purposes; exempting the same from taxation, and declaring an emergency"; approved March, 1921.

And for the introduction and consideration of an ordinance regulating street fairs and carnivals in the City of Indianapolis.

Respectfully,

RUSSELL WILLSON,

President.

I, George O. Hutsell, Clerk of the Common Council of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the Common Council prior to the time of meeting, pursuant to the rules.

GEORGE O. HUTSELL,

City Clerk.

Which was read.

The Clerk called the roll.

Present: The Hon. Russell Willson, President of the Common Council, and five (5) members, viz.: Messrs. Brown, Furniss, Miller, Peake and Schmidt.

Absent: Messrs. Carnefix, Kirsch and Pettijohn.

Introduction of General Ordinances.

By Mr. Schmidt:

GENERAL ORDINANCE No. 37, 1921.

AN ORDINANCE regulating the operation of carnivals and street fairs, providing a license fee for such operation or exhibition and providing a time when the same shall take effect.

Be it Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That it shall be unlawful for any person, firm or corporation to conduct, operate or exhibit performances or shows commonly known as carnivals or street fairs in any section or portion of the City of Indianapolis occupied and used for residence purposes as hereinafter defined except as hereinafter provided and the City Controller shall not issue any license for the purpose of any such show or exhibition unless and until each and all of the provisions of this ordinance shall have been fully complied with.

Sec. 2. That the City Controller of the City of Indianapolis shall not issue any license for the conduct, operation or exhibition of any shows commonly known as carnivals or street fairs or shows of a similar character in any portion or section of said city used for residence purposes until and unless there shall have been filed with said office the written consent of Sixty Per Cent. (60%) of the bona fide resident freeholders of the section or portion of the city in the vicinity of the grounds proposed to be occupied for the purposes of such carnival or street fairs or shows, as hereinafter defined.

Sec. 3. That for the purposes of this ordinance a residence section of said city is declared to be one where there are at least ten properties occupied exclusively for residence purposes within a radius of Five Hundred (500) feet of the grounds to be occupied for such show or exhibition.

Sec. 4. That upon the filing with the City Controller of the written consent of Sixty Per Cent. (60%) of the bona fide resident freeholders within a radius of Five Hundred (500) feet of the grounds proposed to be occupied for the purposes of any such show or exhibition, the City Controller shall issue a license for the same for a period not longer than Twenty-four (24) hours at any one time, for which said license a fee of One Hundred Dollars (\$100) shall be charged.

Sec. 5. That any carnival or street fair or other show of a similar character which shall exhibit in a residence section of the City of Indianapolis as defined by this ordinance, in violation of any of the provisions hereof, shall be deemed and is hereby declared to be a public nuisance.

Sec. 6. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Mr. Furniss moved that the rules be suspended and General Ordinance No. 37, 1921, be placed upon its passage.

The roll was called and the motion to suspend the rules carried by the following vote:

Ayes, 6, viz.: Messrs. Brown, Furniss, Miller, Peake, Schmidt and President Russell Willson.

Mr. Furniss called for General Ordinance No. 37, 1921, for second reading. It was read a second time.

Mr. Schmidt moved that General Ordinance No. 37, 1921, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 37, 1921, was read a third time and passed by the following vote:

Ayes, 6, viz.: Messrs. Brown, Furniss, Miller, Peake, Schmidt and President Russell Willson.

Introduction of Resolutions.

By Messrs. Willson, Brown, Schmidt, Furniss, Miller and Peake:

DECLARATORY RESOLUTION No. 4, 1921.

Be it Resolved by the Common Council of the City of Indianapolis, Indiana: That said City should proceed alone or jointly with Marion County, in which it is located to carry out the purposes of An Act of the General Assembly of the State of Indiana, entitled "An Act authorizing any city in the State of Indiana to acquire grounds, real estate and interest therein by purchase, donation or condemnation, and to erect and maintain thereon suitable structures to commemorate the valor and sacrifice of the soldiers, sailors and marines of the United States, of all patriotic organizations and all others who rendered loyal service and made sacrifices at home and overseas in the great world war, and to provide therein a place or places of meetings and headquarters for organizations of such soldiers, sailors and marines, of all patriotic organizations and others, and for other public purposes, and authorizing any city to join with the county in which it is located in the acquisition of such grounds, real estate and interests therein, and the erection and maintenance of such memorial structures, and to

provide for the creation of a board of trustees, its powers and duties, and authorizing any such city to acquire, or to join with the county in which it is located in the acquisition of real estate and interests therein, by purchase, donation or condemnation, to be dedicated and set apart for world war memorial and other public purposes and added to and use in connecton with any real etsate which may have been, or may be hereafter designated for use, or dedicated and set apart by the State of Indiana for world war memorial and other public purposes; authorizing such city or such city and such county jointly by proper contract, deed or grant to convey to the State of Indiana, the real estate so acquired for world war memorial and other public purposes, as provided therein, and to provide for the levy of taxes and the issuance of bonds, and the appropriation of money for said purposes; excepting the same from taxation, and declaring an emergency"; approved March 10, 1921.

Which was read a first time.

Mr. Peake moved that the rules be suspended and Declaratory Resolution No. 4, 1921, be placed on its passage.

The roll was called and the motion to suspend the rules was carried by the following vote:

Ayes, 6, viz.: Messrs. Brown, Furniss, Miller, Peake, Schmidt and President Russell Willson.

Mr. Peake called for Declaratory Resolution No. 4, 1921, for second reading. It was read a second time.

Mr. Peake moved that Declaratory Resolution No. 4, 1921, be adopted.

Declaratory Resolution No. 4, 1921, was read a third time and adopted by the following vote:

Ayes, 6, viz.: Messrs. Brown, Furniss, Miller, Peake, Schmidt and President Russell Willson.

On motion of Mr. Brown, the Common Council at 10:40 o'clock A. M. adjourned.

Russell Kilson

President.

Attest:

J. W. Hall

City Clerk.