

REGULAR MEETING

Monday, February 15, 1926, 7:30 p. m.

The Common Council of the City of Indianapolis met in the Council Chamber, February 15, 1926, at 7:30 p. m., in regular session, President Boynton J. Moore in the chair.

The Clerk called the roll.

Present: Hon. Boynton J. Moore, President, and five members, viz.: Walter R. Dorsett, Claude E. Negley, Austin H. Todd, Otis E. Bartholomew and Robert E. Springsteen.

Absent: Millard W. Ferguson, Edward B. Raub and O. Ray Albertson.

The reading of the journal was dispensed with on motion of Mr. Bartholomew, seconded by Mr. Dorsett.

COMMUNICATIONS FROM THE MAYOR

February 9, 1926.

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

Gentlemen—I have today approved with my signature the following ordinances and delivered same to Wm. A. Boyce, Jr., City Clerk:

General Ordinance No. 5, 1926—"An Ordinance, transferring the sum of Five Hundred (\$500.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 36 in the Department of Public Safety, Administration Unit, and declaring a time when the same shall take effect."

General Ordinance No. 6, 1926—"An Ordinance, transferring the sum of One Hundred and Fifty (\$150.00) Dollars from the fund in the Department of Public Safety, Electrical Unit, known as Fund No. 44, and reappropriating the same to Fund No. 26 in the Department of Public Safety, Administration Unit, and declaring a time when same shall take effect."

General Ordinance No. 8, 1926—"An Ordinance, authorizing the City Controller to make a Temporary Loan or Loans in the sum of Four Hundred Thousand (\$400,000) Dollars in anticipation of current revenues appropriating the sum of Four Hundred and Ten Thousand (\$410,000) Dollars for the payment thereof and fixing a time when the same shall take effect.

"Whereas, the City of Indianapolis is now and will continue to be until the first day of April, 1926, without sufficient funds to pay its salary payroll and other current expenses, and

"Whereas, the said current expenses and said salary payrolls for said period will amount to approximately Seven Hundred Thousand (\$700,000) Dollars, and

"Whereas, in anticipation of collection of sufficient licenses and fees together with advance payment of taxes to make up the difference between the Four Hundred Thousand (\$400,000) Dollar Temporary Loan and the estimated expense of Seven Hundred Thousand (\$700,000) Dollars."

General Ordinance No. 9, 1926—"An Ordinance, transferring the sum of Two Thousand (\$2,000) Dollars from the fund in the Department of Public Works, Public Buildings Unit, known as Fund No. 25, and reappropriating the same to Fund No. 38, in the Department of Public Works, Public Buildings Unit, and declaring a time when the same shall take effect."

General Ordinance No. 10, 1926—"An Ordinance, transferring the sum of Seventy-five (\$75) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 72, and reappropriating the same to Fund No. 38 in the Department of Public Safety, Weights and Measures Unit, and

"Transferring the sum of Twenty-five (\$25) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 45, and reappropriating the same to Fund No. 36, in the Department of Public Safety, Weights and Measures Unit, and

"Transferring the sum of Seventy-five (\$75) Dollars from the fund in the Department of Public Safety, Weights and Measures Unit, known as Fund No. 33, and reappropriating the same to Fund No. 24 in the Department of Public Safety, Weights and Measures Unit, and declaring a time when the same shall take effect."

Yours very truly,

J. L. DUVALL.

REPORTS FROM STANDING COMMITTEES

Indianapolis, Ind., February 12, 1926.

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

Gentlemen—We, your Committee on Law and Judiciary to whom was referred General Ordinance No. 11, 1926, entitled, "An Ordinance, authorizing and creating the position of Attorney for the Common Council of the City of Indianapolis, defining his duties, fixing the salary thereof and designating the time when the same shall take effect," beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

AUSTIN H. TODD, Chairman

CLAUDE E. NEGLEY

OTIS E. BARTHOLOMEW.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By Mr. Negley:

GENERAL ORDINANCE NO. 12, 1926

AN ORDINANCE to amend Sub-section M, entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, being an ordinance concerning the government of the City of Indianapolis, providing penalties for its violation and with stated exceptions repealing all former ordinances.

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

Section 1. That Sub-section M, entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, be amended by striking out of said Sub-section M entitled Fire Force under Department of Public Safety, of Section 608 entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, the following figures and words: "12. Second Assistant Fire Chief," and "16. Stenographer (First Grade)." and by renumbering the various positions under Sub-section M entitled Fire Force under Department of Public Safety, of Section 608, entitled Designation of Officers and Employees, of General Ordinance No. 121, so as to conform to the striking out of said positions of Second Assistant Fire Chief and Stenographer (First Grade).

Section 2. That the office of Second Assistant Fire Chief and the office of Stenographer, First Grade, of the Fire Force of the City of Indianapolis, Indiana, under the Department of Public Safety are hereby abolished.

Section 3. That the said Sub-section M entitled Fire Force under Department of Public Safety of Section 608, entitled Designation of Officers and Employees, of General Ordinance No. 121, 1925, shall be amended to read as follows:

(m) Fire Force under Department of Public Safety:

1. *Fire Chief.
2. Two Aids to Chief.
3. Two Assistant Fire Chiefs.
4. Ten Battalion Chiefs.
5. Ten Aids to Battalion Chiefs.
6. Forty-four Captains, one of whom shall act as Secretary to Fire Chief.
7. Fifty-nine Lieutenants.
8. Four Engineers.
9. One hundred and fifteen Chauffeurs.
10. Two hundred and ninety-two Firemen, First Grade.
11. Sixty Substitute Firemen, First Grade.
12. Chief Inspector (Captain).
13. Secretary (Lieutenant).
14. Seven Inspectors (First Grade).

Section 4. That the Officers and Firemen scheduled under items 12, 13 and 14, are assigned to fire prevention duties under the supervision and direction of the Chief of the Fire Department.

Section 5. This ordinance shall be in full force and effect from and after its passage.

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

By Mr. Dorsett:

GENERAL ORDINANCE NO. 13, 1926

AN ORDINANCE requiring and providing for the issuance of a license by the Board of Health of the City of Indianapolis, Indiana, for the operation and conducting of a barber shop, barber college, or barber school, in said city; providing for the payment of a license fee therefor to the City Controller of said city; fixing the amount of said license fee; fixing the term of said license; providing rules regulating the conduct and sanitation of said shop, college or school, and the business or calling of conducting the same; providing for the appointment of inspectors to carry out the inspection provisions hereof; repealing any and all ordinances or parts of ordinances in conflict therewith; providing a penalty for the violation thereof; 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. It is hereby declared unlawful for any person, firm or corporation to conduct a barber shop, barber college, or barber school, within the City of Indianapolis without having obtained a license so to do from the Board of Health of said city. The proprietor of any such shop, college or school, shall pay to the City Controller a fee of Three (\$3.00) Dollars per annum for each barber chair operated in said shop, college or school, and present a receipt therefor to said Board of Health, together with his or her application for a license; which said application shall give the name of the proprietor and the location at which he or she shall expect to operate, or conduct, said business; upon which application and receipt as aforesaid, said Board of Health shall issue a license therefor in the name of the proprietor and designating the location of such shop, college or school, with particularity. Any license so issued may be transferred to a different location or assigned to a new proprietor, but in either event such license shall be returned to the said Board for cancellation and a new permit issued in lieu thereof without additional fee or charge therefor. All licenses herein provided for

shall terminate on the 31st day of December of the year in which the same are issued, and be renewable from year to year. The license fee herein stipulated shall be payable at the rate thereof per annum.

Section 2. With a view to maintaining cleanliness and sanitary conditions, each barber shop, barber college, and barber school within said city shall be subject to and shall observe the following rules and regulations, to wit:

(a) All shops, colleges and schools, herein provided for shall be open for inspection during all business hours to any member of the Board of Health or the inspectors appointed as herein provided. Aforesaid inspectors shall make inspections as directed and required by said Board.

(b) No shop shall be operated in a living room, a dining room or any sleeping apartment.

(c) The floors, walls, furniture and fixtures of each barber shop, barber college, or barber school, shall at all times be kept thoroughly clean; jardinières, urns and cuspidors shall be thoroughly cleaned at least once each day. The floors shall be kept clean and free from hair accumulation thereon, and shall be mopped at least once each day.

(d) No barber shop, barber college, or barber school, shall be conducted or operated in a room or in rooms in which articles for human consumption are kept for sale, except tobacco and articles in sealed containers, unless such shop is partitioned off by a closely fitted partition extending from the floor to the ceiling with a close-fitted door in the entrance thereof. Any barber shop or barber chair conducted or operated in a pool room shall be partitioned by a closely fitted partition at least six feet in height and extending to the floor, with a close-fitted door therein, if any.

(e) Each barber shop, barber college, or barber school, shall be furnished with an adequate supply of running hot and cold water and a waste drain connected with the sewer where sewer connection can be had.

(f) No person affected with a communicable skin disease or any infectious or contagious disease, or any person in a state of intoxication, or any person who is an habitual drunkard shall be permitted to operate a barber shop, barber college or barber school.

(g) Each cup and brush must be thoroughly cleansed with hot water each time before using.

(h) Fresh, clean towels must be used for each patron, and all towels after they have been used must be thoroughly laundered before using again. All soaps, perfumes, bay rum, witch-hazel and other toilet articles, and all antiseptic solutions shall be of pure quality and free from adulteration. An antiseptic solution shall be used on each person after shaving.

(i) No barber shall knowingly serve in a barber shop, barber college or barber school, a person in an infectious stage of the disease of erysipelas, eczema, impetigo, sycosis, tuberculosis or any other highly contagious or infectious disease; and any person so affected is forbidden to present himself for service in any barber shop, barber college, or barber school operating within said city.

(j) Upon the violation of any of the above rules and regulations, the license herein provided may be refused or revoked by said Board, in addition to the penalty that may be imposed by a court of competent jurisdiction, and a new permit shall not be issued to the offender until he or she shall show a willingness and ability to comply therewith.

Section 3. Any proprietor as aforesaid holding license as herein provided shall conspicuously display said license in the place where the business is conducted.

Section 4. To carry out the provisions of this ordinance there shall be appointed by the Mayor of the City of Indianapolis and confirmed by the Common Council of said city, two (2) inspectors who shall be experienced barbers of not less than ten (10) years experience as such. Each barber shop, barber college, and barber school within said city shall be inspected at least once a month, by an inspector as herein provided, but any member of the said Board may inspect any said shop, college or school at any time during business hours. Each of the aforesaid inspectors shall be paid a salary of one hundred fifty (\$150.00) dollars per month.

Section 5. Any person, firm or corporation found guilty of violating any of the provisions of sections one (1), two (2), or three (3), of this ordinance, shall, on conviction thereof, be fined in any sum not less than five (\$5.00) dollars nor more than three hundred (\$300.00) dollars, or imprisoned in the county jail for a period not to exceed ninety (90) days, or both.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall be in full force and effect from and after its passage and due publication as provided by law.

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

ORDINANCES ON SECOND READING AND FINAL ACTION

On motion of Dr. Todd, seconded by Mr. Dorsett, General Ordinance No. 11, 1926, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1926, was read a third time by the Clerk and passed by the following vote:

Ayes, 5, viz.: Messrs. Bartholomew, Dorsett, Negley, Todd and President Boynton J. Moore.

Noes, 1, viz.: Mr. Springsteen.

Mr. Ferguson entered the Council Chamber at 7:58 p. m. and took his seat.

On motion of Mr. Dorsett, seconded by Mr. Bartholomew, General Ordinance No. 7, 1926, was ordered stricken from the files.

At this time Mr. Negley secured permission from the chair to speak briefly in support of his Ordinance No. 12, 1926.

Mr. Negley in the course of his remarks declared that there was nothing personal in the Ordinance of which he is the author. Mr. Negley also declared:

"I have investigated over a period of five weeks and found that by eliminating these places, it will save the city considerable money. The Second Assistant Fire Chief draws a salary of \$3,062.50 and his Stenographer gets \$1,916.25. There are also in this department a Chief Inspector with the rank of Captain who gets \$2,382.50 a year, a secretary with the rank of Lieutenant at \$2,182.50 per year and seven Inspectors at \$1,916.25 per year. With the elimination of these two offices I believe there would be left in the department sufficient men to handle the situation efficiently and at considerable saving to the city. It is simply an economical measure such as we pledged ourselves to in the campaign. We followed the lead of Mayor Duvall and pledged ourselves to the platform of economy, efficiency and law enforcement. I, for one, have not forgotten that pledge. I sincerely believe we can effect both economy and efficiency by this move and save the city nearly \$5,000 a year."

Mr. Bartholomew addressed the members of the Council briefly in regard to an article which appeared on the sport page of the Indianapolis Sunday Star of February 14 in which the charge was made that the Boxing Commission received 5 per cent. of the total receipts at boxing exhibitions and gave no protection in return. Mr. Bartholomew declared this was an absolute falsehood inasmuch as the 5 per cent. of the receipts referred to in

the article goes to the general fund of the City of Indianapolis and members of the Boxing Commission receive nothing for their services. Mr. Bartholomew also declared totally unfounded reports and charges that the Commission was not treating all boxing promoters fairly.

At 8:08 o'clock p. m. the Common Council of the City of Indianapolis adjourned.

Raynton J. Moore
President.

Attest:

William A. Boyce, Jr.
City Clerk.