

REGULAR MEETING

Monday, April 3, 1967, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis was held in the Council Chambers of the City-County Building on Monday, April 3, 1967 at 7:30 P.M.

President Wallace in the Chair.

The Clerk called the roll:

Present: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Upon motion of Mr. Deluse, seconded by Mr. Sleet, the reading of the minutes of the previous meeting was dispensed with.

President Wallace asked for the reading of Communications from the Mayor and other elected officials.

COMMUNICATIONS FROM THE MAYOR
AND OTHER OFFICIALS

March 27, 1967

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF INDIANAPOLIS:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Angeline Allstatt, the following City Ordinances:

GENERAL ORDINANCE NO. 26, 1967

An Ordinance authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase the following listed supplies and equipment to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 27, 1967

An Ordinance authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase eight (8) automobiles to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 29, 1967

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of subsection to Section 4-812, prohibiting parking on certain streets at all times, providing a penalty for the violation of same and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 30, 1967

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8 thereof, by the addition of a subsection to Section 4-812, prohibiting parking on certain streets at all times, providing a penalty for the violation of same and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 31, 1967

An Ordinance arranging an inter-fund transfer within the Department of Redevelopment.

APPROPRIATION ORDINANCE NO. 4, 1967

An Ordinance of the City of Indianapolis, Indiana, appropriating the sum of Three Hundred Thousand Dollars (\$300,000.00) to pay the costs of the acquisition of the baseball stadium known as Victory Field.

APPROPRIATION ORDINANCE NO. 5, 1967

An Ordinance appropriating the sum of Seven Thousand Seven Hundred Thirty Seven Dollars and Sixty Cents (\$7,737.60) from the anticipated, unexpended and unappropriated balance of the General Fund of the Department of Public Parks to a certain designated item and fund in the Department of Public Parks, created by virtue of the 1967 Budget, General Ordinance No. 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 6, 1967

An Ordinance appropriating the sum of Nineteen Thousand Three Hundred Ninety One Dollars and Forty Six Cents (\$19,391.46) from the anticipated, unexpended and unappropriated balance of the General Fund of the Department of Public Parks to certain designated items and funds in the Department of Public Parks, created by virtue of the 1967 Budget, General Ordinance No. 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 7, 1967

An Ordinance appropriating the sum of Ten Thousand Dollars (\$10,000.00) from the anticipated, unexpended and unappropriated balance of the General Fund in the Department of Public Parks to a certain designated item and fund in the Department of Public Parks, created by virtue of the 1967 Budget, General Ordinance No. 89, 1966, as amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 8, 1967

An Ordinance appropriating the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) from the anticipated and un-appropriated balance of the Motor Vehicle Highway Fund of the City of Indianapolis to certain other designated items and funds in the Board of Public Works.

APPROPRIATION ORDINANCE NO. 9, 1967

An Ordinance, transferring, reappropriating and reallocating the sum of Forty Eight Thousand Eight Hundred Ninety Dollars (\$48,890.00) from a certain designated item and fund in the Board of Flood Control, and transferring the same to a certain designated item and fund in the same Department, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

JOHN J. BARTON,
Mayor

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of Appropriation Ordinance No. 11, 1967, transferring, reappropriating and reallocating the sum of One Thousand dollars from a certain fund in the City General Fund and transferrring the same to a certain designated item and fund in the Department of Civil Defense, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

April 3, 1967]

City of Indianapolis, Ind.

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April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 34, 1967, providing for expansion of the territory for atmospheric pollution prevention to include areas within four (4) miles of the corporate limits of the City of Indianapolis in addition to the areas within the same.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 35, 1967, authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase the Base Bid for Washing City Vehicles 9,000 more or less, to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 36, 1967, authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase a Backhoe and Front End Loader and a Concrete Joint Sealer 1000 tons more or less, to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 37, 1967, authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase Two Street Flushers and Two Trucks for mounting Street Flushers, to be paid for out of funds heretofore appropriated or available and fixing a time when the same shall take effect.

Respectfully submitted,

R. THOMAS McGILL
Councilman

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 38, 1967, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly, Title 8 thereof, by the addition of Chapter 15 thereto; providing for the licensing of wrecking operations, providing a penalty for the violation of same, and fixing a time when the said amendment shall take effect.

Respectfully submitted,

MAX E. BRYDENTHAL
Councilman

April 3, 1967

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

Gentlemen:

Transmitted herewith are twenty-eight (28) copies of General Ordinance No. 39, 1967, changing the job classifications in the Municipal Dog Pound, Department of Public Safety, abolishing certain positions, creating new positions therein, and transferring within Fund No. 11 salary items to compensate the personnel required under the new positions and classifications.

Respectfully submitted,

DANIEL P. MORIARTY
Councilman

Michael Sergi, President of the Fraternal Order of Police, and some of the members of the Salary Committee of the F.O.P. were present and presented a proposal for salaries for 1968 for the consideration of the Councilmen. Those present were, Captain John Kestler, Lieutenant Douglas Lawrence, Sgt. Eugene Gallagher and Detective Robert Seay, Chairman of the Committee.

Upon motion of Mr. Deluse, seconded by Mr. McGill, the Council recessed at 7:50 P.M. for Committee Hearings. At that time those present were permitted to be heard on General Ordinances No. 32 and No. 33, 1967.

The Council reconvened at 7:58 P.M.

The Clerk read the Committe Reports.

COMMITTEE REPORTS

Indianapolis, Ind., April 3, 1967

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 33, 1967, entitled

AUTHORIZING the purchasing agent to purchase One Station
Wagon . . . \$2,267.82 for Civil Engineer Department

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

R. THOMAS MCGILL, Chairman
MAX E. BRYDENTHAL
THOMAS P. SLEET

Indianapolis, Ind., April 3, 1967

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

Gentlemen:

We, your Committee on Law & Judiciary to whom was referred General Ordinance No. 32, 1967, entitled

AN ORDINANCE establishing a passenger and/or loading zone, Beginning at a point in the northeast curb line of Massachusetts Avenue, eighty-two feet northeast of the intersecting north curb line of East New York Street, as presently established, and extending 27' a distance of 109 feet, for the use and occupancy of Budnick Trading, Inc.

beg leave to report that we have said ordinance under consideration, and recommend that the same be passed.

PHYLLIS W. WATERS, Chairman
ALBERT O. DELUSE
MAX E. BRYDENTHAL
DANIEL P. MORIARTY
HAROLD J. EGENES

President Wallace called for Introduction and first reading of New Ordinances, which were read by the Clerk.

INTRODUCTION AND FIRST READING OF
NEW ORDINANCES

APPROPRIATION ORDINANCE NO. 11, 1967

Introduced by Councilman Moriarty:

AN ORDINANCE transferring, reappropriating and reallocating the sum of One Thousand Dollars (\$1,000.00) from a certain fund in the City General Fund and transferring the same to a certain designated item and fund in the Department of Civil Defense, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing Annual Budget; and

WHEREAS, it is necessary to transfer the above amount for the purpose of providing for salaries and wages.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of One Thouand Dollars (\$1,000.00) be transferred from the unexpended and unappropriated balance of the City General Fund to the Civil Defense Department, and the same is hereby reduced as follows:

CIVIL DEFENSE

REDUCE:	TAX LEVY
City General Fund, the unexpended and unappropriated	
balance -----	----\$1,000.00

CIVIL DEFENSE

INCREASE:	TAX LEVY
1. SERVICES—PERSONAL	
12. Temporary Salaries and Wages -----	----\$1,000.00

Section 2. This appropriation is an emergency due to the need to provide salaries and wages in said department.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as by law required.

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

GENERAL ORDINANCE NO. 34, 1967

Introduced by Councilman Brydenthal:

AN ORDINANCE providing for expansion of the territory for atmospheric pollution prevention to include areas within four (4) miles of the corporate limits of the City of Indianapolis in addition to the areas within the same.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. Section 3-223 of the Air Pollution sections of the City Code of Ordinances, General Ordinance No. 140, 1951, is amended by adding thereto the definition of the territory affected, so that said section when amended will read as follows:

Section 3-223. Territory Affected. The provisions of this title shall apply to all areas within the corporate boundaries of this city, and also to all territory within its jurisdiction, as now or hereafter included for any such relevant purposes by any statute. The contamination of atmosphere and the pollution thereof which occurs by the loosing of particles of matter, vapor, fumes, gases, noxious odors, acid fumes, and all such emissions from homes, businesses, and industry, including smoke, soot, and waste materials, cannot be controlled by artificial corporate boundaries. Therefore, the territory affected by this ordinance shall be defined to be that area within four (4) miles of the existing corporate boundaries of said City. In all said area in order to prevent the nuisance of atmospheric pollution, the Bureau of Air Pollution Control shall have the right to regulate the management of all places and structures in respect to the release into the atmosphere of noxious and injurious contaminants and shall have over all said area the right to require those in control of said premises to abate the emissions of dilatorious matter and to cleanse the same before releasing such matter into the atmosphere and to prevent over all such area the deposit into the atmosphere of industrial waste, ash, soot, and unwholesome materials of any kind including matter, fumes, vapors, noxious odors, and acid emissions. The general penalties for the Section of the City Code Section 3-224 shall apply to violations in all of the territory defined as the jurisdictional area of atmosphere pollution control under this Section.

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

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

GENERAL ORDINANCE NO. 35, 1967

Introduced by Councilman McGill:

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase the Base Bid for Washing City Vehicles, 9,000 more or less, to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the hereinafter Base Bid for Washing City Vehicles. Said service to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by law, and the total cost of said service shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS
MUNICIPAL GARAGE

R-7943—Base Bid—Washing City Vehicles, 9,000
(more or less) -----\$12,500.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Which was read for the first time and referred to the Committee on Works:

GENERAL ORDINANCE NO. 36, 1967

Introduced by Councilman McGill:

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase a Backhoe and Front End Loader and a Concrete Joint Sealer 1000 tons more or less, to be paid for out

of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the hereinafter designated Backhoe and Front End Loader and Concrete Joint Sealer, 1000 tons, more or less, to be used by said Department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by law, and the total cost of said supplies shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS CIVIL ENGINEERING

R-5172—Backhoe and Front End Loader	\$8,100.00
R-5173—Concrete Joint Sealer (BASE BID)	
1,000 tons (More or Less)	\$6,500.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Which was read for the first time and referred to the Committee on Works:

GENERAL ORDINANCE NO. 37, 1967

Introduced by Councilman McGill:

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, by and through its duly authorized Purchasing Agent to purchase Two Street Flushers and Two Trucks for mounting of Street Flushers, to be paid for out of funds here-

tofore appropriated or available, and fixing a time when the same shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the Board of Public Works of the City of Indianapolis be and the same is hereby authorized and empowered to purchase through its duly authorized Purchasing Agent, the hereinafter designated Two Street Flushers and Two Trucks for mounting of Street Flushers to be used by said Department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Board after advertisement therefor, as provided by law, and the total cost of said supplies shall not exceed the sum of money heretofore appropriated or available for the use of said Board.

BOARD OF PUBLIC WORKS
STREET COMMISSION

R-11,305—Two Street Flushers -----\$ 9,590.00

R-11,306—Two Trucks for mounting of Street Flushers --\$14,932.00

Section 2. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Which was read for the first time and referred to the Committee on Works:

GENERAL ORDINANCE NO. 38, 1967

Introduced by Councilman Brydenthal.

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly, Title 8 thereof, by the addition of Chapter 15 thereto; providing for the licensing of wrecking operations, providing a penalty for the violation of same, and fixing a time when said amendment shall take effect.

BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That Title 8, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following Chapter 15, as follows:

Chapter 15 — WRECKING OPERATIONS

8-1501. WRECKING OPERATION: Wrecking operations shall include demolishing, dismantling, dismembering, razing and removing of buildings or structures.

8-1502. WRECKING PERMITS: A wrecking permit shall be obtained before the removal of all buildings and structures except for frame buildings of not more than seven hundred and fifty (750) square feet floor area. No permit will be issued for wrecking buildings and structures unless the application is signed by the owner of the property or verified by affidavit authorizing the wrecking contractor to secure a permit for the demolition of the building or structure referred to in statements contained in the application.

8-1503. LICENSE REQUIRED: In order to safeguard life, health and property through safe wrecking operations, every person engaged in or offering to engage in the business of wrecking operations in this city shall be required to submit evidence that he is qualified to engage in such business, and it shall be unlawful for any person to engage in, or offer to engage in the business of wrecking operation in this city, unless such person has been duly registered and licensed under the provisions of this chapter.

8-1504. BOARD OF WRECKING CONTRACTOR EXAMINERS CONSTITUTION OF BOARD: (1) To carry out the provisions of this chapter, there is hereby created a board for the examination and licensing of wrecking contractors as defined in this chapter, to be known as the "Board of Wrecking Contractors Examiners" which shall consist of five members. The commissioner of buildings and the chief building inspector of the bureau of buildings, while so serving, shall each be a member of said board, ex-officio, and three appointive members shall be appointed by the mayor. One appointive member shall be a wrecking contractor, registered and licensed as such, pursuant to the provisions of this chapter and of prior ordi-

nances, and of good moral character; one appointive member shall be a registered architect, registered as such in this state, and one appointive member shall be a registered professional engineer, registered as such in this state. Each of such appointive members, at the time of his appointment, shall be a resident of the City.

(2) Upon the taking effect of this code, the Mayor shall appoint all three members of such board to serve as here provided. The term of the appointive member who is a registered professional engineer shall expire on January 1, 1968; the term of the appointive member who is a registered architect shall expire on January 1, 1969; and the term of the appointive member who is a wrecking contractor shall expire on January 1, 1970; all to serve until their successors are appointed and qualified. After the expiration of the aforesaid terms the respective appointive members shall be appointed by the Mayor, each for a term of three years, expiring at noon of January first of the third year after the end of such respective terms, or whenever a successor is appointed and qualified. Vacancies occurring within a term shall be filled by the Mayor for the unexpired portion of the term.

8-1505. COMPENSATION OF BOARD MEMBERS: The commissioner of buildings and the chief building inspector shall serve on the board without any additional compensation. The three appointive members of said board shall be paid the sum of one hundred dollars per year. The board shall have authority to employ as secretary some competent person, not a member of the board, at a compensation not in excess of twenty dollars per month.

8-1506. CHAIRMAN OF BOARD, ETC.—SEAL AND RULES.—

(1) The Board shall elect one of its members as chairman, at its regular meeting in January of each year, to serve for one year. The chairman and any other officers of said board at the time this code becomes effective, or as provided for by the rules of such board, shall continue as such until the expiration of the terms for which they shall have been elected and until their successor shall be elected and qualified. Thereafter the board shall meet annually in each January, on the date specified for its regular monthly meeting, in the office of the commissioner of buildings, and elect a new chairman and any other officers, who shall serve one year, and until their successors are elected and qualified.

(2) The Board may adopt and have an official seal which shall

be affixed to all certificates of registration granted, and may select its own officers, and shall have power to adopt all rules and regulations, not inconsistent with law, necessary to the conduct of its business and the performance of its duties.

8-1507. MEETINGS OF BOARD: This board shall hold regular meetings at eight o'clock P.M. on the fourth Monday of each month, at the office of the commissioner of buildings, or at such other place and time as its rules may provide. Special meeting will be held at such time and place and upon such notice as the rules may provide. Three members of the board shall constitute a quorum for the transaction of all business, except as otherwise specifically provided in the rules.

8-1508. RECORD OF PROCEEDINGS—REGISTER OF APPLICATIONS—POWERS OF BOARD—(1) The board shall keep a record of its proceedings and a register of all applicants for registration as a wrecking contractor showing on each the date of the application, the name, age, education and other qualifications of the applicant, his places of business and residence, and whether the application was rejected, or a certificate of registration granted, and the date of such action. The board shall have jurisdiction over all persons desiring to engage in this city in the business, trade or calling of wrecking contractors as defined in this chapter, and shall have authority to and shall examine all persons applying for a license to engage in either such business, trade or calling in this city, to determine their fitness and qualifications therein. Such examination shall consist of questions by the board to be answered in writing by the applicant, and a passing grade shall be at least seventy percent. The board shall issue certificate of registration to all such persons who shall have passed such examination.

(2) Falsehood, fraud, or deceit by such person in such examination shall be a sufficient cause for a refusal of such certificate, together with a dismissal of his application. Upon a failure to pass such examination, three months must elapse before such person can take another examination.

8-1509. QUALIFICATIONS OF LICENSEE: No person shall be entitled to receive a license as wrecking contractor as defined in this chapter as defined in this chapter, unless he possesses a knowledge of the laws of this state, and the provisions of this building code, and of any ordinances of the city, relating to wrecking operations.

8-1510. LICENSING PARTNERSHIPS AND CORPORATIONS: No firm or corporation shall be entitled to receive a license as a wrecking contractor as defined in this chapter, unless, if a firm, some member thereof, or if a corporation, some officer or duly authorized representative thereof, shall possess the qualifications required and shall comply with all the applicable provisions of this chapter.

8-1511. RULES AND REGULATIONS OF BOARD. Said board of wrecking contractor examiners shall have power to select its own officers and to adopt all necessary rules and regulations for the conduct of its own business and for the examination of applicants for license as wrecking contractors. Said board shall keep, or cause to be kept, proper records showing the names and addresses of all persons making application for such licenses and to whom said board authorizes licenses to be issued.

8-1512. BOARD'S CERTIFICATE-LICENSE—The certificate of registration of said board of wrecking contractor examiners shall be signed by each member of said board, or by a majority thereof, and shall be issued to each applicant for a license as a wrecking contractor who complies with and qualifies under the requirements of this chapter. Said certificate shall be directed and delivered to the controller, who shall issue a license to such person, or to such firm or corporation as the case may be, for a period of one year, or for the remainder of the calendar year, following the issuing of such license. All licenses and renewals of the same shall expire on the thirty-first day of December each year. No license shall be issued by the controller to any person, firm or corporation as a wrecking contractor except as provided in this chapter.

8-1513. WRECKING OPERATORS LICENSES shall be classified as follows:

- (A) Class A License authorizes the holder thereof to wreck all types of buildings and structures including wood frame, masonry, steel frame and reinforced concrete buildings and structures of unlimited height.
- (B) Class B License authorizes the holder thereof to wreck wood frame and solid masonry buildings and structures not exceeding three (3) stories of fifty (50) feet in height.

8-514. FEES—Each applicant for a license as a wrecking con-

tractor before taking an examination, shall pay the City Controller the sum of Fifteen Dollars as the preliminary fee for the examination as wrecking contractor and shall file the receipt of the controller for such amount with the secretary of said board. If the applicant is found to be qualified and is given a certificate as provided for in this chapter, then he shall be entitled upon payment to the controller of ten dollars, as the balance of the license fee for such year, and the execution of a bond, as provided for in this chapter, to receive a license for the balance of such year, as a wrecking contractor.

8-1515. RENEWAL OF LICENSES: Each person to whom has been issued a license as wrecking contractor as provided in this chapter and code, shall have the right without further examination, to obtain a license each calendar year thereafter from said controller, upon the payment to the controller of an annual license fee of ten dollars, and the execution of a bond as required by this chapter and Municipal Code.

8-1516. LICENSE PERSONAL AND NOT TRANSFERABLE: No permit or license of any kind, or renewal thereof, granted under the provisions of this chapter, shall be assigned or transferred, and every such license or renewal thereof, shall specify the name and address of the person to whom it is issued. If any such license is issued to a firm, the name and address of the member of such firm qualifying as such master electrician, and if issued to a corporation, the name and address of the officer or representative of such corporation qualifying as such master electrician, shall be stated therein. If a member of a firm, or an officer or representative of a corporation, named in the permit or license, or in the renewal thereof, as qualifying as such wrecking contractor, shall cease to be a member of such firm, or to be the officer or representative of such corporation, then and in that event, all rights of such firm, or such corporation, under such permit or license, or renewal thereof, shall cease, and said firm or corporation shall be required to make a new application to said board and to obtain a new license, as provided in this chapter.

8-1517. BOND AND INSURANCE: No wrecking contractors Class A License shall be issued until the applicant has delivered a surety bond in the amount of Thirty Thousand Dollars (\$30,000.00) and no wrecking contractors Class B license shall be issued until the applicant has delivered a surety bond in the amount of Ten Thousand Dollars (\$10,000.00) conditioned on the faithful performance of the provisions of this and other applicable laws and ordinances, and saving

and protecting the City of Indianapolis harmless from any and all damages to private property and to pay for any and all damages to public property that may arise from the use of any of its streets, alleys, boulevards, or other public places in the wrecking of buildings and other structures. Provided further, that the applicant for a Class A License shall also file with the Commissioner of Buildings a public liability and property damage insurance policy naming the applicant and the City of Indianapolis as the assured and providing for the payment of any liability imposed by law on such applicant and/or the City of Indianapolis to the extent of not less than Fifty Thousand Dollars (\$50,000.00) for injury or death, to any one person, and not less than One Hundred Thousand Dollars (\$100,000.00) for injuries to or death of more than one person and for damages to property in the amount of not less than Twenty-five Thousand Dollars (\$25,000.00) and provided further, that the applicant is covered by workmen's compensation insurance covering any and all wrecking operations. The policies of insurance shall contain a provision for a continuing liability thereunder to the full amount thereof notwithstanding any recovery thereon. Any insurance company whose policy or policies have been so filed pursuant to this section shall file written notice in the office of the Commissioner of Buildings of its intention to terminate and cancel such policy or policies and give notice thereof to the licensee, whereupon the Commissioner of Buildings shall cause the wrecking contractor's license of the person, firm, partnership, or corporation affected thereby to become null and void until such time as new policies of insurance as prescribed in this section are presented to the Commissioner of Buildings.

8-1518. NO LICENSE REQUIRED: No permit for the wrecking, dismembering, disassembling and dismantling of any building or other structure shall be issued except to a person licensed under the provisions of this ordinance, provided that a permit may be issued for the wrecking of a minor building or structure, as hereinbefore defined or to the wrecking or removal of fifty (50) per cent or less of any building or structure incidental to or necessary in connection with the repair or alteration of such building or structure.

8-1519. FENCES: (1) Fences shall be required for buildings and structures adjacent to street and alley lines. For buildings not exceeding twenty-two (22) feet high, such fence shall not be less than seven (7) feet from the building. For buildings exceeding twenty-two (22) feet in height, the fence shall not be less than nine (9) feet from the building. These fences shall not be less than six (6)

feet in height, shall be built of three-quarters inch boards, laid tight together and securely fastened to four (4) inch uprights, set not over four (4) feet apart with two (2) inch by six (6) inch bracing and girts. The posts shall be securely set and braced to prevent buckling or overturning.

(2) The fence shall be continued past each end of the building a distance equal to the required distance from the face of the building and a return back to the property line at each end, but no such fence shall extend the lot line of the property upon which the building is located without the consent of the adjoining owner. Wherever the fence cannot be continued past the end of the building the required distance, a sidewalk cover, or other effective protection shall be provided to guard the public from falling materials. These fences shall be omitted where the building is not over thirty-five (35) feet high or is set back twenty (20) feet from the street or alley line. However, no fence would be required for a family dwelling.

(3) For buildings over thirty-five (35) feet in height similar fences may be used if fifteen (15) feet or more from the building except that the boards on such fence shall be nominal two (2) inch plank. In the storage of material or erection of fences care shall be taken to leave fire hydrants easily accessible.

8-1520. SIDEWALK BRIDGES: Bridges or sidewalk covers shall be provided over all sidewalks and alleys in all cases as required herein, and shall be constructed as required herein.

8-1521. NOTIFICATION OF UTILITIES: Before a building or structure can be wrecked, any person, firm, partnership, or corporation who intend to apply for a wrecking permit shall give notice of such intention in writing to all private and public utilities in the City of Indianapolis which maintain facilities within or appurtenant to such building or structure, including, but not limited to utilities furnishing water, steam, electricity, gas, sewage, and communication services. A permit to wreck a building or structure shall not be issued unless a statement in writing is first obtained from each utility, stating that its respective service connections and appurtenant equipment, plant and facilities within or appurtenant to such building or structure have been moved, removed, rerouted and/or sealed and plugged as applicable or that such utility's facilities are not affected thereby.

8-1522. WRECKING PROCEDURES: (1) All roof structures, all signs and other exterior appurtenances shall be removed before wrecking operations are started.

(2) The wrecking company, or persons who secures the permit for the razing of the structure, will be held responsible for the compliance with these regulations and other laws and ordinances covering the subject. The method to be used in wrecking shall not involve undue hazard to the public or unnecessary danger to the workmen and shall be in accordance with good practice. All persons actively engaged in wrecking operations on the job site shall wear a safety hard hat. Suitable provision shall be made for the disposal of materials which are accumulated during the wrecking operation. No part of the street shall be overloaded by excessive storage of materials which in their removal would cause any excessive amount of dust shall be wet down to prevent the creation of a nuisance. No open fires or other sources of flame except necessary cutting torches will be permitted on the inside of the building which is being wrecked, or in close proximity to flammable materials outside of the buildings, and every precaution shall be taken to prevent the possibility of fire.

(3) The licensed wrecking contractor or a competent employee in his capacity shall be present at the site while wrecking operations are in progress.

8-1523. USE OF EXPLOSIVES: Blasting and use of explosives shall be done only by a person licensed by the Fire Department to perform such work, and by special permission and under the supervision of the commissioner of buildings and the fire prevention bureau.

8-1524. CLEANING UP: Whenever any building or other structure is wrecked, demolished, torn down, or removed, in whole or in part, all rubbish or debris including any goods, merchandise, commodities, products or materials of any kind which may have been stored within said building or on said property must be removed or cleaned away, the ground leveled off, and the premises put in a clean and sanitary condition; provided however, that if said premises are properly fenced in and the erection of a new building is to be commenced within sixty days, the ground need not be leveled until all such work on the premises is completed.

8-1525. DEPTH OF REMOVAL. The buildings, foundations, curbs,

sidewalks, concrete or asphalt drives and all appurtenances shall be removed to one (1) foot below ground line or one (1) foot below sub-grade elevation which ever of the two is lower. Such removal shall also include the removal and disposal of buried or exposed tanks. Concrete slabs, under which a basement, pit, well or cistern exists, shall be broken and removed.

8-1526. **FILL.** Material used for fill shall be only such materials as can be properly compacted in order to avoid future settlement of earth filled in or buildings erected over such fill. No pieces of stone, lumber, boards, or other material which due to their size or character, would prevent proper compaction or would cause later settlement of the surface shall be used in such fill.

8-1527. **SUSPENSION OR REVOCATION OF LICENSES:** (1) If any person obtains a license, or any renewal thereof, as a wrecking contractor or in any other capacity, pursuant to the provisions of Chapter 15 of this title, by fraud, falsehood, or deceit in examination therein required, or by willful concealment or misrepresentation of any material fact relating to his qualifications as such licensee, and if the respective examining board that conducted such examination or issued to such person a certificate of registration discovers same; or if any person prefers charges with such board against the licensee upon any such facts, or upon facts relating to any negligence, in competence, fraud, deceit, or other misconduct in performance by such licensee of his duties which charges shall be in writing and shall be verified by such person; then and in either such event, the board shall fix a date and place for hearing any such matter, and at least ten days before such date it shall serve a written copy of such charges and notice of the time and place of the hearing thereon, upon the licensee, either personally, or by registered mail, with return receipt. The ten or more days shall run from the date such notice is so served, or mailed, as shown by the postmark.

(2) The board shall cause an investigation of the facts to be made in such matters. The licensee may appear personally and by counsel and cross-examine witnesses against him and produce evidence in his own behalf, and any complainant, as aforesaid, shall have the same right; and also, the board may cause any other competent evidence to be introduced. The board shall consider all the facts so produced, and a majority of the board, in lieu of a decision therein, may refer such matter to the mayor, with or without recommendations, for further action by a hearing thereon to be conducted as herein provided

for in an appeal by the licensee from such order; or and if four or more be either suspended or revoked, the board shall enter an order in accordance with such finding, which order, however, shall not become effective until ten days after notice and a copy thereof has been served upon the licensee, and in the same manner required as aforesaid for notice of the hearing.

(3) On or before ten days after such service of said order, the licensee may appeal therefrom to the Mayor, by serving a notice that he is so appealing upon the mayor, either in person or by filing it at his office, with a copy of same thereupon delivered for said board, at the office of the City Commissioner of Buildings, who shall deliver such copy to the Board. Unless such appeal is so taken, the aforesaid order of the board shall be final.

(4) If so appealed, such order of the board shall be suspended and be stayed until such appeal is heard and determined by the mayor, under the procedure prescribed by statute for hearings on the revocation or suspension of licenses; or such hearing by the mayor shall be similarly conducted, after notice of the time and place thereof is served upon the licensee and said board, if such matter is referred to the mayor by the board. The mayor shall thereupon render such decision as he finds justified and sustained by the evidence, either affirming, or reversing, or modifying, or increasing the terms of the order of the board; or by entering in lieu thereof such order of his own as he deems proper. The Mayor's order shall be final and conclusive and be binding upon both the licensee and the Board.

8-1528. SUPPLEMENTAL TO EXISTING ORDINANCES. This Chapter 15 is supplemental to existing ordinances and not intended to repeal any such ordinances unless in direct conflict therewith.

8-1529. MINIMUM REQUIREMENTS: The requirements of this section are designated as the minimum necessary for average conditions and in the case of unusual or dangerous situations, adequate provisions shall be made and every precaution taken to protect the safety of the public and workmen. The Fire Department shall be notified before removing standpipes, sprinklers or fire protection water supplies.

8-1530. If any section of this Ordinance is declared unconstitutional, it is not to invalidate any other sections or provisions of the Ordinance.

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

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

GENERAL ORDINANCE NO. 39, 1967

Introduced by Councilman Moriarty

AN ORDINANCE changing the job classifications in the Municipal Dog Pound, Department of Public Safety, abolishing certain positions, creating new positions therein, and transferring within Fund No. 11 salary items to compensate the personnel required under the new positions and classifications.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. The following job classifications and positions under the Budget Ordinance for 1967, General Ordinance No. 89 (1966), are hereby abolished, to-wit:

DEPARTMENT OF PUBLIC SAFETY
MUNICIPAL DOG POUND

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	Tax Levy
1 Asst. Pound Keeper -----	\$ 4,845.00
5 Dog Collectors -----	24,225.00

Section 2. That there now is, unallocated, and available in said Fund No. 11, Municipal Dog Pound, Services—Personal, due to the abolition of said job classifications and due to the fact that certain other positions and job classifications under said item have not been used, because of vacancies, the sum of Nineteen Thousand Two Hundred Dollars (\$19,200.00).

Section 3. That there are created new positions and job classifica-

tions in said Municipal Dog Pound, Department of Public Safety, the following, to-wit:

DEPARTMENT OF PUBLIC SAFETY
MUNICIPAL DOG POUND

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	Annual Salary
1 Supervising Canine Control Officer -----	\$ 5,200.00
5 Canine Control and Rabies Prevention Officers --	26,000.00

That the amount required for the balance of the year 1967 for Sixteen remaining payroll periods to compensate such personnel on the prescribed salary basis is the sum of Nineteen Thousand Two Hundred Dollars (\$19,200.00), and that the same is transferred, re-allocated, and re-assigned within said Fund No. 11 for the payment of the new job classifications hereby created, for the remainder of the 1967 Budget Year.

Section 4. This Ordinance and the funds involved herein constitutes an inter-item transfer and allocation, and does not involve appropriation of new and additional funds, and does not affect the tax rate of the City of Indianapolis, and shall be deemed not to constitute an additional appropriation.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

Mr. McGill called for a second reading of General Ordinance No. 33, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Sleet,

General Ordinance No. 33, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

Miss Waters called for a second reading of General Ordinance No. 32, 1967.

The Clerk read the Ordinance for a second time.

Upon motion of Miss Waters, seconded by Mr. Sleet, General Ordinance No. 32, 1967 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 9, viz: Mr. Brydenthal, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. McGill, Mr. Moriarty, Mr. Sleet, Miss Waters and President Wallace.

NEW BUSINESS

President Wallace called for new business.

Mr. Egenes asked that he be granted authority from the Council to attend the Convention of Transportation Commission in Pittsburgh, Pennsylvania, April 18 and April 19, 1967.

A motion to grant the request was made by Mr. Deluse.

Miss Waters seconded the motion and it passed on unanimous voice vote.

President Wallace announced there was a vacancy existing on the Human Rights Commission, an appointment of the City Council.

Mr. Brydenthal nominated Mr. Wilfred Noone to be a member of the Human Rights Commission.

The nomination was seconded by Mr. Deluse and approval was given by unanimous voice vote.

Mr. Brydenthal announced the Council would appoint members to the Stadium Commission and he recommended the appointment of Robert T. Martin as a member and made a motion. The motion was seconded by Mr. McGill and passed on unanimous voice vote.

OLD BUSINESS

President Wallace asked for old business.

Mr. Moriarty called for a second reading of Special Ordinance No. 7, 1967.

The Clerk read the Ordinance for a second time.

Mr. Moriarty moved that Special Ordinance No. 7, 1967 be stricken. The motion was seconded by Mr. Sleet:

The motion to strike passed on the following roll call:

Ayes 5, viz: Mr. Deluse, Mr. Moriarty, Mr. Sleet, Miss Waters, and President Wallace.

Noes 4, viz: Mr. Brydenthal, Mr. Egenes, Mr. Hasbrook and Mr. McGill.

Special Ordinance No. 7, 1967 was stricken.

Mr. Moriarty called for a second reading of Special Ordinance No. 8, 1967.

The Ordinance was read a second time.

Mr. Moriarty moved, seconded by Mr. Sleet, Special Ordinance No. 8, 1967 be stricken.

The Clerk called the roll and the motion to strike failed to pass on the following roll call:

Ayes 4, viz: Mr. Deluse, Mr. Moriarty, Mr. Sleet and President Wallace.

Noes 5, viz: Mr. Brydenthal, Mr. Egenes, Mr. Hasbrook, Mr. McGill and Miss Waters.

Mr. Robert Martin, State Director of Little League Baseball in Indiana and a member of the Board of Directors of the National Board, explained Little League desires to establish a Northern Regional Headquarters for the Little Leagues in this area in the Eagle Creek Reservoir Park location.

Mr. Brydenthal moved, seconded by Mr. Hasbrook, that the President of the Council write to the Board of Park Commissioners explaining the request.

The motion passed on voice vote.

Upon motion of Mr. Sleet, seconded by Mr. McGill, the Council adjourned at 8:35 P.M. upon unanimous voice vote.

We hereby certify the above and foregoing is a full and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 3rd day of April, 1967 at 7:30 P.M.

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

Joseph C. Wallace

ATTEST:

President

Angeline Allstatt

(SEAL)

City Clerk