

REGULAR MEETING

Monday, December 20, 1948
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, December 20, 1948, at 7:30 P. M., in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidenticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Absent: Miss Connor, Mr. Jameson.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Ross, seconded by Mr. Ehlers.

COMMUNICATIONS FROM THE MAYOR

December 7, 1948.

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. Richard G. Stewart, the following Ordinances:

APPROPRIATION ORDINANCE NO. 32, 1948.

AN ORDINANCE appropriating, transferring and reappropriating and reallocating a certain sum (tax levy monies) from a certain

designated item and fund in the Department of Public Safety as appropriated under the 1948 Budget (G O. 98, 1947, as amended) to certain other funds in the Office of City Clerk, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 101, 1948.

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

GENERAL ORDINANCE NO. 102, 1948.

AN ORDINANCE amending Sec. 1 of G. O. 44, 1946, and Sec. 44 of G. O. 96, 1928, as amended, to include a certain preferential street of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 103, 1948.

AN ORDINANCE establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of Sec. 26 of G. O. No. 96, 1948, as amended, and fixing a time when the same shall take effect.

Respectfully,

AL FEENEY,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

December 18, 1948.

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

Gentlemen:

In Re: General Ordinances Nos. 101, 102, 1948.

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. Nos. 101, 102, 1948—Friday, December 10 and December 17, 1948—The Marion County Messenger and The Indianapolis Commercial

and that said ordinances are in full force and effect as of the last date of publication and compliance with laws pertaining thereto.

Sincerely yours,
RICHARD G. STEWART,
City Clerk.

December 20, 1948.

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

Gentlemen:

Pursuant to statute, I have inserted the attached advertisement for bids for printing and binding of Council proceedings for the year 1949 in the Marion County Mail and The Marion County Messenger, Friday, December 3 and 10, 1948.

Acceptance of any bid shall be subject to the approval of the Common Council.

Sincerely yours,
RICHARD G. STEWART,
City Clerk.

NOTICE TO BIDDERS—CITY OF INDIANAPOLIS

Notice is hereby given that sealed bids and proposals will be received by the City Clerk and Purchasing Department for the City of Indianapolis until 10:00 A. M., Monday, December 20, 1948, for the printing and binding of the proceedings of the Common Council for the year 1949 and printing and binding of the 1950 budget books in the year 1949 according to the following specifications:

- (a) 225 to 275 printed copies of the Council minutes, 50 lb. machine finish of super book paper.
- (b) 125 to 200 budget books printed on 20 lb. basis bond, covered with 65 lb. cover stock.

- (c) 100 books bound in law buckram cloth; upper title, red leather stamped in gold leaf; lower title, black leather stamped in gold leaf.
Signatures or sections of bound books and current proceedings shall not be over 32 pages each.
- (d) Proofs for all Council proceedings shall be delivered to City Clerk within four (4) days after receipt; finished proceedings shall be delivered to City Clerk within three (3) days after return of proof to printer. One hundred copies of proceedings shall be retained by printer for binding.

The time of receiving proofs and the finished copies of said proceedings from printer and the quality of said work shall be the essence of this contract. The acceptance of any bid by the City Clerk, as Clerk of the Common Council, shall be subject to the approval of said Council.

The above contract shall be let to the lowest and best bidder in the office of the Purchasing Agent of the City of Indianapolis, 106 City Hall, as heretofore provided.

RICHARD G. STEWART,
City Clerk
and Clerk of the Common Council.

AL LOSCHE, Purchasing Agent.

December 18, 1948.

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

Gentlemen:

We submit herewith General Ordinance No. 114, 1948.

This Ordinance authorizes the purchase of four (4) 2-door Sedans and one (1) Micro-filming Process complete.

The automobiles are badly needed to keep departmental operations on an effective basis and the Micro-filming Process will make available two thousand (2,000) square feet of floor space now occu-

ped by bulky records. Funds for the above purchases have been approved by the State Tax Board. Bids for these supplies were immediately advertised. Owing to the necessary legal requirements, it was impossible to purchase these materials earlier and submit the same for your approval. Without action of the Common Council during 1948, the necessary funds would be unavailable in 1949 to complete these purchases.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY,
L. J. KEACH, President.

December 20, 1948.

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

Gentlemen:

Attached hereto are copies of General Ordinance No. 115, 1948, pertaining to Smoke Abatement.

Sincerely yours,

GUY O. ROSS,
Councilman.

December 20, 1948.

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

Gentlemen:

Attached hereto are twenty-two (22) copies of General Ordinance No. 116, 1948, authorizing the Board of Public Works to purchase one (1) 20 Ton Heavy Duty Goose Neck Flat Bed Trailer.

It is respectfully recommended that this ordinance be passed.

Very truly yours,

HENRY MUELLER,
Executive Secretary, Board of Public Works.

At this time those present were given an opportunity to be heard on General Ordinances Nos. 105, 106, 107, 108, 109, 110, 111, 112, 113, Special Ordinance No. 16, 1948.

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

The Council reconvened at 9:10 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., December 20, 1948.

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. 107, 1948, entitled

AN ORDINANCE to modify and Revise General Ordinance No. 74, 1948, adopting the annual budget and tax levies of the City

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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. 109, 1948, entitled

AN ORDINANCE authorizing a temporary loan (\$750,000.00) for the use of the General Fund

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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. 110, 1948, entitled

AN ORDINANCE authorizing a temporary loan (\$175,000.00) for the use of the Board of Public Health and Hospitals

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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. 111, 1948, entitled

AN ORDINANCE authorizing a temporary loan (\$25,000.00) for the
Tuberculosis Fund

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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. 112, 1948, entitled

AN ORDINANCE authorizing a temporary loan (\$30,000.00) for the
School Health Fund

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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. 113, 1948, entitled

AN ORDINANCE authorizing a temporary loan (\$125,000.00) 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 consideration, and recommend that the same be passed.

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER

Indianapolis, Ind., December 20, 1948.

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 Special Ordinance No. 16, 1948, entitled

AN ORDINANCE annexing the NE corner of 52nd and Ralston to the City

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
J. PORTER SEIDENSTICKER
JOSEPH E. BRIGHT

Indianapolis, Ind., December 20, 1948.

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. 106, 1948, entitled

AN ORDINANCE restricting parking on the south side of part of Howard Street

beg leave to report that we have had said ordinance under consid-

eration, and recommend that the same be passed.

GUY O. ROSS, Chairman
JOSEPH A. WICKER
JOSEPH C. WALLACE
CHARLES P. EHLERS
JOSEPH E. BRIGHT

Indianapolis, Ind., December 20, 1948.

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. 108, 1948, entitled

AN ORDINANCE to regulate and license games, vending and other
machines, or devices, conducted for profit; repealing clauses 28
and 29 of Section 476 of the Municipal Code of 1925

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

GUY O. ROSS, Chairman
JOSEPH A. WICKER
JOSEPH C. WALLACE
CHARLES P. EHLERS
JOSEPH E. BRIGHT

Indianapolis, Ind., December 20, 1948.

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

Gentlemen:

We, your Committee on Elections, to whom was referred General
Ordinance No. 105, 1948, entitled

AN ORDINANCE establishing loading zones (208 North Davidson,
1117 Prospect and 1119 Prospect)

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

JOSEPH E. BRIGHT, Chairman
CHARLES P. EHLERS
JOSEPH C. WALLACE
JOSEPH A. WICKER

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE NO. 114, 1948.

AN ORDINANCE authorizing the Board of Public Safety to purchase, through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds hereofore 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 Safety of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the hereinafter equipment to be used by the 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 equipment shall not exceed the sum of money heretofore appropriated for the use of said Board.

BOARD OF PUBLIC SAFETY—POLICE DEPARTMENT

Req. No. 6844—Four (4) 2 door Sedans-----@ \$5,855.60

Req. No. 6845—Micro-filming Process -----@ 4,479.50

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 Public Safety.

By Councilman Ross:

GENERAL ORDINANCE NO. 115, 1948.

AN ORDINANCE regulating the production and emission of smoke from any chimney, smokestack, or other source within the corporate limits of the City of Indianapolis; regulating air pollution caused by the escape of soot, cinders, noxious acids, fumes, gases, and fly ash within the City; regulating the importation, sale, use, and consumption of certain fuels; regulating the construction, repair, maintenance, use of, and additions to, refuse-burning equipment and fuel-burning plants, including fuel-burning equipment and devices, and requiring notice to the City of all purchase and sales thereof; establishing a Bureau of Air Pollution Prevention; requiring smoke indicators or other approved methods of observing smoke from the boiler or furnace room in certain cases; establishing fees for examination of plans and issuance of permits, inspection of furnaces or other fuel-burning equipment or devices, and issuance of certificates of operation; establishing an Appeal Board, and providing fines and penalties for the violation of the provisions of this Ordinance.

WHEREAS, The excessive emission of smoke within the corporate limits of the City of Indianapolis and the resultant effect upon the public health and welfare require the adoption of a comprehensive and integrated plan of smoke control; and

WHEREAS, In conjunction with the smoke control program, it is desirable to adopt appropriate regulations to reduce air pollution caused by excessive soot, cinders, smoke, fly ash, noxious acids, fumes and gases, the emission of which is detrimental to the health and welfare of the residents of the City; and

WHEREAS, Legislative authority is vested in the City of Indianapolis to regulate by ordinance the production and emission of smoke; to provide regulations and specifications for the construction of all chimney stacks, flues, smoke pipes and ventilators; to prevent and abate nuisances; and to make necessary regulations to secure the health and welfare of its residents, including the regulation of air pollution caused by soot, cinders, smoke, fly ash, noxious acids, fumes and gases;

NOW, THEREFORE,

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

SECTION 1. That the production or emission within the City of Indianapolis of dense smoke is prohibited, and is hereby declared to be a nuisance and may be summarily abated by the Superintendent of Air Pollution Prevention, or by anyone whom he may authorize for such purposes. Such abatement may be in addition to the fines and penalties hereinafter provided. For the purpose of grading the density of smoke, the Ringelmann Chart, as now published and used by the United States Bureau of Mines, which is hereby made a part of this Ordinance by reference, shall be the standard. Smoke shall be considered dense when it is equal to or of greater density than No. 2 of said Chart.

The following exceptions to the provisions of this Section shall be permitted:

(a) When a fire box is being cleaned out or a new fire being built therein, smoke shall be permitted of a density of No. 2 smoke or less for a period or periods aggregating nine minutes or less in any one hour, or of a density in excess of No. 2 smoke for a period or periods aggregating six minutes or less in any one hour.

(b) After a locomotive is in service or ready for service, dense smoke shall be permitted for a period or periods aggregating one minute or less in any one hour.

All persons, firms, or corporations violating any of the provisions of this Section shall be subject to the fines and penalties hereinafter provided. All persons participating in any such violation, either as owners, proprietors, lessees, agents, tenants, managers, superintendents, captains, engineers, firemen or janitors, or otherwise, shall severally be liable therefore and subject to the fines and penalties fixed by this Ordinance.

SECTION 2. In order to implement an effective system of inspection and enforcement, and in order to permit of a reasonable period for compliance with the provisions of this Ordinance, the provisions of Section 1 shall become effective on October 1, 1949, with the following exceptions:

1. As to buildings used exclusively for private residences containing less than three dwelling units or flats, the provisions of Section 1 shall become effective October 1, 1951.

2. As to buildings used exclusively for private residences

that do not contain a central heating plant, the provisions of Section 1 shall become effective October 1, 1951.

SECTION 3. No person, firm, or corporation shall cause or allow the escape from any stack into the open air of such quantities of soot, cinders, noxious acids, fumes or gases in such place or manner as to cause injury, detriment, or nuisance to any person or to the public, or to endanger the comfort, health, or safety of any such person or of the public, or in such manner as to cause or have a tendency to cause injury or damage to business or property.

No person, firm, or corporation shall operate or cause to be operated, maintain or cause to be maintained, any furnace or combustion device for the burning of coal without maintaining and operating while using said furnace or combustion device recognized and approved equipment means, method, device or contrivance to reduce the quantity of fly ash emitted into the open air, which is operated in conjunction with said furnace or combustion device so that the quantity of fly ash shall not exceed 0.30 grain per cubic foot of flue gas at a stack temperature of 500 degrees Fahrenheit, of which amount not to exceed 0.2 of a grain per cubic foot shall be of such size as to be retained on a 325 mesh U. S. Standard Sieve. These conditions are to be conformed to when the percentage of excess air in the stack does not exceed 50 per cent at full load. The foregoing requirements shall be measured by the methods outlined in the Tentative Test Code for dust separating apparatus of the American Society of Mechanical Engineers which is hereby made a part of this Ordinance by reference, a copy of which is and shall remain on file in the office of the Superintendent of Smoke Prevention.

The escape of soot, cinders, noxious acids, fumes, gases, or fly ash as herein prohibited is hereby declared to be a nuisance and may be summarily abated by the Superintendent of Air Pollution Prevention or by anyone whom he may duly authorize for such purpose. Such abatement may be in addition to the fines and penalties hereinafter provided.

Any person, firm, or corporation violating any of the provisions of this section shall be subject to the fines and penalties hereinafter provided.

All persons participating in any such violation, either as owners, proprietors, lessees, agents, tenants, managers, superintendents, captains, engineers, firemen or janitors, or otherwise shall severally be

liable therefor and subject to the fines and penalties fixed by this Ordinance.

The provisions of Section 3 shall become effective October 1, 1949, save as otherwise provided in this Ordinance, except those relating to fly ash which shall not become effective until October 1, 1950.

SECTION 4. It shall be unlawful to import, sell, offer for sale, expose for sale, exchange, deliver or transport for use and consumption in the City of Indianapolis, or to use or consume in the City of Indianapolis, any solid fuel for handfiring or surface-burning types of equipment which does not meet the standard of a smokeless solid fuel as set forth in this section.

Smokeless solid fuel for the purpose of the enforcement of this Ordinance shall be considered a fuel, the volatile content of which is 26 per cent or less on a dry basis. Provided, however, that if a fuel contains volatile matter in excess of 26 per cent on a dry basis, it shall be acceptable under the terms of this Ordinance provided that it meets the same standards in regard to smoke production as that of a fuel containing less than 26 per cent volatile matter on a dry basis, and subject to the following conditions in order to ascertain whether or not such standards are met:

(1) Complete plans and specifications of such process must be submitted to the Superintendent of Air Pollution Prevention, and from time to time any additional information he may reasonably require regarding the product.

(2) An adequate supply of the finished product must be made available to the Superintendent of Air Pollution Prevention to conduct whatever tests he deems necessary to establish its value as a smokeless solid fuel.

(3) Any person, firm, or corporation whose product is submitted to such tests must pay in advance all expense necessary to the attendant tests. The Superintendent of Air Pollution Prevention shall be authorized to publish a list of brands or trade names of smokeless solid fuels as defined under this section, and to compile and publish from time to time statistics in reference to the supply, prevailing prices, and other pertinent facts for the guidance of the public.

Solid fuel having a volatile content in excess of 26 per cent on a dry basis but not meeting the conditions hereinabove enumerated can be used or consumed only in approved mechanical fuel-burning equipment or devices as provided in this Ordinance.

"The provisions of this section shall go into effect October 1, 1949, save as otherwise provided in this Ordinance, provided, however, that as to buildings used exclusively for private residences containing less than three dwelling units or flats, and as to buildings used exclusively for private residences that do not contain a central heating plant, the provisions of this section shall go into effect October 1, 1951."

SECTION 5. All persons, firms, or corporations owning, operating, or controlling steam railroads, or locomotives using solid fuel in the operation of locomotives within the corporate limits of the City of Indianapolis, shall operate said locomotives with smokeless solid fuel or shall use locomotives equipped with mechanical fuel-burning equipment or devices as provided in this Ordinance.

The foregoing provisions shall apply to all locomotives either in service or being prepared for service in transfer, yard, or switching operations, but shall not apply to road engines which are serviced in roundhouses so equipped as to enable them to comply with the other provisions of this Ordinance regarding the emission of dense smoke while in operation within the corporate limits of the City of Indianapolis.

The provisions of this section shall go into effect October 1, 1949.

SECTION 6. No new fuel-burning plants nor reconstruction, repair, or addition to any existing fuel-burning plants for producing power and heat, or either of them, nor refuse-burning equipment, shall be installed, erected, reconstructed, repaired, or added to in the City of Indianapolis until plans and specifications of the same have been filed by the owner, contractor, installer, or other person in the office of and approved by the Superintendent of the Bureau of Air Pollution Prevention as being so designed that same can be managed and operated to conform to the provisions of this Ordinance, and a permit issued by him for such installation, erection, reconstruction, addition to, or repair.

Plans and specifications so filed with the Bureau of Air Pollu-

tion Prevention shall show the type of installation, the amount of work and the amount of heating to be done by such fuel or refuse-burning plant and all appurtenances thereto, including all provisions made for the purpose of securing complete combustion of the fuel or refuse to be used and the manner in which it is to be burned for the purpose of preventing smoke and other air pollution as provided by this Ordinance. Said plans and specifications shall also contain a statement of the rate of burning and kind of fuel or refuse proposed to be used and the manner in which it is to be burned; and said plans and specifications shall also show that the room or premises in which the fuel or refuse-burning plants shall be located is provided with doors, windows, air-shafts, fans, or other means of ventilation sufficient to prevent the temperature of such room basement, or other portion of building wherein such fuel or refuse-burning equipment is to be used, from rising to a point higher than 120 degrees Fahrenheit; and sufficient also to provide that the atmosphere of any such room, basement, or other portion of the building wherein such fuel or refuse-burning equipment may be located may be changed at least every ten minutes. Such plans shall further show the dimensions of such room in which such fuel or refuse-burning equipment is to be located, the location and dimensions of all stacks used in connection with or as a part of said fuel or refuse-burning plant. The Superintendent of the Bureau of Air Pollution Prevention may require such additional data as he deems necessary for the purpose of issuing a permit.

Upon the inspection and approval of said plans and specifications by the Superintendent of the Bureau of Air Pollution Prevention and upon the payment of the fees hereinafter provided, and if such plans and specifications shall show the adequate and approved provisions for the purpose of securing complete combustion of the fuel or refuse to be used and for the purpose of preventing and eliminating smoke, soot, fly ash, noxious acids, fumes, or gases have been made, a permit for the installation or for the construction, erection, reconstruction, repair, or addition to such fuel or refuse-burning plant shall be issued. As soon as the Superintendent of the Bureau of Air Pollution Prevention has issued the permit as above provided, it shall be the duty of the various departments having charge of the inspection of the premises wherein said fuel or refuse-burning equipment is located to co-operate with the said Superintendent of the Bureau of Air Pollution Prevention to see that the execution of the work so authorized by said permit shall be done in conformity

with the approved plans and specifications, and the standards, rules and regulations fixed by the Bureau of Air Pollution Prevention; provided that repairs to previously approved fuel or refuse-burning plants may be made without first securing a permit, but the owner, contractor, installer, or other person making or causing such repairs shall report the same to the Superintendent of the Bureau of Air Pollution Prevention within three days after commencing such repairs.

Any person, firm, or corporaion which shall violate any provision of this section shall be subject to the fines and penalties hereinafter provided. Provided that nothing in this section shall be construed as to prohibit the making of emergency repairs to any stack, furnace or device when the necessity for such repair arises outside of the business hours of the Bureau of Air Pollution Prevention; provided, further, that the owner, contractor, installer, or other person making or causing repairs shall report the same to the Bureau of Air Pollution Prevention on the first business day after such emergency repairs are commenced and apply for a permit therefor

“Repair” as used herein means any work which requires the heating or power equipment to be wholly or partially dismantled and which results in the restoration of the heating or power equipment to its original state.

If such plans and specifications as described above are not submitted to the Bureau of Air Pollution Prevention for approval previous to the installation of any new fuel-burning plant, addition to or the repair of construction of any existing fuel-burning plant, for producing power, heat, or either or them, or refuse-burning plant, any stack connected with such fuel or refuse-burning plant, the Superintendent of the Bureau of Air Pollution Prevention is authorized to seal immediately such equipment until the owner, contractor, installer, or other person has complied with the provisions of this section.

The provisions of this section shall go into effect October 1, 1949.

SECTION 7. It shall be the duty of all persons, firms, or corporations engaged in the business of selling refuse or fuel-burning equipment or devices for producing heat or power, or both, which are required to be connected to a vent or stack, to report to the Superintendent of Air Pollution Prevention the sale of every such article to be installed or used anywhere within the City of Indianapolis

and it shall be the duty of every person, firm, or corporation purchasing any of said articles, at the time of making such purchase, to give to the seller a statement in writing signed by such purchaser or his duly authorized agent setting forth the correct address or addresses of the building or buildings in which such articles are to be installed and used.

The report herein provided for shall be in writing and be delivered or mailed to the Superintendent of Air Pollution Prevention within seven days after such sale, and shall contain the name and address of the purchaser and the location of the building in which each article is to be installed or used.

Any person, firm, or corporation violating any of the provisions of this section, or making any false statement or report in connection with the sale of such articles mentioned in this section shall be subject to the fines and penalties hereinafter provided.

The provisions of this section shall not apply to wholesale transactions made for the purpose of resale.

For the purpose of obtaining facts with respect to the compliance with this section, the Bureau of Air Pollution Prevention Inspectors are hereby authorized to enter at all reasonable business hours upon and into the places of business of any person, firm, or corporation engaged in the selling of refuse or fuel-burning equipment or devices, and to examine all books, papers, and records pertaining to the sales.

The provisions of this section shall go into effect October 1, 1949.

SECTION 8. It shall be unlawful for any person to use any new, reconstructed, or repaired plant or addition thereto, or any plant duly sealed under the provisions of this Ordinance, for the production and generation of heat and power, or either of them, or for the burning of refuse, until he shall have first procured a certificate from the Superintendent of Air Pollution Prevention certifying that the plant is so constructed that it will do the work required with the type of fuel and equipment used; and that, in the opinion of the Superintendent of Air Pollution Prevention, it can consistently be so managed by an ordinary person that, in burning the type of fuel in the manner specified in the permit, no dense smoke shall be emitted from the stack connected with the furnace or firebox in violation of the provisions of this Ordinance; and until

a notice of the size, type, kind of fuel and the manner of burning the fuel as specified in the permit has been prominently displayed and permanently attached to said plant.

Any person, firm or corporation violating the provisions of this section shall be subject to the fines and penalties prescribed in this Ordinance. The issuance and delivery by the Superintendent of Air Pollution Prevention of any permit or certificate for the construction, reconstruction, alteration, repair, or addition thereto, of any plant or stack connected with a plant shall not be held to exempt any person, firm, or corporation to whom any such permit or certificate has been issued and delivered, or who is in possession of any such permit or certificate, from prosecution on account of the emission of dense smoke, fly ash, soot, cinders, noxious acids, fumes or gases caused or permitted by any such person, firm, or corporation

The provisions of this section shall go into effect October 1, 1949.

SECTION 8-A. It shall be unlawful on and after October 1, 1949, for any person, firm, or corporation to use or operate any furnace or other fuel-burning equipment or device which is subject to annual inspection, as hereinafter set forth, without first obtaining therefor annually an annual certificate of operation; provided, however, that if application for such annual certificate of operation has been made and the required fee paid, it shall be lawful to use such furnace or other fuel-burning equipment or device until receipt of such certificate and until notification by the Bureau of Air Pollution Prevention of its refusal to grant such certificate.

Any person, firm, or corporation violating the provisions of this section shall be subject to the fines and penalties prescribed in this Ordinance. The issuance and delivery by the Superintendent of Air Pollution Prevention or by the Bureau of Air Pollution Prevention of any annual certificate of operation shall not be held to exempt any person, firm, or corporation to whom any such certificate has been issued or delivered, or who is in possession of any such certificate from prosecution on account of the emission of dense smoke, fly ash, soot, cinders, noxious acids, fumes or gases caused or permitted by any person, firm, or corporation.

SECTION 9. The Commissioner of Buildings shall not issue a permit for the erection, construction, reconstruction or alteration of any building or structure where the plans for such building or structure show any stack in connection with such building or structure

until such plans have been submitted to the Superintendent of Air Pollution Prevention and the dimensions of such stack approved by him as having sufficient capacity and as being suitable for the type of equipment and fuel to be used.

The Superintendent of Air Pollution Prevention shall not approve plans or issue permits for the installation of any fuel-burning equipment or device of the surface-burning type unless the fuel to be used in such device shall be a smokeless solid fuel, as defined in Section 4 of this Ordinance, or a mechanical fuel-burning device is to be used of a type which will so operate as not to emit smoke or permit the escape of soot, cinders, noxious acids, fumes, gases and fly ash, or otherwise pollute the air, in violation of the provisions of this Ordinance.

The term "surface-burning type" as used in this Ordinance is meant to include any fuel-burning equipment or device in which the fresh fuel can be thrown directly on the hot fuel bed. A mechanical fuel-burning equipment or device is defined as any device by means of which fresh fuel is mechanically fired from outside the furnace into the zone of combustion, the same being actuated by automatic controls; provided, however, that where the Superintendent of Air Pollution Prevention finds as a fact, and so certifies, that a stove or other fuel-burning equipment in which the fresh fuel is fired by hand, is so designed as to automatically burn the fuel smokelessly in a manner so as not to violate the provisions of this Ordinance, such a stove will be considered a mechanical fuel-burning device within the meaning of this Ordinance.

The provisions of this section shall go into effect October 1, 1949.

SECTION 10. After any owner, agent, occupant, manager, or lessees of any premises has been previously notified of three or more violations of this Ordinance within any consecutive 12-month period, in respect to the emission of dense smoke, soot, cinders, noxious acids, fumes, gases, or fly ash, the owner, agent, occupant, manager, or lessee of said premises shall be notified to show cause before the Superintendent of Air Pollution on a day certain, not less than ten days from the date of notice, why the equipment causing such violations should not be sealed. The notice herein provided for may be given by mail directed to the last known address of the party to be notified, or if said party or his whereabouts is unknown, then by posting a notice on or near the premises at which the violations shall

have occurred. Upon said date said violator may appear and be heard. Upon such hearing, if the Superintendent finds that adequate corrective means and methods have not been employed to correct the cause of such condition, then it shall be his duty to seal equipment until such time as a permit and certificate as herein provided have been applied for and issued for said plant. The owner, agent, occupant, manager, or lessee, may, within ten days of said decision appeal said finding to the Appeal Board, and said appeal shall stay the sealing pending said appeal.

It shall be unlawful for any person to break a seal of any refuse burning equipment, any boiler, or any equipment or device producing heat or power, that has been duly sealed by the Superintendent of Air Pollution Prevention unless authorized by the Superintendent in writing.

The provisions of this section shall go into effect October 1, 1949.

SECTION 11. Any person aggrieved by any decision, ruling, or order of the Superintendent of Air Pollution Prevention may take an appeal to the Appeal Board as established by this Ordinance. Such appeal shall be taken within ten days after the decision, ruling, or order complained of by filing with the Superintendent of Air Pollution Prevention a notice of appeal directed to the Appeal Board, specifying the grounds thereof and the relief prayed for. The Superintendent of Air Pollution Prevention shall forthwith transmit to the Appeal Board all papers constituting the record upon which the decision, ruling, or order appealed from is taken. The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof by mail to the parties in interest and decide the same within a reasonable time. Such appeal shall act as a stay of any decision, ruling or order until either approved, modified, or set aside by said Appeal Board. At the hearing any party may appear in person or by agent or by attorney. A fee of Five Dollars (\$5.00) shall be paid to the treasurer of the City of Indianapolis at the time the appeal is filed. The Board, upon hearing such appeal, shall either affirm, modify, or set aside any such decision, ruling, or order.

The provisions of this section shall go into effect October 1, 1949.

SECTION 12. A person or persons who shall refuse to comply with or who shall assist in the violation of any of the provisions of this Ordinance, or who, in any manner, hinders, obstructs, delays, resists, prevents, or in any way interferes with the Superintendent of Air

Pollution Prevention or Air Pollution Prevention Inspectors or Police Officers in the performance of any duty herein enjoined, or shall refuse to permit such inspectors or officers to perform their duty by refusing them, or either of them, entrance at reasonable hours to any premises in which the provisions of this Ordinance are being violated, or refuse to permit the inspection or examination of such building, establishment, premises, or enclosures for the purpose of the enforcement of this Ordinance, shall be subject to the fines and penalties hereinafter provided.

The provisions of this section shall go into effect October 1, 1949.

SECTION 13. The Bureau of Air Pollution Prevention shall not examine any plans, issue any permits, inspect any furnaces or other fuel-burning equipment or devices, or issue any certificates, until the fees for each unit enumerated below have been paid to the City Controller.

Fees for the examination of plans including the issuance of permits, and for the original and annual inspection of furnaces or other fuel-burning equipment or devices, including the issuance of certificates of operations, shall be as follows:

(a) PERMITS

- (1) For permits for the erection, installation, reconstruction, repair, or alteration of, or addition to any furnace or other fuel-burning equipment, the furnace volume of which does not exceed 10 cubic feet or equivalent, or any refuse-burning devices, for each unit-----\$1.00
- (2) For permits for the erection, installation, reconstruction, repair, or alteration of, or addition to any furnace or other fuel-burning equipment, the furnace volume of which is greater than 10 cubic feet but not in excess of 25 cubic feet, or equivalent-----\$2.00
- (3) For permits for the erection, installation, reconstruction, repair, or alteration of, or addition to any furnace or other fuel-burning equipment, the furnace volume of which is greater than 25 cubic feet but not in excess of 50 cubic feet, or equivalent, for each unit-----\$3.00
- (4) For permits for the erection, installation, reconstruction, repair, or alteration of, or addition to any furnace or

other fuel-burning equipment, the furnace volume of which is greater than 50 cubic feet but not in excess of 100 cubic feet, or equivalent, for each unit-----\$4.00

- (5) For permits for the erection, installation, reconstruction, repair, or alteration of, or addition to any furnace or other fuel-burning equipment, the furnace volume of which is greater than 100 cubic feet, for each unit-----\$5.00

(b) ORIGINAL INSPECTION

- (1) For inspecting any new, reconstructed, addition to, repaired, or altered furnace or other fuel-burning equipment, the furnace volume of which does not exceed 25 cubic feet, or equivalent, or any refuse-burning device, for the purpose of issuing a certificate of operation, for each unit -----\$2.00

- (2) For inspecting any new, reconstructed, addition to, repaired, or altered furnace or other fuel-burning equipment, the furnace volume of which is greater than 25 cubic feet but not in excess of 50 cubic feet, or equivalent for the purpose of issuing a certificate of operation, for each unit -----\$3.00

- (3) For inspecting any new, reconstructed, addition to, repaired, or altered furnace or other fuel-burning equipment, the furnace volume of which is greater than 50 cubic feet but not in excess of 100 cubic feet, or equivalent, for the purpose of issuing a certificate of operation, for each unit -----\$4.00

- (4) For inspecting any new, reconstructed, addition to, repaired, or altered furnace or other fuel-burning equipment, the furnace or other fuel-burning equipment, the furnace volume of which is greater than 100 cubic feet, or equivalent, for the purpose of issuing a certificate of operation, for each unit-----\$5.00

The term "furnace volume" as used in this section, shall mean the volume of the chamber in which combustion occurs, including the space occupied by the fuel bed, which shall include all space up to the point where the products of combustion first enter the flues or ducts through the heating surface.

The fee for the original inspection shall include the issuance of a certificate for operation in case such certificate is granted and shall be paid at the time the permit is secured.

No fees shall be required for examination of plans and the issuance of permits for original inspection of new or reconstructed warm air heating furnaces, or repairs and additions thereto, where such furnaces are installed, reconstructed, repaired, or added to, and a fee collected therefor pursuant to the provisions of the Indianapolis Building Code.

No charge shall be made for permits, original inspections, and certificates of operation relating to fuel-burning equipment or devices to be installed to heat buildings used exclusively for private residences that do not contain a central heating plant.

(c) ANNUAL INSPECTION

Every furnace or other fuel-burning equipment or device shall be subject to annual inspection by the Bureau of Air Pollution Prevention except only the following:

- (1) Furnaces or other fuel-burning equipment or devices installed to heat buildings used exclusively for private residences containing less than three dwelling units or flats, and
- (2) Fuel-burning equipment or devices used exclusively for private residences which do not contain a central heating plant.

The fees for each annual inspection shall be the same as for an original inspection and shall include the issuance of a certificate of operation. Each annual certificate of operation shall be effective from the date thereof until the 30th day of September next following.

When a certificate of operation is refused in the case of an original inspection or an annual inspection, the Superintendent of Air Pollution Prevention is authorized to seal immediately the furnace or other fuel-burning equipment or device or refuse-burning device until the owner, lessee, or other person required to procure the certificate of operation shall have complied with the provisions of this Ordinance.

In the event the installation of the fuel-burning equipment or

device is not completed or that the Bureau of Building Inspection refuses issuance of a permit for the erection or construction of any building or structure, the fee which has been paid for the certificate of operation may be refunded upon proper presentation of the facts. No refund shall be made after a period of ninety (90) days from the payment of the fee.

The first annual inspection shall commence on October 1, 1950. The other provisions of this section shall take effect on October 1, 1949.

SECTION 14. Any person, firm, or corporation which shall violate any of the provisions of this Ordinance shall upon conviction thereof be fined not less than \$10.00 nor more than \$300.00 for each violation. Each day's violation shall constitute a separate offense.

The unlawful emission of smoke, soot, cinders, fly ash, noxious acids, fumes or gases from each stack shall constitute a separate offense.

The word "stack" as used in this Ordinance is defined to include chimney, smokestack, open fire, structure, or opening of any kind whatsoever capable of emitting smoke, except outdoor incinerators or approved burners used by occupants of private dwellings to dispose of ordinary household papers and combustible material.

The provisions of this section shall go into effect October 1, 1949.

SECTION 15. Where a violator of the provisions of this Ordinance with respect to the emission of smoke, soot, cinders, noxious acids, fumes, gases, or fly ash, produces evidence satisfactory to the Superintendent of the Bureau of Air Pollution Prevention that he has taken all steps necessary to provide for future compliance with the provisions of the Ordinance but that the acquisition of the proper device or equipment cannot be effected immediately, the Superintendent of the Bureau of Air Pollution Prevention shall have the discretion in proper cases to allow a period of not exceeding six months from the effective date of the applicable provision or provisions of this Ordinance, within which the necessary device or equipment is to be acquired and installed. During said period of grace granted by the said Superintendent, the violator of the Ordinance shall not be subject to the fines or penalties herein provided; provided, however, that where such violator fails in the time allowed to conform with the provisions of this Ordinance he shall be subject to all the fines and

penalties herein provided dating from the date of the beginning of the period of grace permitted him.

SECTION 16. The owner or operator of every power and heating plant, excepting those in which the only fuel is gas, and excepting buildings used exclusively for private residences containing less than six dwelling units or flats, shall provide means whereby the fireman may be enabled to know, without leaving the boiler or furnace room, whether or not prohibited smoke is issuing from the stack, so that possible necessary correction may be made at the time. Such means of observation shall be either:

- (a) A window or other opening through which an unobstructed view of the top of the stack may be had from the boiler or furnace room;
- (b) A mirror so placed as to reflect the top of the stack and visible from the boiler or furnace room;
- (c) A smoke indicator, approved by the Bureau of Smoke Regulation.

Any person, firm, or corporation that violates the provisions of this section shall be subject to the fines and penalties provided in this Ordinance.

The provisions of this section take effect October 1, 1949.

SECTION 17. For the purpose of enforcing the provisions of this Ordinance, there is hereby established in the Department of Public Safety a Bureau of Air Pollution Prevention headed by the Superintendent of Smoke Prevention, who shall be appointed by the Mayor. The employees of said Bureau shall also be appointed by the Mayor.

(a) SUPERINTENDENT OF AIR POLLUTION PREVENTION: The Superintendent of the Bureau of Air Pollution Prevention shall be the head of the Bureau of Air Pollution Prevention. He shall be in charge of the enforcement of all ordinances pertaining to smoke prevention and air pollution and institute proceedings for the violation thereof; have charge of the preparation and execution of educational plans for securing the co-operation of the public in the reduction of the emission of smoke and air pollution, and shall exercise general supervision over the Bureau of Air Pollution Prevention.

The Superintendent of Air Pollution Prevention shall be qualified

by technical training, and have at least six years' experience in the theory and practice of the construction and operation of furnaces and combustion devices, or in the theory and practice of smoke prevention, and shall be qualified by education and experience to cooperate with scientific, educational, and civic organizations interested in smoke prevention.

(b) ASSISTANT SUPERINTENDENT AND INSPECTORS. The Mayor shall appoint an Assistant Superintendent of Air Pollution Prevention and such Inspectors as may from time to time be provided for by Council.

The Assistant Superintendent of Air Pollution Prevention shall be qualified by technical training, and have at least four years' experience in the theory and practice of the construction and operation of furnaces and combustion devices, or in the theory and practice of smoke prevention

Inspectors shall be qualified by technical training or experienced in the theory and practice of the construction and operation of furnaces and combustion devices.

(c) CLERKS: The Mayor shall also appoint a Chief Clerk and such clerical and stenographic assistants as Council may provide.

SECTION 18. The Mayor shall appoint an Appeal Board consisting of five members, three of whom shall constitute a quorum. They shall serve without compensation and three of such members shall be appointed for a term of three years, except that of the initially appointed board, one member shall serve for one year, one member for two years, and one member for three years. One member shall be the City Engineer of the City of Indianapolis, and one member shall be the Commissioner of Buildings of the City of Indianapolis. They shall be persons of good reputation who have been actively identified with the development and improvement of the City of Indianapolis, and shall not be interested in the sale to the public of any fuel or of any combustion or smoke abatement device. The Board shall elect its own chairman, who shall serve for one year. The Board shall adopt, from time to time, such rules and regulations as it may deem necessary to carry into effect the provisions of this Ordinance. Meeting of the Board shall be held at the call of the chairman, and at such other times as the Board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. The Board shall

keep minutes of its proceedings and keep records of its examinations and other official actions.

SECTION 19. Transfer of Personnel and Funds: All the personnel, records, funds, balances, and equipment available to the existing Board of Air Pollution Control, for the calendar year 1949, as provided for in the annual budget ordinance for the City of Indianapolis, are hereby made available and transferred to the Department of Public Safety, Bureau of Air Pollution Prevention, and the same shall continue available to said newly created Bureau of Air Pollution Prevention, upon the effective date of this ordinance.

SECTION 20. General Ordinance No. 100, 1945, is hereby repealed, and the Board of Air Pollution Control and the offices of Combustion Engineer created thereunder is abolished.

SECTION 21. All ordinances inconsistent with this ordinance are hereby repealed.

SECTION 22. If any clause, sentence, paragraph or part of this Ordinance, or the application thereof, to any person, firm, or corporation or circumstances, shall, for any reason, be adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation or circumstances involved. It is hereby declared to be the legislative intent of this body that this Ordinance would have been adopted had such invalid provisions not been included.

SECTION 23. The provisions of this Ordinance shall apply to all areas within the corporate boundaries of the City of Indianapolis, and four (4) miles beyond said boundaries.

SECTION 24. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

By the Board of Public Works:

GENERAL ORDINANCE NO. 116, 1948.

AN ORDINANCE authorizing the Board of Public Works to purchase, through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated; and fixing, 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 it is hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the hereinafter equipment to be used by the 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 equipment shall not exceed the sum of money heretofore appropriated for the use of said Board.

BOARD OF PUBLIC WORKS—

DEPARTMENT OF ENGINEERING

Req. No. 9940—One (1) 20 Ton Heavy Duty Goose
Neck Flat Bed Trailer-----\$4,221.00

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 Public Works.

ORDINANCES ON SECOND READING

Mr. Wicker called for General Ordinance No. 107, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ehlers, General Ordinance No. 107, 1948 was ordered engrossed,

read a third time and placed upon its passage.

General Ordinance No. 107, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seid-
ensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 109, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ehlers, General Ordinance No. 109, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No 109, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seid-
ensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 110, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ross, General Ordinance No. 110, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 110, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seid-
ensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 111, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 111, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 111, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 112, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 112, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 112, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for General Ordinance No. 113, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 113, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 113, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wallace called for Special Ordinance No. 16, 1948

for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Seidensticker, Special Ordinance No. 16, 1948 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 16, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for General Ordinance No. 106, 1948 for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 106, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 106, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for General Ordinance No. 108, 1948 for second reading. It was read a second time.

Mr. Ross presented the following motion to amend General Ordinance No. 108, 1948:

Indianapolis, Ind., December 20, 1948.

Mr. President:

I move that General Ordinance No. 108, 1948, be amended by striking out in line 13, Section 1b, the words "use or purpose" and

inserting in lieu thereof the following: "machine, instrument or device."

GUY O. ROSS,
Councilman.

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

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 108, 1948, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 108, 1948, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 5, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Wallace, President Emhardt.

Noes 1, viz: Mr. Seidensticker.

Not voting 1, viz: Mr. Wicker.

Mr. Bright called for General Ordinance No. 105, 1948 for second reading. It was read a second time.

Mr. Bright moved that General Ordinance No. 105, 1948 be stricken from the files. Which was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross moved that General Ordinance No. 104, 1948

be stricken from the files. Which was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

MISCELLANEOUS BUSINESS

The Council reverted to the previous order of business.

Mr. Ross moved that the rules be suspended for further consideration and passage of General Ordinance No. 114, 1948.

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

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The rules were suspended.

COMMITTEE REPORT

Indianapolis, Ind., December 20, 1948.

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

Gentlemen:

We, your Committee on Safety, to whom was referred General Ordinance No. 114, 1948, entitled

AN ORDINANCE authorizing the Board of Public Safety to purchase four (4) 2-door Sedans and Micro-filming Process

beg leave to report that we have had said ordinance under consid-

eration, and recommend that the same be passed.

GUY O. ROSS, Chairman
JOSEPH A. WICKER
JOSEPH C. WALLACE
CHARLES P. EHLERS
JOE BRIGHT

ORDINANCE ON SECOND READING

Mr. Ross called for General Ordinance No. 114, 1948 for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 114, 1947 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 114, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wallace moved that the rules be suspended for further consideration and passage of General Ordinance No. 116, 1948.

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

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The rules were suspended.

COMMITTEE REPORT

Indianapolis, Ind., December 20, 1948.

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
General Ordinance No. 116, 1948, entitled

AN ORDINANCE authorizing the Board of Public Works to purchase
one (1) 20-Ton Heavy Duty Goose Neck Flat Bed Trailer

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
J. PORTER SEIDENSTICKER
JOE BRIGHT

ORDINANCE ON SECOND READING

Mr. Wallace called for General Ordinance No. 116, 1948
for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Seidensticker,
General Ordinance No. 116, 1948 was ordered engrossed,
read a third time and placed upon its passage.

General Ordinance No. 116, 1948 was read a third time
by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seid-
ensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker moved that the Common Council approve the

acceptance of the lowest bid, submitted by the Mark Gray Co., Inc., for the printing and binding of the proceedings of the Common Council for the year 1949. Which was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 7, viz: Mr. Bright, Mr. Ehlers, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr Wallace, seconded by Mr. Seidensticker, the Common Council adjourned at 9:45 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 20th day of December, 1948, 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.



President.

ATTEST:



City Clerk.

(SEAL)

December 6, 1948]

City of Indianapolis, Ind.]

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