

REGULAR MEETING

The Common Council of the City of Indianapolis, met in the Council Chamber, Monday evening, October 15, 1923, at 7:30 o'clock in regular session, President John E. King in the chair.

Present: The Hon. John E. King, President of the Common Council, and eight members, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson and Wise.

Mr. Bramblett moved that the reading of the Journal be dispensed with. Carried.

COMMUNICATIONS FROM THE MAYOR

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—I have approved, signed and delivered to John Rhodehamel, City Clerk, the four following ordinances:

GENERAL ORDINANCE NO. 109, 1923, an ordinance amending sub-section "I" of Section 4, of General Ordinance No. 37, 1923, known as "The Traffic Ordinance of 1923," and also amending Section 14 of said ordinance. This ordinance shall be in full force and effect from and after its passage.

SPECIAL ORDINANCE NO. 19, 1923, an ordinance authorizing the alienation and conveyance of certain real estate described therein. This ordinance shall be in full force and effect from and after its passage.

APPROPRIATION ORDINANCE NO. 43, 1923, an ordinance appropriating the sum of Six Thousand One Hundred Thirteen (\$6,113.00) Dollars from any unappropriated funds, to the "Street and Alley Improvement Assessments Fund," under the City Civil Engineer in the Department of Public Works and declaring a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 44, 1923, an ordinance appropriating the sum of Three Thousand (\$3,000.00) Dollars from any unappropriated funds to a fund to be created and known as "Board Ripple College Avenue Intersections Fund," in the Department of Public Works for the purpose of paying the Indiana Asphalt Paving Company for Intersection Assessments on College Avenue assessed against the Town of Broad Ripple, and declaring a time when the same shall take effect.

S. L. SHANK,

Mayor.

REPORTS FROM CITY OFFICERS

From the City Controller:

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—I herewith hand you a communication from the Board of Public Works asking for the passage of an ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the "City Yards Department Maintenance and Supplies Fund" in the Street Commissioner's Department in the Board of Public Works to the "City Yards Department Salaries and Wages Fund" in the Street Commissioner's Department in the Department of Public Works, and re-appropriating the same to the latter fund.

I respectfully recommend the passage of this ordinance.

Yours truly,

JOSEPH L. HOGUE,
City Controller.

October 15, 1923.

Mr. Joseph L. Hogue,
City Controller,

City of Indianapolis.

Dear Sir—I am directed by the Board of Public Works to submit for your approval and transmission to the Common Council, an ordinance transferring the sum of One Thousand (\$1,000.00) Dollars from the "City Yards Department Maintenance and Supplies Fund" in the Street Commissioner's Department in the Board of Public Works to the "City Yards Department Salaries and Wages Fund" in the Street Commissioner's Department in the Department of Public Works, and re-appropriating the same to the latter fund.

Yours truly,

ELMER WILLIAMS,
Clerk Board of Public Works.

October 11, 1923.

Honorable Board of Public Works,
City of Indianapolis,

Gentlemen—The undersigned respectfully petitions for the transfer of One Thousand (\$1,000) Dollars from the City Yards Maintenance and Supplies Fund to the City Yards Salary and Wage Fund.

The City Yards Fund, unless aided by transfer, will be exhausted within five weeks from date.

Respectfully yours,

Martin J. Hyland,
Street Commissioner.

Approved:

C. E. Coffin

W. H. Freeman

M. J. Spencer

Board of Public Works.

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—At the request of the Board of Public Safety, I am sending you herewith copies of an ordinance transferring certain sums of money from certain funds in the Police Department and re-appropriating the same to certain other funds in the same department under the Department of Public Safety.

I respectfully recommend the passage of this ordinance.

Very truly yours,

JOSEPH L. HOGUE,
City Controller.

October 15, 1923.

Mr. Joseph L. Hogue,
City Controller,
City of Indianapolis.

Dear Sir—The Board of Public Safety respectfully requests you to recommend to the Common Council the passage of an ordinance transferring the sum of One Thousand Five Hundred (\$1,500.00) Dollars from the fund in the Police Department known as the fund for Motorcycle Repairs, Tires, Tubes and Ice to the fund for Material and Supplies for Traffic in the same department under the Department of Public Safety.

Yours truly,
BOARD OF PUBLIC SAFETY,
By Oscar O. Wise,
Executive Secretary.

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—The Board of Public Safety requests the passage of an ordinance transferring and re-appropriating certain sums of money from certain funds in the Police Department to certain other funds in the same department under the Department of Public Safety.

I am sending you herewith copies of the same and recommend its passage.

Yours truly,
JOSEPH L. HOGUE,
City Controller.

October 15, 1923.

Mr. Joseph L. Hogue,
City Controller,
City of Indianapolis.

Dear Sir—The Board of Public Safety respectfully requests you to recommend to the Common Council the passage of an ordinance transferring and re-appropriating certain sums of money from certain funds in the Police Department to certain other funds

in the same department under the Department of Public Safety. Attached hereto you will find copies of an ordinance covering the same.

Yours truly,
 BOARD OF PUBLIC SAFETY,
 By Oscar O. Wise,
 Executive Secretary.

From the Board of Public Works:

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—At the request of the Board of Public Works, I am handing you herewith for passage an ordinance-ratifying, confirming and approving a certain contract made and entered into on the 15th day of October, 1923, by the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, and the International Motor Company whereby said City is authorized to purchase from said International Motor Company one (1) Auto-Sewer Pumper mounted on five ton Chassis, Mack Model A. C. equipped with Otterson Sewer Eductor for the sum of \$9,156.14.

Yours truly,

ELMER WILLIAMS
 Clerk Board of Public Works.

From the Board of Public Safety:

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—The Board of Public Safety respectfully requests the passage of an ordinance providing for the regulation of the construction, installation, and use of Oil Burning Equipment, also the storage of oil such as is used for fuel purposes.

You will find hereto attached copies of the same.

Yours truly,

BOARD OF PUBLIC SAFETY,
 By Oscar O. Wise,
 Executive Secretary.

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—The Board of Public Safety respectfully requests the passage of an ordinance amending Sub-section F of Section 3, of General Ordinance No. 37, 1923, Traffic Ordinance, which amendment provides for additional preferential thoroughfares and compelling vehicles and cars to stop before continuing into or across Washington Boulevard from Thirtieth Street north, Pleasant Run Parkway north and south drives, Burdsall Parkway north and south

drives, White River Parkway, and Thirtieth Street and Emericks-ville Bridges over White River.

Attached hereto you will find copies of an ordinance covering the same.

Yours truly,
BOARD OF PUBLIC SAFETY,
By Oscar O. Wise,
Executive Secretary.

From the City Civil Engineer:

October 15, 1923.

To the President and Members of the Common Council of the City of Indianapolis, Indiana:

Gentlemen—There is attached twelve copies of an annexation ordinance for territory in vicinity of Southern Avenue, from Meridian Street to White River.

This annexation contemplates taking in only the abutting property on Southern Avenue and is necessary to permit the legal opening of this street in advance of sewer construction. The sewer for that portion of Indianapolis south of Pleasant Run and Eagle Creek has been designed and ready for resolution on the Board of Public Works but cannot be entered until the opening of Southern Avenue is accomplished.

Your consideration of the ordinance is asked.

Yours truly,
J. L. ELLIOTT,
City Civil Engineer.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 125, 1923

AN ORDINANCE, transferring the sum of One Thousand (\$1,000.00) Dollars from the "City Yards Department Maintenance and Supplies Fund" in the Street Commissioner's Department in the Board of Public Works to the "City Yards Department Salaries and Wages Fund" in the Street Commissioner's Department in the Department of Public Works, and re-appropriating the same to the latter fund, and declaring a time when the same shall take effect.

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

Section 1. That the sum of One Thousand (\$1,000.00) Dollars from the "City Yards Department Maintenance and Supplies Fund" in the Street Commissioner's Department in the Department of Public Works be and the same is hereby transferred to and re-appropriated to the "City Yards Department Salaries and Wages Fund" in the Street Commissioner's Department in the Department of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance.

By the City Controller:

GENERAL ORDINANCE NO. 126, 1923

AN ORDINANCE, transferring and re-appropriating the sum of Fifteen Hundred (\$1,500.00) Dollars from the fund in the Police Department under the Department of Public Safety known as the fund for "Motorcycle Repairs, Tires and Tubes and Ice" to the fund in the Police Department known and designated as the fund for "Material and Supplies for Traffic in the same department under the Department of Public Safety, and fixing a time when the same shall take effect."

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

Section 1. That there be and is hereby transferred the sum of Fifteen Hundred (\$1,500.00) Dollars from the fund in the Police Department under the Department of Public Safety known and designated as the fund for "Motorcycle Repairs, Tires and Tubes and Ice" and that the same be and hereby is transferred and re-appropriated to the fund in the Police Department under the Department of Public Safety known and designated as the fund for "Material and Supplies for Traffic" in the same department under the Department of Public Safety.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Finance:

By the City Controller:

GENERAL ORDINANCE NO. 127, 1923

AN ORDINANCE, transferring a certain sum of money from certain funds in the Police Department and transferring and re-appropriating the same to certain other funds in the same department under the Department of Public Safety, and declaring a time when the same shall take effect.

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

Section 1. That there be and is hereby transferred the sum of One Thousand (\$1,000.00) Dollars from the fund for "Horse Shoeing" the sum of Five Hundred (\$500.00) Dollars from the fund for "Horse Feed," and the sum of Fifteen Hundred (\$1,500.00) Dollars from the fund for "Miscellaneous Expense, Telegraph, Telephone Poles, etc.," all in the Police Department, and that the same be and is hereby transferred and re-appropriated to the fund in the Police Department

under the Department of Public Safety known and designated as the fund for "Gasoline, Oil, Tires, etc."

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

Mr. Thompson moved that the rules be suspended and General Ordinance No. 127, 1923, be placed upon its passage.

The roll was called and the rules were suspended by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Thompson called for General Ordinance No. 127, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 127, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 127, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

By the Board of Public Works:

GENERAL ORDINANCE NO. 128, 1923

AN ORDINANCE ratifying, confirming and approving a certain contract made and entered into on the 15th day of October, 1923, by the City of Indianapolis, by and through its Board of Public Works with the approval of its Mayor, and the International Motor Company whereby said City is authorized to purchase from the said International Motor Company one (1) Auto-Sewer Pump mounted on five ton Chassis Mack Model A. C. equipped with

Otterson Sewer Eductor for the sum of Nine Thousand One Hundred Fifty-six Dollars and Fourteen cents (\$9,156.14), and declaring a time when the same shall take effect.

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

Section 1. Whereas, heretofore on the 15th day of October, 1923, the City of Indianapolis, Indiana, by and through its Board of Public Works with the approval of the Mayor entered into a certain contract and agreement with the International Motor Company for the purchase of One (1) Auto-Sewer Pumper mounted on five (5) ton Chassis Mack Model A. C. equipped with Otterson Sewer Eductor, which agreement and contract is in the words and figures as follows to-wit:

CONTRACT

"This agreement, made by and between the International Motor Company, party of the first part, and the City of Indianapolis by and through its Board of Public Works with the approval of its Mayor, party of the second part, Witnesseth:

That the party of the first part hereby sells and agrees to deliver on cars at Indianapolis, the following apparatus and equipment.

Auto-Sewer Pumper, mounted on five (5) ton Chassis, Mack Model A. C. with approximately 5-6 yards cubic capacity, water-tight bed, latest model double impellar pump, telescopic pipe, driver's cab, horn and lights and tools complete. Equipped with Ottermon Sewer Eductor, to conform with specifications as advertised. The pumper to pump basins of fifteen (15) feet in depth, twenty (20) feet from curb.

The goods delivered are to conform thereto and are sold in accordance therewith, and are subject to the conditions which are written below.

The party of the second part hereby acknowledges the purchase of said apparatus and equipment and agrees to pay for the same when delivered as aforesaid in the sum of Nine Thousand One Hundred Fifty-six and 14/100 (\$9,156.14) Dollars to be paid the International Motor Company or its authorized agent, according to the terms agreed upon and are as follows: NET CASH.

It is agreed and understood that the City of Indianapolis shall not be bound in any manner by this agreement until the same has been approved by the Common Council of the City of Indianapolis.

In Witness Whereof, the parties have hereunto set their hands and official seals this 15th day of October, 1923.

In Triplicate.

INTERNATIONAL MOTOR COMPANY,

By Geo. M. Bailey,
Indpls. Manager, Party of
the first part.

H. J. Wasson, Salesman.

CITY OF INDIANAPOLIS,

By Charles E. Coffin,
W. H. Freeman
M. J. Spencer
Board of Public Works,
Party of the second part.

APPROVED

S. L. Shank, Mayor.

Section 2. That the foregoing contract and agreement made and entered into on the 15th day of October, 1923, by the City of Indianapolis, Indiana, by and through its Board of Public Works, with the approval of its Mayor, and the International Motor Company, be and the same is hereby in all things ratified, confirmed and approved in accordance with the terms, provisions and conditions thereof.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Public Works.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 129, 1923

AN ORDINANCE, providing for the regulation, construction, installation and use of oil burning equipment for fuel and for the storage and use of Oil Fuels used therewith in the City of Indianapolis. The purpose of this ordinance is to provide for the compliance of the rules and regulations approved and adopted by the State Fire Marshal in reference to the above subject. Providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

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

Section 1. (a) That it shall hereafter be unlawful to keep or use oil for fuel within the City of Indianapolis in any manner other than hereinafter provided: Oil used for fuel under the provisions of this ordinance shall be a topped or distilled oil having a flash point of not less than 100°F., closed cup.

(b) In determining the flash point, either the Elliott, Abel, Abel-Pesky or Tag Closed Testers shall be used, but the Tag Closed Tester (standarized by the United States Bureau of Standards) shall be authoritative in the case of disputes. In such cases the tests shall be made in accordance with the methods of tests as adopted by the American Society for Testing Materials.

(c) An oil burning system shall consist of all equipment connected to the burner and located within the building, including auxiliary supply tank and provisions for filling same, piping, burner, and all accessories.

(d) Systems having the approval of the Laboratories of the National Fire Underwriters have the approval of the State Fire Marshal Department, and shall be deemed to be in full compliance with the ordinance.

Section 2. CAPACITY AND LOCATION OF STORAGE TANKS. UNDERGROUND STORAGE. (a) Tanks may be of unlimited capacity if buried underneath or outside of buildings and at least 50 feet from any building having a floor or pit lower than the top of the tank.

(b) If tank is within 10 feet of any building and the top of the tank is above the lowest floor or pit of the building, the tank shall not exceed a capacity of 50,000 gallons, and must be of metal entirely closed in concrete without air space.

(c) Tanks may have a capacity up to 75,000 gallons if the tank is at least 10 feet from any building having a floor or pit lower than the top of the tank.

(d) Storage tanks shall preferably be located outside underground.

(e) When located inside of a building and above the ground the aggregate capacity of such storage tanks shall not exceed 275 gallons.

Section 3. MATERIAL AND CONSTRUCTION OF TANKS.

(a) Inside storage and auxiliary supply tanks of more than 10 gallon capacity shall be constructed of galvanized steel, basic open hearth steel, or wrought iron of not less than No. 16 U. S. Gauge.

(b) Auxiliary supply tanks of 10 gallons or less capacity may be constructed of brass, copper or galvanized plate of not less than No. 18 U. S. Gauge.

Section 4. GRAVITY AND PRESSURE TANKS. (a) Auxiliary supply tanks may be of the gravity or pressure type if suitable automatic safeguards to prevent abnormal discharge of oil at the burner are provided. No such tank shall have a capacity sufficient for more than one day's supply and in no case shall exceed 60 gallons.

(b) If located within a building, gravity tank shall not be within 5 feet, or pressure tank within 10 feet, measured horizontally from any fire or flame.

(c) Gravity and pressure tank shall be substantially and rigidly installed on incombustible supports in such a manner as to insure protection against mechanical injury.

(d) Tanks for systems under pressure shall be designed for six times the maximum working pressure and be tested and proven tight at twice the maximum working pressure; maximum working pressure shall not exceed 50 pounds. Tanks shall be provided with a reliable pressure gauge and an automatic relief valve piped to discharge outside of the building.

(e) Gauging devices or test wells, the breakage of which would permit the escape of oil or vapor within the building are prohibited.

Section 5. FILLING IN AUXILIARY TANKS. (a) Auxiliary tanks shall be filled by pumping from storage tank or if gravity or pressure tank contains the entire storage, fill pipe shall extend to and terminate outside the building (end of filling pipe in tank shall be turned up so as to form a trap or seal, and when installed in the vicinity of any door or other building opening shall be as remote therefrom as possible so as to prevent liability of flow of oil through building openings; terminal shall be outside of building in a tight, incombustible box or casting, so designed as to made access difficult by unauthorized persons), and in such cases tank shall be so installed that in case of overflowing, oil will not enter building.

(b) Tank shall be provided with an overflow connection draining to storage tank. Overflow pipe shall be not less than one size larger than supply pipe from pump.

(c) The overflow pipe or gravity tank shall not be provided with valves or other obstructions; but overflow pipe of pressure tank and oil supply pipe shall be provided with inter-connected valves, so designed that the opening or closing of overflow pipe shall result similarly in oil supply pipe.

Section 6. PUMP. Oil pump used in filling auxiliary tank from the main storage tank shall be of approved type, secure against leaks, with check valves located as close to pump as convenient. Pumps shall be rigidly fastened in place.

Section 7. PIPING. (a) Standard, full weight, wrought iron, steel or brass pipe with substantial fittings shall be used and shall be carefully protected against mechanical injury in a manner satisfactory to the inspection department having jurisdiction. In all piping system proper allowance shall be made for expansion and contraction, jarring and vibration. All joints shall be made with litharge.

(b) All piping shall be separated from electric wires not enclosed in approved conduit, raceways and armored cable, by some continuous and firmly fixed non-conductor creating a permanent separation, as provided in the National Electric Code.

(c) The use of tubing of any kind is prohibited.

(d) Supply pipe shall not be less than one-fourth inch in diameter iron pipe size, and when oil is pumped to the burner, return pipes shall be at least the same size.

(e) Pipe connections to tanks shall be suitably reinforced and proper allowance made for expansion and contraction, jarring and vibration.

(f) Openings for pipes through masonry walls below the ground level shall be made oil-tight and securely packed with flexible material.

(g) All connections shall be made perfectly tight with well fitted joints. Unions shall be used at burners to facilitate removal. All unions shall be of approved type having conically faced joints, obviating the use of packing or gaskets.

(h) Piping shall be run as directly as possible, and in the case of pumping systems, so laid that if practicable the pipes are pitched back toward the storage tank without traps.

(i) Systems under pressure shall be designed for six times the working pressure and installation when complete shall be tested and proven tight at twice the maximum working pressure.

Section 8. VALVES. (a) Readily accessible valves shall be provided near each burner and also close to the auxiliary tank in the pipe line burners.

(b) Control valves shall be of approved type provided with stuffing box of liberal size, containing a removable supped gland designed to compress the packing against the valve stem and arranged so as to facilitate removal. Valves shall be designed to close against the supply, and to prevent withdrawal of stem by continued operation of the handwheel. The use of packing affected by the oil or heat is prohibited.

Section 9. BURNERS. (a) The size of the orifice through which the oil is supplied to the burner shall be limited to furnish only sufficient oil for maximum burning conditions when the controlling valves are wide open.

(b) Valves shall be arranged so as not to enlarge the orifice.

(c) Burners containing chambers which allow the dangerous accumulation of gases, or oil conveying pipes or parts subject to intense heat or stoppage due to carbonization are prohibited.

(d) Burners shall be so designed as to permit of ready cleaning and not allow the leakage of oil.

Section 10. PILOT LIGHT. Automatic systems shall be so designed that the flame cannot be extinguished by operation of the automatic control valve, or a gas pilot light shall be provided in the combustion chamber.

Section 11. FURNACES OR RANGES. (a) Previous to the installation of the burner, the ash door of the furnace shall be permanently removed, or bottom ventilation otherwise provided to prevent the accumulation of vapors within the ash pit.

(b) Stoves or ranges originally designed for use of fuel other than oil should not be used in connection with oil burners unless spaces in which vapors might collect are adequately vented.

(c) No damper shall be permitted in the chimney uptake that may entirely shut off the passage of fumes or gases up the flue.

(d) No combustible material shall be stored within 10 feet of furnace door.

Section 12. FIRE PROTECTION. (a) Any woodwork, wooden lath and plaster partition or other combustible material within 4 feet of the sides or back or 8 feet from the front of the furnace shall be covered with approved plaster board or other approved incombustible material. Above the furnace there shall be constructed a ceiling consisting of plaster board covered with sheet metal, or cement plaster on metal lath; said ceiling shall extend 4 feet beyond the sides and back and 8 feet from the front.

(b) At least a 36 inch clearance is necessary between top and sides of breeching and flues from ceilings, partitions and other combustible material, unless the breeching and flues are insulated with two to four inches of asbestic magnesia lagging or equivalent, in which case the clearance may be reduced to 18 inches.

(c) Near the furnace, and so located as to be convenient for use in emergency, there shall be provided a hand fire extinguisher of approved type suitable for use on oil fires.

Section 13. INSTRUCTION CARD. A card giving complete instructions in regard to the care and operation of the system shall be permanently posted near the apparatus. Said card shall be placed under glass and framed.

Section 14. INSTALLATION. Oil burning equipment shall be installed only by properly qualified mechanics experienced in this kind of work.

Section 15. That in order to protect life and property by the prevention of fires and explosions it is hereby made the duty of every person, firm and corporation within the City of Indianapolis effected by this Ordinance to strictly comply with the provisions thereof.

Section 16. PENALTY. Any person, firm or corporation who shall fail or refuse to comply with any of the provisions of this Ordinance shall on conviction be fined in any sum not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars, to which may be added imprisonment not exceeding ten days.

Section 17. This ordinance shall be in full force and effect from and after its passage and due publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 130, 1923.

AN ORDINANCE, amending sub-section F of Section 3 of General Ordinance No. 37, 1923, known as the Traffic Ordinance, by adding thereto the following named streets, Boulevards and Parkways:

Washington Boulevard from Thirtieth Street north; Pleasant Run Parkway north and south drive; Burdsall Parkway, north and south drives, and White River Parkway, and providing for the stopping of vehicles before crossing Thirtieth Street Bridge and the Emericksville Bridge, both over White River, and declaring a time when the same shall take effect.

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

Section 1. That Sub-section F of Section 3 of General Ordinance No. 37, 1923, be and the same is hereby amended to read as follows: (F) Vehicles, City and Interurban Car Stops. All vehicles, City and Interurban Cars approaching any of the following named streets, avenues, boulevards and parkways within the City of Indianapolis, shall come to a complete stop before continuing into or across the same: North Capitol Avenue from Washington Street to Maple Road Boulevard; Meridian Street from Washington Street to the canal; East New York Street from the Big Four Railroad Tracks to Emerson Avenue; East Michigan Street from the Big Four Railroad Tracks to Emerson Avenue; Washington Street from the City limits on the east to the City limits on the west; Maple Road Boulevard from Northwestern Avenue to Fall Creek and Fall Creek Boulevard north; Washington Boulevard from Thirtieth Street north; Pleasant Run Parkway north and south drives; Burdsall Parkway north and south drives; and White River Parkway, and at Thirtieth Street Bridge and Emericksville Bridge. That the above named streets, avenues, boulevards, parkways and bridges as set out in this sub-section F be and the same are hereby declared to be and are designated as preferential thoroughfares for the purpose of regulating traffic upon or crossing over the same.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time.

On motion of Mr. Claycombe, General Ordinance No. 130, 1923, was stricken from the files.

By the City Civil Engineer:

GENERAL ORDINANCE NO. 131, 1923

AN ORDINANCE annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said city and fixing a time when the same shall take effect.

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

Section 1. That the City of Indianapolis be and the same is hereby extended so as to include the following described territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning on the present corporation line at its intersection with the center line of S. Meridian St., thence south with the center line of Meridian St., a distance of 183.5 feet; thence west and parallel to the center line of Southern Ave., to the center line of capitol Ave.; thence thence north with the center line of Capitol Ave., a distance of 8.5 feet; thence west and parallel to the center line of Southern Ave., to the present corporation line; thence north-east and east with the present corporation line to the point or place of beginning.

Section 3. This ordinance shall go into full force and effect from and after its passage.

Which was read a first time and referred to the Committee on Parks.

By the City Plan Commission:

GENERAL ORDINANCE NO. 132, 1923

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled "An ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city; creating a board of zoning appeals, defining certain terms used in said ordinance; providing a penalty for its violation, and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

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

Section 1. That the U1 or dwelling house district, the H1 or 50-foot height district, and the A3 or 2400 square foot area district as established by General Ordinance No. 114, 1922, be and the same is hereby amended, supplemented and changed so as to include the following territory: Beginning at a point on the west property line of Kenwood Ave. 550 feet south of the south line of 35th St., thence west to the east line of the first alley west of Kenwood Ave., thence south with and along said alley line a distance of 81.94 feet; thence east to the west line of the first alley east of Kenwood Ave.; thence north with and along said alley line a distance of 81.94 feet; thence west to the point or place of beginning.

Section 2. This ordinance shall go into immediate effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Mr. Thompson:

GENERAL ORDINANCE NO. 133, 1923

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying regulating and determining the area of front, rear and side yards and other open spaces about buildings of regulating and determining the use and intensity of use of land and lot areas within such City; creating a board of zoning appeals, defining certain terms used in said Ordinance, providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

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

Section 1. That the U3 or business district and the A5 or 600 square foot area district as established by General Ordinance No. 114, 1922, be and the same is hereby amended, supplemented and changed so as to include all of lot 22, block 5 of Flemings 3rd North Park Addition.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Law and Judiciary.

By Mr. Ray:

GENERAL ORDINANCE NO. 134, 1923

AN ORDINANCE authorizing and providing for the assessment of certain fees for the violation of the provisions of General Ordinance No. 37, 1923 known as the Traffic Ordinance of the City of Indianapolis, fixing the amount of such fees to be assessed, providing the manner and condition under which such fees shall be assessed and paid, and to whom the same shall be paid, and fixing a time when the same shall take effect.

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

Section 1. That the owner or operator of any vehicle found violating any of the provisions of General Ordinance No. 37, 1923 and all amendments thereto known as the Traffic Ordinance of the City of Indianapolis, shall within seventy-two (72) hours after having been notified of such violation by any member of the Police Department, of the City of Indianapolis, present himself, together with

such notice in response to the same to the Traffic Office at Police Headquarters, in the City of Indianapolis, and for the first violation of any of the provisions of said ordinance, pay to the City Clerk a fee in the sum of two (2.00) dollars; for the second violation, pay a fee of three (\$3.00) dollars, and for the third and any subsequent violation thereof, pay a fee of five (\$5.00) dollars.

Section 2. That it shall be deemed sufficient notice to the owner of any vehicle, of the violation of any of the provisions of General Ordinance No. 37, 1923, or any amendments thereto, when any member of the Police Department of the City of Indianapolis, shall present to such owner, or his representative, a written notice, specifying such violation, or by posting such written notice in a conspicuous place, upon such vehicle, in case such owner, or his representative, be not found in possession or in charge of such vehicle. And it is hereby made the duty of such police officer, to make a duplicate of such written notice served or posted as above specified, upon which shall appear the State License number of such vehicle and the name of the owner, if possible to obtain the same; and such notice, so served, as above specified shall be signed by such police officer, giving his badge number. It shall be the duty of such police officer to make a report to the Traffic Office, at Police Headquarters, in the City of Indianapolis, of the service of such notice, giving the State License number of the vehicle, and the name of the owner, if possible to obtain the same, upon whom such notice has been served.

Section 3. That the City Clerk shall issue a receipt to the owner, or his representative of such a vehicle, upon the payment of the fee provided in Section 1, of this ordinance, and it is hereby made the duty of said Clerk to keep a correct record, showing the amount so paid, and the date thereof, the number of the State license issued to the owner of such vehicle, together with the owner's name, and to designate the violation for which such fee is paid, and whether or not such violation shall be the first, second or third violation of such owner. Provided, however, that no violations committed prior to the date when this ordinance goes into effect, and no violations committed one year prior to any other violation, shall be considered, in determining the number of violations committed by a particular owner.

Section 4. That when the person notified by any member of the Police Department of the City of Indianapolis, as provided in Section 1 of this ordinance, fails or refuses to present himself to the Traffic Office, or City Clerk, within seventy-two (72) hours after being served said notice, or fails to pay the said fee to said Clerk for said violation in response to said notice, it is hereby made the duty of such Police Officer to file, or cause to be filed in the proper court, an affidavit, charging such person with violating the provisions of General Ordinance No. 37, 1923, as stipulated, or specified in the notice, so served, and to assist in the prosecution of said charge with due diligence.

Section 5. It is hereby made the duty of the City Clerk to account for all fees assessed and collected by him under the provisions of this ordinance and pay the same into the City Treasurer, once each month after the taking effect of this ordinance.

Section 6. This ordinance is intended to promote the best interests and welfare of the citizens of Indianapolis, and to the end that the traffic laws may be more strictly enforced and better complied with, as little inconvenience to the persons and citizens who unintentionally,

and not willfully violate the provisions of the Traffic regulations.

Section 7. This ordinance is not in any manner made a part of the General Ordinance No. 37, 1923, but merely refers to the provisions of said ordinance and is not intended to conflict with, amend, or repeal said General Ordinance No. 37, 1923, and in the event this ordinance, or any part thereof should be adjudged invalid, it is intended that General Ordinance No. 37, 1923, shall not be in any manner be affected thereby.

Section 8. This ordinance shall be in full force and effect, from and after its passage and due publication, as required by law.

Which was read a first time and referred to the Committee on Public Safety.

By Mr. Wise:

GENERAL ORDINANCE NO. 135, 1923

AN ORDINANCE amending General Ordinance No. 37, 1923, regulating traffic in the City of Indianapolis, Indiana.

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

Section 1. That Section Four (4) of General Ordinance No. 37, 1923, be amended as follows:

That Sub-Section G therein be eliminated.

That Sub-Section F of Section Four (4) of said ordinance be amended by eliminating therefrom the words, "The East side of Delaware Street from Washington Street to Wabash Street and the West Side of Alabama Street from Washington Street to Wabash Street."

That Sub-Section E of the said Section Four (4) be amended by eliminating therefrom the words, "On Market Street from Pennsylvania Street to Delaware Street on the center part thereof."

Section 2. This Ordinance shall be in full force and in effect from, and after its passage and publication as required by law.

Which was read a first time and referred to the Committee on Public Safety.

INTRODUCTION OF MISCELLANEOUS BUSINESS

By Mr. Buchanan:

Mr. President:

I move that a public hearing be held on General Ordinance No. 132 and 133, 1923, on Monday night November 5, 1923, at 7:30 o'clock in the Council Chamber and that the clerk cause proper notice of the same by legal publication to be given.

H. W. BUCHANAN.

On motion of Mr. Thompson, General Ordinance No. 120, 1923, was stricken from the files.

On motion of Mr. Bramblett, General Ordinance No. 118, 1923, was stricken from the files.

On motion of Mr. Bernd, Special Ordinance No. 10, 1923, was stricken from the files.

ORDINANCES ON SECOND READING

Mr. Wise called for General Ordinance No. 106, 1923, for second reading. It was read a second time.

By Mr. Buchanan:

Mr. President:

I move that a public hearing be held on General Ordinance No. 106, 1923, before further action is taken on same.

H. W. BUCHANAN.

Which motion failed to carry.

By Mr. Wise:

Mr. President:

I move that general ordinance 106 be amended to read as follows:

GENERAL ORDINANCE NO. 106, 1923

AN ORDINANCE to regulate the emission of smoke from chimneys, stacks, flues, or open spaces, within the City of Indianapolis, Indiana, providing a color scale for measurement of the degree of darkness of such smoke; making it unlawful to permit the escape of smoke of a certain degree of darkness; providing for smoke abatement inspectors and defining their duties; requiring approval of plans and specifications of new heating equipment and for repairs of existing equipment; providing for issueing of permits and inspection to compel compliance with approved plans and specifications and fixing penalties for the violation of this ordinance.

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

Section 1. DENSITY SCALE. That for the purpose of regulating the emission of smoke from smoke producing equipment or any

appurtenances thereto within the City of Indianapolis, and to determine by comparison the degree of darkness of smoke so emitted, a color scale of measurement shall be and the same is hereby adopted as follows: One thickness of gray glass of sufficient capacity to cut off sixty per cent of the light from a flame having the lighting power of sixteen candles, shall be taken as the basis of the said scale, and four thickness of said glass shall be known and designated as No. One (1) scale.

Section 2. SMOKE UNLAWFUL. It is hereby forbidden and declared to be unlawful to suffer or permit the emission or escape of smoke of a greater degree of darkness than No. One (1) scale, from any fire or fires, whether the same be active or burning or banked, or in a state of rest and whether said smoke be suffered or permitted to escape through a stack, flue or chimney or from an open space: PROVIDED, HOWEVER, that it shall not be unlawful to permit or suffer the escape of such smoke of a greater degree of darkness than No. 1 scale for a period or periods of not more in the aggregate than six minutes in any one hour, and for not more than thirty minutes in any one day when starting a new fire.

Section 3. SMOKE INSPECTORS. The administration and enforcement of this ordinance shall be under the charge of the Commissioner of Buildings, who shall be designated as Chief Smoke Inspector, and necessary assistant inspectors, under the direction and control of the Department of Public Safety. The Smoke Inspectors, in the execution of their duties shall have the right to enter upon any premises in the City of Indianapolis, Indiana, and to inspect smoke producing equipment or any of the appurtenances thereto, at all reasonable hours, except, that in private residences and in single family units, they shall not have the right to enter between the hours of six o'clock p. m. and eight o'clock a. m.

Section 4. DUTIES OF SMOKE INSPECTORS. It shall be the duty of the chief Smoke Inspector and his assistants to use all reasonable and proper methods to enforce this ordinance, and to that end shall co-operate with designers, manufacturers, owners and operators of smoke producing equipment to secure the abatement of smoke and the most efficient consumption of fuel; it shall be their duty to examine all plans and specifications submitted to them and no permits shall be issued for any new building or structure until the Chief Smoke Inspector has examined the plans and specifications therefor, which shall describe the apparatus for combustion and the space or location in the building or structure designed to receive such apparatus, and approve the same in writing. After such permit is approved and issued the inspection of the installation of equipment for combustion, or the alteration of old equipment, shall be carried on by the Chief Smoke Inspector, or by his authorized assistants, and in the event the work of the installation of the combustion equipment does not comply with the approved plans and specifications the Chief Smoke Inspector or his authorized assistants shall have the power to stop the work of such installation, and to require any work done, which is not in accordance with the approved plans and specifications of any installation which is not properly installed to prevent smoke, to be changed so as to comply with the approved plans and specifications of the Chief Smoke Inspector and the requirements of this ordinance.

Section 5. ASSISTANT SMOKE INSPECTORS. The Commissioner of Buildings shall serve as Chief Smoke Inspector and all or any of his assistants shall act as assistant inspectors.

If the occasion demands, but he shall have one assistant who shall be designated as Assistant Chief Smoke Inspector and whose salary shall be \$3,000.00 per annum. The Assistant Chief Smoke Inspector shall be appointed and required to pass an examination under the same method of procedure as applies to the Commissioner of Buildings, except that the examining board shall be composed of two combustion engineers, a mechanical engineer and a stationary engineer in addition to the City Engineer. The Assistant Chief Smoke Inspector may be removed by the Board of Safety at any time for good cause shown.

Section 6. It shall be unlawful to install or repair any smoke producing equipment or appurtenances thereto, within the City of Indianapolis, Indiana, without first procuring from the Chief Smoke Inspector a permit: Such permits shall be applied for on appropriate blanks prepared and furnished by the Chief Smoke Inspector, setting forth such information as he may require, and accompanied by complete plans and specifications of the work to be done; it shall be unlawful to make any such installation otherwise than is shown upon the plans and specifications approved by the Chief Smoke Inspector. No permit shall be required for the installation of gas cooking appliances, or stoves for single family units.

Section 7. PLANS AND SPECIFICATIONS. When an application is made for a permit to install any smoke producing equipment or any of the appurtenances thereof, complete plans and specifications of the same shall be filed with the Chief Smoke Inspector, who shall either approve or reject them. If approved, the Chief Smoke Inspector shall issue the necessary permit. If requested, the Chief Smoke Inspector shall immediately return the plans and specifications with his finding thereon to the applicant. Such plans and specifications shall be filed in duplicate and the Chief Smoke Inspector shall retain one complete set for his files.

Section 8. REPAIRS TO APPROVED INSTALLATIONS. After a permit has been issued for the installation of smoke producing equipment or any of the appurtenances thereto which has been installed in accordance with the complete plans and specifications on file with the Chief Smoke Inspector any repairs to such installation or equipment may be made without further permit, provided such repairs are made in conformity with the said plans and specifications on file.

Section 9. INSPECTION. Whenever any smoke is emitted in violation of this ordinance the Chief Smoke Inspector shall mail a notice to the owner and to the person in charge or control of the equipment from which such smoke shall be so emitted. Such notice shall state the time, place, extent and duration of such violation. If within three days from the time such notice is mailed to the violator, the smoke is not abated, the Chief Smoke Inspector shall send a second notice. If the violation is not abated within the next three days the Chief Smoke Inspector shall re-inspect the entire equipment from which such smoke comes, for the purpose of determining the cause of such violation. If changes are necessary in equipment or operation to comply with this ordinance, the Chief Smoke Inspector shall give written notice, allowing a reasonable time in which such changes in equipment or operation shall be made. It is provided that no approval or inspection or failure to give notice by the Chief Smoke Inspector shall be a defense to any violation of the provisions of this ordinance.

Section 10. EXCEPTIONS. The provisions of this ordinance shall not apply to mill heating furnaces, metallurgical furnaces, or such direct coal fired industrial furnaces as cannot from the nature of the process involved be controlled as to the emission of smoke.

Section 11. FEES. (a) For the installment of new equipment or the alteration or re-inspection of old equipment fees shall be collected by the Chief Smoke Inspector as follows: All high pressure boilers with a capacity up to—

100 H. P.	\$2.00 each
101 to 300 H. P.	2.50 each
301 to 500 H. P.	3.00 each
All over 500 H. P.	3.50 each

(b). For the installation, repair, alteration or re-inspection of a hot air furnace, oil burning furnace, including tank and all heating boilers of the low pressure type up to and including 3,000 square feet of radiating surface, \$2.00.

(c). For the installation, repair, alteration or re-inspection of any heating boiler capable of handling more than 3,000 square feet of radiating surface, \$3.00.

(d). Permits shall not be required for the installation of gas cooking stoves or appliances for single family units. A permit for the installation of all other gas stoves or appliances shall be \$1.00 for each and every installation.

Section 12. PENALTY. Any person, firm or corporation, including both owners and operators who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be fined not less than FIVE DOLLARS, and not more than FIVE HUNDRED DOLLARS for each offense. Each day's violation shall constitute a separate and distinct offense.

Section 13. PUBLICATION. This ordinance shall be in force from and after its passage and publication once each week for two consecutive weeks in the Indianapolis Commercial, a newspaper of general circulation, printed and published in the City of Indianapolis, Indiana.

Section 14. REPEAL. The smoke abatement ordinance of 1904, Sections 575 to 582, inclusive, and the penalties provided therein in Section 562, and all amendments supplementary thereto, are hereby repealed.

WALTER W. WISE.

Carried.

Mr. Wise moved that General Ordinance No. 106, 1923, be ordered engrossed as amended, read a third time and placed upon its passage. Carried.

General Ordinance No. 106, 1923, was read a third time and passed by the following vote:

Ayes, 8, viz.: Messrs. Bernd, Bramblett, Clauer, Clay-combe, Ray, Thompson, Wise and President John E. King.

Noes, 1, viz.: Mr. Buchanan.

Mr. Ray called for General Ordinance No. 113, 1923, for second reading. It was read a second time.

Mr. Ray moved that General Ordinance No. 113, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 113, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Thompson called for General Ordinance No. 114, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 114, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 114, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

Mr. Thompson called for General Ordinance No. 117, 1923, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 117, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 117, 1923, was read a third time and passed by the following vote:

Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

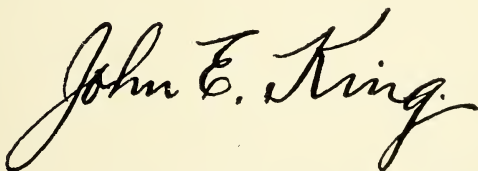
Mr. Claycombe called for General Ordinance No. 122, 1923, for second reading. It was read a second time.

Mr. Claycombe moved that General Ordinance No. 122, 1923, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 122, 1923, was read a third time and passed by the following vote:

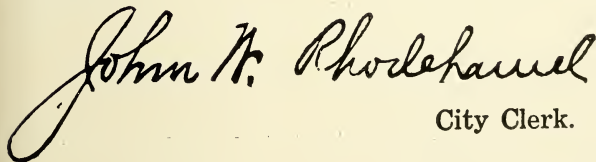
Ayes, 9, viz.: Messrs. Bernd, Bramblett, Buchanan, Clauer, Claycombe, Ray, Thompson, Wise and President John E. King.

On motion of Claycombe, the Common Council, at 8:55 o'clock p. m., adjourned, until Monday, October 22, 1923, at 7:30 o'clock p. m.



Attest:

President.



City Clerk.