

Monday, December 3, 1945

REGULAR MEETING

The Common Council of the City of Indianapolis met in the Council Chambers at the City Hall, Monday, December 3, 1945, at 7:30 P. M. in regular session. President Schumacher in the chair.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Brown, Mr. Däuss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Kealing and seconded by Mr. Worley.

COMMUNICATIONS FROM THE MAYOR

November 21, 1945.

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, Mr. Frank J. Noll, Jr., the following ordinances:

GENERAL ORDINANCE NO. 76, 1945.

AN ORDINANCE to amend General Ordinance No. 114, 1922, (as amended), commonly known as the Zoning Ordinance; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 78, 1945.

AN ORDINANCE concerning the regulation of sale and delivery of solid fuel in the City of Indianapolis, and licensing of retail solid fuel dealers therein, providing penalties for its violation; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 80, 1945.

AN ORDINANCE authorizing the Board of Public Works and Sanitation to purchase, through its duly appointed purchasing agent certain materials and supplies to be paid for out of funds heretofore appropriated; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 81, 1945.

AN ORDINANCE prohibiting parking on a certain part of a certain street in the City of Indianapolis; providing a penalty for violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 82, 1945.

AN ORDINANCE establishing a certain passenger and/or leading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 83, 1945.

AN ORDINANCE regulating parking on certain designated parts of certain streets in the City of Indianapolis; providing a penalty for violation thereof; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 77, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the sum of Eight Hundred (\$800.00) Dollars (Gas Tax Monies) from a certain fund to another designated fund in the Department of Public Parks; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 78, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the total sum of Twelve Hundred (\$1,200.00) Dollars from certain designated funds to other designated funds in the Department of Public Parks; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 79, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the total sum of Two Hundred Fifty (\$250.00) Dollars from certain items under Fund No. 11, Municipal Dog Pound, Department of Public Safety, to certain other designated items and funds in the same division and department; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 80, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the sum of Twelve Thousand One Hundred Fifty Three (\$12,153.00) Dollars from Fund No. 11, Fire Department, Department of Public Safety, amongst certain other funds in the same division and department; and providing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 81, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the sum of Seventy-Five (\$75.00) Dollars, from a certain fund in the Division of Public Buildings, Department of Public Works, to another designated fund in the same division and department, for the purpose of paying the cost of repairs to the elevator doors in the City Hall; and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 13, 1945.

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,

ROBERT H. TYNDALL,

Mayor

COMMUNICATIONS FROM CITY OFFICIALS

At this time those present were given to opportunity to be heard on Appropriation Ordinances Nos. 82, 83, 84, 85, 1945, General Ordinances Nos. 75, 77, 79, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 1945, and Resolution No. 8, 1945.

Mr. Manly asked for recess. The motion was seconded by Mr. Worley and the Council recessed at 8:10 P. M.

The Council reconvened at 10:30 P. M. with the same members present as before.

December 3, 1945.

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 82, 83, 84, 85, 1945.

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 82, 83, 84, 85, 1945—Friday, November 23 and 30, 1945—The Marion County Mail and The Indianapolis Commercial, that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held December 3, 1945 and by posting copies of said notices in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Yours very truly,

FRANK J. NOLL, Jr.,

City Clerk

December 3, 1945.

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

Gentlemen:

In Re: General Ordinances Nos. 74, 76, 78, 81, 83, 1945
and Special Ordinance No. 13, 1945.

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers, to-wit:

G. O. No. 74, 1945 — Saturday, November 17 and 24, 1945 — The Indianapolis Recorder and The Indianapolis Commercial — G. O. No. 76, 1945 — Saturday, November 24 and December 1, 1945 — The Indianapolis Times and Indianapolis Star — G. O. No. 78, 1945 — Monday, November 26, and December 3, 1945 — The Indianapolis News and Indianapolis Commercial — G. O. Nos. 81 and 83, 1945 — Friday, November 30 and December 7, 1945 — West Side Messenger and Marion County Mail — S. O. No. 13, 1945 — Saturday, November 24 and December 1, 1945 — The Indianapolis Times and Indianapolis Commercial, and that said ordinances are now in full force and effect as of the last date of publication.

Very truly yours,

FRANK J. NOLL, Jr.,
City Clerk

December 3, 1945.

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

Gentlemen:

In Re: General Ordinances Nos. 94 and 95, 1945.

I hereby report that pursuant to the laws of the State of Indiana, I caused "Notice to Interested Citizens" that General Ord-

nances Nos. 94 and 95, 1945 (Zoning Ordinances) were published on Saturday, November 24, 1945 in The Indianapolis Times and The Indianapolis Star for a hearing on December 3, 1945.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

December 3, 1945.

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

Gentlemen:

In Re: General Ordinance No. 93, 1945 (\$156,000.00)
(Bond Issue)

I hereby report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers hearing on Appropriation of proceeds of sale of bonds by City of Indianapolis" as provided by the adoption of General Ordinance No. 93, 1945, which notice was published in the following newspapers, to-wit:

G. O. No. 93, 1945 — Friday, November 23 and 30, 1945 — The Indianapolis Times and The Indianapolis Commercial, and by posting copy of said notice in the City Hall, Court House and Police Station in the City of Indianapolis.

A copy of said notice being incorporated in the minutes of this meeting.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

NOTICE TO TAXPAYERS

HEARING ON APPROPRIATION OF PROCEEDS OF SALE
OF BONDS BY CITY OF INDIANAPOLIS

LEGAL NOTICE

Notice is hereby given to taxpayers of the City of Indianapolis,

Indiana, that the Common Council of said city has under consideration, General Ordinance No. 93, 1945, providing for a bond issue of One Hundred Fifty Six Thousand (\$156,000.00) Dollars to procure money for the payment of said city's proportionate share of the total cost of elevating, depressing and altering certain grade crossings, including a grade separation structure at the intersection of West Morris Street and the Belt Railroad tracks in said city, and work thereunto appertaining, sale of Bonds and the receipt of bids for the same, together with the mode and terms of sale, appropriating the money received from said sale of bonds to the Board of Public Works and Sanitation of said city, and fixing the time when the same shall take effect.

Said ordinance was referred to the Committee on Finance and may be further considered at the regular meeting of the Common Council to be held Monday, December 3rd, 1945, 7:30 p. m.

Since the above proposed expenditure is in excess of the 1945 published budget for said city, all taxpayers appearing shall have the right to be heard thereon.

After said appropriation has been determined any ten or more taxpayers in said city, other than those who pay poll tax only, feeling themselves aggrieved may appeal to the State Board of Tax Commissioners for further and final action thereon by filing of petition therefor with the Marion County Auditor not later than ten days after said additional appropriation has been made by the said Common Council, and the State Board of Tax Commissioners will fix a date of hearing in this county, within 15 days, at its office, 231 State House, Indianapolis, Indiana.

WITNESS MY HAND AND SEAL of the City of Indianapolis this 20th day of November, 1945.

Very truly yours,

FRANK J. NOLL, Jr.,

City Clerk

(Seal)

December 3, 1945.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Attached are copies of Appropriation Ordinance No. 86, 1945, introduced at the request of the Board of Public Safety, reappropriating \$1,500.00 to the Dog Pound to pay for purchases made by the Dog Pound without purchase orders when there were no balances in the funds.

Yours very truly,

ROY E. HICKMAN,
City Controller

December 3, 1945.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis.

Gentlemen:

Attached are copies of Appropriation Ordinance No. 87, 1945, reappropriating the sum of \$1,600.00 in the City Market.

Yours very truly,

ROY E. HICKMAN,
City Controller

December 1, 1945.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Submitted herewith is General Ordinance No. 97, 1945, estab-

lishing a 50 foot "loading zone" as follows:

"50 foot "loading zone" to begin at a point 30 feet north of the north curb line of 13th Street on Pennsylvania Street and extending north 50 feet 24 hours per day."

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY
WM. H. REMY, President

December 1, 1945.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis.

Gentlemen:

Submitted herewith is General Ordinance No. 98, 1945, ordering the removal of Pennsylvania Railroad warning signals, to-wit:

Pennsylvania R. R. and State Street
Pennsylvania R. R. and State Street
Pennsylvania R. R. and Emerson Ave.
Pennsylvania R. R. and Audubon Road

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
WM. H. REMY, President

November 27, 1945.

Honorable President and Members
Common Council of the
City of Indianapolis.

Gentlemen:

Attached hereto are copies of General Ordinance No. 99, 1945,

authorizing the Board of Public Works & Sanitation, thru its duly appointed Purchasing Agent to contract for the following equipment:

- 1 Eductor Tank & Pumper Assembly, 6 cubic capacity, with body scraper and long handled stone hook, all complete as per specifications @ \$6,390.38

The contract is to be awarded to the Elgin Sweeper Company, Elgin, Illinois, whose bid was considered the lowest and best. Delivery to be made in approximately 15 months.

I therefore respectfully recommend the passage of this Ordinance.

Yours very truly,

EDWARD G. HERETH,
Purchasing Agent.

December 3, 1945.

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

Gentlemen:

Submitted herewith are copies of General Ordinance No. 100, 1945, amending General Ordinance No. 121, 1925 (Municipal Code) and General Ordinance No. 69, 1942.

Very truly yours,

HERMAN E. BOWERS
JOHN A. SCHUMACHER
EDWARD R. KEALING
OTTO H. WORLEY
MAX WHITE
LUCIAN B. MERIWETHER
R. C. DAUSS
WM. A. BROWN
A. ROSS MANLY

Councilmen.

November 30, 1945.

Honorable President and Members
of the Common Council of the
City of Indianapolis.

Gentlemen:

Attached please find copies of Special Ordinance No. 14, 1945, authorizing the sale, alienation and conveyance of certain land of the City of Indianapolis, Indiana, being part of Lot 11 in Michael Van Blaricum's Subdivision of part of Outlot 2 west of White River, as recorded in Plat Book 2, page 119, in the office of the Recorder of Marion County, Indiana, and fixing a time when the same shall take effect.

The Board of Public Works and Sanitation respectfully recommends the passage of this ordinance, and requests that the same be passed.

BOARD OF PUBLIC WORKS AND SANITATION,
OTTO T. FERGER, Executive Secretary.

December 3, 1945.

To the President and Members
of the Common Council of the
City of Indianapolis.

Gentlemen:

Submitted herewith are copies of Resolution No. 9, 1945, seeing to it that every hospitalized "Yank Who Gave" is remembered for Christmas.

I recommend the adoption of this resolution.

Very truly yours,

R. C. DAUSS,

Councilman

COMMITTEE REPORTS

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Works, to whom was referred
Appropriation Ordinance No. 82, 1945, entitled

AN ORDINANCE transferring, reappropriating and reallocating
\$62,260.00 from Fund No. 11 in the Fire Dept. and Police Dept.
to Policemen and Firemen Equipment Fund,

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

EDWARD R. KEALING, Chairman
HERMAN E. BOWERS
R. C. DAUSS
WM. A. BROWN
MAX WHITE

December 3, 1945.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred
Appropriation Ordinance No. 83, 1945, entitled

AN ORDINANCE transferring, reappropriating, and reallocating
\$100.00 from Fund No. 41 to Fund No. 32, Fuel & Ice, City
Market,

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

MAX WHITE, Chairman
WM. A. BROWN
A. ROSS MANLY
LUCIAN B. MERIWETHER
HERMAN E. BOWERS

December 3, 1945.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Appropriation Ordinance No. 84, 1945, entitled

AN ORDINANCE appropriating \$10,000.00 for Special Counsel —
Indianapolis Railway Rate Case,

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

A. ROSS MANLY, Chairman
R. C. DAUSS
LUCIAN B. MERIWETHER
OTTO H. WORLEY

December 3, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Appropriation Ordinance No. 85, 1945, entitled

AN ORDINANCE transferring, reappropriating and reallocating
\$1,500.00 from Fund No. 11, to Fund No. 72, Equipment, for
the purchase of an automobile in the Weights and Measures
Dept.,

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

December 3, 1945.

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. 75, 1945, entitled

AN ORDINANCE amending Zoning Ordinance (Resident classes,
Apartment House, Dwelling House District, etc.),

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

December 3, 1945.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred
General Ordinance No. 77, 1945, entitled

AN ORDINANCE to amend General Ordinance No. 114, 1922, As
Amended, (Central Ave. & 13th St.),

beg leave to report that we have said ordinance under consideration,
and recommend that the same do not pass.

MAX WHITE, Chairman
WM. A. BROWN
A. ROSS MANLY
LUCIAN B. MERIWETHER
HERMAN E. BOWERS

December 3, 1945.

To the 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. 79, 1945, entitled

AN ORDINANCE approving and adopting the City Plan Commission's Parking Meter Facility Resolution No. 1 of August 6, 1945,

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

December 3, 1945.

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. 84, 1945, entitled

AN ORDINANCE authorizing the Mayor to appoint a City Service Officer for the City of Indianapolis,

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

December 3, 1945.

To the 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. 85, 1945, entitled

AN ORDINANCE authorizing the City to make temporary loans for \$100,000.00 for Dept. of Public Health and Hospitals General Fund, \$25,000.00 for the School Health Fund, and \$20,000.00 for the Tuberculosis Fund,

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

December 3, 1945.

To the 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. 86, 1945, entitled

AN ORDINANCE authorizing th City Controller to make a temporary loan in the sum of \$750,000.00, for the General Fund,

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

HERMAN E. BOWERS, Chairman
EDWARD R. KEALING
R. C. DAUSS
LUCIAN B. MERIWETHER
A. ROSS MANLY

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred
General Ordinance No. 87, 1945, entitled

AN ORDINANCE authorizing the City to make a temporary loan
in the sum of \$70,000.00 for the use of the Board of Trustees of
the Firemen's Pension Fund,

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
MAX WHITE

December 3, 1945.

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. 88, 1945, entitled

AN ORDINANCE amending Section 2 of General Ordinance No. 74,
1943, relating to Restaurant Permits and fees,

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

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred
General Ordinance No. 89, 1945, entitled

AN ORDINANCE authorizing the Board of Public Works and Sani-
tation to purchase 1 Truck Chassis, cab & body with Winch for
\$3,116.10,

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

R. C. DAUSS, Chairman
EDWARD R. KEALING
HERMAN E. BOWERS
OTTO H. WORLEY
MAX WHITE

December 3, 1945.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred
General Ordinance No. 90, 1945, entitled

AN ORDINANCE authorizing the Board of Public Works and Sani-
tation to purchase One International Truck Chassis with 6 wheels
for \$4,806.45,

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

MAX WHITE, Chairman
WM. A. BROWN
A. ROSS MANLY
LUCIAN B. MERIWETHER
HERMAN E. BOWERS

December 3, 1945.

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

Gentlemen:

We, your Committee on Election, to whom was referred General Ordinance No. 91, 1945, entitled

AN ORDINANCE abolishing safety zone on the east side of Penn. St., just south of E. Washington St. and establishing a trackless trolley bus stop,

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

WM. A. BROWN, Chairman
MAX WHITE
R. C. DAUSS
HERMAN E. BOWERS
A. ROSS MANLY

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred General Ordinance No. 92, 1945, entitled

AN ORDINANCE establishing 3 taxicab stands,

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

LUCIAN B. MERIWETHER, Chairman
EDWARD R. KEALING
A. ROSS MANLY
OTTO H. WORLEY
WM. A. BROWN

December 3, 1945.

To the 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. 93, 1945, entitled

AN ORDINANCE authorizing the issuance and sale of \$156,000.00
Track Elevation Bonds of 1946, First Issue,

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

A. ROSS MANLY, Chairman
R. C. DAUSS
LUCIAN B. MERIWETHER
OTTO H. WORLEY
WM. A. BROWN

November 28, 1945.

Dr. Lucian B. Meriwether
Chairman, Committee on Public Health
Common Council of the
City of Indianapolis.

Dear Dr. Meriwether:

The City Plan Commission at its regular meeting, November 26, 1945, unanimously disapproved passage of General Ordinance No. 94, 1945, amending G. O. No. 114, 1922 to extend U3 or business zoning to include the northwest corner of Illinois & 39th Streets, in the City of Indianapolis.

It was the feeling of the members of the City Plan Commission that the existing business zoning, extending from 38th Street to 39th Street on Illinois Street, should not be extended north of 39th Street which provided a desirable barrier or limit as a line of demarcation between U3 or business use and U1 or residential use, which exists and extends for some distance northward from 39th Street.

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred
General Ordinance No. 94, 1945, entitled

AN ORDINANCE amending the Zoning Ordinance (39th & Illinois
Sts.)

beg leave to report that we have had said ordinance under consider-
ation, and recommend that the same do not pass.

LUCIAN B. MERIWETHER, Chairman
EDWARD R. KEALING
A. ROSS MANLY
OTTO H. WORLEY
WM. A. BROWN

November 28, 1945.

Mr. Otto H. Worley, Chairman
Law & Judiciary Committee
Common Council of the
City of Indianapolis.

Dear Mr. Worley:

With reference to General Ordinance No. 95, 1945, which was
previously endorsed and sponsored by the City Plan Commission and
has again been referred to said Commission, in accordance with
established procedure for confirming recommendation, we wish to
advise that at the regular meeting of the City Plan Commission on
November 26, 1945, the Commission reaffirmed its belief that the area
involved in Ordinance No. 95 could properly be changed as to use
under the U3 or business classification, but that further review of
the potential or proposed business uses within such area is con-
sidered to be advisable and is unanimously recommended by the
City Plan Commission.

Respectfully yours,

NOBLE P. HOLLISTER, Secretary,
CITY PLAN COMMISSION.

December 3, 1945.

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. 95, 1945, entitled

AN ORDINANCE amending Zoning Ordinance (Maple Road and
right-of-way of Chicago, Indianapolis and Louisville Railway
Co.),

OTTO H. WORLEY, Chairman
WM. A. BROWN
HERMAN E. BOWERS
EDWARD R. KEALING
LUCIAN B. MERIWETHER

December 3, 1945.

To the 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. 96, 1945, entitled

AN ORDINANCE prohibiting and regulating, keeping cattle, swine,
etc.,

beg leave to report that we have had said ordinance under consider-
ation, and recommend that the same be held for further consideration.

A. ROSS MANLY, Chairman
OTTO H. WORLEY

December 3, 1945.

To the 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. 96, 1945, entitled

AN ORDINANCE prohibiting and regulating, keeping cattle, swine, etc.,

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

WM. A. BROWN
R. C. DAUSS
LUCIAN B. MERIWETHER

December 3, 1945.

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

Gentlemen:

We, your Committee on Public Health, to whom was referred Resloution No. 8, 1945, entitled

A RESOLUTION approving, confirming and ratifying a certain permit granted the Indianapolis Railways, Inc.,

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

EDWARD R. KEALING
OTTO H. WORLEY
WM. A. BROWN

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 86, 1945.

AN ORDINANCE transferring, reappropriating and reallocating

the sum of Fifteen Hundred (\$1,500.00) Dollars from a certain designated fund in the Fire Department to other designated funds in the Dog Pound,—;all in the Department of Public Safety, and fixing a time when the same shall take effect.

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

Section 1. That the sum of Fifteen Hundred (\$1,500.00) Dollars now held in Fund No. 11, Salaries and Wages, Regular Fire Department, Department of Public Safety, be and the same is hereby transferred, reappropriated and reallocated amongst the following funds of the Dog Pound Division of the same Department, in the respective amounts indicated, in order to pay for purchases made without purchase orders when there were no balances in the various funds, to-wit:

DOG POUND

Fund N. 32, Food	\$ 300.00
Fund No. 33, Garage	\$1,000.00
Fund No. 34, Institutional & Medical	200.00
	<hr style="width: 20%; margin-left: auto; margin-right: 0;"/>
TOTAL	\$1,500.00

Section 2. This ordinance shall be in full force and effect upon its passage, approval by the Mayor, and compliance with all law pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE NO. 87, 1945.

AN ORDINANCE transferring, reappropriating and reallocating the sum of Sixteen Hundred (\$1,600.00) Dollars from a certain fund in the City Market, Department of Public Safety, to another designated fund in the same Division and Department; 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 sum of Sixteen Hundred (\$1,600.00) Dollars now held under Fund No. 24, Printing and Advertising division of City Market, Department of Public Safety, be and the same is hereby transferred, reappropriated and reallocated to Fund No. 25, Repairs, under the same Division and Department.

Section 2. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and compliance with all law pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE NO. 97, 1945.

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; 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 for the purpose of providing the owners and occupants of certain premises, fronting on a certain public street in the City of Indianapolis, with ingress and egress for passengers, materials and merchandise coming to and going from such premises,—such owners or occupants having complied with all provisions of law relative to the establishment of passenger and/or loading zones at the place hereinafter set out, and the Board of Public Safety having caused investigation to be made thereof and having recommended its establishment, the following passenger and/or loading zone be and the same is hereby created, to-wit:

"50 foot "loading zone" to begin at a point 30 feet north of the north curb line of 13th Street on Pennsylvania Street and extending north 50 feet. —24 hours per day."

Section 2. This ordinance shall be in full force and effect upon its passage and approval by the Mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 98, 1945.

AN ORDINANCE approving an order heretofore made by the Board of Public Safety and ordering the removal of Pennsylvania Railroad warning signals from the center of the street and placed on each side of the Highway at certain designated locations; 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 Order of the Board of Public Safety of the City of Indianapolis, heretofore made on November 15, 1945, be and the same is hereby approved and the Pennsylvania Railroad warning signals in the center of the street and on each side of the Highway at the following locations in the City of Indianapolis are hereby ordered removed, to-wit:

Pennsylvania R. R. and Southern Ave.
Pennsylvania R. R. and State Street.
Pennsylvania R. R. and Emerson Ave.
Pennsylvania R. R. and Audubon Rd.

Section 2. This ordinance shall be in full force and effect upon its passage and approval by the Mayor.

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

By the Purchasing Agent:

GENERAL ORDINANCE NO. 99, 1945

AN ORDINANCE authorizing the Board of Public Works and Sanitation to contract for the purchase, through its duly authorized Purchasing Agent, of certain equipment to be paid out of funds heretofore appropriated; 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 and Sanitation of the City of Indianapolis, Indiana, be and it is hereby authorized and empowered to contract for the purchase, through its duly authorized Purchasing Agent, of the following equipment to be ordered by the Street Commissioner,—such equipment to be purchased from the lowest and best bidder, or bidders, whose bids have heretofore been received and opened in public by said Board after due advertisement therefor, and the total cost of such equipment shall not exceed the sum of money as hereinafter set out,—to be paid out of funds heretofore appropriated for the use of said Board, to-wit:

Req. No. 1810—1 Eductor Tank & Pumper Assembly	6
cubic yard capacity with Body Scraper and	
Long Handled Stone Hook -----	\$6,390.38

Section 2. This Ordinance shall be in full force and effect upon its passage and approval by the ayMor.

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

By All Councilmen:

GENERAL ORDINANCE NO. 100, 1945.

AN ORDINANCE to amend Section E-101, E-102, E-103 and E-104, and adding thereto a new Section to be numbered Sec. E-118: Division E - Part One of General Ordinance 121, 1925 and to amend Sec. 7 of Generalo Ordinance 69, 1942; 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 Section E-101 of General Ordinance No. 121, 1925,—being a part of Division E in the Building Code of 1925, as amended, and relating to smoke abatement, be and the same is hereby amended to read as follows:

“Sec. E-101, A Division is hereby created in the Executive Department of the City of Indianapolis which shall be known as the Board of Air Pollution Control, which Board shall consist of eleven (11) members to be appointed by the Mayor. Two members shall be appointed for one year, three members shall be appointed for two years and three members shall be appointed for three years and three members shall be appointed for a term of four years from and after January 1, 1946. Annually thereafter, on or before the 1st. day of February of each year, the Mayor shall appoint a member or members of such Board to fill the vacancy or vacancies caused by the expiration of the term or terms of office of any member or members, and such member or members then appointed shall hold office for a term of four years from the 1st day of January of the year of his appointment. If any vacancy shall exist on said Board caused by resignation or otherwise, the Mayor shall appoint a member for the residue of such term.

The Board shall within ten (10) days after its appointment meet and elect one of its members as President and another as Vice-President. The duties of such President and Vice-President shall be those usually assumed and performed by the President and Vice-President of similar boards, and they shall each be elected for a term of one year or until their successors are elected and qualified.

It shall be the duty of such Board to inspect and control the installation of all heating, power and fuel burning equipment abatement of smoke and air pollution from any other cause, the examination and approval of plans of all heating, power and fuel burning installations installed or re-constructed in any building, location or on any premises within the jurisdiction of the City of Indianapolis. Such Board may adopt and promulgate such rules and regulations as may be necessary to carry out the intent and purpose of this ordinance.

Members of the Board shall be appointed by reason of special qualifications and representative capacity and shall include:

- (1) An owner or operator of a commercial or individual enterprise;
- (2) The owner or manager of an apartment house;
- (3) A power plant engineer;
- (4) A retail coal dealer;
- (5) A representative of the coal mining industry;
- (6) A licensed heating and ventilating engineer;
- (7) A representative of the railroad industry;
- (8) A practicing licensed physician;
- (9) Three resident householders, who are not interested in or connected with any of the foregoing classifications, from one to eight inclusive.

Each member appointed in the classifications from one to eight inclusive, shall at the time of his appointment and for five years prior thereto have been actually engaged in a business coming within the class under which he is appointed.

Seven members of the Board shall be constitute a quorum and the vote of six members shall be required to transact business.

Members of the Board shall serve without remuneration for their services but shall be reimbursed for all expenses necessarily and actually incurred in the performance of their duties as members of such Board.

Sec. 2. That Sec. E-102, of the first above entitled ordinance be amended to read as follows:

"Sec. E-102. The Board shall with the approval of the Mayor, employ an engineer to be known as the Combustion Engineer and whose duties shall be to act as Secretary of the Board and who shall be the administrative officer of the Board charged with the enforcement of the provisions of this ordinance and with the carrying out of any other duties which may be assigned to him by the Board. The Board shall employ all clerks, stenographers, inspectors and other personnel necessary for the proper enforcement of this ordinance with the approval of the Mayor and shall with the approval of the Mayor fix the salaries of all employees of the Department.

Sec. 3 That Sec. E-103 of the first above entitled ordinance be amended to read as follows:

Sec. E-103. That for the purpose of determining by comparison the degree of darkness of smoke emitted within the City of Indianapolis, a density of Number 2 or more on the Ringelman Chart

(40% smoke) for a period aggregating more than six months in any one hour shall be considered a violation.

Sec. 4. That Sec. E-104 of the first above entitled ordinance be amended to read as follows:

Sec. 1-104.

(a) The production, emission, or other escape of smoke within the City of Indianapolis, of a greater degree of darkness than as described in the preceding section, from any fire or fires, whether same be active or burning or banked or in a state of rest, or whether said smoke be suffered or permitted to escape through a stack, flue or chimney or from an open space, except for a period or periods aggregating six (6) minutes in any one (1) hour during which time the firebox, or fireboxes, are being cleaned out or a new fire, or fires, built therein, is hereby declared a nuisance and may be summarily abated by the Combustion Engineer or by any one whom he may duly authorize for such purpose. Such abatement may be in addition to the fine hereinafter provided. Any person, firm or corporation who shall suffer or permit the production, emission or escape of smoke, within the City of Indianapolis, of a greater degree of darkness than number one (1) scale as described in the preceding section, from any fire or fires whether same be active or burning or banked or in a state of rest, or whether said smoke be suffered or permitted to escape through a stack, flue or chimney or from an open space except for a period or periods aggregating six (6) minutes in any one hour during which time the firebox is being cleaned out or a new fire built therein shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than two (2) dollars nor more than three hundred dollars (\$300.00) for each offense, and each emission of smoke in violation of the provision of this Section shall constitute a separate offense for each and every day on which violation shall continue.

(b) At roundhouses and terminals an immunity of periods aggregating six (6) minutes in one (1) hour shall be allowed when fires are being cleaned or fires are being built in cold locomotives. After the fire has been built, a locomotive shall not emit smoke in violation of Sec. E-103 hereof, for a duration of more than one (1) minute during any one (1) hour.

“The provisions of this section shall not apply to locomotives coupled to heavy trains during the time such trains are being started or while such trains are moving upgrade.”

(c) All railroad roundhouses hereafter constructed or fire-building stations hereafter constructed where steam is raised in locomotives shall be equipped with direct-steaming systems or such other approved devices by means of which fires may be built and steam raised in cold locomotives without production of dense smoke for a period of more than three (3) minutes duration. All locomotives serviced at such stations shall be equipped with approved devices by means of which fires may be built and steam raised in cold locomotives without the production of dense smoke for a period of more than three (3) minutes duration. A "cold locomotive" shall be construed to mean a locomotive in which the fire has been withdrawn or extinguished.

(d) No person, partnership, firm or corporation or any combination or association of persons shall cause or allow to escape into the open air of such quantities of ash, dust, soot, cinders, acid, or other fumes, dirt or other material, or other obnoxious gases, in such place or manner as to cause injury, detriment, nuisance or annoyance to any person or to the public, or to endanger the comfort, repose, health or safety of any such person or the public, or in such a manner as to cause or have a natural tendency to cause injury or damage to business or property.

Sec. 5. That Section 7 of the second above mentioned ordinance be amended to read as follows:

Section 7. That Division E of Section 865 of General Ordinance No. 121, 1925, as amended, be and hereby amended by adding thereto a Section to be known as Sec. E-117, which section shall read as follows:

Sec. E-117—All powers and duties and heretofore assigned and conferred or imposed upon the Division of Smoke Abatement and the Commissioner of Buildings, pertaining to Smoke Abatement and fuel burning equipment are hereby transferred to and upon the Board of Air Pollution Control and the Combustion Engineer; and wherever the Division of Smoke Abatement and Commissioner of Buildings is mentioned in Division "E" of the Building Code of the City of Indianapolis, it shall hereafter, mean and have reference to the Board of Air Pollution Control and the Combustion Engineer respectively.

Sec. 6 That a new section be added to Division "E" of said ordinance to be known as Sec. E-118, which is as follows:

Sec. E-118. Any person, partnership firm or corporation or any combination or association of persons who shall violate any of the provisions of Division "E" of said General Ordinance No. 121,-1925, and amendments thereto, except Sub. Sec. (a) of Sec. E-104, the violation of which shall be punished as provided therein, shall upon conviction thereof be fined not less than five (5) nor more than three hundred (\$300.00) Dollars, and each violation shall constitute a separate offense.

Sec. 7. This ordinance shall be in full force and effect upon its passage, approval by the Mayor, and publication according to law.

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

INTRODUCTION OF SPECIAL ORDINANCES

By the Board of Public Works and Sanitation:

SPECIAL ORDINANCE NO. 14, 1945.

AN ORDINANCE authorizing the sale, alienation and conveyance of certain land, of the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Works and Sanitation of the City of Indianapolis, has determined that certain land hereinafter described, is no longer necessary for the public use, and that it would be to the interest of said City to dispose of such land by sale; NOW, THEREFORE:

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

Section 1. That the Board of Public Works and Sanitation of the City of Indianapolis, Indiana, is hereby authorized to sell, alienate and convey for cash, for not less than the appraised value thereof, which value is to be hereafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described real estate belonging to the City of Indianapolis, Marion County, Indiana, to-wit:

Part of Lot 11 in Michael Van Blaricum's subdivision of

part of outlot 2 West of White River, as recorded in plat book 2, page 119, in the office of the recorder of Marion County, Indiana, more particularly described as follows: Beginning at a point in the west line of lot 11, which point is 98.08 feet north of the southwest corner of lot 11; thence south along the west line of Lot 11, a distance of 98.08 feet to the southwest corner of lot 11; thence east along the south line of lot 11, a distance of 35 feet to the southeast corner of lot 11; thence north along the east line of lot 11, a distance of 34.7 feet to a point in the east line of lot 11; thence along a line in a northwesterly direction, a distance of 71.27 feet, more or less, to the place of beginning. Also those parts of vacated West Maryland Street and vacated Henrietta Street as recorded in Town Lot Record 580, page 394, in the office of the recorder of Marion County, Indiana, abutting said lot 11, and lying west of the extension southeastwardly of the above described line 71.27 feet, more or less, in length, said line being northeast boundary line of the part of lot 11 above described.

Said real estate shall be sold at public sale upon such notice or notices as the Board of Public Works and Sanitation may determine. The conveyance of the above described real estate shall be by the Mayor, in the name of the City of Indianapolis, and attested by the City Clerk, and with the seal of the City.

Section 2. This ordinance shall be in full force and effect from and after said passage and approval by the Mayor.

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

INTRODUCTION OF RESOLUTIONS

By Councilman Dauss:

RESOLUTION NO. 9, 1945.

WHEREAS there still are more than 500,000 servicemen and women as well as veterans in hospitals in this country and overseas paying with their health and limbs the price of victory; and

WHEREAS the Christmas season we now enter into with the blessings of peace was made possible through the selfless patriotism and heroism of these hospitalized men and women; and

WHEREAS the American Legion and its Auxiliary through the "Gifts for Yanks Who Gave" Christmas program has made it possible for a grateful public to remember at Christmas time every American serviceman and women and veteran in a Navy, Army or Veteran hospital; and

WHEREAS in the City of Indianapolis, home of National American Legion Headquarters, through the 11th District American Legion and its Auxiliary, Christmas gifts are now being collected for distribution to servicemen and women and veterans hospitalized in Indiana and to other states where needed;

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

That the Common Council of the City of Indianapolis as expression of gratitude to the "Yanks Who Gave" commend the Legion and its Auxiliary for its efforts in behalf of these hospitalized men and women, and urge the citizens of Indianapolis to help in seeing to it that hospitalized Yank Who Gave is remembered for Christmas.

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

ORDINANCES ON SECOND READING

Mr. Kealing called for Appropriation Ordinance No. 82, 1945 for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Brown, Appropriation Ordinance No. 82, 1945 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 82, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. White called for Appropriation Ordinance No. 83, 1945 for second reading. It was read a second time.

On motion of Mr. White, seconded by Mr. Worley, Appropriation Ordinance No. 83, 1945 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 83, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Manly called for Appropriation Ordinance No. 84, 1945 for second reading. It was read a second time.

On motion of Mr. Manly, seconded by Mr. Bowers, Appropriation Ordinance No. 84, 1945 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 84, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bowers, Mr. Dauss, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Noes 1, viz: Mr. Brown.

Not voting: Mr. Kealing.

Mr. Bowers called for Appropriation Ordinance No. 85.

1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Manly, Appropriation Ordinance No. 85, 1945 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 85, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 75, 1945 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Bowers, General Ordinance No. 75, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 75, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. White called for General Ordinance No. 77, 1945 for second reading. It was read a second time.

Mr. White moved that General Ordinance No. 77, 1945 be stricken from the files. Which was seconded by Mr. Manly and carried by the following roll call vote:

Ayes 8, viz: Mr. Bowers, Mr. Brown, Mr. Kealing, Mr.

Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Noes 1, viz: Mr. Dauss.

Mr. Bowers called for General Ordinance No. 79, 1945 for second reading. It was read a second time.

Mr. Bowers presented the following motion to amend General Ordinance No. 79, 1945:

December 3, 1945.

Mr. President:

I move that General Ordinance No. 79, 1945, be amended by striking out everything after the ordaining clause and inserting in lieu thereof the following:

Section 1. That the words "Parking Meter" whenever used in this ordinance shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance.

That the word "vehicle" as used herein shall mean any device in, upon or by which any person or property is or may be transported upon a street or highway, except on rails or tracks.

That the words "park" or "parking" as used herein shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

That the phrase "parking space" used herein shall mean the space or the section of the street adjacent to the curb, painted and indicated by lines painted or otherwise durably marked on the surface of the street adjacent or adjoining the parking meters.

Section 2. That the City Plan Commission's Parking Facility Resolution No. 1, including plans and recommendations, all here-

tofore concurrently approved by the Board of Public Works and Sanitation and certified to this Common Council on August 6, 1945, (as spread of record in its Journal of Proceedings for that date), be and the same are hereby approved and adopted,, and the parking meter zones as set forth in said Parking Facility Resolution No. 1, and respective time limits are hereby established and created, as follows, to-wit:

On both the east and west sides of Illinois Street, Meridian Street and Pennsylvania Street between Vermont Street and Michigan Street; on both the north and south sides of Vermont Street between Illinois Street and Pennsylvania Street, on the North side of Ohio Street between Senate Avenue and Capitol Avenue, on both the east and west sides of Senate Avenue between Washington Street and Ohio Street: on both the north and south sides of Washington Street between Missouri Street and Senate Avenue; and on both the north and south sides of Washington Street between Alabama Street and East Street for a maximum parking limit of two (2) hours.

On the west side of Capitol Avenue from Maryland Street to New York Street; on the east side of Capitol Avenue from Maryland Street to Washington Street and from Market Street to New York Street; on the west side of Illinois Street from Louisiana Street to Vermont Street and on the east side to Illinois Street from Jackson Place to Vermont Street; on the west side of Meridian Street from Louisiana Street to Washington Street and from Ohio Street to Vermont Street and on the east side of Meridian Street from the Union Station railroad grade separation to Pearl Street and from New York Street to Vermont Street on the west side of Pennsylvania Street from Maryland Street to Ohio Street and from New York Street to Vermont Street and on the east side of Pennsylvania Street from Massachusetts Avenue to Vermont Street; on both the east and west sides of Delaware Street from Maryland Street to New York Street; on both the east and west sides of Alabama Street from Pearl Street to New York Street; on the north side of New York Street from Capitol Avenue to Delaware Street and on the south side of New York Street from Capitol Avenue to Meridian Street, and from Pennsylvania Street to Delaware Street; on the north side of Ohio Street from Capitol

Avenue to Meridian Street and from Pennsylvania Street to Alabama Street and on the south side of Ohio Street from Capitol Avenue to Alabama Street; and both the north and south sides of Washington Street from Senate Avenue to Pennsylvania Street and from Delaware Street to Alabama Street; on both the north and south sides of Maryland Street from Capitol Avenue to Delaware Street; on both the north and south sides of Georgia Street from Capitol Avenue to Meridian Street; on the north side of Jackson Place from Illinois Street to McCrea Street and on both the north and south sides of Jackson Place from McCrea Street to Meridian Street; on both the northeast and southwest sides of Indiana Avenue from Ohio Street to New York Street; on both northwest and southeast sides of Massachusetts Avenue from Ohio Street to New York Street; and on both the northwest and southeast sides of Kentucky Avenue from Maryland Street to Washington Street, for a maximum parking limits of one (1) hour.

On the north side of Market Street from Illinois Street to the Monument Circle and from Delaware Street to Alabama Street and on the south side of Market Street from Capitol Avenue to the Monument Circle and from Delaware Street to Alabama Street; on the west side of Meridian Street from the Monument Circle to Ohio Street and on the east side of Meridian Street from Washington Street to the Monument Circle and from the Monument Circle to Ohio Street; on the outside perimeter of Monument Circle; on the east side of McCrea Street from Louisiana Street to Georgia Street; and on both the north and south sides of Louisiana Street from McCrea Street to Meridian Street, for a maximum parking limit of one (1) hour.

And on the north side of Ohio Street from Meridian Street to Pennsylvania Street; on both the north and south sides of Market Street from the Monument Circle to Delaware Street; on both the north and south sides of Washington Street from Pennsylvania Street to Delaware Street; on the east side of Meridian Street from Pearl Street to Washington Street; on the West side of Pennsylvania Street from Ohio Street to New York Street and on the east side of Pennsylvania Street from Maryland Street to Ohio Street; and on both the northeast and southwest sides of Virginia

Avenue from Maryland Street to Washington Street, for a maximum parking limits of one (1) hour.

Section 3. (a) That the actual location of parking meters within the above described limits shall be determined by the Board of Public Safety and the Traffic Engineer with due allowance for clearance of alley and street intersections and fire hydrants, reserved loading zones and other necessary prohibitions to parking.

(b) That parallel-to curb parking shall be had throughout the entire Parking Meter Areas, with a minimum of Twenty (20) feet provided for each interior parking space, and eighteen feet for each end parking space.

(c) That the rates of charges for parking shall be in effect, wherever meters are installed, between the hours 8:00 o'clock A. M. and 6:00 o'clock P. M. daily, except Sundays and officially designated legal holidays.

(d) That the actual number of meters required and the proportion as to parking time limits shall be determined and recommended to Board of Public Works and Sanitation after due investigation by the Traffic Engineer and Board of Public Safety.

(e) That the letting of any contract by the Board of Public Works and Sanitation for the installation and purchase of any and all parking meters, shall be approved by the Common Council as required by law.

Section 4. That when parking spaces are indicated by painted or otherwise durably marked lines upon the surface of the streets, and when parking meters are installed adjacent to and adjoining said respective parking spaces, no vehicle shall remain parked for a period longer than is designated on said adjacent parking meter.

Section 5. That such parking meters shall be placed upon the curb alongside of or adjoining or adjacent to individual parking places to be designated as herein provided and each said parking meter shall be so placed on the curb as to show or display a signal that the parking space alongside of same is or is not in use.

That each said parking meter shall be so set as to display a signal showing legal parking within the adjacent parking space upon the deposit of five-cent or one-cent coin of the United States of America in said meter, for a period of time appearing on the face of said meter, or as hereafter prescribed by any ordinance of the City of Indianapolis, Indiana;

That each meter shall by its device clearly indicate, at the time of depositing such coin, the beginning of the parking time period, and shall continue operation until the expiration of the time fixed by said schedules and ordinances at to the parking time limit for the parking space in the street or the street or avenue adjacent to said meter, whereupon it shall clearly indicate by a mechanical operation that the lawful parking period as fixed by the City of Indianapolis, Indiana, has expired.

Section 6. That, when any vehicle during the time provided herein shall be parked in any parking space alongside of or adjacent to which there is located under this ordinance, a parking meter, the owner, or operator, manager or driver of said vehicle shall upon entering the said parking space immediately deposit a five-cent coin or a one-cent coin of the United States of America in the parking meter alongside of or adjacent to said parking space and perform such other operations at the nature of the parking meter may require, and the said parking space may then be used by such vehicle for the period of time designated on the face of the meter adjacent to that part of the street in which said parking space is located, and the using of such parking space by any vehicle without depositing said coin in said parking meter shall be a violation of this ordinance and punishable as provided in Section 7 of this ordinance.

That, if the vehicle shall remain parked within said parking space for a period beyond the parking time limit fixed by this ordinance for such parking space, the parking meter shall display a sign indicating "illegal" parking, and then in that event, such vehicle shall be considered as parking overtime and beyond the time fixed by the ordinance of the City of Indianapolis, and the parking of any vehicle overtime or beyond the period of time fixed now or hereafter by ordinance of the City of Indianapolis in any such part of the street or avenue adjacent to which such a meter is located shall be construed as a violation of this ordinance and punishable as hereinafter set out in Section 7 of this ordinance.

Section 7. That, whenever a member of the Police Department of the City of Indianapolis, or other persons charged with the enforcement of this ordinance, shall find that Section 6 of this ordinance is being or has 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; that such notice shall be made in triplicate and shall be serially numbered and 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 thereon his badge number;

That one (1) copy of such notice shall be presented to the owner or operator of such vehicle, and in case such owner or his representatives shall not be found in possession of or in charge of such vehicle, the posting of such notice or the attachment thereof in a conspicuous place on such vehicle shall be deemed sufficient notice of such violation.

That it shall be the duty of such officer or other person serving such notice to file the duplicate copy thereof in the office of the Police Traffic Bureau at the close of the day's work;

That the owner or operator of such vehicle who has been so notified of a violation of said Section 6 of this ordinance, as herein provided, may, within seventy-two (72) hours after having been so notified, answer at the office of the Police Headquarters Traffic Department of the City of Indianapolis, Indiana, and, in writing, plead guilty to the charge of such violation and pay the fine prescribed in this section; and acceptance of such fine and plea shall be deemed complete satisfaction for the violation and the violator shall be given a receipt which so states;

That if said owner or operator of such vehicle shall admit and plead guilty in writing to have violated Section 6 of this ordinance, he shall thereupon pay to the Traffic Department Clerk at Police-Headquarters, a fine of Two Dollars (\$2.00).

That whenever any person has been issued a notice as provided in this Section for the violation of Section 6 of this ordinance and shall fail or refuse to appear within seventy-two (72) hours after service of such notice at the office of the Traffic Department at Police Headquarters or having appeared shall fail or refuse to plead guilty to such charge and pay the fine prescribed therefor, then it shall be the duty of the officer or authorized person issuing such notice to file or cause to be filed in the city court an affidavit charging such person with violation or violations specified in such notice, whereupon a summons shall be caused to issue to such person to appear in said city court at certain day and hour to answer said charge, and stand trial for the same, and it shall further 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 upon conviction, in said city court or in any court of competent jurisdiction, such person shall be deemed guilty of a misdemeanor and

shall be fined in any sum not exceeding one hundred dollars (\$100.00), to which may be added imprisonment for not to exceed thirty (30) days.

That all fines or forfeitures collected upon conviction, pleas of guilty or upon forfeiture of bail, of any person charged with a violation of Section 6 of this ordinance, shall be paid to and accounted for by the City of Indianapolis, as now or may hereafter be provided by law.

That in case the owner or operator of such vehicle upon receiving notice of violation as herein provided in this section appears at the office of the Traffic Department at Police Headquarters within seventy-two (72) hours, after the date and time set out in said notice and pleads guilty and pays said two dollars (\$2.00), then and in that case, the name of such owner or operator shall not be added to records of traffic violators.

Section 8. That any vehicle parked in any parking meter zone shall be parked with the hood or front of such vehicle next to the parking meter adjacent to such parking space, and shall be parked within the lines marked on the street or avenue for such parking space as provided herein.

Section 9. (a). That the duties and responsibilities of operation, regulation, maintenance and repair of all parking meters and equipment; including the collecting of the sealed coin cylinders from the parking meters and the delivery of the same (with seals unbroken) to the City Controller or his duly authorized agent be and the same are hereby vested in the Board of Public Safety, which Board shall take all reasonable precautions for the safe handling of such monies so transported under its direction and control, and cause all personnel engaged in the handling thereof to be duly bonded in the amount of \$1,000.00, at the expense of the City of Indianapolis.

(b). That upon the receipt of such sealed parking meter coin cylinders, the City Controller, or his duly authorized agent, shall break the seals, count the funds, and deposit the monies in a special fund to be known as the "Parking Fund," expenditures from which shall be made only in accordance with provisions of Section 5, Chapter 237, Acts of the General Assembly of 1945, except that the salaries of all collectors, service men, clerks, bookkeepers and other persons employed in the parking meter department or by reason of the installation of parking meters shall be paid out of the "Parking Fund."

(c). The Board of Public Safety is hereby authorized, if it deems it to be in the best interest of the public, to contract for the services of any reliable bonded express or messenger agency of established reputation to collect the sealed coin cylinders from the parking meters and count the coins contained therein, and deliver the coins so counted to the City Controller for deposit in the "Parking Fund." All monies remaining in the City Treasury to the credit of said "Parking Fund" at the end of any calendar year, shall remain in said fund and shall not revert to the general funds of said city.

Section 10. That it shall be unlawful for any unauthorized person to deface, injure or tamper with, open or wilfully break destroy or impair the usefulness of any parking meter installed under the terms of this ordinance.

Section 11. That it shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for a five-cent coin or a one-cent coin of the United States.

Section 12. That any person, firm or corporation, who shall violate any of the provisions of this ordinance, for which no specific penalty is herein provided, upon conviction, shall be fined in any sum not exceeding Three Hundred (\$300.00) Dollars or imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

Section 13. That whenever a person is arrested for the violation of any section of this ordinance, for which no specific penalty is provided for such section, and such person is not immediately taken before the City Court of the City of Indianapolis, the arresting officer shall prepare in triplicate a written notice for such person to appear in court, containing the name and address of such person the license number of his vehicle, if any, the offense charge, and the time when such person shall appear in said court, provided, however, that the time specified in such notice shall not be more than three (3) days after such arrest;

That if the arrested person gives his written promise to appear in said court by signing in triplicate the written notice prepared by such arresting officer, he shall be temporarily released from custody, and the original of said notice shall be retained by said officer and a copy thereof delivered to the person arrested.

Section 14. That if any sections or provisions, or parts thereof in this ordinance shall be adjudged invalid or unconstitutional, such

invalidity or unconstitutionality shall not affect the validity of this ordinance as a whole or of any other section or provision or part thereof.

Section 15. That General Ordinance No. 39, 1944 (as amended), and all ordinances or parts of ordinances in conflict herewith, are hereby repealed, EXCEPTING ordinances which regulate traffic on streets where parking is prohibited entirely or excepting streets where parking is prohibited between certain hours of the day.

Section 16. This Ordinance shall be in full force and affect from and after its passage, approved by the Mayor, except those parts providing for a penalty, which parts shall lie in full force and effect after the publication as required by law.

HERMAN E. BOWERS,
Councilman

The motion was seconded by Mr. Worley, and passed by the following roll call vote:

Ayes 7, viz: Mr. Bowers, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Noes 2, viz: Mr. Brown, Mr. White.

On motion of Mr. Bowers, seconded by Mr. Manly, General Ordinance No. 79, 1945, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79, 1945, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bowers, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Worley, President Schumacher.

Noes 2, viz: Mr. Brown, Mr. White.

Mr. Worley called for General Ordinance No. 84, 1945

for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Dauss, General Ordinance No. 84, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 84, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Bowers called for General Ordinance No. 85, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Worley, General Ordinance No. 85, 1945, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 85, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Bowers called for General Ordinance No. 86, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Manly, General Ordinance No. 86, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Dauss called for General Ordinance No. 87, 1945 for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Brown, General Ordinance No. 87, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 87, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Worley called for General Ordinance No. 88, 1945 for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Manly, General Ordinance No. 88, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 88, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Dauss called for General Ordinance No. 89, 1945 for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Kealing.

General Ordinance No. 89, 1945 was ordered engrossed read a third time and placed upon its passage.

General Ordinance No. 89, 1945, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. White called for General Ordinance No. 90, 1945 for second reading. It was read a second time.

On motion of Mr. White, seconded by Mr. Worley, General Ordinance No. 90, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 90, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Brown called for General Ordinance No. 91, 1945 for second reading. It was read a second time.

On motion of Mr. Brown, seconded by Mr. Dauss, General Ordinance No. 91, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 91, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Wor-

ley, President Schumacher.

Dr. Meriwether called for General Ordinance No. 92, 1945 for second reading. It was read a second time.

Dr. Meriwether presented the following motion to amend General Ordinance No. 92, 1945:

December 3, 1945.

Mr. President:

I move that General Ordinance No. 92, 1945, be amended by striking out the last paragraph in Section 1, and inserting in lieu thereof the following:

A two-cab stand on East Twenty-second Street, beginning at the west curb line of the first alley west of North Delaware Street and extending west 48 feet on the north side of East Twenty-second Street.

Re-locating the stand located on West 40th Street between Illinois and Meridian Street, a four cab stand. This stand to be abolished and re-established on 38th. Street (south side) beginning at a point 98 feet east of the east curb line of Salem Street, and extending a distance of 36 feet which would be a two cab stand.

Abolishing a two cab stand on South East Street, just south of Virginia Avenue on the East side of East Street, which is in a street car loading zone. Re-establish this stand on the northeast side of Virginia Avenue beginning at a point 98 feet northwest of the curb line of East Street at Virginia Avenue and extending northwest 36 feet making this a two cab stand.

LUCIAN B. MERIWETHER,

Councilman

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

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr.

Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

On motion of Dr. Meriwether, seconded by Mr. White, General Ordinance No. 92, 1945, As Amended, was read engrossed, read a third time and placed upon its passage.

General Ordinance No. 92, 1945, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Manly called for General Ordinance No. 93, 1945 for second reading. It was read a second time.

On motion of Mr. Manly, seconded by Mr. Bowers, General Ordinance No. 93, 1945 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 93, 1945 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Dr. Meriwether called for General Ordinance No. 94, 1945 for second reading. It was read a second time.

Dr. Meriwether moved that General Ordinance No. 94, 1945 be stricken from the files. Which was seconded by Mr. Manly and carried by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Mr. Brown called for General Ordinance No. 96, 1945 for second reading. It was read a second time.

Mr. Brown moved that General Ordinance No. 96, 1945 be stricken from the files. Which was seconded by Mr. Kealing and carried by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

Dr. Meriwether called for Resolution No. 8, 1945, for second reading. It was read a second time.

On motion of Dr. Meriwether, seconded by Mr. Bowers, Resolution No. 8, 1945 was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 8, 1945, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

MISCELLANEOUS BUSINESS

The Council reverted to the previous order of business.

Mr. Bowers made a motion that the rules be suspended for further consideration and passage of Resolution No. 9, 1945.

The motion was seconded by Mr. Manly and carried by the following roll call vote:

Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

The rules were suspended.

COMMITTEE REPORTS

December 3, 1945.

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

Gentlemen:

We, your Committee on Finance, to whom was referred Resolution No. 9, 1945, entitled
"GIFTS FOR YANKS WHO GAVE,"

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

HERMAN E. BOWERS, Chairman
R. C. DAUSS
A. ROSS MANLY
LUCIAN B. MERIWETHER
EDWARD R. KEALING

ORDINANCES ON SECOND READING

Mr. Bowers called for Resolution No. 9, 1945 for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Dauss,

Resolution No. 9, 1945 was ordered engrossed, read a third time, and placed upon its passage.

Resolution No. 9, 1945, was read a third time by the Clerk and passed by the following roll call vote:

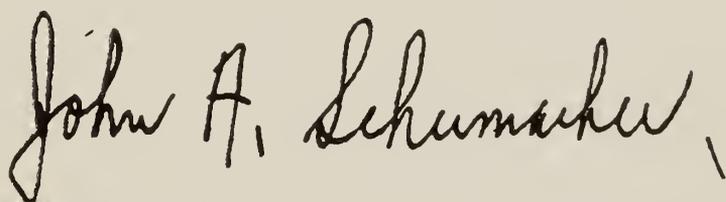
Ayes 9, viz: Mr. Bowers, Mr. Brown, Mr. Dauss, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. White, Mr. Worley, President Schumacher.

On motion of Mr. Dauss, seconded by Mr. Bowers, the Common Council adjourned at 11:00 P. M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 3rd day of December, 1945, 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.

(SEAL)



President

ATTEST:

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City Clerk