

WEDNESDAY EVENING, FEBRUARY 6, 1924.

At 7:30 p. m., Wednesday, February 6, 1924, President Wise called the Council to order.

The Clerk called the roll.

Present: The Hon. Walter W. Wise, President of the Common Council, and six members, viz.: Messrs. Bernd, Bramblett, Claycombe, Ray, King and Thompson.

Absent: Messrs. Buchanan and Clauer.

COMMUNICATIONS FROM THE MAYOR.

January 26, 1924.

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

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

GENERAL ORDINANCE NO. 174, 1923, an ordinance approving a certain contract granting Polar Ice and Fuel Company the right to lay and maintain a sidetrack or switch from the north line of West 21st Street across said West 21st Street in a southwesterly direction, thence southwesterly 60 feet, all projecting from the old main track of the Chicago Division of the C. C. C. & St. L. Ry. Co.

GENERAL ORDINANCE NO. 176, 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 a 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."

GENERAL ORDINANCE NO. 1, 1924, an ordinance authorizing the City Controller to make a temporary loan, or loans of Three Hundred Thousand (\$300,000) Dollars in anticipation of current revenues appropriating the sum of Three Hundred Six Thousand (\$306,000) Dollars for the payment of same, and fixing a time when same shall take effect.

GENERAL ORDINANCE NO. 2, 1924, an ordinance authorizing the City of Indianapolis, to make a temporary loan or loans, for the

use of the Board of Health of the City of Indianapolis, Indiana, in anticipation of its current revenues and payable out of the current revenues of said Board of Health for the year 1924, authorizing the rate of interest to be charged therefor, providing for legal notice.

GENERAL ORDINANCE NO. 3, 1924, an ordinance creating the position of Assistant Barrett Law Clerk in the Department of Finance and providing a time when the same shall take effect.

GENERAL ORDINANCE NO. 4, 1924, an ordinance approving a certain contract granting Otis D. Mauer, the right to lay and maintain a sidetrack or switch from a point in Dakota Street 108 feet north of the north line of Thomas Street to a point on the south line of Thomas street 4 feet east of Dakota street and from a point on the north line of the alley between Thomas and Jones streets, 8 feet east of the east line of Dakota street to a point on the south line of said alley 8 feet east of the east line of Dakota street.

GENERAL ORDINANCE NO. 7, 1924, an ordinance creating the office of Inspector of Traffic in the Traffic Department of the Police Department under the Department of Public Safety of the City of Indianapolis, Indiana, defining the powers and duties thereof.

GENERAL ORDINANCE NO. 8, 1924, an ordinance requiring the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, to station and keep a watchman at the Crossing of its tracks and Golay street in the City of Indianapolis, during certain hours on certain days, providing a penalty for the violation thereof and repealing General Ordinance No. 24, 1923.

GENERAL ORDINANCE NO. 11, 1924, an ordinance authorizing and creating the position of Assistant Secretary of the Athletic Commission of the City of Indianapolis, fixing the salary of said position, appropriating the sum of Four Hundred (\$400.00) Dollars for the payment of the same, and appropriating the sum of Fifty (\$50.00) Dollars for miscellaneous expenses of said commission.

SPECIAL ORDINANCE NO. 1, 1924, an ordinance changing the name of certain streets and parts of streets in the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 1, 1924, an ordinance appropriating the sum of Three Thousand (\$3,000.00) Dollars, out of any unappropriated funds of the City of Indianapolis, to the Salaries Fund of the Department of Law.

APPROPRIATION ORDINANCE NO. 2, 1924, an ordinance appropriating the sum of Fourteen Hundred (\$1400.00) Dollars to the Salaries Fund of the Department of Buildings under the Department of Public Safety.

APPROPRIATION ORDINANCE NO. 3, 1924, an ordinance appropriating the sum of Fifteen Hundred (\$1500.00) Dollars out of any unappropriated funds of the City of Indianapolis to the Salaries Fund in the Finance Department and declaring a time when the same shall take effect.

Very truly yours,
LEW SHANK, Mayor.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

By Mr. Claycombe:

GENERAL ORDINANCE NO. 16, 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 buildings designated for special uses; of classifying, of trades, callings, industries, commercial enterprises and the 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 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 U3 or business district, the H1 or 50-ft. height district, and the A4 or 1200-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, to-wit:

Beginning on the east property line of College avenue, at the southeast corner of 46th street and College avenue; thence south along said property line ninety-nine and seventy-nine hundredths (99.79) feet; thence east and parallel to the south property line of 46th street one hundred and sixty (160) feet; thence north and parallel to the east property line of College avenue ninety-nine and seventy-nine hundredths (99.79) feet to the south property line of 46th street; thence west along the south property line of 46th street one hundred and sixty (160) feet to the place of beginning.

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

L. D. CLAYCOMBE.

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

By Mr. Wise, (by request):

GENERAL ORDINANCE NO. 17, 1924.

AN ORDINANCE, to amend Section 542, Paragraph (a) of General Ordinance 18, 1923, which is an ordinance amending certain sections of General Ordinance No. 12, 1917.

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

Section 1. That Paragraph (a) of Section 542 of General Ordinance No. 18, 1923, shall be amended to read as follows: a. No public garage shall be located, erected or maintained within one hundred fifty (150) feet of any lot on which there is situated a church or public school building except in the first fire zone as defined by law, unless such garage was established at such place

prior to the establishment of such church or public school building.
Section 2. This ordinance shall be in full force and effect 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. King:

GENERAL ORDINANCE NO. 18, 1924.

AN ORDINANCE to license the use of billiard and pool tables where a fee is charged.

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 keep, maintain, use or have in his, their or its possession any billiard table or pool table, for any purpose of gain, for the use of which any fee is charged either directly or indirectly, without first having obtained and received a license for same from the City Controller of said city. The said City Controller is hereby authorized to issue an annual license to any person, firm or corporation for the keeping, maintenance, use or possession of any billiard table or billiard tables, or pool table or pool tables, for the purpose of gain, or for the use of which a fee is charged, on the payment of the sum of Five (\$5.00) Dollars for each table. Such license shall be granted for a term of one year, except as hereinafter provided, and all such licenses shall expire on the 31st day of December of each calendar year; provided that when application for such license is made after the first day of April and prior to the first day of June a charge of Three (\$3.00) Dollars shall be made for each such table; when the application is made after the first day of June and before the first day of October a charge of Two (\$2.00) Dollars shall be made therefor; and when application is made subsequent to the first day of October a charge of One (\$1.00) Dollar for each of such tables shall be made for such license for the unexpired portion of the calendar year.

Section 2. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a fine of not less than Ten (\$10.00) Dollars or more than Fifty (\$50.00) Dollars; and each day's violation shall constitute a separate and additional offense.

Section 3. An ordinance of said city entitled "An Ordinance To License the Use of Billiard Tables and Pool Tables Where a Fee is Charged," approved August 15, 1907, General Ordinance Record 12, page 469, be and the same is hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage and its publication once each week for two weeks consecutively in the Indianapolis News, printed in the City of Indianapolis.

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

INTRODUCTION OF MISCELLANEOUS BUSINESS.

President Wise announced that on January 22, 1924, he appointed Messrs. Claycombe, King, Bernd and Ray as a committee to serve with Benjamin Perk, utility expert of the Legal Department, for the purpose of investigating records of the Indianapolis Street Railway Company, and to report to the Council as to the financial condition of said company.

At 8:00 o'clock p. m. a public hearing was held on General Ordinances No. 5, 1924, No. 6, 1924 and No. 10, 1924.

ORDINANCES ON SECOND READING.

Mr. Thompson called for General Ordinance No. 9, 1924, for second reading. It was read a second time.

Mr. Thompson moved that General Ordinance No. 9, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 9, 1924, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Claycombe, King, Ray, Thompson and President Walter W. Wise.

Mr. Thompson called for General Ordinance No. 13, 1924, for second reading. It was read a second time.

On motion of Mr. King, General Ordinance No. 13, 1924, was stricken from the files.

Mr. King called for General Ordinance No. 12, 1924, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 12, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 12, 1924, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Claycombe, King, Ray, Thompson and President Walter W. Wise.

Mr. King called for General Ordinance No. 14, 1924, for second reading. It was read a second time.

Mr. King moved that General Ordinance No. 14, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 14, 1924, was read a third time and failed to pass by the following vote:

Ayes, 2, viz.: Messrs. Bernd and Bramblett.

Noes, 5, viz.: Messrs. Claycombe, King, Ray, Thompson and President Walter W. Wise.

Mr. Thompson called for Special Ordinance No. 2, 1924, for second reading. It was read a second time.

Mr. Thompson moved that Special Ordinance No. 2, 1924, be engrossed, read a third time and placed upon its passage. Carried.

Special Ordinance No. 2, 1924, was read a third time and passed by the following vote:

Ayes, 7, viz.: Messrs. Bernd, Bramblett, Claycombe, King, Ray, Thompson and President Walter W. Wise.

Mr. Claycombe called for General Ordinance No. 5, 1924, for second reading. It was read a second time.

Mr. Claycombe moved that General Ordinance No. 5, 1924, be ordered engrossed, read a third time and placed upon its passage. Carried.

General Ordinance No. 5, 1924, was read a third time and passed by the following vote:

Ayes, 5, viz.: Messrs. Bramblett, Claycombe, King, Ray and President Walter W. Wise.

Noes, 2, viz.: Messrs. Bernd and Thompson.

Mr. Bramblett called for General Ordinance No. 6, 1924, for second reading. It was read a second time.

By Mr. Bramblett:

Mr. President: I move that General Ordinance No. 6, 1924, be amended to read as follows:

GENERAL ORDINANCE NO. 6, 1924.
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, 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 described territory:

Beginning at a point on the east property line of Cornell Avenue eighty (80) feet south of the southeast corner of Cornell Avenue and 28th Street; thence south along said east property line of Cornell Avenue to the north property line of 27th Street; thence east along the north property line of 27th Street, one hundred eighteen (118) feet; thence north and parallel with the east property line of Cornell Avenue to a point eighty (80) feet south of 28th Street; thence west parallel to the north line of 27th Street, one hundred eighteen (118) feet to the place of beginning.

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

I. L. BRAMBLETT.

Carried.

By Mr. Claycombe:

Mr. President: I move that a public hearing be held on General Ordinance No. 16, 1924, and General Ordinance No. 6, 1924, as amended, Monday evening, March 3, 1924, at 8 o'clock p. m., in the Council Chamber, and that the Clerk cause proper notice of same to be made.

LLOYD D. CLAYCOMBE.

Carried.

Mr. Claycombe called for General Ordinance No. 10, 1924, for second reading. It was read a second time.

On motion of Mr. Bramblett General Ordinance No. 149, 1923, was stricken from the files.

On motion of Mr. King the Common Council, at 8:50 o'clock p. m., adjourned.

Walter W. Wise

Attest:

President.

John N. Rhodehamel

City Clerk.