

REGULAR MEETING

Monday, November 19, 1928

The Common Council of the City of Indianapolis met in the Council Chamber in regular session Monday, November 19, 1928, following a Public Hearing, at 7:30, by the Committee on Parks, of General Ordinances 82 and 83, 1928. President Edward B. Raub took the chair.

The Clerk called the roll.

Present, Edward B. Raub, President, and eight members, viz: Earl Buchanan, Edward W. Harris, Herman P. Lieber, Albert F. Meurer, Meredith Nicholson, Paul E. Rathert, Robert E. Springsteen, John F. White.

On motion of Mr. White, seconded by Mr. Springsteen, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

November 8, 1928.

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

Gentlemen—

I have this day approved with my signature and delivered to William A. Boyce Jr., City Clerk, the following ordinances:

SPECIAL ORDINANCE NO. 7, 1928

AN ORDINANCE, changing the names of certain streets, avenues, drives, alleys and parts thereof of the City of Indianapolis, Indiana, and fixing the time when the same shall take effect.

GENERAL ORDINANCE NO. 74, 1928

AN ORDINANCE, transferring moneys from certain funds and re-appropriating the same to other numbered funds and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 75 1928

AN ORDINANCE, authorizing the construction of cement walks on Central avenue from Fifty-sixth street to Westfield road in the City of Indianapolis Indiana, pursuant to Improvement Resolution No. 13974, of the Board of Public Works of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 76, 1928

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 of land and lot areas within such city; creating a board of zoning appeals; 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.

Yours very truly,

L. ERT. SLACK.

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

November 14, 1928.

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

Gentlemen:—

The City Plan Commission, to whom was referred General Ordinance No. 83, 1928, which ordinance seeks to change the zoning

on both sides of Denny Street from the first alley north of Tenth Street to Fifteenth Street, advise that they have had said ordinance under consideration and in its present form it cannot recommend that said ordinance be passed.

However, if said ordinance is amended to change the business zoning on the east side of Denny Street from Twelfth Street to a point 77.2 feet south of Sixteenth Street to residential zoning and the industrial zoning on the west side of Denny Street is not disturbed, then the City Plan Commission will recommend the passage of said ordinance.

Yours very truly,

H. B. STEEG,
Acting Secretary,
CITY PLAN COMMISSION

November 7th, 1928.

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

Dear Sir:—

I am enclosing herewith resolution and also, a copy of the minutes of the Board of Public Works calling for the improvement of the FIRST ALLEY NORTH OF 22ND STREET, from Meridian Street to Pierson Street, by overriding the remonstrance, which I desire you to present to the Common Council at their next meeting, with the recommendation of the Board of Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secretary, Board of Public Works

November 5th, 1928.

IN RE: I. R. 14024—FIRST ALLEY NORTH OF 22ND STREET

The Board having heretofore on the 1st day of October, 1928, adopted preliminary resolution for the above entitled improvement and having confirmed the same on the 22nd day of October, 1928,

and plans and specifications having been prepared thereon, and a remonstrance containing a majority of the resident property owners abutting on said contemplated improvement having been filed there against, within the time provided by law and the Board having, also, received a report from the City Civil Engineer recommending that said resolution be referred to the Common Council of the City of Indianapolis for an Ordinance ordering said improvement, and now being duly advised in the premises does now approve the recommendation of the City Civil Engineer.

The Board of Public Works hereby resolves that the proposed improvement covered by I. R. 14024, providing for the permanent improvement of the FIRST ALLEY NORTH OF 22ND STREET, from Meridian street to Pierson street, is of public utility general and convenience and hereby directs that an Ordinance be prepared pursuant to Law, ordering said improvement and that the same be presented to the Common Council of the City of Indianapolis at its next meeting with the recommendation of the Board of Public Works that the same be passed.

November 19th, 1928.

Mr. William A. Boyce, Jr., City Clerk, Indianapolis, Indiana:

Dear Sir:—

I am enclosing herewith copies of a proposed Ordinance providing for the ratification and confirmation of two extensions and payments made and due thereunder of a certain contract by the City of Indianapolis with the Welsbach Street Lighting Company, which the Board desires that you present to the Common Council at their next meeting, with the recommendation that the same be passed.

Yours very truly,

ERNEST F. FRICK,
Secretary, Board of Public Works

On motion of Mr. Springsteen, seconded by Mr. Rathert, the Common Council recessed for ten minutes at 8:20 p. m.

The Council reconvened from its recess at 8:52 p. m., with the same members present as before.

REPORTS FROM STANDING COMMITTEES

November 19, 1928.

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

Gentlemen:—

We, your Committee on Finance to whom was referred General Ordinance No. 77, 1928, entitled "Transfers," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

E. W. HARRIS, Chairman
ROBT. E. SPRINGSTEEN
HERMAN P. LIEBER
JOHN F. WHITE
ALBERT F. MEURER.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Public Works to whom was referred General Ordinance No. 79, 1928, entitled "Switch Contract," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ALBERT F. MEURER, Chairman
ROBT. E. SPRINGSTEEN
MEREDITH NICHOLSON
HERMAN P. LIEBER
EARL BUCHANAN.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Public Works to whom was referred General Ordinance No. 80, 1928, entitled, "Authorizing improvement of First Alley South of Washington Street from Butler to Hawthorne Avenue," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ALBERT F. MEURER, Chairman
ROBT. E. SPRINGSTEEN
MEREDITH NICHOLSON
HERMAN P. LIEBER
EARL BUCHANAN.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Public Works to whom was referred General Ordinance No. 78, 1928, entitled, "Switch Contract," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ALBERT F. MEURER, Chairman
ROBT. E. SPRINGSTEEN
MEREDITH NICHOLSON
HERMAN P. LIEBER
EARL BUCHANAN.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 81, 1928, entitled, "Authorizing improvement

of First Alley North of Tenth Street from DeQuincy to Riley Avenue," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

MEREDITH NICHOLSON, Chairman
PAUL E. RATHERT
EARL BUCHANAN
ROBT. E. SPRINGSTEEN.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Parks to whom was referred General Ordinance No. 82, 1928, entitled, "Re-zoning Keystone at 52nd Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

HERMAN P. LIEBER, Chairman
JOHN F. WHITE
PAUL E. RATHERT
ALBERT F. MEURER
MEREDITH NICHOLSON.

November 19, 1928.

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

Gentlemen:—

We, your Special Committee to whom was referred General Ordinance No. 70, 1928, entitled, "Traffic Ordinance," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed when amended.

HERMAN P. LIEBER
JOHN F. WHITE
E. W. HARRIS.

November 19, 1928.

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

Gentlemen:—

We, your Minority Committee on Parks to whom was referred General Ordinance No. 83, 1928, entitled, "Re-zoning Denny Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed in original form.

ALBERT F. MEURER
MEREDITH NICHOLSON.

November 19, 1928.

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

Gentlemen:—

We, your Committee on Parks to whom was referred General Ordinance No. 83, 1928, entitled, "Re-zoning Denny Street," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

HERMAN P. LIEBER, Chairman
PAUL E. RATHERT
JOHN F. WHITE.

INTRODUCTION OF GENERAL ORDINANCES

By Board of Public Works:

GENERAL ORDINANCE NO. 84, 1928.

AN ORDINANCE authorizing the improvement of the first alley north of Twenty-second Street from Meridian Street to Pierson Street, pursuant to Improvement Resolution No. 14024 of the Board of Public Works of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

WHEREAS, The Board of Public Works of the City of Indianapolis, Indiana, having heretofore, on the 22nd day of October, 1928,

confirmed Improvement Resolution No. 14024 for the permanent improvement of the first alley north of Twenty-second Street from Meridian Street to Pierson Street, in the City of Indianapolis, Indiana, and plans and specifications having been prepared thereon and a remonstrance containing the names of a majority of the resident property owners abutting on said contemplated improvement having been filed thereagainst within the time provided by law, and the Board of Public Works of the City of Indianapolis having resolved that the proposed improvement covered by Improvement Resolution No. 14024 is of public utility, general benefit and convenience, NOW, THEREFORE,

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

Section 1. That the improvement of the first alley north of Twenty-second Street, from Meridian Street to Pierson Street, in the City of Indianapolis, Indiana, is of public utility, general benefit and convenience, and that such improvement be made and completed pursuant to Improvement Resolution No. 14024 of the Board of Public Works of the City of Indianapolis, Indiana, said improvement to be done all in accordance with the details, plans and specifications submitted by the City Civil Engineer in said resolution and pursuant to the laws of the State of Indiana governing improvements of the nature contained in said resolution No. 14024 of the Board of Public Works of the City of Indianapolis, Indiana.

Section 2. This ordinance shall take effect from and after its passage and publication according to law and approval by the Mayor.

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

By Board of Public Works:

GENERAL ORDINANCE NO. 85, 1928.

AN ORDINANCE ratifying, confirming and approving certain two extensions, and payments made and due thereunder, of a certain contract made and entered into on the 28th day of December, 1921, between the City of Indianapolis, by and through its Board of Public Works, its Mayor and its Common Council,

and the Welsbach Street Lighting Company of America for certain street lighting services, and fixing a time when the same shall take effect.

WHEREAS, heretofore, on the 28th day of December, 1921, the City of Indianapolis, by and through its Board of Public Works, with the approval of the Mayor of the City of Indianapolis, and in full compliance with law, duly entered into a certain contract and agreement in writing, which said contract and agreement is in the words and figures as follows, to wit:

“This agreement made in duplicate and entered into this 28th day of December, 1921, by and between the City of Indianapolis, Indiana, hereinafter designated the City, and the Welsbach Street Lighting Company of America, hereinafter designated the Contractor, WITNESSETH:

“WHEREAS, The City by and through its board of Public Works had advertised for proposals for furnishing gas mantle lamps and equipment and maintaining and operating gas lamps on the City’s gas street lamp posts and for providing additional lamps and lamp posts for periods of three, five and ten years, and,

“WHEREAS, the contractor has submitted a proposal to furnish such lamps and equipment and maintain and operate such street lighting service,

“NOW, THEREFORE, IT IS AGREED by and between the parties,

“SECTION 1. That the instructions to bidders and specifications of the City and the proposal of the Contractor all of which are hereto attached are hereby made a part of this contract, the same as if fully re-written herein.

“SECTION 2. That in consideration of the covenant of the City of Indianapolis to pay the price named in the Contractor’s proposal, the Contractor will furnish all of the required lamps and equipment for the gas street posts of the City of Indianapolis, will maintain said posts, lamps and equipment in good condition and perform all labor incident to keeping said lamps lighted and burning in accordance with the terms and conditions of the specifications for said lighting service, the instructions to bidders and the Contractor’s proposal, all of which have heretofore been made a part of this contract, for a period of three years beginning December 28, 1921.

“This contract may be cancelled and terminated by the City at

the expiration of eighteen (18) months from the date hereof by thirty days written notice by the City to the Contractor.

“SECTION 3. That the City of Indianapolis will pay to the Contractor for said Services the price named in the Contractor’s proposal, less the deductions provided for in the specifications; and said payments shall be made monthly on or before the 10th day of each month.

“SECTION 4. That the maintenance and operation of said street lights shall be carried out in conformity to the instructions to bidders and the specifications under the orders of the Board of Public Works of the City of Indianapolis.

“SECTION 5. That the equipping of said gas street lamp posts, and maintenance and operation of said lamps shall be at the sole risk of the Contractor and the Contractor will indemnify and save the City Harmless and free from any and all damages or claims for damages to person, persons and property in any way relating to, arising out of, or connected with the equipping, maintaining and operation of said gas street lamps or of any part of the work provided to be done by the Contractor, his agents and servants under this contract, or the use of patented appliances and articles in the performance of said contract.

“SECTION 6. That the Contractor will give a bond in the sum of \$3500.00 securing the faithful performance of this contract and any and all obligations of the Contractor arising under its terms and conditions.

WELSBACH STREET LIGHTING COMPANY OF AMERICA

By E. S. Kenbold, Vice President

CITY OF INDIANAPOLIS

Mark H. Miller

R. A. Shirley

I. W. Lemaux

Board of Public Works

ATTEST:

APPROVED:

Charles W. Jewett, Mayor.

SPECIFICATIONS FOR GAS LIGHTING SERVICE.

PROPOSAL FOR GAS LIGHTING SERVICE.

Indianapolis, Ind., December 28, 1921.

TO THE BOARD OF PUBLIC WORKS,
INDIANAPOLIS, INDIANA:

Gentlemen:

The undersigned proposes to furnish and maintain: Incandescent gas mantle lamps as specified for a period of (a) three, (b) five or (c) ten years.

This bid is submitted in accordance with the samples, drawings or photographs herewith attached or heretofore submitted to the Board of Public Works marked No. 1, and in strict accordance with the specifications on file in the office of the City Engineer and upon the terms and conditions of the specifications and the rules and regulations of the City at the following prices, to-wit:

Items	Approx. Quan.	Unit	Price in Figures	Price in Words
Furnishing incandes-gas mantle lamps including equipment and the maintenance, lighting and extinguishing thereof for (a) three years	1,000	One lamp for one year	\$14.32	Fourteen Dollars and Thirty-two Cents
(b) five years	1,000	One lamp for one year	\$14.32	Dollars and Fourteen Thirty-two
(c) ten years	1,000	One lamp for one year	\$14.32	Fourteen Dollars and Thirty-two

and hereby agrees to enter into a contract within five (5) days from the date of your acceptance of this proposal, to finish and complete said work of installation within (equipment installed) _____ working days after notice to begin work of installation, by the City, accord-

ing to the specifications on file in the office of the City Engineer, under which the bid was made, and will give the required bond for the faithful performance of such contract, the payment of materials contracted for, and for the payment of laborer's wages and liens that may arise therefrom, as may be approved by the Board of Public Works.

A check certified by the First National Bank, Philadelphia, Pa., accompanies this proposal as security that the undersigned bidder will enter into a contract as provided in the "Instructions to Bidders."

Dated at Indianapolis the 28th day of December, 1921.

Signed:

WELSBACH STREET LIGHTING COMPANY OF AMERICA

By Arthur E. Shaw, President
Bidder

President—Arthur E. Shaw
Secretary—James C. Bishop

P. O. Address: 1954 Market St., Philadelphia, Pa.

Following are the names and addresses of all persons, firms and corporations interested in the above bid:

Welsbach Street Lighting Co. of America, 1934 Market St., Philadelphia, Pa.

INSTRUCTIONS TO BIDDERS

1. Each bid or proposal must be made on a printed form to be obtained at the office of the City Engineer, and the proposal and certified check or proposal bond hereinafter provided for enclosed in a sealed envelope and directed to the Board of Public Works, Indianapolis, Indiana, and endorsed on the outside of the envelope "Proposal for Gas Lighting Service."

2. Each bid shall contain the full name of every person or company interested in the same and shall be accompanied by a certified check upon some solvent bank, for a sum equal to 5% of the amount submitted, this amount to be based on 1,000 lamps for one year, as a guarantee that if the bid is accepted, a contract will be entered into and the performance of it properly secured.

3. Bond will be required of the successful bidder in an amount equal to 25% of the total amount of the contract based upon the

approximate number of lamps for one year, conditioned upon the faithful performance of the contract and the full payment of all claims of sub-contractors, material men and laborers on account of the work covered by the contract; surety upon said bond to be an authorized surety or guaranty company satisfactory to the Board of Public Works.

4. All prices per unit must be written in words and also stated in figures. Bids shall state the price per lamp per year for the furnishing of incandescent gas mantle lamps and equipment, including the maintenance thereof for lighting the streets, alleys and public places in the City of Indianapolis for a period of three, five and ten years.

5. Bids will be compared on the basis of the minimum number of lamps contracted for, which shall be 1,000.

6. The City will furnish erected the gas posts including the riser pipe within the post properly connected to the gas main for the 780 lamp posts now in service.

7. The gas supplied under this contract will be gas of an average heating value of at least 550 B. T. U.'s per cu. ft. and at an average pressure of at least $3\frac{1}{2}$ ounces per sq. in. and will be furnished to the lamps operated by the Contractor, without charge by the City. The construction of the lamps must be such that they can be maintained efficiently within the range of the fluctuations in quality and pressure ordinarily encountered in gas supplies.

8. The minimum candle power of the lamps in service on the streets shall not be less than 60 candle power as described in Sections 7 and 16 of the specifications.

9. The average of gas consumption allowed by the City will not be more than $3\frac{1}{2}$ cu. ft. per hour per mantle. Any amount of gas used in excess of the total amount allowed per lamp per year shall be paid for by the Contractor at the same rate per thousand feet of excess, as the City pays the company furnishing the gas.

10. Bidders shall submit with or prior to submitting their bids, samples, photographs or drawings of the equipment they propose furnishing under this contract; these samples, photographs or drawings shall clearly indicate to the Board of Public Works the material, construction and operation of the equipment upon which the bids submitted are based.

11. The unit price bid for one lamp for one year shall include the labor and material necessary to furnish and install the incandescent gas mantle lamp and equipment and the maintenance thereof and shall include the incandescent gas mantle element, lantern frame, the enclosing glassware and ventilator, in short, all fixtures attached to the top of the post by the contractor, to comply with the terms of the contract, and shall include the cost of maintaining the equipment constantly in good operating order and the replacement of all broken mantles, glassware and frames, the cleaning of the glassware, the painting of the lamp frames and lamp posts and the lighting and extinguishing of the lamps.

12. Bids shall state the name and residence of the bidder or if a corporation, the name of the same, address of the main office, name of the president and secretary, and also a statement of the fact that the corporation is duly authorized to transact business in the State of Indiana.

13. The adequacy of the bond offered, the previous experience and responsibility, as well as the present ability of the bidders, independently of the bond required, will be considered by the Board of Public Works in determining which is the lowest and best bid.

14. The successful bidder must enter into a contract with the City within five days after receiving notice of award or forfeit his certified check.

15. The bidder shall submit with his bid a statement of his qualifications to comply with the terms of this contract.

16. The award of this contract will be made or all bids will be rejected within thirty days after the opening of the bids.

17. It is important to the City that the work of installing equipment to be furnished under this contract shall be completed as soon as possible consistent with good construction; and the City in determining the lowest bid will take into consideration the time required for completion fixed by the Contractor in his proposal; the City's estimated daily cost of inspection of the work of installation and daily value of used of the completed work is Ten Dollars (\$10.00) per working day, and time will be considered of this value in comparing bids and determining the lowest and best bid. The amount of money so determined will be spread pro rata over the term of years covered by the proposal. If the Contractor consumes more time than stated in his proposal, the overtime will be charged against him at the same rate per day and the amount so determined

will be deducted from the first payment due the Contractor.

18. Working days are any days (except legal holidays and Sundays) on which the City will permit the Contractor to work.

19. When a bidder submits alternative proposals, but one bond or certified check of the amount specified will be required, the same being the maximum required on any one of his proposals.

20. The Board of Public Works reserves the right to reject any or all bids, or to waive or correct irregularities in bids, should it deem it to the interest of the City to do so.

SPECIFICATIONS

1. WORK TO BE DONE. The work to be done under these specifications consists of furnishing and installing posts and incandescent gas mantle lamps and the maintenance thereof including renewals, the lighting and extinguishing of these lamps, painting of the posts in accordance with these specifications.

2. NUMBER. The minimum number of lamps contracted for is 1,000.

3. MAP SHOWING PRESENT LOCATION OF LAMPS. Accompanying the specifications and on file at the Board of Works is a map of the City of Indianapolis, giving the approximate location of about seven hundred and eighty (780) gas lamps now used by the City of Indianapolis.

4. LAMP DEFINED. The term "lamp" generally applied under this contract shall be understood to include the incandescent mantle element, the burner, the lantern frame, the enclosing glassware and the ventilator; that is, all the fixtures attached to the top of the lamp post by the Contractor to comply with the terms of the contract.

5. LAMP POSTS. The lamp posts of the approximately seven hundred and eighty (780) lamps now in service to be used by the Contractor and equipped with new lamps as defined above. The lamp posts for the additional lamps ordered to be ornamental in design approved by the Board of Public Works and will be furnished and installed by the Contractor including the riser pipe within the post properly connected to the gas service.

6. OWNERSHIP OF LAMPS. It is understood and agreed that the lamps and posts furnished by the Contractor under this contract shall be and remain his property during the term of this contract and at the termination thereof, providing however, that at the expiration of this contract the City shall have the option to purchase posts furnished by the Contractor at the cost price of their installation.

7. CANDLE POWER DEFINED. Whenever "candle power" is mentioned in these specifications it shall be understood to apply to the intensity of light emitted by the incandescent mantle in the horizontal direction in terms of the "International Candle" as recognized by the U. S. Bureau of Standards at the time of making this contract.

8. CARE OF LAMPS. The Contractor must care for the lamps in an efficient manner and keep them in good operating order, replace all broken mantles or glassware at his own expense. All fragments of broken glassware or litter of any repair work must be promptly removed from the street by the Contractor. Any lamp reported defective must be remedied by the Contractor within twenty-four (24) hours after receiving such notice. Lamps to be cleaned by the Contractor at least once every ten (10) days, or oftener if necessary to give satisfactory service, at his own expense.

9. PAINTING LAMPS. The Contractor shall paint the lantern frames of lamps once a year after the first year where lamps are understood to be new, with one coat of good aluminum bronze paint unless frames and trimmings are made of copper.

10. PAINTING OF POSTS. The Contractor shall paint the posts with one coat of good quality oxide paint ground in oil, of a quality and color approved by the Board of Public Works at least once each three years, and shall keep posts well painted to the satisfaction of the Board of Public Works.

11. ADDITIONAL LAMPS. The Contractor shall install additional lamps at such points as designated by the Board of Public Works when ordered to do so within ten (10) days after receipt of written order from the Board of Public Works. He must notify the City when such lamps are first lighted and include the price for such additional lights in his monthly bill to the City charging only for the fractional part of month they have been in actual service.

12. LAMPS TO BE DISCONTINUED. The City may during the term of this contract discontinue lamps and the Contractor shall

discontinue lighting and remove his lamps within ten (10) days after receipt of written order of the Board of Public Works, providing however that at no time shall the total number of lamps be reduced to less than the minimum number as stated in Section 2 of these specifications. The Contractor shall notify the City when lamps are discontinued and shall bill the City for the fraction of a month such lamps were lighted during the month in which they were discontinued.

13. HEIGHT OF LAMPS. The height of all lamps shall be not less than ten (10) feet nor more than twelve (12) feet above the ground where the same respectively are located.

14. STREET SIGNS. The City may require the Contractor to equip his lamps located at street intersections with street signs approved by the Board of Public Works. The City will provide these street signs and the Contractor will provide the necessary brackets or fixtures to install them without any additional expense to the City.

15. MEASUREMENT OF GAS SUPPLIED. The City will provide and allow the Contractor to use in the lamps artificial gas at the rate of not more than $3\frac{1}{2}$ cubic feet per hour per burner without charge to the Contractor, to enable him to produce the lighting, but for any excessive rate of gas consumption above this amount, the City shall hold the Contractor responsible. The quality and pressure of the gas to be furnished is fully described in the Instructions to Bidders, Clause 7.

In order to determine the average rate of consumption by the lamp burners as adjusted in service on the streets, the City may make tests from time to time during the life of the contract. For this purpose the lamps will be divided into districts geographically distributed and from these districts not more than 4 per cent nor less than 2 per cent of the burners in service shall be selected at random by the City and tested by meter. The average rate of consumption of all the burners so tested shall be taken to represent the average rate of gas consumption.

If the average amount of gas per hour per burner thus determined is more than $3\frac{1}{2}$ cubic feet, the Contractor shall agree to a reduction in the monthly payments made under this contract. This amount shall be determined by multiplying the excess amount of gas in cubic feet per hour per burner by the number of hours burning during the preceding 30 days (assumed at 325 hours). The amount of excess gas for each burner so determined shall be multiplied by the number of lamps in the district. This total excess amount of gas shall be charged to the lighting Contractor at the same rate the

City pays and this amount of money shall be deducted from the next payment due the Contractor.

The Contractor will then be required to readjust his burners so that the gas consumption will not exceed $3\frac{1}{2}$ cubic feet per hour per burner or a reduction will be made in subsequent monthly payments in an amount to be determined in the same manner as described in the preceding paragraph.

16. TESTS. The City shall have the right at any time to test the lamps furnished under this contract to determine if the minimum candle power being rendered. Photometric tests may be made of the lamps in service on the streets. The method of making such tests shall be determined by the Board of Public Works and shall be in accordance with what, in its opinion, represents the best method employed elsewhere for the same purpose. When candle power tests are made on the streets the enclosing glass globe and chimney, if used, shall remain in place around the incandescent element and an allowance made for the absorption of light by said glassware; with clear glass globes this allowance will be 10 per cent. The measurements for candle power will be made of the intensity of light emitted in the horizontal direction and unobstructed with the exception of that produced by the glassware which has been provided for.

Tests to determine the candle power delivered shall be made on at least 4 per cent of all the lamps in service, selected at random and the number so selected shall be evenly distributed throughout the City and shall be tested in sequence until the proportion of the whole has been tested in any district. The average horizontal candle power determined from said tests of not less than 4 per cent of all lamps in service shall be taken to represent the average candle power delivered by all the lamps in service for the calendar or contract month in which such tests are made. If the average candle power so determined shall fall below the minimum required by this contract, then the Contractor shall be paid for that month's service a sum equal to the proportion that the average candle power determined bears to the minimum candle power required, multiplied by one-twelfth of the yearly contract price and this amount multiplied by the average number of lamps in service during the month. Provided, however, that no deduction in payment shall be made if the deficiency in candle power shown by the lamps is due to deficiency in the quality or pressure of the gas which is defined in Instructions to Bidders, Clause 7, but in making any claims for leniency the Contractor must prove by calorimetric and pressure tests of the gas furnished that such deficiency exists.

17. NOTIFICATION. The Contractor will be notified in due

time when tests are to be made so that he can have a representative present.

18. LIGHTING SCHEDULE AND DEDUCTIONS. The length of time each lamp shall be kept lighted during the year shall be 3,959 hours and 15 minutes and each light shall be turned on and turned off in reasonable conformity with the following time schedule, which is based on Central Standard Time. (See Schedule.)

Lights not burning will be reported by the Police Department of the Superintendent of Lighting of the City Engineer's Department and a record kept of such outages.

It is hereby agreed that deductions proportionate to the number of hours that the lamp was not burning shall be made in monthly payments, to the Contractor, for such lamps. Any lamp reported out of the Police Department will be considered out for the remainder of that night, unless reported on by the Contractor. Lamps having mantles so badly broken as to be giving substantially no light will be considered out.

In case any lamp is not lighted at the time specified in the aforesaid schedule or is extinguished before the time specified, it is hereby agreed that a deduction in the monthly payments, proportionate to double the number of hours the lamp was not burning, shall be made for each lamp not so lighted, provided, however, that no deduction will be made for a variation from the lighting schedule which does not exceed thirty minutes.

19. PAYMENTS. Partial payments will be made on or before the tenth day of each month, such payments being computed as one-twelfth of the price bid per year, for each lamp which has been lighted for the whole of the preceding month. Lamps which have been lighted a portion of the month only will be paid for as otherwise provided for in these specifications. Monthly payments will, however, be subject to the deductions provided for.

20. All sidewalks, street pavements or lawns that said Contractor at any time may open or intrench shall immediately be put in as good condition and repair as the same were before such openings were made to the satisfaction and approval of the Board of Public Works.

21. The Contractor agrees to indemnify and save harmless the City against any and all claims which may be made by reason of any infringement or any patent right in use of the lamp apparatus which may be used in operating or maintaining the lamps furnished.

Beginning	Time for Lighting P. M.	Time for Extinguishing A. M.	Total Hours for month	Net Hours for month
Jan. 1	4:12	6:27		
8	4:22	6:22		
15	4:32	6:17		
22	4:42	6:12		
29-31	4:47	6:07	428:30	
	Less allowance for extinguished time		2:30	426:00
Feb. 1-4	4:47	6:07		
5	4:57	6:02		
12	5:07	5:57		
16	5:07	5:52		
19	5:17	5:47		
23	5:17	5:42		
26-28	5:22	5:32	358:15	
	Less allowance for extinguished time		2:30	355:45
Mar. 1	5:22	5:32		
2	5:22	5:27		
5	5:32	5:17		
12	5:42	5:07		
19	5:52	4:57		
25-31	5:57	4:47	353:10	
	Less allowance for extinguished time		2:30	350:40
Apr. 1	5:57	4:47		
2	6:07	4:37		
6	6:07	4:32		
9	6:17	4:22		
16	6:27	4:17		
19	6:27	4:12		
23	6:37	4:02		
30	6:47	3:52	298:10	
	Less allowance for extinguished time		2:30	295:40
May 1-6	6:47	3:52		
7	6:57	3:42		
11	6:57	3:37		
14	7:07	3:27		
21	7:12	3:22		
28-31	7:12	3:17	263:20	
	Less allowance for extinguished time		2:30	260:50

Beginning	Time for Lighting P. M.	Time for Extinguishing A. M.	Total Hours for month	Net Hours for month
June 1-3	7:12	3:17		
4	7:17	3:12		
11	7:17	3:07		
18	7:22	3:07		
25-30	7:27	3:07	234:45	
	Less allowance for extinguished time__		2:30	230:15
July 1	7:27	3:07		
2	7:22	3:07		
9	7:17	3:12		
16	7:12	3:17		
23	7:07	3:22		
30-31	7:02	3:27	248:30	
	Less allowance for extinguished time__		2:30	246:00
Aug. 1-5	7:02	3:27		
6	6:57	3:37		
13	6:47	3:47		
20	6:37	3:52		
27-31	6:27	3:57	278:00	
	Less allowance for extinguished time__		2:30	275:30
Sept. 1-2	6:27	3:57		
3	6:17	4:07		
7	6:12	4:07		
10	6:02	4:17		
17	5:52	4:27		
21	5:47	4:27		
24	5:37	4:37		
28-30	5:32	4:37	311:25	
	Less allowance for extinguished time__		2:30	308:55
Oct. 1	5:22	4:42		
8	5:12	4:52		
13	5:07	4:52		
15	4:57	5:02		
22	4:57	5:07		
29-31	4:37	5:17	370:05	
	Less allowance for extinguished time__		2:30	367:35
Nov. 1-4	4:27	5:27		
5	4:27	5:27		
12	4:17	5:32		
19	4:12	5:42		
26-30	4:07	5:52	397:40	
	Less allowance for extinguished time__		2:30	295:10

Beginning	Time for Lighting P. M.	Time for Extinguishing A. M.	Total Hours for month	Net Hours for month
Dec. 1-2	4:07	5:52		
3	4:02	5:57		
10	3:57	6:07		
17	3:57	6:17		
24	4:02	6:22		
26	4:07	6:22		
31	4:12	6:27	438:35	
Less allowance for extinguished time--			2:30	436:05
Total number of hours for year-----				<u>3,950:25</u>

Approved—Dec. 16, 1921.

MARK H. MILLER

R. A. SHIRLEY

I. W. LEMAUX

Board of Public Works" and

WHEREAS, the above contract by and between the City of Indianapolis and the Welsbach Street Lighting Company of America was duly ratified, confirmed and approved, as provided by law, by the Common Council of the City of Indianapolis by the passage of General Ordinance No. 98, 1921, duly published and contained in the bound volume of Proceedings of the Common Council of the City of Indianapolis for the year 1921, published by authority of said Council, said ordinance having been passed, signed by Charles W. Jewett, Mayor of the City of Indianapolis, and delivered by him to George O. Hutsell, City Clerk of the City of Indianapolis, all on December 9, 1921, and said contract thereby became in full force and effect for the term from December 28, 1921, to December 28, 1924; and

WHEREAS, on the 19th day of December, 1924, an extension agreement in writing was entered into by and between the aforesaid Welsbach Street Lighting Company of America and the City of Indianapolis, by and through its then Board of Public Works, and approved by the mayor of said city, Samuel L. Shank, extending the term of the original contract which had been ratified and approved by General Ordinance No. 98, 1921, aforesaid, for a further term of two years from December 28, 1924, to December 28, 1926, and upon all the other provisions of said original contract; and

WHEREAS, on the 22nd day of December, 1926, another extension agreement in writing was entered into by and between the

aforesaid Welsbach Street Lighting Company of America and the City of Indianapolis, by and through its then Board of Public Works and approved by the mayor of said city, John L. Duvall, further extending the term of the original contract which had been ratified and approved by General Ordinance No. 98, 1921, and of the first extension thereof, as aforesaid, said second extension being for a further term of two years from December 29, 1926, to December 28, 1928, upon all the other provisions of said original contract; and

WHEREAS, neither of these extension agreements, due to oversight of said Board of Public Works, was ever submitted to the Common Council of the City of Indianapolis for ratification or approval by ordinance, as the law requires; and

WHEREAS, service has been rendered each year pursuant to the terms of the original contract and its two extensions, mentioned above, by the Welsbach Street Lighting Company of America to the City of Indianapolis, and said Common Council has had full knowledge thereof and has each year duly appropriated money for the use of said Board of Public Works for the purpose of paying for said service and under the belief that said extension agreements were valid and in effect; and

WHEREAS, the Welsbach Street Lighting Company of America has a claim of Four Thousand Seven Hundred Forty-Four Dollars and Sixty-Three Cents (\$4,744.63), or as the records of said city may determine to be justly due and owing, against the city of Indianapolis for services rendered from September 1, 1927, to December 31, 1927, inclusive, pursuant to this agreement and its extensions with the city, mentioned aforesaid, which said claim was not paid for lack of funds therefor and which can not lawfully be paid by the City of Indianapolis without due ratification by the Common Council of the City of Indianapolis of the two extension agreements mentioned above; and said claimant has agreed to waive all interest on its said claim and to pay all costs and expenses for court proceedings, on issue of bonds, or otherwise, required for payment of the principal sum found due it, in consideration of this due ratification of said defective extension contracts, NOW, THEREFORE,

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

Section 1. That in consideration of the premises, the memorandum agreement entered into by and between the aforesaid Welsbach Street Lighting Company of America and the City of Indian-

apolis, by and through its then Board of Public Works, on the 19th day of December, 1924, which said agreement is as follows:

MEMORANDUM AGREEMENT

“WHEREAS, the City of Indianapolis on Dec. 28, 1921, entered into a contract with the Welsbach Street Lighting Company of America (see Miscellaneous Resolution No. 242) and

“WHEREAS, the said contract will expire on the 28th day of December, 1924, and

“WHEREAS, it is deemed to the mutual advantage and benefit of both of said contracting parties that the said contract should be extended under the provisions of said contract for a further period of two (2) years—making a five (5) year period as provided in said contract, it is hereby agreed that the contract heretofore entered into by and between the City of Indianapolis and the Welsbach Street Lighting Company of America, is hereby extended for a period of two (2) years from Dec. 28, 1924, and that the provisions of said contract as made, Dec. 28, 1921, shall remain and be in full force and effect for the further period of two (2) years—and it is further agreed that a new bond with security to the approval of the Board of Public Works in the sum of Thirty-five Hundred Dollars (\$3,500), covering said two (2) years period as fully as the bond formerly executed covered the former period, shall be furnished by said Welsbach Street Lighting Company of America.

“IN WITNESS WHEREOF, the said parties have hereto set their hands and seals this 19th day of December, 1924.

WELSBACH STREET LIGHTING COMPANY OF AMERICA
By ARTHUR E. SHAW, President.

Attest: Amelia F. Torr, Assistant Secretary.

CITY OF INDIANAPOLIS
By CHARLES E. COFFIN
W. H. FREEMAN
M. J. SPENCER
Board of Public Works.

Approved:

SAMUEL L. SHANK, Mayor.”

“KNOW ALL MEN BY THESE PRESENTS: That we, Welsbach Street Lighting Company of America, as principal and American Surety Company of New York as surety, are held firmly bound unto the City of Indianapolis in the sum of \$3,500.00 to be paid to the City of Indianapolis, its successors or assigns for which payment, well and truly to be made, we bind ourselves, our successors, our several and respective heirs, and legal representatives jointly and severally by these presents.

“THE CONDITION OF THIS OBLIGATION IS SUCH, THAT

“WHEREAS, the above bounden principal did on the 28th day of December, 1921, enter into a contract in writing with the City of Indianapolis, to furnish gas lamps and equipment and to maintain and operate gas lamps on the gas street lamp posts of the City of Indianapolis; and

“WHEREAS, the said contract has been extended for a period of two (2) years from Dec. 28, 1924, the provisions of which shall remain in full force and effect.

“NOW, THEREFORE, if the said principal shall well and truly perform said contract, and extension thereof, in accordance with all of its terms and conditions as set forth in said contract, the specifications, instructions to bidders of the City of Indianapolis, and the proposal of said principal, all of which are a part of said contract, and shall meet and perform all obligations resting upon said principal under the terms of said contract, and extension thereof, then this obligation shall be void; otherwise to be and remain in full force and effect.

“Dated at Philadelphia, this 24th day of December, 1924.

WELSBACH STREET LIGHTING COMPANY OF AMERICA

By ARTHUR E. SHAW, President, Principal.

AMERICAN SURETY COMPANY OF NEW YORK

By ROBERT T. HOUSE, Resident Vice President.

Attest: E. G. RIEBEN, Resident Ass't Secy-Treas.

Attest: AMBROSE F. FON, Assistant Secretary.

B. Jacobs as to Surety.

be and the same is, together with all payments made thereunder, hereby in all things ratified, confirmed and approved in accordance with all the terms, provisions and conditions thereof, as to the date

when and the term for which the same purported to become and remain effective.

Section 2. That in consideration of the premises, the memorandum agreement entered into by and between the aforesaid Welsbach Street Lighting Company of America, and the City of Indianapolis, by and through its then Board of Public Works, as of the 22d day of December, 1926, which memorandum agreement is as follows:

MEMORANDUM AGREEMENT

“WHEREAS, the City of Indianapolis on Dec. 28, 1921, entered into a contract with the Welsbach Street Lighting Company of America (see Miscellaneous Resolution No. 242) and

“WHEREAS, the said contract will expire on the 28th day of December, 1926, and

“WHEREAS, it is deemed to the mutual advantage and benefit of both of said contracting parties that the said contract should be extended under the provisions of said contractor for a further period of two (2) years—making a seven (7) year period as provided in said contract, it is hereby agreed that the contract heretofore entered into by and between the City of Indianapolis and the Welsbach Street Lighting Company of America is hereby extended for a period of two (2) years from Dec. 28, 1926, and that the provisions of said contract as made Dec. 28, 1921, shall remain and be in full force and effect for the further period of two (2) years—and it is further agreed that a new bond with security to the approval of the Board of Public Works in the sum of Thirty-five Hundred Dollars (\$3,500.00), covering said two (2) year period as fully as the bond formerly executed covered the former period, shall be furnished by said Welsbach Street Lighting Company of America.

“IN WITNESS WHEREOF, the said parties have hereto set their hands and seals this 22d day of December, 1926.

WELSBACH STREET LIGHTING COMPANY OF AMERICA

By EUGENE S. KENBOLD, Vice President.

Attest: TIMOTHY J. O'NEILL, Asst-Secretary.

CITY OF INDIANAPOLIS

By R. C. SCHANEBERGER, President

L. H. TROTTER

OREN T. HACK

Board of Public Works.

BOND

“KNOW ALL MEN BY THESE PRESENTS; that we Welsbach Street Lighting Company of America, as principal, and American Surety Company of New York, as surety, are held and firmly bound unto the City of Indianapolis in the sum of \$3,500.00 to be paid to the City of Indianapolis, its successors or assigns for which payment, well and truly to be made, we bind ourselves, our successors, our several and respective heirs, and legal representatives jointly and severally by these presents.

“THE CONDITION OF THIS OBLIGATION is such, that

“WHEREAS, the above bounden principal did on the 22d day of December, 1926, enter into a contract in writing with the City of Indianapolis, to furnish gas lamps and equipment and to maintain and operate gas lamps on the gas street lamp posts of the City of Indianapolis.

“NOW, THEREFORE, if the said principal shall well and truly perform said contract in accordance with all of its terms and conditions as set forth in said contract, the specifications, instructions to bidders of the City of Indianapolis, and the proposal of said principal, all of which are a part of said contract and shall meet and perform all obligations resting upon said principal under the terms of said contract, then this obligation shall be void; otherwise to be and remain in full force and effect.

“Dated at Philadelphia, this 23d day of December, 1926.

WELSBACH STREET LIGHTING COMPANY OF AMERICA
By EUGENE S. KENBOLD, Vice President.

AMERICAN SURETY COMPANY OF NEW YORK
By JOS. T. BLACK, Resident Vice President.
E. C. RIEBEN, Resident Assistant Secretary.

Attest:

TIMOTHY J. O'NEILL, Assistant Secretary
R. M. LEITZ, as to Surety.

Approved, Dec. 31, 1926:

R. C. SHANEBERGER
L. H. TROTTER
OREN T. HACK
Board of Public Works.”

be and the same is, together with all payments made thereunder, hereby in all things ratified, confirmed and approved in accordance with all the terms and provisions and conditions thereof, as of the date when and the terms for which the same purported to become and remain effective.

Section 3. This ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee composed of Mr. White, Chairman; Mr. Springsteen, Mr. Harris.

By Mr. Raub:

GENERAL ORDINANCE NO. 86, 1928

AN ORDINANCE to amend General Ordinance No. 114, 1922, entitled: "And 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 U2 or apartment house district, the A4 or 1,200 square foot area district and the H1 or 50 foot height 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 on the north property line of Sixteenth street at its intersection with the west property line of the first alley east of Delaware street; thence north with the west line of said alley to the south property line of the first alley north of Sixteenth street;

thence west with said south alley line to the east property line of the first alley west of Delaware street; thence south with said east alley line to the north property line of Sixteenth street; thence east with said north line to the point or place of beginning.

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

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

ORDINANCES ON SECOND READING

Mr. Harris called for General Ordinance 77, 1928, for second reading. It was read a second time.

Mr. Harris presented the following written motion to amend General Ordinance 77, 1928:

Indianapolis, Ind., November 19, 1928.

Mr. President—

I move that General Ordinance No. 77, 1928, be amended by striking out the figure, "\$2,500.00," and inserting in lieu thereof the following: "\$2,300.00."

E. W. HARRIS,
Councilman.

The motion to amend was seconded by Mr. White, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

On motion of Mr. Harris, seconded by Mr. Springsteen, General Ordinance 77, 1928, as amended, was

ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 77, 1928, was read a third time by the Clerk, as amended, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Lieber called for General Ordinance 83, 1928, for second reading. It was read a second time.

Mr. White presented the following written motion to amend General Ordinance 83, 1928:

Indianapolis, Ind., November 19, 1928.

Mr. President—

I move that General Ordinance No. 83, 1928, be amended by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. That the U1 or residence district, the A3 or 2,400 square foot area district, and the H1 or 50 foot height district, as established by General Ordinance No. 114, 1922, and amendments thereto, be and the same are hereby amended, supplemented and changed so as to include the following described territory:

Beginning on the east property line of Denny street at its intersection with the north property line of Twelfth street; thence north on and along the east property line of Denny street to a point 77.2 feet south of the south property line of Sixteenth street; thence east to the west property line of the first alley east of Denny street; thence south on and along said west property line to the north property line of Twelfth street; thence west on and along the north property line of Twelfth street to the point or place of beginning.

JOHN F. WHITE,
Councilman.

The motion to amend was seconded by Mr. Lieber, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

On motion of Mr. Lieber, seconded by Mr. White, General Ordinance 83, 1928, as amended, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 83, 1928, was read a third time by the Clerk, as amended, and passed by the following roll-call vote:

Ayes, 7, viz: Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. White and President Raub.
Noes, 2, viz: Mr. Buchanan, Mr. Springsteen.

Mr. Meurer called for General Ordinance 78, 1928, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Springsteen, General Ordinance 78, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 78, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Meurer called for General Ordinance 79, 1928, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Springsteen, General Ordinance 79, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 79, 1928, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Meurer called for General Ordinance 80, 1928, for second reading. It was read a second time.

On motion of Mr. Meurer, seconded by Mr. Springsteen, General Ordinance 80, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 80, 1928, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Lieber called for General Ordinance 82, 1928, for second reading. It was read a second time.

On motion of Mr. Lieber, seconded by Mr. Springsteen, General Ordinance 82, 1928, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 82, 1928, was read a third time by the Clerk, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Nicholson called for General Ordinance 81, 1928, for second reading. It was read a second time.

On motion of Mr. Nicholson, seconded by Mr. White, General Ordinance 81, 1928, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance 81, 1928, was read a third time by the Clerk and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

Mr. Springsteen called for General Ordinance 70, 1928, for second reading. It was read a second time.

Mr. Harris presented the following written motion to amend General Ordinance 70, 1928:

Indianapolis, Ind., November 19, 1928.

Mr. President—

I move that General Ordinance No. 70, 1928, be amended to read as follows:

GENERAL ORDINANCE NO. 70, 1928.
(As Amended)

AN ORDINANCE regulating traffic upon the streets, alleys and public places of the City of Indianapolis, defining violations thereof, repealing all other Ordinances and sections of Ordinances in conflict herewith, declaring a penalty for the violation thereof and designating a time when the same shall take effect.

Be It Ordained by the Common Council of the City of Indianapolis, Indiana: That the following traffic code be adopted for the City of Indianapolis, Indiana:

ARTICLE I

DEFINITIONS

Section 1. Wherever in this Ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section.

a. *Street or Highway*: Every way set apart for public travel, except foot paths.

b. *Private Road or Driveway*: Every road or driveway not open to the use of the public for purposes of vehicular travel.

c. *Roadway*: That portion of a street or highway between the regularly established curb lines or that part devoted to vehicular traffic.

d. *Sidewalk*: That portion of a street between the curb lines and the adjacent property lines.

e. *Intersection*: The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more streets or highways which join one another at an angle whether or not one such street or highway crosses the other.

f. *Crosswalk*: That portion of a roadway ordinarily included within the prolongation of curb and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.

g. *Vehicle*: Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationery rails or tracks.

h. *Safety Zone*: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

i. *Motor Vehicle*: Every vehicle, as herein defined, which is self propelled.

j. *Street Car*: Every device traveling exclusively upon rails while upon or crossing a street, other than cars or trains propelled or moved by steam.

k. *Authorized Emergency Vehicle*: Vehicles of the Fire Department, Vehicles of the Police Department, Vehicles of the Salvage Corps, Emergency Ambulances, both public and private, shall be considered Authorized Emergency Vehicles in the order named herein.

l. *Pedestrian*: Any person afoot.

m. *Operator*: Any person who is in actual physical control of any vehicle.

n. *Traffic*: Pedestrians, ridden or herded animals, vehicles, street-cars and other conveyances either singly or together while using any street for purposes of travel.

o. *Right-of-Way*: The privilege of the immediate use of the street or highway.

p. *Parking*: The standing of a vehicle, whether occupied or not, upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience of traffic regulations or traffic signs or signals.

q. *Official Traffic Signs*: All signs, markings and devices, other than signals, not inconsistent with this

Ordinance, placed or erected by authority of the Board of Public Safety for the purpose of guiding, directing, warning or regulating traffic.

r. *Official Traffic Signals*: All signals, not inconsistent with this Ordinance, placed or erected by authority of the Board of Public Safety for the purpose of directing, warning or regulating traffic.

s. *Traffic Control Signal*: Any device using colored lights, or words, or any combination thereof, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

t. *Police Officer*: Every officer of the Police Department of the City of Indianapolis, or any officer authorized to direct or to regulate traffic or to make arrests for violations of traffic regulations.

u. *Congested District*: That part of the City of Indianapolis included within the limits of the north curb line of Michigan street on the north, the west curb line of Senate avenue on the west, the north curb line of South street on the south, and the east curb line of New Jersey street on the east.

ARTICLE II

AUTHORITY OF POLICE

SECTION 2. *Police to Direct Traffic*. It shall be the duty of the Police Department of this city to enforce the provisions of this Ordinance. Officers of the Police Department are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of this Ordinance, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police or Fire Departments may direct traffic, as conditions may require, notwithstanding the provisions of this Ordinance.

SECTION 3. *Board of Public Safety May Adopt Emergency Regulations*: The Board of Public Safety is hereby empowered to make and enforce regulations necessary to make effective the provisions of this Ordinance and to make and enforce temporary regulations to cover emergencies or special conditions.

SECTION 4. *Obedience to Police*: It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a police officer.

SECTION 5. *Public Employees to Obey Traffic Regulations*: The provisions of this Ordinance shall apply to the operator of any vehicle owned by or used in the service of the United States Government, the government of the State of Indiana, the County of Marion and the City of Indianapolis, and it shall be unlawful for any said operator to violate any of the provisions of this Ordinance, except as otherwise permitted in this Ordinance.

SECTION 6. *Exemption to Authorized Emergency*

Vehicles: The provisions of this Ordinance regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles as defined in Section 1 of this Ordinance while the operator of such vehicle is operating the same in an emergency in the necessary performance of public duties. This exemption shall not, however, protect the operator of any such vehicle from the consequence of a reckless disregard of the safety of others.

SECTION 7. *Pushcarts, Bicycles, and Animals:* Every person propelling any pushcart or riding a bicycle or an animal upon a roadway, and every person driving any animal, shall be subject to the provisions of this Ordinance applicable to the operator of any vehicle, except those provisions of this Ordinance with reference to the equipment of vehicles and except those provisions which by their very nature can have no application.

ARTICLE III

TRAFFIC SIGNS AND SIGNALS

SECTION 8. *Traffic Signs and Signals:* (a) The Board of Public Safety shall determine and designate the character or type of all official traffic signs and signals and said Board of Public Safety shall place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the City.

(b) No provision of this Ordinance for which signs are required shall be enforceable against an alleged violator, if, at the time and place of the alleged violation the sign herein required is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being erected to give notice thereof.

SECTION 9. *Obedience to Traffic Signs and Signals:* It shall be unlawful for any operator or for the motorman of any street car to disobey the instructions of any official traffic sign or signal placed in accordance with the provisions of this Ordinance, unless otherwise directed by a police officer.

SECTION 10. *Traffic Control Signal Legend:* Whenever traffic at an intersection is alternately directed to proceed and to stop by the use of signals exhibiting colored lights or the words "Go," "Change," or "Caution," and "Stop," said lights and terms shall indicate as follows, except as provided in Section 16:

(a) Green or "Go"—Traffic facing the signal may proceed, except that vehicular traffic shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited.

(b) Yellow or "Caution" or "Change," when shown following the Green or "Go" signal—Traffic facing the signal shall stop before entering the intersection unless so close to the intersection that a stop can not be made in safety.

(c) Red or "Stop"—Traffic facing the signal shall stop before entering the intersection and remain standing until the Green or "Go" signal is shown alone.

SECTION 11. *Display of Unauthorized Signs and Signals Prohibited*: It shall be unlawful for any person, firm or corporation to place or maintain or to display upon or in view of any street any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic or which hides from view any official traffic sign or signal. Every such prohibited sign, signal or device is hereby declared to be a public nuisance, and the Board of Public Safety is hereby empowered to remove the same, or cause it to be removed, without notice.

SECTION 12. *Interference with Signs and Signals Prohibited*: It shall be unlawful for any person to wilfully deface, injure, move, obstruct or interfere with any official traffic sign or signal.

SECTION 13. *Board of Public Safety Authorized to Designate Crosswalks*: The Board of Public Safety is hereby authorized to establish and to designate and shall thereafter maintain, or cause to be maintained, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at such intersections where in their opinion there is particular danger to pedestrians crossing the roadway, and at such other places as they may deem necessary.

SECTION 14. *Board of Public Safety Authorized to Designate Safety Zones and Lanes for Traffic*: (a) The Board of Public Safety is hereby empowered to establish Safety Zones of such kind and character and at such places as they may deem necessary for the protection of pedestrians and the same shall be so marked off and indicated by painted lines, discs, standards, or loading platforms so as to be plainly visible at all times.

(b) The Board of Public Safety is also authorized to mark lanes for traffic on street pavements at such places as they may deem advisable, consistent with the provisions of this Ordinance.

(c) The Board of Public Safety is also empowered to determine and designate those intersections at which operators of vehicles shall not make a left or right turn and shall place or cause to be placed proper signs at such intersections.

ARTICLE IV

PEDESTRIANS' RIGHTS AND DUTIES

SECTION 15. *Pedestrians' Right of Way*. (a) The operator of any vehicle shall yield the right of way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the

end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals, or at any point where a pedestrian tunnel or overhead crossing has been provided.

(b) Whenever any vehicle has stopped at a marked crosswalk or any intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass such stopped vehicle.

(c) Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right of way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty to exercise due care for the safety of pedestrians.

(d) It shall be unlawful for any pedestrian to cross the roadway at or within an intersection within the Congested District in a diagonal direction or in any other manner than is specifically provided in this Ordinance.

SECTION 16. *Pedestrians' Rights and Duties at Controlled Intersections.* (a) On streets where traffic at intersections is controlled by traffic control signals or by police officers, pedestrians shall not cross a roadway or intersection against a Red or "Stop" signal. A pedestrian crossing or starting to cross any such crosswalk on a green or "Go" signal shall have the right of way over all vehicles, including those making turns, until such pedestrian has reached the opposite curb or safety zone, and it shall be unlawful for the operator of any vehicle to fail to yield the right of way to any such pedestrian.

(b) On all streets within the Congested District as defined by this Ordinance where traffic at intersections is controlled by traffic control signals or by police officers, pedestrians shall not cross the roadway or street between such controlled intersections except at a marked or unmarked crosswalk.

SECTION 17. *Pedestrians to Use Right Half of Crosswalks:* Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

SECTION 18. *Pedestrians Soliciting Rides:* It shall be unlawful for any person to stand in a roadway for the purpose of soliciting a ride from the operator of any private vehicle.

ARTICLE V

STREET CARS AND RAILROAD TRAINS

SECTION 19. *Passing Street Cars:* (a) The operator of a vehicle shall not overtake and pass upon the left any street car proceeding in the same direction, whether actually in motion or temporarily at rest. This provision shall not apply to one-way streets.

(b) The operator of a vehicle overtaking any street car stopped or about to stop for the purpose of receiving or discharging any passenger, shall stop such vehicle

at a distance not less than six (6) feet from the rear thereof and shall keep such vehicle stationary until any such passenger has boarded such car or reached a place of safety, except that where a Safety Zone has been established, a vehicle need not be stopped before passing any such street car, but may proceed past such street car at a speed not greater than is reasonable or proper, and with due caution for the safety of pedestrians. This provision shall not apply to passing upon the left any street car on a one-way street.

SECTION 20. *Driving on Street Car Tracks*: (a) It shall be unlawful for the operator of any vehicle proceeding upon any street car tracks in front of a street car upon a public street, to fail to remove such vehicle from the tracks as soon as practicable after signal from the operator of said street car.

(b) When a street car has started to cross an intersection, no operator shall drive upon or across the car tracks within the intersection in front of said street car.

SECTION 21. *Driving Through Safety Zone Prohibited*: It shall be unlawful for the operator of any vehicle at any time to drive the same over or through a Safety Zone as defined in this Ordinance.

SECTION 22. *Boarding or Alighting from Street Cars or Vehicles*: It shall be unlawful for any person to board or alight from any street car, bus or other vehicle while such street car, bus or other vehicle is in motion.

SECTION 23. *Unlawful Riding*: It shall be unlawful for any person to ride on any street car, bus or other vehicle upon any portion thereof not designed or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or within truck bodies in space intended for merchandise.

SECTION 24. *Railway Trains and Street Cars Not to Block Street*: It shall be unlawful for the directing officer or the operator of any steam or street railway train or car to direct the operation of or to operate the same in such a manner as to prevent the use of any street or roadway within the city for purposes of travel for a period of time longer than five (5) minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching. It shall be unlawful for any street railway train, public bus or car to stop within an intersection or on crosswalk for the purpose of receiving or discharging passengers.

ARTICLE VI

STOPPING, STANDING, AND PARKING

SECTION 25. *Stopping Prohibited in Specified Places at All Times*: It shall be unlawful for the operator of any vehicle to stop, stand or park the same at any time for any purpose in any of the following

places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal:

- (1) Within an intersection.
- (2) On a crosswalk.
- (3) Between a Safety Zone and the adjacent curb or within twenty (20) feet of points on the curb immediately opposite the ends of a Safety Zone, unless the Board of Public Safety shall indicate a different length by proper signs.
- (4) Within twenty-five (25) feet from the intersection of curb lines.
- (5) Within thirty (30) feet upon the approach of any flashing beacon, stop sign or traffic control signal located at the side of the roadway.
- (6) Within fifteen (15) feet of the driveway entrance to any fire station.
- (7) Within fifteen (15) feet of any fire hydrant.
- (8) In front of any private driveway.
- (9) On a sidewalk.
- (10) Alongside of or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.
- (11) Upon any bridge or under any elevation within the city limits.

SECTION 26. *Standing for Loading or Unloading Only in Certain Places; Permits:* (a) The Board of Public Safety shall have the authority upon request to determine, designate, and grant permits for the location of passenger zones and loading zones, in strict accordance with the provisions of this section.

(b) Whenever the owner or occupant of any premises having a frontage on any street shall present to the Board of Public Safety a written request for permission to establish and maintain during the time permitted in this Ordinance a "Passenger Zone" or a "Loading Zone" in front of such premises, said Board of Public Safety shall cause an investigation to be made by a properly designated officer of the necessity for such reservation of such curb space, and if, after investigation, it is the opinion of the Board of Public Safety that the establishment and maintenance of such passenger or loading zone is essentially necessary in the successful operation of the business conducted by such owner or occupant, then said Board of Safety may grant to such owner or occupant of such premises a Permit to establish and maintain a Passenger Zone or Loading Zone in front of such premises; provided, that such permit shall not be valid and operative until the holder thereof shall have paid to the City Comptroller of the City of Indianapolis an annual rental of Fifty Dollars (\$50.00) for the first eighteen (18) feet of space so reserved and an additional annual rental of Ten Dollars (\$10.00) for each additional foot of space so reserved, provided that not more than seventy-two (72) continuous feet of curb space shall be so re-

served and designated as Passenger or Loading Zones.

In addition to the annual rental fee provided for herein, the holder of any such Passenger Zone or Loading Zone permit, shall also deposit in the office of the City Comptroller the additional sum of Ten Dollars (\$10.00), one-half of which shall immediately go into the general fund of said city, for which deposit the City Comptroller shall give a receipt, which, when presented to the Chief of Police shall entitle such owner or occupant to receive two (2) iron markers, bearing the instruction, "No Parking, Passenger Zone," or "No Parking, Loading Zone," which markers such owner or occupant shall place securely upon the edge of the sidewalk facing the roadway at a distance apart not to exceed that for which the Permit calls during the time such space is actually being used either as a Passenger or Loading Zone between the hours of 7:00 a. m. and 7:00 p. m. only, and then only for the purposes as enumerated in said Permit granted by the Board of Public Safety.

Nothing contained in this section shall authorize the reservation of space for the parking of any owner's or occupant's own vehicle or vehicles. When there are two or more occupants of any certain premises who use a common entrance thereto, only one such space may be so reserved by any such Permit. Provided, further, that in addition to the penalties hereinafter provided, any owner or occupant holding any such Permit as provided for herein who is found guilty of violating any of the provisions of this section shall be deprived of the further use of such permit and "No Parking" markers, shall surrender same to the Chief of Police, and the balance of the ten dollars deposited with the City Comptroller shall be forfeited and become a part of the general fund of the City of Indianapolis. Provided, further, that when any holder of any such Permit as provided for herein shall voluntarily relinquish the same and return the markers which he received to the Chief of Police, then the balance of the ten dollars deposited with the City Comptroller shall be refunded to such holder of said Permit.

(c) It shall be unlawful for the operator of a vehicle to stop, stand or park the same for a longer period of time than is necessary for the expeditious loading or unloading of passengers in any place designated and marked as a passenger zone.

(d) It shall be unlawful for the operator of a vehicle to stop, stand or park the same for a longer period of time than is necessary for the expeditious loading or unloading of passengers, or for the loading, unloading, delivery or pick up of materials or merchandise, in any place designated and marked as a loading zone. Provided, that in no case shall the stop for loading and for unloading of materials exceed a total of thirty (30) minutes.

SECTION 27. *Board of Public Safety Required to Designate Bus Zones and Taxicab Stands:* The Board of Public Safety is hereby authorized and required to establish bus stop zones and taxicab stands within the Congested District on such streets and in such places and in such number as they shall determine to be of the greatest benefit and convenience to the general public, and every such bus zone and taxicab stand shall be designated by appropriate signs. Provided, however, that where public busses use streets having street car lines and within the Congested District, said busses shall use the street car Safety Zones for loading and unloading passengers. Outside of the Congested District busses shall stop parallel to the curb and on the near side of the crossing only for the purpose of taking on or discharging passengers.

SECTION 28. *Other Vehicles Prohibited from Parking in Bus Zones and Taxicab Stands:* It shall be unlawful for the operator of any vehicle other than a bus to stand or park in an officially designated bus stop zone, or for any vehicle other than a taxicab to stand or park in an officially designated taxicab stand, except that the operator of any passenger vehicle may temporarily stop in any such bus stop zone or taxicab stand for the purpose of and while actually engaged in loading or unloading of passengers.

SECTION 29. *Busses and Taxicabs Prohibited from Parking Except in Designated Places:* It shall be unlawful for the operator of any bus or taxicab to stand or park upon any street in the Congested District at any place other than at a bus stop zone or taxicab stand respectively, except that this provision shall not prevent the operator of any taxicab from temporarily stopping in accordance with other parking regulations for the purpose of and while actually engaged in loading or unloading passengers.

SECTION 30. *Parking Prohibited in Certain Places:*
(a) On all streets and avenues thirty (30) feet or less in width from curb to curb, the parking of vehicles shall be restricted to one side of such street or avenue; if such street or avenue runs north and south, parking of vehicles shall be on the west side only; if such street or avenue runs east and west, parking of vehicles shall be on the south side only, except as otherwise provided herein.

(b) It shall be unlawful for the operator of any vehicle to park the same at any time in any of the following places:

(1) On both sides of North Alabama Street, from Fort Wayne Avenue to Eleventh Street.

(2) On both sides of Bird Street, between Ohio and New York Streets.

(3) Belmont Street, on the west side, from Washington Street to Oliver Avenue.

- (4) On both sides of Central Avenue from Tenth to Eleventh Street.
- (5) Clifton Street, on the east side, from Roach to Thirty-fourth Street.
- (6) Eleventh Street, on the north side, from Illinois to Pennsylvania Street.
- (7) Eleventh Street, on the north side, from Alabama to Central Avenue.
- (8) Fort Wayne Avenue, on the east side, from Pennsylvania to St. Clair Street.
- (9) Fortieth Street, on the north side, from Illinois Street to Boulevard Place.
- (10) Forty-second Street, on the north side, from Carrollton to College Avenue.
- (11) Forty-second Street, on the south side, from Central to College Avenue.
- (12) Forty-sixth Street, on the south side, from Illinois Street to Monon R. R.
- (13) Fourteenth Street, on the south side, from Illinois to Meridian Street.
- (14) Fourteenth Street, on the south side, from Meridian to Pennsylvania Street.
- (15) Georgia Street, on the north side, from Noble to East Street.
- (16) Hawthorne Lane, on the west side, from Washington Street to Lowell Avenue.
- (17) Highland Drive, on the south side, from Broadway to College Avenue.
- (18) Howard Street, on the north side, from Harding Street to Belmont Avenue.
- (19) Illinois Street, on the east side, from Washington Street to Pearl Street.
- (20) Illinois Street, on the east side, between Washington Street and a point forty (40) feet north of Washington Street.
- (21) Meridian Street, on the east side, from Washington to Pearl Street.
- (22) Meridian Street, on the west side, from Bluff Avenue to the Belt R. R.
- (23) West New York Street, on the south side, Blake Street to White River.
- (24) New York Street, on the north side, from the Big Four R. R. to Emerson Avenue, including Marlowe Avenue between Dorman and Arsenal Streets.
- (25) Nineteenth Street, on the south side, from Illinois to Meridian Street.
- (26) Nineteenth Street, on the south side, from Delaware to New Jersey Street.
- (27) Park Avenue, on the west side, from Ruckle to Forty-second Street.
- (28) Pratt Street, on the north side, from Pennsylvania to Illinois Street.
- (29) Pennsylvania Street, on the west side, from Washington to Court Street.
- (30) Osage Street, on the west side, between Ohio and New York Street.

(31) Ruckle Street, on the east side, from Thirty-eighth to Forty-second Street.

(32) Ruckle Street, on the west side, from Park Avenue to Forty-second Street.

(33) St. Clair Street, on the north side, from Senate Avenue to the Monon R. R.

(34) St. Joseph Street, on the north side, from Pennsylvania to Illinois St.

(35) St. Joseph Street, on the north side, from Fort Wayne Avenue to Alabama Street.

(36) Seventeenth Street, on both sides, between Meridian and Pennsylvania Street.

(37) Seventeenth Street, on the north side, from Park Avenue to Talbott Avenue.

(38) Sixteenth Street, on the north side, from Senate Avenue to the Monon Railroad.

(39) Sixteenth Street, on both sides, from Pennsylvania to Delaware Street.

(40) Salem Street, on the west side, from Thirty-fourth to Thirty-eighth Street.

(41) Station Street, on the east side, from Roosevelt Avenue to Twenty-fifth Street.

(42) Tenth Street, on the north side, from Meridian Street to Indiana Avenue.

(43) Tenth Street, on the south side, from Capitol Avenue to the first alley west.

(44) Thirtieth Street, on the north side, from Fall Creek to White River.

(45) Twelfth Street, on the south side, from Meridian Street to Alabama Street.

(46) Walnut Street, on the north side, from Pennsylvania to Fort Wayne Avenue.

(47) Washington Street, from Oriental Street east and west to points 150 feet distant therefrom.

(48) Oriental Street, on the east side, from Southeastern Avenue north to Market Street.

(49) Johnson Avenue, on both sides, from Washington Street to the first alley south.

(50) Johnson Avenue, on the west side, from first alley south of Washington Street to Julian Avenue.

(51) Ritter Avenue, on both sides, from Washington Street a distance of two hundred (200) feet north and south thereof.

(52) Orange Street, on south side, from Leonard to Shelby Street.

(c) It shall be unlawful for the operator of any vehicle to park the same in any of the following places between the hours of 6:00 a. m. and 6:00 p. m., except Sunday and legal holidays:

(1) Henry Street, on the north side, from Illinois to Meridian Street.

(2) Liberty Street, on the west side, from North to Walnut Street.

(3) Noble Street, on the east side, from Virginia Avenue to Massachusetts Avenue.

(4) North Street, on the north side, from Cincinnati to Noble Street.

(5) Walnut Street, on the south side, from Liberty to Noble Street.

(d) It shall be unlawful for the operator of any vehicle to park the same in any of the following places at any time except temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or the directions of a police officer:

(1) Within a space of twenty-five (25) feet immediately in front of the entrance of any church, school, hotel, theater, motion-picture house, hospital, steam railway station, bus or interurban station, public meeting hall or public meeting place.

(2) Within any street or alley in the Congested District as defined in this Ordinance, where the width of same is less than forty (40) feet from curb to curb, which streets and alleys must be designated by the Board of Public Safety by appropriate signs on said streets and alleys, except on the south side of Court Street and the north side of Wabash Street, between Delaware and Pennsylvania Street from 6:30 p. m. to 2:00 a. m.

SECTION 31. *Parking Time Limit in Two Designated Districts*: (a) It shall be unlawful for the operator of any vehicle to park the same for a longer period of time than ONE HOUR between the hours of 8:00 a. m. and 7:00 p. m. of any day except Sunday and legal holidays, in the following described district: The district bounded by the south curb line of Maryland Street, the west curb line of Capitol Avenue, the north curb line of New York Street, and the east curb line of Delaware Street.

(b) It shall be unlawful for the operator of any vehicle to park the same for a longer period of time than ONE AND ONE-HALF HOURS in the Congested District and outside of the one-hour district defined in sub-section 31 (a) above.

(c) The Board of Public Safety shall erect and maintain or cause to be erected and maintained, appropriate signs in each block of the above described limited parking districts designating the provisions of this section.

SECTION 32. *Stopping at Curb to Load or Unload Merchandise*: (a) In places where, and at the hours when, stopping for the loading or unloading of merchandise or materials is permitted by the provisions of this Ordinance, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads, when the owner of such vehicle holds a permit granting him such privilege, and provided further that such permit shall be either in the possession of the operator or on the vehicle at the time such vehicle is backed against the curb to

take on or discharge a load, and it shall be unlawful for any owner or operator to violate any of the special terms or conditions of any such permit.

(b) The Board of Public Safety is hereby authorized and required to designate the proper officer in the Police Department whose duty it shall be to issue to the owner of any truck or vehicle used to transport merchandise or materials, a permit, renewable annually, and to state therein the terms and conditions thereof, allowing the owner or operator of such vehicle the privilege of loading and unloading while the vehicle is backed against the curb, if in the opinion of such Police Officer such privilege is reasonably necessary in the conduct of the owner's business and that the exercise of same will not seriously interfere with traffic.

SECTION 33. *All Night Parking Prohibited*: It shall be unlawful for the operator of any vehicle to park said vehicle on any street or alley for a period of time longer than one (1) hour between the hours of 2:00 o'clock a. m. and 6:00 o'clock a. m.

SECTION 34. *Standing or Parking Close to Curb*: (a) Except when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the curb or edge of such roadway, headed in the direction of the traffic, with the curb-side wheels of the vehicle within six inches of the curb or edge of the roadway, and with a clear space of three feet left ahead and behind the same, except as hereinafter provided.

(b) Within the Congested District as defined by this Ordinance, the parking of vehicles shall be at an angle of forty-five (45) degrees to the curb thereof on the following streets and avenues:

(1) Georgia Street, on the south side only, between Illinois and McCrea Streets.

(2) Market Street, on both sides, between Alabama and Delaware Streets.

(3) Ohio Street, on both sides, between Delaware and East Streets.

SECTION 35. *Parking Vehicle for Sale Prohibited*: It shall be unlawful for any person to park upon a street any vehicle displayed for sale.

SECTION 36. *Using Vehicle for Advertising Purposes Only Prohibited*: It shall be unlawful for any person to operate or to park on any street any vehicle for the primary purpose of displaying advertising of any nature.

ARTICLE VII

OPERATION OF VEHICLES

SECTION 37. *Drive on Right Side of Street*: Upon all streets and alleys, except one-way streets or alleys, the operator of a vehicle shall drive the same upon the right half of the street or alley and the operator

of any vehicle which is traveling at a speed less than fifteen (15) miles per hour shall drive the same as close as possible to the right-hand edge or curb of the street except when overtaking and passing another vehicle, subject to the limitations of state law applicable in overtaking and passing vehicles. Provided, however, that no operator shall drive a vehicle past another vehicle within a street intersection. The provisions of this section shall not be deemed to prevent the Board of Public Safety from marking lanes for traffic upon designated streets and the allocation of designated lanes to traffic moving in a particular direction or at designated speeds.

SECTION 38. *Turning at Intersections:* (a) The operator of a vehicle intending to turn to the right at an intersection or into an alley or driveway, shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the roadway, and in turning, shall keep as close as practicable to the right-hand edge or curb of such roadway. Provided, that an operator who is about to make a right turn while in traffic shall give notice of his intention by extending his left arm with the forearm raised at right angles and slow down.

(b) The operator of a vehicle intending to turn to the left at an intersection or into a driveway shall approach the point of turning in the lane for traffic to the right of and next to the center of the roadway, and shall, unless otherwise directed by "turning markers," pass to the right of the center of the intersection before turning. Upon streets laned for traffic and upon one-way streets, a left turn shall be made from the left lane of traffic. Provided, that an operator who is about to make a left turn while in traffic shall give notice of his intention by extending his left arm in a horizontal position and slow down.

(c) The Board of Public Safety is hereby authorized to place turning markers within or at the entrances to intersections, directing that traffic turning left shall follow a line of travel other than as directed in sub-section (b) of this section. Whenever such turning markers have been placed as herein provided, traffic turning to the left at such place shall follow the line as directed by such markers.

(d) The operator of a vehicle intending to turn to the left at an intersection where traffic is controlled by traffic control signals or by a police officer, shall proceed to make such left turn with proper care to avoid an accident and only upon the green or "Go" signal, unless otherwise directed by a police officer.

SECTION 39. *Turning Around.* It shall be unlawful for the operator of a vehicle to turn the same completely around so as to proceed in the opposite direction within the Congested District except at street intersections, provided that no such complete turns shall

be made at those intersections where left hand turns are prohibited and at no place or time shall such complete turn be made unless such movement can be made in safety and without backing or otherwise interfering with other traffic.

SECTION 40. *Emerging from Alley or Private Driveway*: The operator of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway. Provided also that the operator of any vehicle emerging from an alley, driveway or building in the Congested District shall not make a left-hand turn against the traffic but shall proceed right in the direction of traffic.

SECTION 41. *Driving on Sidewalk Prohibited; Backing of Vehicle Restricted*: (a) The operator of a vehicle shall not drive across or within any sidewalk area except at a permanent or temporary driveway and in the latter instance shall use due care not to break down the street curbing.

(b) No operator of any vehicle shall back the same on any street if at the time of so backing there is another vehicle approaching within a distance of fifty (50) feet from the rear thereof.

SECTION 42. *Operation of Vehicles on Approach of Authorized Emergency Vehicle*: Upon the approach of any authorized EMERGENCY vehicle or vehicles giving audible signal by bell, siren or exhaust whistle, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the roadway, clear of any intersection, and shall stop and remain in such position until the authorized EMERGENCY vehicle or vehicles shall have passed, unless otherwise directed by a police or fire department officer; and the operator of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized EMERGENCY vehicle or vehicles shall have passed, unless otherwise directed by a police or fire department officer; and the operator of any vehicle shall not drive the same into any street intersection if police or fire department or other authorized EMERGENCY vehicle or vehicles are approaching such street intersection within a distance of three hundred (300) feet thereof.

SECTION 43. *Following Fire Apparatus Prohibited*: It shall be unlawful for the operator of any vehicle, other than one on public official business, to follow closer than five hundred (500) feet any fire apparatus traveling in response to a fire alarm, or to drive into or stop any vehicle within the block where such fire apparatus has stopped in answer to a fire alarm.

SECTION 44. *Vehicles Must Stop Before Entering "Thru" Street*: The following streets and parts of

streets are hereby declared to constitute "THRU" streets for the purpose of this section:

(1) Any boulevard which is now or which may be established by the Common Council or the Board of Park Commissioners of this City.

(2) Alabama Street at Market Street.

(3) Burdsal Parkway, from Northwestern Avenue to East Riverside Drive.

(4) Capitol Avenue, from Washington Street to Westfield Boulevard.

(5) Central Avenue, from Thirty-fourth Street north to City Limits.

(6) Clifton Street, from Roach Street to Thirty-sixth Street.

(7) Delaware Street, from Washington Street north to Thirty-second Street.

(8) Harding Street, from Eighteenth Street to Twenty-ninth Street.

(9) Indiana Avenue, from Ohio Street to Sixteenth Street.

(10) Kentucky Avenue, from Washington Street to City Limits.

(11) Madison Avenue, from South Street to City Limits.

(12) Marlow Avenue, from Dorman Street to Arsenal Avenue.

(13) Massachusetts Avenue, from Ohio Street to the City Limits.

(14) Meridian Street, from Southern Avenue to the Canal.

(15) Michigan Street, east, from Big Four Railroad tracks to Emerson Avenue.

(16) Michigan Street, west, from White River west to City Limits.

(17) Morris Street, from Shelby Street west to City Limits.

(18) New York Street, east from Delaware Street to Dorman Street and from Arsenal Avenue to Emerson Avenue.

(19) Northwestern Avenue, from Fifteenth Street to City Limits.

(20) Oliver Avenue, from White River west to City Limits.

(21) Prospect Street, from Fountain Square east to Keystone Avenue.

(22) Sixteenth Street, from Sugar Grove Avenue to White River Parkway.

(23) State Street, from Michigan Street to Naomi Street.

(24) Tenth Street, east from Big Four Railroad tracks to Emerson Avenue, except that East Tenth Street traffic shall stop before entering or crossing Emerson Avenue.

(25) Thirtieth Street, from City Limits west to City Limits east.

(26) Thirty-fourth Street, from Meridian Street to Crown Hill between 8:00 a. m. and 6:00 p. m.

(27) Twenty-fifth Street, from Delaware Street east to Sherman Drive.

(28) Twenty-ninth Street, from Capitol Avenue west to East Riverside Drive.

(29) Virginia Avenue, from Washington Street to Prospect Street.

(30) Washington Street, from City Limits west to City Limits east.

(31) All traffic on Harding Street at the intersection of Morris Street, shall come to a full stop before entering into or crossing Morris Street.

The above named streets, avenues and boulevards are hereby declared to be "THRU" streets for the purpose of regulating traffic upon or crossing the same and every operator of a vehicle, street car or other conveyance traveling upon any street or roadway intersecting any "THRU" street above designated, shall bring the same to a full complete stop at the place where such street meets the prolongation of the nearest property line of such "THRU" street, subject, however, to the direction of any official traffic control sign or signal or the directions of any police officer at such intersection.

The operator of any vehicle who has come to a full stop as required above, upon entering the "THRU" street, as well as operators of vehicles on such "THRU" street, shall be subject to the usual right-of-way rule prescribed by state law governing the meeting of vehicles at street or highway intersections.

The Board of Public Safety is hereby authorized and required to place and maintain or cause to be placed and maintained on each and every street intersecting a "THRU" street as designated above, and at or near the property line of the "THRU" street, appropriate signs upon the street (and in addition thereto may place and maintain any appropriate devices or marks in the roadway), such signs, devices or marks to bear the word, "STOP" or the legend, "STOP, THRU STREET," and to be located in such position and to be provided with letters of a size as to be clearly legible from a distance of at least one hundred (100) feet along the street intersecting the "THRU" street.

SECTION 45. *One-Way Streets and Alleys*: Upon the following named streets and alleys, which shall be designated by an appropriate sign placed and maintained by the Board of Public Safety or upon their order at every intersection where movement of traffic in the opposite direction is prohibited, all vehicular traffic shall move in one direction only, as designated herein:

(a) In all alleys in the Congested District traffic shall proceed one direction only, entering same from the north and proceeding south or entering same from the east and proceeding west.

(b) In the Congested District in Wabash, Court, Pearl, Muskingum and Chesapeake Streets and in McCrea Street between Georgia and Louisiana Streets, and in Louisiana Street between McCrea and Meridian Streets, all traffic shall move in one direction only, entering from the north and proceeding south, and entering from the east and proceeding west.

(c) In Court Street from New Jersey Street to West Street and in Pearl Street from New Jersey to West Street traffic shall enter from the east and proceed to the west only.

(d) The following named streets are hereby declared to be one-way streets from the hours of 8 a. m. to 7 p. m., between the points hereinafter designated: Bird Street, northbound traffic only from Ohio to New York Street; Chesapeake Street, westbound traffic only from Delaware Street to Capitol Avenue; Hudson Street, northbound traffic only from New York Street to Ohio Street.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

SECTION 46. *Motor Vehicles Left Unattended, Brakes to Be Set and Engine Stopped*: No person having control or charge of a motor vehicle of any kind shall allow such vehicle to stand on any alley, street, or boulevard in the city unattended without first setting the brakes thereon and stopping the motor of said vehicle, and, when standing upon a perceptible grade, without turning the front wheels of such vehicle to the curb or to the side of the street or highway.

SECTION 47. *Use of Coasters, Roller Skates, and Similar Devices Restricted*: It shall be unlawful for any person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, to go upon any roadway at any time except while crossing a street at a crosswalk or except when such roadway has been roped off against vehicular traffic by the proper municipal authorities.

SECTION 48. *Clinging to Moving Vehicles Prohibited*: It shall be unlawful for any person traveling upon any bicycle, motor cycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach himself or his vehicle to any other moving vehicle or street car upon any roadway in the City.

SECTION 49. *Driving Through Processions Prohibited*: It shall be unlawful for the operator of any vehicle, street car, or bus to drive the same between the vehicles comprising a funeral procession or any other authorized civic, military, or public procession while the vehicles comprising such procession are in motion, provided that said vehicles are conspicuously so designated. This provision shall not apply to street intersections where the traffic is controlled by traffic control signals or police officers.

SECTION 50. *Use of Trailers Restricted and the Towing of Vehicles Regulated:* (a) Not more than one vehicle without motive power, commonly called a trailer, may be attached to another vehicle having motor power which is traveling upon the streets or public roadways of the City. No trailer shall be so attached to another vehicle as to leave more than five (5) feet of space between the rear line of the body of the front vehicle and the front line of the body of such trailer. Every trailer or vehicle used as a trailer shall be subject to the provisions of this Ordinance relating to license and lights for the vehicle to which it is attached. Provided, however, that this section shall not apply to any vehicle or trailer operated by the City of Indianapolis, except as to the provisions for lights.

(b) No operator shall tow another vehicle in or upon any street or public roadway unless such vehicles are operated at a distance from one another of not to exceed fifteen (15) feet. Any operator towing another vehicle at any time between one-half ($\frac{1}{2}$) hour after sunset and one-half ($\frac{1}{2}$) hour before sunrise shall maintain lights on both sides and the rear of the vehicle being towed visible to the rear and on both sides for a distance of at least two hundred (200) feet.

SECTION 51. *Riding in Front Seats Restricted:* (a) It shall be unlawful for the operator of any vehicle to drive the same upon any street or public roadway when such vehicle is so loaded with materials or merchandise, or when there are in the front seat of such vehicle such a number of persons, as to obstruct the view of the operator of such vehicle either towards the front or sides, or so as to interfere with the operator's safe control over the driving mechanism of such vehicle.

(b) It shall be unlawful for any passenger in a vehicle or street car or public bus to ride on same in such a position as to interfere with the operator's view ahead, or to the sides, or so as to interfere with the operator's safe control over the driving mechanism of such vehicle.

SECTION 52. *Crossing Fire Hose:* No street car or vehicle shall be driven over any unprotected fire hose when laid down on any street, alley, roadway, private driveway or within any street car tracks to be used at any fire or alarm of fire, without the consent of the Fire Chief or subordinate in command.

SECTION 53. *Riding on Handle Bars Prohibited:* It shall be unlawful for the operator of any bicycle or motorcycle, when upon the street or a public pathway to carry any other person upon the handle bar, frame or tank of any such vehicle, or for any person to so ride upon any such vehicle.

SECTION 54. *Lights on Vehicles:* (a) When any motor vehicle or motor bicycle is parked or left standing on the right-hand side of any street or is so parked

or left standing as to be head-on to the curb of the street, it shall not be necessary to keep the front lights of such motor vehicle burning, but the rear light shall be kept burning at all times during the period from one-half ($\frac{1}{2}$) hour after sunset to one-half ($\frac{1}{2}$) hour before sunrise. (Sec. 29, Indiana Motor Vehicle Law.)

(b) No vehicle shall be driven or maintained by any operator upon the streets or public roadways of the City which contains any material or load which projects therefrom at a greater distance than five (5) feet from the rear of the same, unless said vehicle shall be provided with a danger signal as follows: From the hours of thirty minutes after sunset to thirty minutes before sunrise such vehicle shall have attached to the rear end of such load, a red light of sufficient rays to be visible a distance of at least two hundred (200) feet, and if in the daytime, such danger signal shall be a red flag so attached instead of such red light.

(c) All horse-drawn vehicles and those human-propelled, including bicycles, shall maintain a lighted light of white rays on the front and a red light on the rear thereof, both of which shall be visible for a distance of at least one hundred (100) feet, while such vehicle is in or upon any street or public roadway in the city during the period of from one-half ($\frac{1}{2}$) hour after sunset until one-half ($\frac{1}{2}$) hour before sunrise.

(d) No light other than white shall be displayed on the front of any motor vehicle or motor bicycle except those owned or operated by the municipal fire and police departments and city hospital ambulances and any such municipally owned or operated vehicle as designated herein may display a red light in front as a warning signal that such motor vehicles have the right of way over all other vehicles. (Sec. 28, Indiana Motor Vehicle Law.)

SECTION 55. *Traffic on Boulevards Restricted:*

(a) It shall be unlawful for the operator of any commercial vehicle or vehicle used for heavy hauling to drive the same in or upon any boulevard as established by the Common Council or by the Board of Park Commissioners of this City, except where the same is necessary and unavoidable in the delivery of goods or materials to and from points within such territory, provided, that in such cases, such vehicle shall be driven over the shortest route necessary within such territory served by any such boulevard.

SECTION 56. *Quiet Zones Established Near Hospitals:* The Board of Public Safety is hereby authorized and empowered to create a "Quiet Zone" in all territory embraced in a distance of two hundred and fifty (250) feet from the premises of each hospital in this city and the making of any loud, unusual or unnecessary noise, sound of music, or disturbance within such Quiet Zone or in or upon any of the streets therein, is forbidden and hereby declared to constitute a nui-

sance. The Board of Public Safety shall place at some conspicuous place in the streets contained in such Quiet Zone, within a radius of two hundred and fifty (250) feet, a sign or placard containing the words, "QUIET ZONE."

(b) The use of any horn or sound warning device on any vehicle for any other purpose than as a warning of the approach of the same while in traffic or as a danger signal to other traffic, vehicular and pedestrian, is hereby declared to be a nuisance.

(c) No siren, whistle, gong, horn, bell or sound-producing device such as are used on the Authorized Emergency Vehicles as defined in this Ordinance shall be used on any other vehicles than those herein defined as Authorized Emergency Vehicles and the use of the same on any unauthorized vehicle is hereby declared to be a nuisance.

SECTION 57. *Moving Restricted in Congested District*: It shall be unlawful for any person, firm, or corporation to move their personal property, furnishings, or equipment of any office or residence or storeroom in any moving van or vehicle within the Congested District as defined in this Ordinance between the hours of 8:00 o'clock a. m. and 7:00 o'clock p. m., without first having procured a permit to do so from the Traffic Bureau of the Indianapolis Police Department. This section shall not apply to the delivery or shipment of merchandise.

SECTION 58. *Street Cars and Busses to Stop at Near Side of Intersections*: The operators of street cars, interurban cars and public busses shall stop the same on the near side of street intersections only for the purpose of taking on and discharging passengers, provided, however, that when in the opinion of the Board of Public Safety, a near-side stop would tend to cause danger, inconvenience or discomfort to passengers or constitute a hindrance to traffic at a particular intersection, then said Board of Public Safety may, by an order duly adopted by said Board, designate a far-side stop at such intersection and upon notice of such order the street car company, interurban car company, bus company, their agents and employees shall comply with said order and shall mark the location of such stopping in a manner satisfactory to said Board of Public Safety.

SECTION 59. *Operation of Street Cars*: (a) It shall be unlawful for the motorman or operator of any city street car or interurban car to operate the same within the City limits and outside of the Congested District as defined by this Ordinance at a rate of speed greater than thirty (30) miles per hour, and within said Congested District at a rate of speed greater than fifteen (15) miles per hour.

(b) The operator or motorman of any city street car or interurban car when the same is exceeding a

speed of fifteen (15) miles per hour shall not operate the same closer than two hundred (200) feet to any other street car or interurban car traveling on the same tracks. When, during traffic blockades or otherwise it becomes necessary for more than one street car or interurban car to stop at an intersection or between intersections, a clear space of not less than ten (10) feet shall be left at all times between the two or more stopped street cars or interurban cars.

c) It shall be unlawful for any person, firm, or corporation, their agents or employees, to operate any electrically propelled street car or interurban car to which is attached more than one freight trailer within the City limits between the hours of 6:00 o'clock a. m. and 8:30 o'clock a. m.; 11:30 o'clock a. m. to 1:30 o'clock p. m., and from 4:00 o'clock p. m. to 6:30 o'clock p. m. Each violation of the provisions of this section of this Ordinance shall be deemed and held to be a distinct and separate offense.

SECTION 60. *Monument Circle*: It shall be unlawful for the operator of any vehicle, including public busses, to enter Monument Circle in any other manner than by making a right-hand turn into the same from any connecting street and no operator shall drive a vehicle in or upon Monument Circle other than in a counter-clockwise direction, as from south to northeast, east to northwest, north to southwest, and from west to southeast.

SECTION 61. *Movement of Traffic on Avenues*: (a) On Indiana Avenue at Illinois Street, traffic shall move south with the south-bound traffic on Illinois Street.

(b) On Kentucky Avenue at Washington and Illinois Streets, traffic shall move east with the east-bound traffic on Washington Street.

(c) On Massachusetts Avenue at Ohio Street, traffic shall move west with the west-bound traffic on Ohio Street.

(d) On Virginia Avenue at Washington and Pennsylvania Streets, traffic shall move north with the north-bound traffic on Pennsylvania Street.

(e) On Massachusetts, Indiana, Kentucky and Virginia Avenues within the Congested District as defined in this Ordinance, except as otherwise provided herein, all vehicles shall be governed as to the direction they shall move at intersections, by the signals of police officers or the indication of three-way traffic control signals, stationed at such intersections.

SECTION 62. *Officers' Signals*: Wherever vehicular and street car traffic is being directed across an intersection by a police officer by means of a police whistle, one blast of such whistle shall indicate that traffic shall move north and south and two blasts of such whistle shall indicate that traffic shall move east and west. A series of short blasts on such police

whistle shall indicate danger to all traffic entering or crossing such intersection.

SECTION 63. *Railroad Crossing Signals Must Be Obeyed*: It shall be unlawful for any pedestrian, any motorman of any city street car or interurban car, or any operator of any vehicle, including public busses and taxicabs, to enter the right-of-way or attempt to cross the tracks of any steam railroad within the City limits if danger is indicated at said crossing of said railroad by any warning danger signal such as warning bell, flash light signal, wig-wag signals of crossing watchman, the lowering of crossing gates, or the hand signals of ground switchman or flagman or watchman.

SECTION 64. *Obstructions Prohibited Within Twenty-five Feet of Intersections*: It shall be unlawful for any person, firm, or corporation to place or maintain a news stand, rubbish box, merchandise stand or similar obstructions within twenty-five (25) feet of any street intersection in the City, subject to the approval of the Board of Public Safety.

SECTION 65. It shall be unlawful for the operator of any vehicle, including busses and taxicabs, to operate the same on any street, boulevard or alley in the city when said vehicle is emitting from any source an unreasonable quantity of smoke, noxious gases or vapor.

ARTICLE IX

PENALTIES AND FEES, EFFECT, REPEAL, AND PUBLICATION

SECTION 66. *Reporting at Traffic Office; Notice; Effect*: (a) The provisions of this, and the two succeeding sections of this Ordinance shall apply only to the violation of the provisions contained in Sections 25 to 36 inclusive of Article VI, Sections 37, 38, 39, 40, 42, 43, 44, and 45 of Article VII and Sections 46, 54, 60, 61, and 62 of Article VIII.

(b) Whenever a member of the Police Department of the City of Indianapolis or other person charged by ordinance with enforcement of the provisions of the Sections of this Ordinance as enumerated in the foregoing sub-section (a) hereof, shall find that any of the provisions of said sections of this Ordinance are being or have been violated by the owner or operator of any vehicle, such officer or person shall notify such owner or operator of such vehicle in writing of such violation and order him to report at the Traffic Bureau Office of the Police Department within seventy-two (72) hours of such notice. Such notice shall be made in duplicate and be serially numbered, and shall show the specific violation charged, the State license number of such vehicle and the owner's name, if possible to obtain the same, and shall be signed by such officer or person giving his badge number. One copy of such notice such vehicle, and in case such owner or his representative shall be presented to the owner or operator of such vehicle or his representative when found in charge of

tive be not found in possession of or in charge thereof, the posting of such traffic violation notice in a conspicuous place upon such vehicle shall be deemed sufficient notice of such violation. It shall be the duty of such police officer or other person serving such notice to turn in the duplicate copy of such traffic violation notice to the Traffic Bureau Office at the end of his day's work, and it shall be the duty of the Traffic Bureau Office upon receiving such duplicate report to notify the City Clerk of the traffic violation notice serial number, with the officer's name who made the report, the date thereof, and the State license number of the vehicle so reported. The owner or operator of such vehicle who has been notified of a violation of the specified provisions of this Ordinance as herein provided shall, within seventy-two (72) hours after having been notified, present himself, with the notice, at the Traffic Bureau Office at Police Headquarters, and for the first violation within a period of twelve months constituting a calendar year of any of the specific provisions of this Ordinance which he is willing to admit having violated he shall pay to the City Clerk a fee of two dollars (\$2.00); for the second violation of any of the specified provisions of this Ordinance within the calendar year, a fee of three dollars (\$3.00); and for each subsequent violation of the specified provisions of this Ordinance within the calendar year, a fee of five dollars (\$5.00). Every person appearing at the Traffic Bureau Office and paying the fees as provided for herein shall turn in the traffic violation notice which they received to the Traffic Bureau Office and that office, after making proper index and clerical use of such notice, shall turn the same over to the City Clerk whose duty it shall be to check the same against the record of traffic violation notices put out by the police officers or other persons so charged as ascertained by him from the duplicate reports turned in by such officers.

SECTION 67. *Receipt for Fees Paid. Accounting and Reporting.* Upon the payment of any of the fees required by the next preceding section of this Ordinance the City Clerk shall issue a receipt to the owner or operator of such vehicle so paying, which receipt shall be serially numbered; and it is hereby made the duty of the City Clerk to keep a correct record, in a permanent bound book for that purpose only, showing the amount of such fees so paid, the date thereof, the number of the State license and the name of the owner, and whether it was a first, second or subsequent violation by such owner. And it is made the further duty of the City Clerk to account for all such fees paid to him under the provisions of this Ordinance and to pay the same into the City Treasury once each month. And it is also made the duty of the City Clerk to furnish a report to the Common Council at its second meeting in each month, showing the total amount of fees collected during the preceding month by him, which re-

port shall also show the number of first, second and subsequent violations and also the number of cancellations of such traffic violation notices with the stated reasons therefor and the name of the responsible person or official authorizing such cancellation.

SECTION 68. *Failure to Report.* Whenever any person who has been duly notified to appear at the Traffic Bureau Office for a violation of any of the provisions of the specified sections of this Ordinance as provided in the next preceding two sections hercof shall fail or refuse to appear as directed within seventy-two (72) hours after service of such notice, or having appeared, shall fail or refuse to pay the fee provided for his offense, then it is hereby made the duty of the officer or authorized person serving such traffic violation notice to file, or cause to be filed, in the Municipal Court, an affidavit charging such person with the violation specified in the notice, and ordering said person to appear in said Municipal Court at a certain day and hour to answer to said charge and stand trial for the same, and it shall be the duty of such officer or other authorized person serving such notice to be present and assist in the prosecution of such charge, and in all such cases wherein it is necessary to take the offender into court on affidavit the general penalty provisions of Section 69 of this Ordinance shall apply.

SECTION 69. *Penalties for Violation of Provisions of this Ordinance.* It is hereby made the duty of every person, firm or corporation, operating any vehicle, street car, interurban, taxi cab, or public bus or other conveyance within the City of Indianapolis or causing or permitting the use or operation of any such vehicle, car or conveyance, or pedestrians to comply with all the provisions of this Ordinance as designated and defined herein, and to comply with any and all rules and regulations made and ordered by the Board of Public Safety of said City as herein authorized. Any person violating any of the above provisions of the next preceding 68 sections of this Ordinance, shall, upon conviction in any court of competent jurisdiction, be fined in any sum not exceeding three hundred dollars (\$300.00) to which may be added imprisonment not exceeding one hundred and eighty (180) days.

SECTION 70. *Effect of Ordinance. Validity.* If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance but the same shall continue in full force and effect. The Common Council of the City of Indianapolis hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences,

clauses or phrases be declared unconstitutional or invalid.

SECTION 71. *Repeal of Other and Conflictning Ordinances.* With the passage and approval of this Ordinance, General Ordinance No. 27, 1926, General Ordinance No. 22, 1928, and General Ordinance No. 17, 1927, including all ordinances supplemental thereto and amendatory thereof are hereby repealed and declared null and void, and in addition thereto, all ordinances and parts of ordinances in conflict with any or all of the provisions of this Ordinance are hereby repealed and declared null and void.

SECTION 72. *Effective Date. Publication.* The City Clerk is hereby authorized and directed to publish this Ordinance, or cause the same to be published, in pamphlet form with a proper index thereto, and to distribute the same free of any charge, to members of the Police and Fire Departments and to any civic organizations or members of the general public who may request the same, not inconsistent with the State law as contained in Section 10283, Burns Revised Statutes of 1926. And it is further declared and ordained that this Ordinance shall be in full force and effect two weeks following the date of publication of the same in pamphlet form, following its passage and approval by the Mayor.

E. W. HARRIS,
Councilman.

The motion to amend was seconded by Mr. White.

Mr. Springsteen presented the following written motion to amend Mr. Harris' amendment:

Indianapolis, Ind., November 19, 1928.

Mr. President—

I move that General Ordinance No. 70, 1928, be amended to include among its items of Section 30 (b), the following: "At any place in Monument Circle."

ROBERT E. SPRINGSTEEN,
Councilman.

The motion to amend the amendment was seconded by Mr. Nicholson.

A roll-call vote was first taken on Mr. Springsteen's motion to amend the amendment, as follows:

Ayes, 4, viz: Mr. Buchanan, Mr. Nicholson, Mr. Rathert, Mr. Springsteen.

Noes, 5, viz: Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. White, President Raub.

The motion failed of passage.

Mr. Harris' motion to amend was passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

On motion of Mr. Springsteen, seconded by Mr. White, General Ordinance 70, 1928, as amended, was ordered engrossed, read a third time, and placed upon its passage.

General Ordinance 70, 1928, was read a third time by the Clerk, as amended, and passed by the following roll-call vote:

Ayes, 9, viz: Mr. Buchanan, Mr. Harris, Mr. Lieber, Mr. Meurer, Mr. Nicholson, Mr. Rathert, Mr. Springsteen, Mr. White and President Raub.

On motion of Mr. White, seconded by Mr. Springsteen, the Common Council adjourned at 9:45 P. M.

We hereby certify that the above foregoing is a full, true and complete record of the proceedings of the Com-

mon Council of the City of Indianapolis, Ind., held on the 19th day of November, 1928.

In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Edward B. Raub,

President.

William A. Boyce,

(SEAL)

City Clerk.