

REGULAR MEETING

Monday, March 16, 1931.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, March 16, 1931, at 7:30 p. m., in regular session. President Ernest C. Ropkey took the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and seven members, viz: Fred C. Gardner, George A. Henry, C. A. Hildebrand, James A. Houck, Charles C. Morgan, Leo F. Welch, Clarence I. Wheatley.

Absent: Maurice E. Tennant.

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

COMMUNICATIONS FROM THE MAYOR

March 10, 1931.

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

Gentlemen:

I have this day approved with my signature and delivered to

Henry O. Goett, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 19, 1931

AMENDED

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

GENERAL ORDINANCE NO. 22, 1931

AMENDED

AN ORDINANCE approving the order of the Board of Public Safety of the City of Indianapolis designating certain additional bus stop locations in the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 23, 1931

AN ORDINANCE authorizing the Board of Health or its duly authorized agent to purchase One (1) ambulance and to trade in thereon One (1) old Studebaker ambulance; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 24, 1931

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

GENERAL ORDINANCE NO. 25, 1931

AN ORDINANCE authorizing the City Engineer or his agent to receive bids for the purchase of certain supplies for the City

Engineering Department, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 27, 1931

AN ORDINANCE authorizing the sale for cash or by trade-in of certain personal property of the City of Indianapolis, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 5, 1931

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

APPROPRIATION ORDINANCE NO. 6, 1931

AN ORDINANCE appropriating certain funds from unexpended cash balance of general fund of the Department of Public Parks to Fund No. 12, Salaries and Wages, Temporary, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 2, 1931

AN ORDINANCE changing the name of a certain street in the City of Indianapolis and fixing a time when the same shall take effect.

RESOLUTION NO. 1, 1931

Authorizing the Board of Health of the City of Indianapolis to draw on the Mayor's Contingent Fund in case of necessity in the care of cases of cerebro-spinal meningitis and respiratory in-

fections of which epidemics are threatened, according to Board of Health Resolution No. 4, 1931.

RESOLUTION NO. 2, 1931

IN regard to the Death of the Honorable Robert E. Springsteen, a former member of the Common Council of the City of Indianapolis, Indiana.

Very truly yours,

R. H. SULLIVAN,

Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

March 16, 1931.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 9, 1931, appropriating the sum of Two Thousand Eight Hundred Forty-seven Dollars and Seven Cents (\$2,847.07) from the unexpended and unappropriated balance of the General Fund for the year 1930 to the several executive departments of the City of Indianapolis.

I respectfully recommend the passage of this ordinance

Yours very truly,

WM. L. ELDER,

City Controller.

March 12, 1931.

Members of Common Council, City of Indianapolis, Indiana:

Gentlemen:

Pursuant to a request I have read the proposed ordinance concerning the time of delivery of milk, cream, or other dairy products, for the City of Indianapolis.

Permit me to state that I am in favor of the passage of this ordinance for three primary reasons. First, from the humane side because I can see no reason why an employee engaged in the milk distributing business should be compelled to work during such inconvenient hours, being deprived of the beneficial effect of both ordinary light and sunlight, both of which are essential for good health and body resistance.

Second, milk delivered during the winter months and left out of doors, is frequently frozen, thereby quite often causing a gastro intestinal disturbance in both children and adults.

Third, from the standpoint of safety, as each year, particularly during the early morning hours, milk delivery wagons are sometimes hit by reckless drivers.

Respectfully submitted,

H. G. MORGAN,

March 16, 1931.

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

Gentlemen:

I am transmitting herewith fourteen copies of a special ordinance accepting in trust the bequests made to the City of Indianapolis, Indiana, by the last will and testament of Susan W. Butler, deceased,

which will and testament was duly probated in the Circuit Court of Marion County, Indiana, on the 2d day of May, 1899, and entered among the records of said court in Will Record P, at pages 482 to 489, inclusive.

This department respectfully recommends the early passage of this ordinance.

Very truly yours,

EDW. H. KNIGHT,
Corporation Counsel.

March 9, 1931.

*Hon. President and Members of the Common Council, City of
Indianapolis, Indiana:*

Gentlemen:

A meeting of the Citizens Traffic Committee was held March 6, 1931, with Todd Stoops presiding. Members of the Committee attending were Captain Lewis I. Johnson, A. D. Hitz, A. M. Glossbrenner, Henry Steeg, W. E. Balch and Herbert Spencer. Also attending the meeting were Mayor Sullivan, Ernest C. Ropkey, Leo Welch, Clarence I. Wheatley, J. E. Kinney, Chief of Police, Ernest Pflumm of the Street Car Company, Donald S. Morris and Charles R. Myers.

After examination and discussion of the proposed amendments and additions to the present Traffic Ordinance, it was moved and unanimously carried that the ordinance as drafted, with a few corrections noted by Mr. Spencer, be recommended to the Common Council for passage.

The Board of Public Safety adopts the recommendations of the

Citizens Traffic Committee and forwards said proposed ordinance to the Common Council for passage.

Respectfully submitted,

WALTER O. LEWIS,
Secretary
Citizens Traffic Committee,
Executive Secretary
Board of Public Safety.

March 13, 1931.

Common Council of Indianapolis, Indianapolis, Indiana:

Gentlemen:

The United Transportation Company, operators of United Cabs, is opposed to the passage of General Ordinance No. 28, 1931, relative to taxicabs, for the following reasons:

Sections 2, 3, 4, 5, 6 and 7 of said proposed ordinance delegate to the Board of Public Safety powers of a city public service commission, insofar as taxicabs are concerned. The provisions of these sections give to the Board of Public Safety, approved by the Common Council, power to designate who may and who may not operate taxicabs and to fix the number of cabs each company may operate. Under this proposed ordinance the Board of Public Safety may say to one company, "you may operate 20 taxicabs;" to another, "you may operate 60 taxicabs;" to another, "you may operate 100 taxicabs," and to a new man desiring to operate taxicabs, "you cannot operate at all."

Further, under this proposed ordinance, each time a company would desire to add a taxicab to its fleet, it would be necessary to have a hearing before the Board of Public Safety, to obtain the approval of the Board of Public Safety, and to have a resolution or

ordinance passed by the Common Council approving the action of the Board of Public Safety. We wonder how many business men would care to run such a gauntlet of red tape, every time they desired to add a truck to their fleet. We wonder how many business men would be happy over the prospects of being required to obtain permission of the Board of Safety, and approval of the City Council, whenever they wanted to enlarge their business.

Under Section 6 of said proposed ordinance taxicab companies may have as many 1931 taxicab licenses as they held on December 31, 1930. Additional licenses would be acquired by obtaining permission from the Board of Public Safety, approved by the Common Council.

Approximately twenty more United cabs are now being operated than on December 31, 1930. Should the Board of Public Safety under this proposed ordinance refuse to issue licenses for these additional United cabs, approximately forty men would be thrown out of employment and the major portion of the investment in the taxicabs would be lost.

For the purpose of discussion, let us say the ordinance is in force. One company is operating 25 taxicabs, another company 50 taxicabs, and another company 100 taxicabs. The city grows, prosperity returns, and additional taxicab service is needed. The question arises, what policy will the Board of Public Safety adopt as to whom additional taxicab permits will be granted? Will the Board adopt a 1-2-4 ratio policy, granting to the 25-cab company one additional license, to the 50-cab company two additional licenses, and to the 100-cab company four additional licenses? Or, will the Board of Public Safety issue an equal number of additional licenses to all companies? Or, will the Board give additional licenses to one company and not to another company? All these contingencies are possible under sections 2 to 7 of this proposed ordinance.

One company might be more progressive than another, provide better equipment, give better service, and receive a greater patronage

from the public. Yet, its growth could easily be hampered and stunted by its inability to obtain the favorable approval of the Board of Public Safety and Common Council to add taxicabs to its fleet.

For the members of the Board of Public Safety and Common Council, even though well intentioned, to have the responsibility of dictating the destinies of an industry doing an annual business of approximately \$1,000,000, and to designate fairly and justly which companies are to enjoy this business, and to what extent each company may or may not operate cabs, is a colossal and difficult (if not impossible) undertaking.

It would be a new adventure for the City of Indianapolis to say who may and who may not carry on a business. The City of Indianapolis under its police power regulates many businesses; taxicab, theatre, restaurant, building, etc. In all such instances all who comply with the city's requirements may carry on their respective business. In none of these cases has the city yet attempted to designate who may and who may not carry on a given business.

The Board of Public Safety would be embarking on a dangerous procedure to accept the responsibility of saying who may and who may not operate taxicabs and how many each company may operate.

The volume of business to be done by each taxicab company should be left to the public to determine by its patronage.

United cabs are being liberally patronized by the taxicab riding public of Indianapolis. United cabs give employment to approximately 250 men, most of whom are married. It is desired to continue the employment of these men and operate as many United taxicabs as public patronage demands.

We do not object to reasonable taxicab regulations, under which all complying may operate. However, we do protest against discretionary and arbitrary powers being given governmental agencies whereby they may dictate who may and who may not operate taxicabs,

as well as the number of taxicabs that may be operated by each company. Such authority might easily be welded into autocratic power, causing great financial loss to an unfavored taxicab company and at the same time bringing financial gain to a befriended company. To any one familiar with Indianapolis politics in days gone by, such a situation is readily seen to be fraught with much danger.

The passage of Sections 2, 3, 4, 5, 6 and 7 of this proposed ordinance would make a political football of the taxicab business in Indianapolis.

Each cab company would immediately have to enter politics in an endeavor to have selected in the next city campaign a board of safety and city council favorable to its company.

Section 8, providing for name of owner on door, should be amended by changing the word "owner" in the third line thereof to "operator." A cab might be leased, or owned by a finance company, and under such circumstances it is not presumed the city would desire such owner's name on the door. The taxicab operator's name should be on the door.

Many provisions of the aforesaid proposed ordinance, as noted below, are already provided for either by municipal or state law, and hence are only duplications of existing legislation.

Section 9 of aforesaid ordinance, providing for taxicab license tags, is already provided for by Section 477, of 1925 City Code.

Section 11 of aforesaid ordinance, providing for driver's licenses, is already provided for by Indiana State law as recorded in the 1929 Acts, pages 499-513.

Paragraph "a" of Section 11 is already covered by Section 6, page 502, 1929 Acts, requiring drivers of public passenger vehicles to be over twenty-one years of age.

Paragraph "b" of Section 11 is already covered by 1929 Acts, page 502, paragraph "e," reading as follows:

“(e) The department shall not issue an operator’s or chauffeur’s license to any person when in the opinion of the department such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways, nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language.”

Paragraph “c” of Section 11, requiring drivers to be able to read and write the English language, is already covered by aforesaid paragraph “e” of 1929 Acts.

Paragraph “d” of Section 11 is already covered by the Chauffeur’s Law of the State of Indiana.

Paragraph “e” of Section 11, requiring drivers not addicted to the use of intoxicating liquors, is already covered by 1929 Acts, pages 501-502, paragraph “c.”

Paragraph “f” of Section 11 is substantially covered by 1929 Acts, pages 502-503, Section 7, reading as follows:

“Application for Operator’s or Chauffeur’s License.

“Sec. 7. Application for operator’s or chauffeur’s license.

“(a) Every application for an operator’s or chauffeur’s license shall be made upon the approved form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths.

“(b) Every application shall state the name, age, sex and residence address of the applicant, and whether or not the applicant has heretofore been licensed as an operator or chauffeur and if so when and by what state, and whether or not such license has ever been suspended or revoked and if so the date of and season for such suspension or revocation, and whether or not the applicant has been convicted of a felony,

and if the applicant has any physical or mental disability he shall so state in his application, giving the nature of such disability, and such other information as the department may direct."

Paragraph "g" of Section 11 is practically covered by 1929 Acts, Section 7, pages 502-503, aforesaid.

Section 12 of proposed ordinance is already covered by Section 10105, paragraph "a," Burns Indiana Revised Statutes, providing for the submission of a photograph of the driver.

Section 14 of aforesaid ordinance, prescribing a driver's badge, is already covered from the standpoint of the State of Indiana by 1929 Acts page 505, Section 11, paragraph "c." It would seem that the wearing of one governmental badge would be sufficient.

Section 20 of said proposed ordinance, reading "no taxicab shall stand at the curb within fifteen (15) feet of the entrance of any building adjacent to a stand located and designated by the Board in accordance with the preceding section, which shall be determined by measuring fifteen (15) feet on each side of the point of the curb opposite the middle of the entrance to the adjacent building," would practically preclude the establishing of taxi stands anywhere except in front of vacant lots.

Section 22 of the proposed ordinance, providing for taxicab meters, is already covered by Sections 841, 842, 843, pages 233-234, 1925 Municipal Code.

Section 23 of aforesaid ordinance, providing for maximum taxicab fares, is mere surplusage, because all of the present operating companies are charging less than the maximum rate specified therein, and further that the subject matter is already covered by Section 838, page 232, 1925 Municipal Code.

Section 27 of the proposed ordinance, relating to bond or insur-

ance, is mere surplusage, the subject matter already being covered in the same manner as noted therein by General Ordinance No. 24, 1927, City of Indianapolis.

Respectfully submitted,

UNITED TRANSPORTATION COMPANY, INC.

By WM. H. McLAUGHLIN,

Secretary.

Mr. Welch asked for a recess. The motion was made and seconded by Mr. Houck, and the Council recessed at 9:05 p. m.

The Council reconvened from its recess at 9:35 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., March 16, 1931.

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. 26, 1931, entitled Purchase of Fire Hose—Fire Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
CARL A. HILDEBRAND.
LEO F. WELCH.
F. C. GARDNER.

Indianapolis, Ind., March 16, 1931.

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. 29, 1931, entitled Transfer of \$14,000 from Public Parks Fund No. 12 to certain numbered funds, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
F. C. GARDNER.

Indianapolis, Ind., March 16, 1931.

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. 7, 1931, entitled Appropriation and Transfer of \$37,150—Sanitary Commission, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
C. A. HILDEBRAND.
LEO F. WELCH.
F. C. GARDNER.

Indianapolis, Ind., March 16, 1931.

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. 8, 1931, entitled Appropriation of \$68,302.08 from unexpended balance to pay 1930 bills, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.

C. A. HILDEBRAND.

F. C. GARDNER.

LEO F. WELCH.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

APPROPRIATION ORDINANCE NO. 9, 1931

AN ORDINANCE appropriating the sum of Two Thousand Eight Hundred Forty-seven Dollars and Seven Cents (\$2,847.07) from the unexpended and unappropriated balance of the General Fund for the year 1930 to the several executive departments of the City of Indianapolis, Indiana, 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 there be and is hereby appropriated out of the

unexpended and unappropriated balance of the General Fund for the year 1930 and transferred to the various funds in the different executive departments in said city as hereinafter set forth, viz:

FUND	AMOUNT
City Plan—No. 13.....	\$ 47.55
City Engineer—No. 38.....	2.80
Municipal Garage—No. 21.....	13.50
Municipal Garage—No. 22.....	.60
Municipal Garage—No. 25.....	31.50
Municipal Garage—No. 32.....	4.23
Municipal Garage—No. 33.....	637.59
Municipal Garage—No. 36.....	92.70
Municipal Garage—No. 45.....	1,111.53
Street Commissioner—No. 32.....	143.00
Street Commissioner—No. 36.....	.75
Street Commissioner—No. 38.....	325.48
Street Commissioner—No. 41.....	85.78
Street Commissioner—No. 42.....	24.00
Street Commissioner—No. 44.....	21.15
Street Commissioner—No. 45.....	27.20
Public Buildings—No. 25.....	144.18
Public Buildings—No. 32.....	25.35
Public Buildings—No. 34.....	64.92
Public Buildings—No. 38.....	35.51
Public Buildings—No. 45.....	7.75

Sec. 2. This ordinance shall be in full force and effect from and after its passage.

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

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Board of Health:

GENERAL ORDINANCE NO. 30, 1931

AN ORDINANCE concerning the time of the delivery of milk, cream or other dairy products wherein the same is left out of doors where the weather elements may come in contact therewith. Providing for a penalty and declaring a time when the same shall take effect.

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

Section 1. That in the sale and delivery of milk, cream or other dairy products for household purposes, no person, firm, corporation or association shall make any delivery of milk, cream or other dairy products, wherein the same is to be used as food, during the period of time, beginning on September 1st, of each year to and including May 1st, of the following year before six o'clock in the morning of the day of delivery.

Sec. 2. Any person, firm, corporation or association violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than ten (\$10.00) dollars.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

By Board of Public Safety:

GENERAL ORDINANCE NO. 31, 1931

AN ORDINANCE amending Sub-section (u) of Section 1 of Article 1, Section 8 of Article III, Sub-section (a) of Section 15 of Article IV, Section 21 of Article V, Section 26, of Article VI, of General Ordinance No. 96, 1928, Section 30 of Article VI of

said General Ordinance No. 96, as amended by General Ordinance No. 47, 1930, Section 31 and Section 34 of Article VI, Section 43 of Article VII of said General Ordinance No. 96, 1928 and Section 44 of Article VII of said General Ordinance 96, 1928, as amended by General Ordinance No. 9, 1929 and by General Ordinances Nos. 15 and 59, 1930, Sub-section (a) of Section 66 of Article IX, of General Ordinance No. 96, 1928 as amended by General Ordinance No. 9, 1929, said General Ordinance No. 96, 1928 being entitled "An Ordinance regulating traffic upon the streets, alleys and public places of the City of Indianapolis, defining violations thereof, repealing all other ordinances and sections of ordinances in conflict herewith, declaring a penalty for the violation thereof and designating a time when the same shall take effect," and supplementing said General Ordinance No. 96, 1928, by the addition thereto of two new sub-sections designated sub-section (d) and sub-section (a) respectively to Section 10 of Article III thereof, and a new supplementary section designated and numbered Section 38½, and a new supplementary section to be numbered Section 68½; repealing all ordinances or parts of ordinances in conflict herewith, and declaring a time when the same shall take effect.

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

Section 1. That sub-section (u) of Section 1 of Article I of General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

"(u) CENTRAL TRAFFIC DISTRICT: That part of the City of Indianapolis included within the limits of the north curb line of North Street on the north, the east curb line of East Street on the east; the south curb line of South Street on the south; and the west curb line of West Street on the west; also on both sides of Capitol Avenue, from the north curb line of North Street to the south curb line of St. Clair Street; also on both sides of East Washington Street, from the west curb line of Noble Street to the east curb line of East Street; also

on both sides of West Washington Street, from the west curb line of West Street to the east bank of White River; also both sides of North Illinois Street from the north curb line of North Street to the south curb line of West St. Clair Street; also both sides of North Meridian Street, from the north curb line of North Street to the south curb line of St. Clair Street; also both sides of North Pennsylvania Street, from the north curb line of East North Street, to the south curb line of East St. Clair Street; also both sides of North Delaware Street from the north curb line of East North Street to the south curb line of East St. Clair Street."

Sec. 2. That Section 8, Article III of General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

"SECTION 8. TRAFFIC SIGNS AND SIGNALS: (a) The Board of Public Safety shall determine and designate the character or type of all official traffic signs and signals and said Board of Public Safety shall place and maintain or cause to be placed and maintained all official traffic signs and signals. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city; but all signs of a type not operated mechanically which shall be erected hereafter shall be in conformity with the recommendation of the American Engineering Council.

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

Sec. 3. That said General Ordinance 96, 1928 be supplemented by two new sub-sections to be designated as sub-section (d) and sub-section (3) and added to Section 10 of Article III of said ordinance,

which said sub-sections so to be added to said Section 10 of said Article III shall read as follows, to-wit:

“(d) It shall be unlawful for the operator of any vehicle to cross over or enter into a street intersection where an automatic traffic signal is located and in operation, when the signal facing such vehicle shall show a “Yellow” or “Change” signal, unless said vehicle is within such intersection or so close thereto that a stop can not be made in safety, or when such signal facing such vehicle shall show a “Red” or “Stop” signal.

(e) It shall be unlawful for the operator of any vehicle making a left turn at any street intersection where an automatic traffic signal is located, and where left turns are permitted, to proceed to the left until the traffic signal shall indicate “Green” or “Go” in respect to the direction in which such operator is turning. Traffic making a turn to the left shall proceed into the intersection upon the “Green” or “Go” signal, and shall come to a complete stop on the right hand side of the center of said street intersection, and shall proceed when the traffic signal shall indicate “Green” or “Go” in respect to the direction in which the traffic to the left is going.”

Sec. 4. That Sub-section (a) of Section 15, Article IV, of said General Ordinance 96, 1928, be amended to read as follows, to-wit:

“SECTION 15. PEDESTRIANS’ RIGHT OF WAY: (a)

The operator of any vehicle shall yield the right of way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at the end of a block, except at intersections where the movement of traffic is being regulated by police officers or traffic control signals, or at any point where a pedestrian tunnel or overhead crossing has been provided; but at all places a pedestrian having lawfully started across a street at an intersection shall have the right of way until such pedestrian has reached the opposite side of the street.”

Sec. 5. That Section 21, Article V. of said General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

“SECTION 21. DRIVING THROUGH SAFETY ZONE PROHIBITED: It shall be unlawful for the operator of any vehicle, except street cars and interurban cars, to drive the same over, through or at the left of a Safety Zone as defined in this ordinance.”

Sec. 6. That Section 26 of Article VI of said General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

“SECTION 26. STANDING FOR LOADING OR UNLOADING ONLY IN CERTAIN PLACES: PERMITS:

(a) For the purpose of providing the owner or occupant of any premises fronting upon any street in the City of Indianapolis with ingress and egress to and from said premises for passengers and freight coming to or going from such premises, the Common Council of the City of Indianapolis hereby authorizes the Board of Public Safety, subject to the approval of the Common Council, and upon the request of such owner or occupant of such premises, to determine, designate and grant locations for passenger zones and loading zones, in strict accordance with the provisions of this section.

(b) Whenever the owner or occupant of any premises having a frontage on any street in the City of Indianapolis shall present to the Board of Public Safety a written request for permission to establish and maintain during the time permitted by this ordinance, a “Passenger Zone” or a “Loading Zone” in front of such premises, such request to set forth the name of the applicant, the nature of his business, the location of such requested zone, and a brief statement of the reasons for the establishment of such zone, and such request to be accompanied by a sketch showing the location of such premises, the exits to and from said premises, and the location of such zone as desired by such applicant, and also to be accompanied by a

receipt from the City Controller showing that such applicant has paid to the City Controller the sum of Five Dollars (\$5.00) for an investigation fee, such Board of Public Safety shall cause an investigation to be made by a police officer connected with the Traffic Department of the Indianapolis Police Department to be designated by such Board of Public Safety, who shall proceed to inquire into the necessity of the establishment of such passenger zone or loading zone as requested by such applicant, and such officer shall proceed at once to make such investigation and shall report his findings in writing to the Board of Public Safety, and said Board shall thereupon transmit such written request of said applicant to the Common Council, together with the written report of such officer and the recommendation of such Board of Public Safety as to whether or not such passenger zone or loading zone should be established. Upon request thereof, the Common Council will, after public hearing, proceed, in its discretion, to grant or reject said request, and upon said request being granted, will proceed to establish such passenger zone, or loading zone, by ordinance, conforming in all respects to the requirements of law and of the rules of the Common Council.

(c) Upon the establishment of such "passenger zone" or "loading zone" as set out in the preceding sub-section, the Board of Public Safety shall cause such applicant to be notified of the action of such common council thereon; and such Board of Public Safety shall cause markers to be permanently located at the two ends of such zone as established by said common council, and cause said zone to be otherwise marked and designated as said Board of Public Safety may determine, and such markers shall be of metal and shall be of uniform design throughout the city; Provided, however, that said Board of Public Safety shall not affix said markers or cause such zone to be marked and designated, until the person requesting the establishment of such zone shall present said Board of Public Safety with a receipt showing that he has paid the City Controller of the City of Indianapolis, the sum of Twenty-five

Dollars (\$25.00) for the first year's rental for such markers; Provided, however, that in the event that such zone shall exceed eighteen (18) feet in length an additional marker shall be required for each additional eighteen (18) feet or fraction thereof such zone shall be in excess of eighteen (18) feet; and the rental to be required of such person so requesting the establishment of such zone for each additional marker shall be Twenty-five Dollars (\$25.00).

(d) This annual rental for such standards shall be used to defray the expense of erecting such standards and for keeping the same in repair and painted, and for properly marking and designating such passenger zones or loading zones. Such rentals so paid shall be kept by the City Controller in a separate fund for such purpose; any balance remaining in said fund shall revert to the General Fund at the end of any year. Such rental shall be Twenty-five Dollars (\$25.00) for the first two of said standards and Twenty-five (\$25.00) for each additional standard required, and shall be due and payable on the first day of January of each year; provided, however, that the first year's rental shall be the full amount of Twenty-five Dollars (\$25.00) for the first two standards and Twenty-five Dollars (\$25.00) for each additional standard so required, due to the extra cost necessitated in establishing such passenger zone or loading zone, and shall date from the establishment of such zone to the 31st day of December following. Such standards shall be and remain the property of the City of Indianapolis, and shall be caused to be removed by the Board of Safety upon failure of the owner or occupant of said premises to pay such rental for said standards when the same becomes due.

(e) No passenger or loading zone shall be established within twenty-five (25) feet of a street intersection, and no such zone shall be established which shall conflict with any safety zone or bus zone heretofore established, or at any place where parking is prohibited by the terms of this ordinance.

(f) Nothing contained in this section shall authorize the reservation of space for the parking of any owner's or occupant's own vehicle or vehicles. When there are two or more occupants of any certain premises who use a common entrance thereto only one such space may be so established. Provided, further, that in addition to the penalties hereinafter provided, any owner or occupant or any premises where such passenger zone or loading zone shall have been established as provided for herein, who is found guilty of violating any provisions of this section shall forfeit all right to the use of such standards as provided in this section, and the Board of Public Safety shall cause such standards to be removed from said premises and all further and other markings as designated by said Board to be obliterated, and all rental which shall have been paid for such standards shall be and become forfeit to said City of Indianapolis, in addition to any other and further penalties provided by this ordinance.

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

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

Sec. 7. That Section 30 of Article VI of said General Ordinance No. 96, 1928, shall be amended to read as follows, to-wit:

"SECTION 30. PARKING PROHIBITED IN CERTAIN PLACES: (a) On all streets and avenues thirty (30) feet

or less in width from curb to curb, the parking of vehicles shall be restricted to one side of such street or avenue; if such street or avenue runs north and south, parking of vehicles shall be on the west side only; if such street or avenue runs east and west, parking of vehicles shall be on the south side only, except as otherwise provided herein. It shall be unlawful for any operator of any vehicle to park the same at any time in violation of this sub-section.

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

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

(2) On either side of Bird Street, between Ohio and New York Streets.

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

(4) On either side of Central Avenue, from Tenth to Eleventh Street.

(5) Clifton Street, on the east side, from Roach to Thirty-fourth Street.

(6) Delaware Street, from the north curb line of Twenty-fourth Street to the south curb line of Thirtieth Street.

(7) Eleventh Street, on the north side, from Alabama Street to Central Avenue, and, on the north side, from Illinois to Pennsylvania Street.

(8) Fort Wayne Avenue, on the east side from Pennsylvania Street to St. Clair Street.

(9) Fortieth Street, on the north side, from Illinois Street to Boulevard Place.

(10) Forty-second Street, on the north side, from Carrollton to College Avenue.

(11) Forty-second Street, on the south side from Central Avenue to College Avenue.

(12) Forty-sixth Street, on the south side, from Illinois Street to the tracks of the Monon Railroad.

(13) Fourteenth Street, on the south side, from Illinois to Meridian Street, and on the south side, from Meridian to Pennsylvania Street.

(14) Georgia Street, on the north side, from Noble to East Street.

(15) Hawthorne Lane, on the west side, from Washington Street to Lowell Avenue.

(16) Highland Drive, on the south side, from Broadway to College Avenue.

(17) Howard Street, on the north side, from Harding Street to Belmont Avenue.

(18) Illinois Street, on the east side, between Washington Street and a point forty (40) feet north of Washington Street.

(19) Illinois Street, on the east side, from Washington Street to Pearl Street.

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

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

(22) Marlowe Avenue, on both sides, from Arsenal Avenue to State Street.

(23) Market Street, on both sides, from the west curb line of Pennsylvania Street to the east curb line of Illinois Street.

(24) Meridian Street, on the east side, from Washington Street to Pearl Street.

(25) Meridian Street, on the west side, from Bluff Avenue, to the tracks of the Indianapolis Union Railway.

(26) Meridian Street, on both sides, from the north curb line of Washington Street to the south curb line of Ohio Street.

(27) Meridian Street, on the east side, from New York Street to St. Clair Street.

(28) Michigan Street, both sides from Meridian Street to Pennsylvania Street.

(29) Monument Circle, on both inner and outer curbs.

(30) New York Street, west, on the south side, from Blake Street to White River.

(31) New York Street, east, from Meridian Street to Pennsylvania Street.

(32) Nineteenth Street, on the south side, from Illinois Street to Meridian Street.

(33) Nineteenth Street, on the south side, from Delaware Street to New Jersey Street.

(34) North Street, both sides, from Meridian Street to Pennsylvania Street.

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

(36) Pennsylvania Street, on the west side, from Washington Street to Court Street.

(37) Pennsylvania Street, on the west side, from New York Street to St. Clair Street.

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

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

(40) Osage Street, on the west side, between Ohio and New York Street.

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

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

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

(44) St. Clair Street, on the north side, east from Senate Avenue to the tracks of the Monon Railroad.

(45) St. Clair Street, on the south side, between Meridian Street and Pennsylvania Street.

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

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

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

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

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

(51) Sixteenth Street, on both sides, from Capitol Avenue to Alabama Street.

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

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

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

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

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

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

(58) Vermont Street, both sides, from Meridian Street to Pennsylvania Street.

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

(60) Washington Boulevard, both sides from Twenty-eighth Street to Thirtieth Street.

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

(c) It shall be unlawful for any operator of any vehicle to park the same in any of the following places between the

hours of 6:00 A. M. and 6:00 P. M. except Sunday and legal holidays:

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

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

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

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

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

(d) It shall be unlawful for the operator of any vehicle to park the same between the hours of 7:00 and 9:15 A. M. of any day except Sunday and legal holidays, within the Central Traffic District as defined by Section 1 hereof.

(e) It shall be unlawful for the operator of any vehicle to park the same between the hours of 7:00 and 9:15 A. M. in any of the following places:

(1) North Delaware Street, on the west side, from St. Clair Street to Sixteenth Street.

(2) North Meridian Street, on the west side, from St. Clair Street to Sixteenth Street.

(3) North Illinois Street, on the west side, from St. Clair Street to Sixteenth Street.

(4) North Capitol Avenue, on the west side, from St. Clair Street to Sixteenth Street.

(5) North Pennsylvania Street from St. Clair Street to Sixteenth Street.

(6) East New York Street, on the north side, from East Street to Dorman Street.

(7) Massachusetts Avenue, from East Street to Tenth Street.

(f) It shall be unlawful for the operator of any vehicle to park the same between the hours of 4:30 and 6:00 P. M. in any of the following places:

(1) North Delaware Street, on the east side, from North Street to Sixteenth Street.

(2) North Meridian Street, on the east side, from Ohio Street to Sixteenth Street.

(3) Massachusetts Avenue, on the south, from East Street to Tenth Street.

(4) North Illinois Street, on the east side, from North Street to Sixteenth Street.

(5) North Capitol Avenue, on the east side, from North Street to Sixteenth Street.

(6) North Pennsylvania Street on the east side, from North Street to Sixteenth Street.

(7) East New York Street, on the south side, from East Street to Dorman Street.

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

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

(2) Within any street or alley in the Congested District as defined in this ordinance, where the width of same is less than forty (40) feet from curb to curb, which streets and alleys must be designated by the Board of Public Safety by appropriate signs on said streets and alleys."

Sec. 8. That Section 31 of Article VI of said General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

"SECTION 31. PARKING TIME LIMITED IN CENTRAL TRAFFIC DISTRICT: (a) It shall be unlawful for the operator of any vehicle to park the same for a longer period of time than THIRTY MINUTES between the hours of 9:15 A. M. and 7:00 P. M. of any day except Sunday and legal holidays upon Market Street from the east curb line of Pennsylvania Street to the west curb line of Alabama Street.

(b) It shall be unlawful for the operator of any vehicle, to park the same for a longer period of time than ONE HOUR between the hours of 9:15 A. M. and 7:00 P. M. of any day except Sunday and legal holidays, in the following described district: The district bounded by the south curb line of Maryland Street, the west curb line of Capitol Avenue, the north curb line of New York Street, and the east curb line of Delaware Street, except Market Street from the east curb line of Pennsylvania Street to the west curb line of Delaware Street.

(c) It shall be unlawful for the operator of any vehicle to park the same for a longer period of time than ONE AND ONE-HALF HOURS in the Central Traffic District and outside of the district defined in Sub-section 31 (a) and Sub-section 31 (b) hereof between the hours of 9:15 A. M. and 7:00 P. M.

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

Sec. 9. That Section 34, ARTICLE VI of said General Ordinance No. 96, 1928, be amended to read as follows, to-wit:

"SECTION 34. STANDING OR PARKING CLOSE TO CURB: Except when necessary in obedience to traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park such vehicle in a roadway other than parallel with the curb or edge of such roadway, headed in the direction of traffic, with the curb-side wheels of the vehicle within six inches of the curb or edge of the roadway and with a clear space of three feet left ahead and behind the same."

Sec. 10. That a new supplemental section to be designated and numbered Section 38½ be added to said General Ordinance No. 96, 1928, which shall read as follows, to-wit:

"SECTION 38½. TWO LANE TRAFFIC: (a) That it shall be the duty of the Board of Public Safety to cause the following named streets at the following named places to be divided by a painted line running down the center of such street, that such streets shall be further divided by other painted lines, or other distinctive markings, one to be on each side of said center line, nine (9) feet therefrom and running parallel thereto, that such streets are to be known as "TWO-LANE STREETS."

(b) That the following streets at the following places are hereby established as "TWO-LANE STREETS":

(1) Capitol Avenue, from Indiana Avenue to Sixteenth Street.

(2) Delaware Street, from New York Street to Sixteenth Street, and from Nineteenth to Twenty-second Street.

(3) Meridian Street, from New York Street to Thirty-eighth Street.

(4) New York Street, from Randolph to Gale Street.

(c) Any person operating a vehicle over or upon said streets shall drive in the lane closest to the right-hand curb; in the event that such operator desires to pass another vehicle traveling in the same direction, such over-taking vehicle shall drive into the inner lane until such vehicle shall have been so overtaken, when he shall again drive into the outer lane or lane closest to the curb."

Sec. 11. That Section 43 of ARTICLE VII of General Ordinance No. 96, 1928, shall be amended to read as follows, to-wit:

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

Sec. 12. That Section 44 of ARTICLE VII of said General Ordinance No. 96, 1928, as amended by General Ordinance No. 9, 1929, and by General Ordinances Nos. 15 and 59, 1930, be amended to read as follows, to-wit:

"SECTION 44. VEHICLES MUST STOP BEFORE ENTERING 'THRU' STREET: The following streets and parts of streets are hereby declared to constitute 'THRU' streets for the purpose of this section:

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

(2) Any street or highway which is now, or may be hereafter designated as the route for a state or national highway through the City of Indianapolis.

(3) Alabama Street at Market Street.

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

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

(6) Central Avenue, from Thirty-fourth Street to city limits.

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

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

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

(10) North Illinois Street, from the south intersection of Westfield Pike to Kessler Boulevard.

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

(12) Kentucky Avenue, from Washington Street to city limits.

(13) Madison Avenue, from South Street to the city limits.

(14) East Market Street, from the east curb line of North Alabama Street to the west curb line of Arsenal Avenue.

(15) Marlowe Avenue, from Dorman Street to Randolph Street.

(16) Massachusetts Avenue, from Ohio Street to the city limits.

(17) Meridian Street, from Southern Avenue to the canal.

(18) East Michigan Street, from Big Four Railroad tracks to Emerson Avenue.

(19) West Michigan Street, from White River west to city limits.

(20) Morris Street, from the west curb line of Madison Avenue west to the city limits.

(21) East New York Street, from Delaware Street to Dorman Street, and from Randolph Street to Emerson Avenue.

(22) Northwestern Avenue, from Fifteenth Street north to city limits.

(23) Oliver Avenue, from White River, west to city limits.

(24) Prospect Street, from Madison Avenue, east, to city limits.

(25) Sixteenth Street, from Sugar Grove Avenue to White River Parkway, and from White River west to city limits.

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

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

(28) Thirtieth Street, from city limits, west, to city limits east.

(29) Thirty-fourth Street, from Meridian Street to Crown Hill Cemetery, between the hours of 8:00 A. M. to 6:00 o'clock P. M.

(30) Twenty-fifth Street, from the east curb line of Meridian Street, east to the west curb line of Sherman Drive.

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

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

(33) Washington Street, from city limits west to city limits east.

(34) Westfield Road, from the west curb line of Capitol Avenue, east to the east curb line of College Avenue.

(35) All traffic on Harding Street at the intersection of Morris Street shall come to a full stop before entering into or crossing Morris Street. The above named streets, avenues, boulevards and highways are hereby declared to be 'THRU' or Preferential streets for the purpose of regulating traffic upon or crossing the same and every operator of a vehicle, street car or other conveyance traveling upon any street or roadway intersecting and 'THRU' street above designated, shall bring the same to a full, complete stop at the place where such street meets the prolongation of the nearest property line of such 'THRU' street, subject, however, to the direction of any official traffic control sign or signal or the directions of any police officer at such intersection.

The operator of any vehicle who has come to a full stop as required above, upon entering the "THRU" street, as well as

operators of vehicles on such "THRU" street, shall be subject to the usual right-of-way rule prescribed by state law governing the meeting of vehicles at street or highway intersections.

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

Sec. 13. That Sub-section (a) of Section 66 of ARTICLE IX of said General Ordinance No. 96, 1928, shall be amended to read as follows, to-wit:

"SECTION 66. REPORTING AT TRAFFIC OFFICE; NOTICE; EFFECT: (a) The provisions of this, and the two succeeding sections of this Ordinance shall apply only to the violation of the provisions contained in Sections 26 to 29 inclusive and Sections 31 to 34 inclusive of Article VI."

Sec. 14. That a new supplementary section to be designated and numbered Section 68½ be added to said General Ordinance No. 96, 1928, which shall read as follows, to-wit:

"SECTION 68½. IMPOUNDING VEHICLES. AUTHORITY. (a) Upon finding a vehicle parked or left standing in violation of Section 25 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 45, 1930, Section 30 of said General Ordinance No. 96, 1928, as amended by Section 7 of this Ordinance and Section 34 of General Ordinance No. 96, 1928, a police officer shall remove such vehicle, or cause the same to be removed to a stable or garage, where the same

shall be kept and detained until the owner of said vehicle, his agent or representative obtains an order from the Chief of Police authorizing that such vehicle be surrendered. Such removal shall be at the risk of the owner or his agent or representative and the expense of removal and storage of such vehicle shall be borne by said owner or his agent or representative and shall be paid to the person in charge of or who operates such stable or garage, whether a public or private establishment, before such vehicle is surrendered to the owner of such vehicle, his agent or representative. The removal and storage of a vehicle pursuant hereto shall in no way relieve or prevent prosecution for violation of any provision of the ordinances of this city upon which such removal and storage is based.

(b) In order to make feasible arrangements for caring for impounded vehicles, the Board of Public Safety, subject to the approval of the Common Council, is hereby authorized to examine into the facilities and general condition of and to solicit prices from garages and other places suitable for the storage of vehicles which may be impounded and to contract with such garage or garages as may be found proper for the purpose of driving or towing in, receiving and storing such vehicles as may be impounded pursuant to this or any other ordinance of the City of Indianapolis.

(c) In no event shall the charge for driving or towing in, receiving and storing such vehicles as may be impounded pursuant to this ordinance exceed the sum of Three Dollars and Fifty Cents (\$3.50), to which may be added, however, storage charges at the rate fixed in such contract, for all storage by such garage where such car or cars are impounded after midnight of the day that such car or cars were impounded. Provided, further, that such sum shall not exceed the sum of Three Dollars (\$3.00), to which may be added, however, storage charges at the rate fixed in such contract, for all storage by such garage where such car or cars are impounded after midnight of the day that such car or cars are impounded, when

such car or cars so impounded shall be driven or towed in without the use of a crane or derrick.

(d) Of this sum, such garage or garages shall pay to the City of Indianapolis, the sum of Two Dollars (\$2.00), for each car or cars impounded pursuant to this ordinance.

Sec. 15. All ordinances or parts of ordinances and all sections and sub-sections specifically mentioned heretofore herein as being specifically amended are hereby repealed.

Sec. 16. 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 the first time and referred to the Committee on Public Safety.

By Legal Department:

SPECIAL ORDINANCE NO. 3, 1931

AN ORDINANCE accepting in trust the bequests made to the City of Indianapolis, Indiana, by the Last Will and Testament of Susan W. Butler, deceased, subject to the terms and conditions of said will, and fixing a time when said ordinance shall take effect.

WHEREAS, Susan W. Butler, now deceased, by the terms of Article VI of her last will and testament, which was duly probated in the Circuit Court of Marion County, Indiana, on the 2nd day of May, 1899, and entered among the records of said Court in Will Record P at Pages 482 to 489 inclusive, made certain bequests to the City of Indianapolis, Indiana, in trust, part of said bequests being subject to the life estate of her daughter, Margaret Butler Snow, and the remainder thereof subject not only to the life estate of the said Margaret Butler Snow but also to the life estates of the brother and sisters of the testatrix,

Albert C. Jennison and Mary E. Simpson and Frances J. Harrison, their children and grandchildren, which bequest is in words and figures as follows:

“ITEM VI. Upon the death of my daughter, if she survives me, or, if she be not living at the time of my death, then and in either of such events I give, devise and bequeath the one-sixth part of all of the said remainder of my estate to the Indianapolis Bar Association for the erection and maintenance of a suitable building for the use of the Association, in which there shall be a library and reading room for the use of the members of the Association and of such students of law as the Association may deem worthy, under proper rules and regulations of the Association, and such other rooms and appliances as in the judgment of the Association may conduce to the benefit and comfort of its members and the amount of said bequest may warrant.

There shall be in a conspicuous place upon the front of the building a tablet in which shall be cut the following inscription: “The Indianapolis Bar Association. Gift of John M. Butler.” And a picture of my husband, John M. Butler, shall be placed on the inside of the building with a suitable inscription in recognition of the gift.

And I give, devise and bequeath the one-sixth part of all of the said remainder of my estate to the City of Indianapolis in trust for the benefit of the sick poor of said City for the maintenance of a dispensary to be known as “The John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis.” (This bequest is made to carry out the expressed desire of my dear son that a part of his estate should eventually go for the aid of the sick poor of Indianapolis). It is my will, and I hereby direct that a sufficient portion of this gift be used for the erection, purchase or lease of a suitable building for such

dispensary under the direction and supervision of the Board of Commissioners of Public Health and Charities of said City, and that the remainder thereof be by said City safely invested under the direction and supervision of the Circuit or other Court of Marion County, Indiana, having probate jurisdiction, so as to yield the largest income, and that the income be annually expended under the direction, supervision and application of the Board of Commissioners of Public Health and Charities of said City for the maintenance of said dispensary where the sick poor of said city shall receive free of charge good medical and surgical treatment, and be supplied with medicines, and all kinds of needed appliances, such as braces, crutches, rolling chairs, etc., and food, clothing, beds, couches, books, papers, etc., and have recreations and amusements, and if in the judgment of said Board it will add to the comfort and well-being of any of said beneficiaries, the said Board may apply a portion of such income to the payment of the rents, and to relieve suffering and distress of the beneficiaries at their homes.

There shall be in a conspicuous place upon the front of such Dispensary building a tablet in which shall be cut the following inscription: "The John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis—Gift of John Maurice Butler." And a picture of my son, John Maurice Butler, shall be placed in an appropriate place on the inside of the building with a suitable inscription in recognition of this gift.

And I will, devise and bequeath the two-thirds ($\frac{2}{3}$) of the said remainder of my said estate as follows: three-fourths ($\frac{3}{4}$) thereof shall be divided into six equal shares and shall go one share each to Anson R. Butler, Julia Butler Ormsby, Mary Butler Smith, Ada Butler Goodell, and Martha C. Butler, and if either be dead, his or her share to go to his or her child or children, if any there

be living; if there be no child or children living, then such share to be divided among the survivors equally. One share to Edith Butler, Mayard Butler, and Lois Butler, children of George C. Butler, deceased, jointly, to be divided equally between them; if either be dead, his or her portion of such share shall go to his or her child or children, if any there be living, and if there be no child or children living, then his or her portion of such share to be divided equally between the survivors. And the remaining one-fourth ($\frac{1}{4}$) of two-thirds ($\frac{2}{3}$) of my said estate shall be held in trust by my executor and the income thereof annually paid to my brother, Albert C. Jennison, and my sisters, Mary E. Simpson and Frances J. Harrison, in equal shares, and to their children and grand-children so long as any shall be living, and upon the death of said grand-children the said one-fourth of two-thirds shall be by my executor paid over to the Indianapolis Bar Association and to the City of Indianapolis to each one-half thereof for the use of The Indianapolis Bar Association and "The John Maurice Butler Dispensary and Aid to the Sick Poor of Indianapolis" hereinbefore provided for respectively. Upon the death of my daughter, if she survive me, or if she be not living at the time of my death, then upon my death, in order that my said estate may be properly and fairly divided as herein directed, and the foregoing bequests properly provided for, it is my will and I hereby authorize and direct my executor as soon as conveniently may be, to call in, sell and convert into money or convenient securities equivalent to money, all of my said estate, and to this end my executor is hereby authorized to sell all parts and parcels of said estate under the supervision and direction of the Circuit or other Court of Marion County, Indiana, having probate jurisdiction, on such terms as said Court may deem to the best interests of said beneficiaries. And upon the conversion of said estate into money or securities as aforesaid, and the

payment of the costs and expenses of the trust my executor shall distribute the same as follows, viz: To the Indianapolis Bar Association the one-sixth thereof and to the City of Indianapolis the one-sixth thereof for the uses and purposes hereinbefore defined; to the said Anson R. Butler, Julia Butler Ormsby, Mary Butler Smith, Ada Butler Goodell, Martha C. Butler, Edith Butler, Mayard Butler and Lois Butler, or their children or survivors, the three-fourths of two-thirds thereof in the shares and in the manner herein devised to them, and that my said executor hold the remaining one-fourth of two-thirds thereof in trust as herein provided, and annually pay the income thereof, less the expenses of said trust, to the said Albert C. Jennison, Mary E. Simpson and Frances J. Harrison, or their children and grandchildren, in the shares and in the manner herein devised to them, and upon their death pay the said one-fourth of two-thirds of said estate over to the Indianapolis Bar Association, and the City of Indianapolis, to each one-half thereof for the use and purposes as herein expressed.

I hereby nominate and appoint The Union Trust Company of Indianapolis as executor of this my last will and testament.

WITNESS my hand and seal hereto and to each page numbered 1, 2, 3, 4, 5 and 6 hereof affixed, this 1st day of October, 1896.

SUSAN W. BUTLER.

Witness:

Samuel O. Pickens,
Charles W. Moores."

AND

WHEREAS, All of the aforesaid life tenants of said estate are now

dead and the right, title and interest of the City of Indianapolis as trustee to the bequests made to it by Item VI of the last will and testament of the said Susan W. Butler have therefore matured and ripened, NOW, THEREFORE,

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

Section 1. That the City of Indianapolis, Indiana, as Trustee, does hereby accept the bequests made to it by Item VI of the last will and testament of Susan W. Butler, deceased, subject to all the terms, conditions and provisions of said last will and testament, which was duly probated in the Circuit Court of Marion County, Indiana, on the 2nd day of May, 1899, and entered among the records of said County in Will Record P. at pages 482 to 489, inclusive.

Sec. 2. The City Controller of said city is hereby authorized and empowered on behalf of said city as trustee, to receive and receipt for any and all moneys, securities and other things of value belonging to or due said city in its trust capacity by virtue of the aforesaid bequests of the said Susan W. Butler, deceased.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 26, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No. 26, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 26, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 29, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No. 29, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 29, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 7, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 7, 1931, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 7, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 8, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Gardner, Appropriation Ordinance No. 8, 1931, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 8, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Gardner, Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

MISCELLANEOUS BUSINESS

Mr. Houck announced that the Committee on Finance was not ready to report on General Ordinance No. 5, 1931, and asked for further time for consideration of said ordinance, which was granted.

Mr. Welch announced that the Committee on Public Safety was not ready to report on General Ordinance No. 28, 1931, and asked for further time for consideration of said ordinance, which was granted.

On motion of Mr. Henry, seconded by Mr. Wheatley, the Common Council adjourned at 9:50 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 16th day of March, 1931, 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.

Ernest C. Ropkey

President.

Attest:

Henry O. Goett

City Clerk.

(SEAL.)