

REGULAR MEETING

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

The Common Council of the City of Indianapolis met in the Council Chamber, Monday, November 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 six members, viz.: O. Ray Albertson, Claude E. Negley, Robert E. Springsteen, Otis E. Bartholomew, Millard W. Ferguson and Walter R. Dorsett.

Absent: Edward B. Raub and Austin H. Todd.

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

REPORTS FROM CITY OFFICERS

November 15, 1926.

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

Gentlemen—I have been requested by the Board of Public Works to submit to you the attached General Ordinance transferring funds as follows:

Assessment Bureau, Account No. 72, transfer and re-appropriate \$196.65 to Assessment Bureau, Account No. 36, Office Supplies.

Transferring the sum of \$300.00 from Street Commissioners Account No. 32, and reappropriating the same to Public Buildings, Account No. 32.

Transferring the sum of \$282.25 from City Civil Engineer's Account No. 32 and reappropriating the same to Public Building Account No. 32.

Transferring the sum of \$100.00 from Administration Account No. 36, Board of Public Works, and reappropriating same to Administration Account No. 21.

I respectfully recommend the passage of this ordinance.

Yours,

W. C. BUSER,
City Controller.

November 11, 1926.

To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.

Dear Sir—I am enclosing herewith Special Ordinance No. —, 1926, which has for its purpose the sale of eighteen horses by the Board of Park Commissioners of the City of Indianapolis.

The Board, on November 10, 1926, at its regular meeting passed Property Sale Resolution No. 2, 1926, in which they resolved to sell said eighteen horses, as required by law, and ordered me to take such steps to effect this act.

Yours truly,
TELFORD B. ORBISON,
Attorney for the
BOARD OF PARK COMMISSIONERS.

November 15, 1926.

To Mr. William A. Boyce, Jr., Clerk of the Common Council, City of Indianapolis.

Dear Mr. Boyce:—We are submitting herewith an ordinance which amend the Building Code relative to the Electrical Inspection and Fees.

Mr. Buser, Mr. Don Roberts and myself have made a study of this ordinance and recommend its passage.

Yours very truly,
BERT J. WESTOVER,
Commissioner of Buildings.

November 15, 1926.

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

Gentlemen—Attached herewith please find copies of a General Ordinance authorizing the City Controller to issue bonds in the Two Hundred Sixty Thousand (\$260,000.00) Dollars which is to pay judgments against the City of Indianapolis in Cause No. 40500, Marion Circuit Court.

I respectfully recommend the passage of this ordinance.

Yours,
W. C. BUSER,
City Controller.

August 16, 1926.

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

Gentlemen—Attached hereto are 13 copies of an Ordinance to amend General Ordinance No. 114, 1922, better known as the "Zoning Ordinance," by changing the south east and north east

corners of 46th St. and College Ave. from a residential district to a business district.

The City Plan Commission respectfully recommends that your Honorable Body take favorable action on this ordinance.

Very truly yours,
CITY PLAN COMMISSION
MACKLIN MARK,
Engineer.

REPORTS FROM COMMITTEES

Mr. Albertson, Chairman of the Committee on Finance, asked for more time on all ordinances in that Committee.

Mr. Ferguson, Chairman of a Special Committee, asked for more time on ordinances in his Committee.

INTRODUCTION OF GENERAL ORDINANCES

By the City Comptroller:

GENERAL ORDINANCE NO. 95, 1926

AN ORDINANCE, Transferring the sum of \$196.65 from Assessment Bureau, Account No. 72, Equipment, of the Board of Public Works of the City of Indianapolis to Account No. 36, Office Supplies, of Assessment Bureau of said Board and reappropriating said sum for such purposes; and to transfer the sum of \$300.00 from Street Commissioners Account No. 32, Fuel and Ice, of the said Board of Public Works, to Public Building Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$282.25 from City Civil Engineers Account No. 32, of said Board to Public Building Account No. 32, of said Board and reappropriating the same; and transferring the sum of \$100.00 from Administration Account No. 36, of said Board to Administration Account No. 21, of said Board and reappropriating the same for such purposes and fixing a time when said ordinance shall take effect.

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

Section 1. That the sum of \$196.65 is hereby transferred from Assessment Bureau, Account No. 72, Equipment, of said Board of Public Works of the City of Indianapolis, is hereby transferred from and appropriated to Account No. 36, Office Supplies of the Assessment Bureau of said Board, and the sum of \$300.00 is hereby transferred from Street Commissioners Account No. 32, Fuel and Ice, of said Board to, and appropriated to Public Buildings Account No. 32, of said Board, and the sum of \$282.25, in City Civil Engineers Account No. 32, of said Board is hereby transferred and appropriated to Public Building Account No. 32, of said Board

and the sum of \$100.00 is hereby transferred from Administration Account No. 36, of said Board to and appropriated to Administration Account No. 21.

Section 2. 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 Finance.

By the Park Board:

GENERAL ORDINANCE NO. 96, 1926

AN ORDINANCE, Authorizing the sale of certain personal property by the Board of Park Commissioners of the Department of Public Parks of the City of Indianapolis, Indiana, and fixing the 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 Park Commissioners of the City of Indianapolis is hereby authorized to sell, and convey for cash, at public or private sale, for not less than the appraised value, which value is to be hereinafter determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described personal property, i. e., eighteen horses, in Indianapolis, Marion County, Indiana, to-wit:

Name	Color	Age	Weight	Height
Logan	grey	20 years	1600 lbs.	16½ hands
Billie	grey	12 years	1600 lbs.	16½ hands
Prince	sorrell	18 years	1600 lbs.	16 hands
Barney	grey	18 years	1600 lbs.	16 hands
Billy	bay	23 years	1400 lbs.	15½ hands
Fannie	grey	22 years	1500 lbs.	15 hands
Bessie	grey	22 years	1500 lbs.	15 hands
Sam	grey	18 years	1500 lbs.	16½ hands
George	grey	18 years	1500 lbs.	16½ hands
Governor	black	20 years	1800 lbs.	17 hands
Fred	bay	16 years	1100 lbs.	15½ hands
Charley	bay	14 years	1100 lbs.	15 hands
Coley	black	17 years	1500 lbs.	15½ hands
Charley	dapple gray	16 years	1550 lbs.	16 hands
Billy	grey	22 years	1600 lbs.	15½ hands
Jim	grey	21 years	1500 lbs.	16 hands
Frank	grey	21 years	1500 lbs.	16 hands
Ben	black	18 years	1600 lbs.	15½ hands

belonging to the City of Indianapolis, Department of Public Parks, and in the care and custody of the said Board of Park Commissioners and which are no longer fit or needed for Park purposes.

That said personal property shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

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

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

By the Building Commissioners:

GENERAL ORDINANCE NO. 97, 1926

AN ORDINANCE, To amend Paragraphs (b) and (c) of Section D-408 and Paragraphs (q) and (s) of Section A-223 of General Ordinance No. 121, 1925, entitled, "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:

That Sections D-408 and A-223 of General Ordinance No. 121-1925 be amended as follows:

Section 1. By striking out of and from said Section D-408 entitled Electrical Inspection, all of Paragraph (b) of said Section and inserting, in lieu thereof, the following:

(b) The electrical inspection agency so employed shall collect for its services the fees herein elsewhere provided and shall pay to the City of Indianapolis, through the City Controller, 15% of all such fees so collected and, in addition to such 15%, said agency shall account for and pay to said City the difference between the remaining 85% of fees so collected during any year it may be employed to perform such services and the cost to such agency of performing said services during such year. The time and method of payment of such 15% so payable to the City of Indianapolis and the time and method of payment of such additional amount, if any, and of determining such difference shall be fixed by the annual contract of employment provided in Paragraph (a) of this Section.

Section 2. By striking out of and from Paragraph (c) of Section D-408 all said paragraph and by inserting, in lieu thereof, the following:

(c) "Such agency shall periodically furnish to the Bureau of Buildings reports of its inspections and services hereunder, at such periods and in such forms as the Commissioner of Buildings may require."

Section 3. By striking out of said Section A-223 all of Paragraph (q) thereof and by inserting in lieu thereof, the following:

(q) The fees to be charged for a permit to install electrical motors, devices, or machines on power circuits shall be as follows:

1/4 horse power to one horse power	\$1.50
Over 1 horse power to 10 horse power	2.00
Over 10 horse power to 20 horse power	3.00
Over 20 horse power to 50 horse power	4.00
Over 50 horse power	5.00

Each additional motor, device, or machine covered by the same inspection, as follows:

Not over one horse power -----	\$1.00
Over 1 horse power to 10 horse power -----	1.50
Over 10 horse power to 20 horse power -----	2.00
Over 20 horse power to 50 horse power -----	2.50
Over 50 horse power -----	3.00

Wherever horse power is referred to in this paragraph, the same shall be construed as horse power or kilowatt as the case may be.

Section 4. By adding the following at the end of Paragraph (s) of Section A-223. "The minimum fee to be charged for a permit to install lighting circuits to which fixtures and also small motors are connected and where the entire installation is inspected at one time the fee shall be as provided in Paragraph (p) of this Section, plus 50% of the respective fixture fees provided above, provided however, that the fee for inspection of the installation of one lighting circuit with the fixtures attached thereto and which are inspected on one trip shall be \$2.50.

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

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 98, 1926

AN ORDINANCE, To establish rules and safety regulations governing the employment and services of window washers, painters, and all persons whose work and duties takes them onto the outer ledges of windows or onto the outer surfaces of any and all structures more than four stories in height within the corporate limits of the City of Indianapolis, defining the violations thereof, declaring a penalty for the violation thereof, and designating a time when the same shall take effect.

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

Section 1. It shall be unlawful for any person employed as a windowwasher, painter, or in any other capacity, to stand on the outer ledge of any window or to remain on the outer surface of any building, which building is four stories or more in height, without being constantly secured to such building by means of a safety belt or strap one end of which must be securely fastened to such persons body and the other end of which must be securely hooked or fastened to a safety or hook provided on such building for such purposes as designated in Section A-341 of the 1925 Indianapolis Building Code.

Section 2. It shall be unlawful for the owner or owners of any building four stories or more in height, or for the superintendent of any such building, to permit a window-washer, painter, or

other person, to stand or remain on the outer ledge or surface of any such building, in violation of the provisions of Section one of this ordinance.

Section 3. The provisions of this ordinance shall not apply to buildings in the process of construction or to workmen employed in the construction of buildings.

Section 4. Any person violating any of the provisions of the first two sections of this ordinance shall, on conviction, be fined in any sum not less than ten dollars nor more than fifty dollars, and for the second or subsequent offense imprisonment not exceeding thirty days may be added thereto.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

By Mr. Dorsett:

GENERAL ORDINANCE NO. 99, 1926

AN ORDINANCE, To amend Section 846 of General Ordinance No. 121, 1925 entitled, "An Ordinance concerning the Government of the City of Indianapolis," providing penalties for its violation, and with state exceptions repealing all former ordinances.

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

That Section 846 of General Ordinance No. 121, 1925 be amended to read as follows:

It shall be unlawful for any person to own or operate any automobile, taxicab or motor vehicle as is described in Section 845 of General Ordinance No. 121, 1925, unless the name of the owner of such automobile, taxicab or motor vehicle shall, while such vehicle is in use carrying or waiting for passengers, be displayed on each side of said vehicle in letters not less than two and one half inches in height in such a manner as to be readily distinguishable and readable by the general public, provided, however, that such owner may have in lieu thereof a distinctive device or design on each side of said vehicles not less than six inches in length by six inches in width which shall be readily distinguishable by the general public and which shall bear the name of such owner thereon.

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

By the City Comptroller:

GENERAL ORDINANCE NO. 100, 1926

AN ORDINANCE, Providing for and authorizing the City Comptroller for and on behalf of the City of Indianapolis, to bor-

row the sum of \$260,000.00, for the purpose of procuring money with which to pay judgment against the City of Indianapolis, authorizing the issuance of bonds evidencing such loans, fixing the term and tenure of such bonds, together with their maturities, providing for the sale of the same by the City Comptroller, all in accordance with the provisions of an Act of the General Assembly of the State of Indiana entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all Acts amendatory and supplemental thereto, and fixing a time when this ordinance shall take effect.

WHEREAS, there have been recovered judgments against the City of Indianapolis upon contracts and supplies furnished the City of Indianapolis, aggregating the sum of \$260,000.00, in the Marion Circuit Court, in cause numbered:
40500, as consolidated.

Now Therefore, Be It Ordained by the Common Council of the City of Indianapolis, Indiana:

Section 1. That the City Comptroller be, and he is now hereby authorized to borrow the sum of \$260,000.00 for the purpose of paying judgments against the City of Indianapolis, as hereinbefore set out, evidencing such loan by the issuance of \$260,000.00 of new bonds of the City of Indianapolis, Marion County, Indiana, being two hundred sixty bonds of the denomination of one thousand dollars each.

That said bonds, and each of them shall bear the date of January 1st, 1927, and shall be numbered from one to two hundred sixty, consecutively and inclusive, and shall be designated as "Municipal Judgment Bonds of 1927," that said bonds and each of them shall bear interest at the rate of 4½% per annum, payable semi-annually on the first day of January and July of each year, of the period of such bonds, except as hereinafter set out.

Eighty-six of said bonds shall mature and be payable on the first day of January, 1929, constituting the first series.

Eighty-seven of said bonds shall mature and be payable on the first day of January, 1930, constituting the second series.

Eighty-seven of said bonds shall mature and be payable on the first day of January, 1931, constituting a third series.

The first coupon attached to each bond shall be for the interest on said bond from the date of issue until the first day of July, 1928. Said bonds and interest coupons thereunto attached shall be negotiable and payable at the City Treasurer's office of the City of Indianapolis, at Indianapolis, Indiana; said bonds shall be signed by the Mayor and City Controller of the City of Indianapolis and attested by the City Clerk, who shall affix the seal of said city to each of said bonds; and the interest coupons attached to said bonds shall be authenticated by a lithographic facsimile of the signatures of the Mayor and the City Controller of said city engraved thereon, which shall for all purposes be taken and deemed to be equivalent to a manual signing thereof; said bonds shall be prepared by the City Controller in due form, irrevocably pledging the faith and credit of the City of Indianapolis, Indiana, to the payment of the principal and interest stipulated therein respectively. It shall be the duty of the City Controller, at the time of the issue and nego-

tiation of said bonds, to register in the book kept for that purpose all of said bonds so issued and negotiated in serial number beginning with bond Number One (1) giving also the date of their issuance, their amount, date of their maturity, rate of interest and the time and place where said interest shall be payable, and said bonds shall be substantially in the following form, all blanks for numbers and dates to be properly filled in before the issuance thereof:

No. _____ \$1000.00

UNITED STATES OF AMERICA
CITY OF INDIANAPOLIS
MARION COUNTY, STATE OF INDIANA
MUNICIPAL JUDGMENT BONDS OF 1927

For value received, the City of Indianapolis, Marion County, State of Indiana, hereby promises to pay to the bearer without any relief from valuation or appraisal laws, on the 1st day of _____, 19____, at the City Treasurer's Office of the City of Indianapolis, Indiana, One Thousand (\$1000.00) Dollars in lawful money of the United States of America together with interest thereon at the rate of four and one-half (4½) per cent, per annum, from date until paid, the first interest hereon being payable on the 1st day of _____, 19____, and the interest thereafter being payable semi-annually on the 1st day of _____ and July, respectively upon presentation and surrender of the proper interest coupons hereunto attached and which are made a part of this bond.

This bond is one of an issue of two hundred and sixty (260) bonds of One Thousand (\$1000.00) Dollars each, numbered from one (1) to two hundred and sixty (260) both inclusive of the date of the _____ day of _____, 19____. Said bonds mature and shall be payable in a series of eighty-six on the 1st day of January, 1929, and the second eighty-seven on the 1st day of January, 1930, and the third eighty-seven of such bonds shall mature and be payable on the 1st day of January, 1931. The first interest coupon shall be payable on the 1st day of July, 1928. These bonds are issued by said City of Indianapolis pursuant to an Ordinance of said City, passed by its Common Council at the City of Indianapolis, Indiana, on the _____ day of _____, 19____, and to an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations" approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified that all conditions, acts and things essential to the validity of this bond exist, have happened and have been done, and that all requirements of the law affecting the issuance thereof have been duly complied with and that this bond is within every debt and other limit prescribed by the constitution and law of the State of Indiana, and that the faith and credit of the City of Indianapolis, Indiana, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the Common Council of the City of Indianapolis, Indiana, has caused this bond to be signed by the Mayor and City Controller, and attested by the City Clerk and the corporate seal of said city to be hereunto affixed this as of the

----- day of -----, 19-----.

Mayor

City Controller

Attest:

City Clerk

Section 2. The City Controller before making sale of such bonds shall give notices as provided for by law.

Sealed bids shall be received thereon by the Controller, as specified in said notice, of receiving bids, from which sealed bids, sale shall be made by the Controller thereof to the highest and best bidder. The said Controller, however, shall have the right and privilege of rejecting all bids which may be submitted upon said notice.

This Ordinance shall be in full force and effect from and after its passage.

Which was read a first time and referred to a Special Committee consisting of Mr. Ferguson, Chairman, Messrs. Albertson, Dorsett, Bartholomew and Negley.

By the City Plan Commission:

GENERAL ORDINANCE NO. 101, 1926

AN ORDINANCE, To amend General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specified uses; of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within such city. creating a board of zoning appeals; defining certain terms used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

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

Section 1. That the U3 or business district, the A3 or 2400 square foot area district and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same

are hereby amended, supplemented and changed so as to include the following described territory:

A. Beginning on the south property line of E. 46th St. at its intersection with the east property line of College Ave.; thence south along the east property line of College Ave. a distance of 99.75 ft.; thence east and parallel to the south property line of 46th St. to the west property line of the first alley east of College Ave.; thence north with the west property line of said alley to the south property line of 46th St.; thence west with the south property line of 46th St. to the point or place of beginning.

B. Beginning on the north property line of E. 46th St. at its intersection with the east property line of College Ave.; thence east with the north property line of 46th St. to the west property line of the first alley east of College Ave.; thence north and along the west property line of said alley a distance of 60 ft.; thence west and parallel to the north property line of 46th St. to the east property line of College Ave.; thence south along the east property line of College Ave. to the point or place of beginning.

Section 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Bartholomew:

GENERAL ORDINANCE NO. 102, 1926

AN ORDINANCE, To amend General Ordinance No. 121, of year 1925, entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with state exceptions, repealing all former ordinances," by creating and adding to Division D-Part Five of Section 865 of said General Ordinance eight new sections to be numbered Section D-508; Section D-509. Section D-510; Section D-511; Section D-512; Section D-513; Section D-514 and Section D-515, providing a penalty for the violation of the provisions of said new Sections, repealing all ordinances and parts of ordinances in conflict therewith, and fixing a time when the same shall take effect and be in force.

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

Section 1. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-508. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, open work on knobs or cleats may be used only in localities where excessive moisture, acid fumes or corrosive vapors exist, and before the use of open work for wiring on knobs or cleats shall be permitted the Commissioner of Buildings shall decide

whether or not excessive moisture, acid fumes or corrosive vapors exist in the locality where the open work will be used and permit shall be obtained from the City Controller after application approved by the Commissioner of Buildings on plans and specifications approved by the Commissioner of Buildings and kept on file with him.

Section 2. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances and to read as follows:

Section D-509. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, metal construction only shall be used in concealed wiring.

Section 3. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-510. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, wood moulding or non-metallic sheathed cable shall not be used.

Section 4. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-511. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, in cottages, residences and apartments, one convenience outlet or wall receptacle with pilot light shall be provided in each kitchen and basement laundry which shall not be connected to a circuit with lighting outlets.

Section 5. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-512. That in the installation of wires or apparatus for electric light, heat or power purposes in the City of Indianapolis, Indiana, all service wires, aerial and underground, entering a building shall terminate within ten feet from point of entrance on a panel board, switch board, oil switch or externally operated switch and all wires shall be incased in rigid metal conduit.

Section 6. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-513. Any person who shall violate any of the regulations, requirements or other provision of said new Section

D-508, Section D-509, Section D-510, Section D-511, and Section D-512 and Sections 1, 2, 3, 4, 5 hereof and any corporation or official or employee of any corporation who shall violate or direct or permit any of the regulations, requirements or other provision of said new Section D-508, Section D-509, Section D-510, Section D-511 and Section D-512 and Sections 1, 2, 3, 4, 5 hereof to be violated shall be fined in any sum not exceeding Three Hundred (\$300) Dollars.

Section 7. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-514. All ordinances or parts of ordinances in conflict with the provisions of said new Sections D-508, D-509, D-510, D-511, D-512 and Sections, 1, 2, 3, 4, and 5 herein are hereby repealed.

Section 8. That a new Section be added to Division "D" part Five of Section 865 of General Ordinance No. 121 year 1925 entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances" and to read as follows:

Section D-515. This ordinance, meaning said new Sections D-508, D-509, D-510, D-511, D-512, D-513, D-514 and D-515 and Sections 1, 2, 3, 4, 5, 6, 7, and 8 hereof, shall take effect and be in force from and after its passage and publication once each week for two consecutive weeks in a daily newspaper of general circulation published in the City of Indianapolis, Indiana.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Albertson:

GENERAL ORDINANCE NO. 103, 1926

AN ORDINANCE, To prohibit the erection of billboards and advertising thereon within a distance of three hundred feet of any and all boulevards in the corporate limits of Indianapolis, Indiana, defining the violations thereof, declaring a penalty for the violation thereof, and designating a time when the same shall take effect.

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

Section 1. No billboard or other structure or device used for the display of advertisements shall be erected within a distance of three hundred feet of any and all boulevards within the corporate limits of the City of Indianapolis.

Section 2. All billboards or other structures or devices now in use for the display of advertisements which are located within a distance of three hundred feet of any boulevard within the corporate limits of said City shall be vacated, demolished and re-

moved from such location within ninety days after the taking effect of this ordinance.

Section 3. Any person, firm, or corporation owning or leasing or operating or causing to be leased or operated any such billboard or similar device for the display of advertisements in violation of the provisions of Sections one and two of this ordinance shall be considered as violating the provisions of this ordinance.

Section 4. The provisions of this ordinance shall not apply to billboards of similiar devices for the display of advertisements which are located on the top of buildings provided such building is two or more stories in height.

Section 5. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not less than one hundred dollars and not exceeding five hundred dollars and any seven days' maintenance of such billboard in violation of the provisions of this ordinance shall be taken and held to mean to be a separate and distinct violation hereof.

Section 6. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

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

By Mr. Dorsett:

GENERAL ORDINANCE NO. 104, 1926

AN ORDINANCE, Amending General Ordinance No. 114, 1922, entitled: "An Ordinance dividing the City of Indianapolis into districts for the purpose of regulating and restricting the location of trades, callings, industries, commercial enterprises and the location of buildings designed for specific uses: of classifying, regulating and determining the area of front, rear and side yards and other open spaces about buildings; of regulating and determining the use and intensity of use of land and lot areas within the City; creating a board of Zoning appeals; defining certain terems used in said ordinance; providing a penalty for its violation and designating the time when the same shall take effect," and fixing the time when the same shall take effect.

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

Section 1. That the U3 or business district, the A4 or 1200 square foot area district, and the H1 or 50-foot height district, as established by General Ordinance No. 114, 1922, be and the same are hereby amended, supplemented and changed so as to include the following described territory.

A. Beginning at a point on the east property line of Delaware St.; said point being 690 ft. north of the north property line of 25th St.; thence east and parallel to the north property line of 25th St. to the west property line of the first alley east of Delaware St.; thence north along the west property line of said alley

to the south property line of Fall Creek Parkway, South Drive; thence southwesterly along said Parkway, South Drive, to the east property line of Delaware St.; thence south along the east property line of Delaware St. to the point or place of beginning.

B. Beginning at a point on the west property line of Delaware St., said point being 550 ft. north of the north property line of 25th St.; thence west and parallel to the north property line of 25th St. a distance of 72 ft.; thence north and parallel to the west property line of Delaware St. to the south property line of Fall Creek Parkway, South Drive; thence northeasterly along the south property line of said Parkway, South Drive, to the west property line of Delaware St.; thence south along the west property line of Delaware St. to the point or place of beginning.

C. Beginning on the north property line of 25th St. at its intersection with the west property line of the first alley east of Delaware St.; thence north with the west property line of said alley a distance of 690 ft.; thence west and parallel to the north property line of 25th St. to the east property line of Delaware St.; thence south with the west property line of Delaware St. a distance of 140 ft.; thence west and parallel to the north property line of 25th St. to the east property line of the first alley west of Delaware St.; thence south with the east property line of the said alley to the north property line of 25th St.; thence east with the north property line of 25th St. to the point or place of beginning.

Secion 2. This Ordinance shall be in full force and effect upon its passage and publication according to law.

Which was read a first time and referred to the Committee on City Welfare.

By Mr. Dorsett:

GENERAL ORDINANCE NO. 105, 1926

AN ORDINANCE, Amending Section 841 of General Ordinance No. 125, 1925, 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 Section 841 of General Ordinance No. 125, 1925, be and the same is hereby amended to read as follows.

"Section 841. Taxicab Meters. It shall be unlawful for any person to own or operate any automobile, taxicab or other motor vehicle engaged in carrying passengers for hire between places within the City of Indianapolis unless said automobile, taxicab or motor vehicle is equipped with a practicable standard fare register device or taximeter, in good and workable condition, designed to mechanically measure the distance traveled, to record the time said vehicle is in waiting, and upon which said record there shall be indicated by means of figures or designs the fare to be charged.

It shall be unlawful for any person owning or operating an automobile, taxicab or other motor vehicle to charge any passenger

or persons employing said automobile, taxicab or other motor vehicle any fare greater than the fare computed during the service rendered by the taximeter on said automobile, taxicab or motor vehicle. It shall be the duty of every person owning or operating an automobile, taxicab or other vehicle, as in this section described, to keep the taximeter thereon in a good and workable condition, and at the beginning of every employment to set said taximeter in the usual way so that it will register and compute on a mileage basis, while said vehicle is running, and a time basis while waiting, and while the service is being rendered the fare to be charged. And such taximeter shall be so placed that the face thereof, where the face is registered, will be plainly visible to passengers within said vehicle. Such service may be rendered passengers at a rate per hour not in excess of that rate now provided by law when and only when, an express contract is made with such passenger or passengers by the owner or operator of said vehicle before the service rendered is begun. The provisions of this section shall not apply to motor vehicles, or to the owners or operators thereof, carrying passengers for fifteen cents each or less."

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

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

By Mr. Bartholomew:

SPECIAL ORDINANCE NO. 5, 1926

AN ORDINANCE, Annexing certain territory to the City of Indianapolis, Indiana, and defining a part of the boundary line of said City, 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 City of Indianapolis be and the same is hereby extended so as to include the following described continuous territory, all of which is hereby annexed to and made a part of the territory constituting and forming the City of Indianapolis, in Marion County, Indiana.

Section 2. Beginning on the center line of Keystone Ave. at its intersection with the center line of Walker Ave.; thence south with the center line of Keystone Ave. to the center line of Southern Ave.; thence east with the center line of Southern Ave. to the center line of Churchman Ave.; thence southeast with the center line of Churchman Ave. to the center line of Perkins St.; thence south with the center line of Perkins St. to the center line of Albany St.; thence east with the center line of Albany St. to the center line of Sherman Drive, (also known as 17th St.); thence south with the center line of Sherman Drive to a point, said point being where the center line of Cincinnati St. extended west would intersect with the center line of Sherman Drive; thence east with said center line extended and the center line of Cincinnati St. to the center line of Garstang St.; thence northwest with the center line

of Garstang St. to the center line of Emerson Ave.; thence north with the center line of Emerson Ave. to the center line of Bethel Ave.; thence northwest with the center line of Bethel Ave. to the center line Southern Ave.; thence west with the center line of Southern Ave. to the center line of Hobert St.; thence north with the center line of Hobert St. to the center line of Raymond St.; thence west with the center line of Raymond St. to the center line of Keystone Ave.; thence south with the center line of Keystone Ave. to the point or place of beginning.

Section 3. 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 City Welfare.

By Mr. Dorsett:

RESOLUTION NO. 13, 1926

WHEREAS, it has been brought to the attention of the Common Council that the Indianapolis Light & Heat Company and the Merchants Heat & Light Company are proposing to merge upon a valuation of approximately fifty-five million dollars, and that:

WHEREAS, if such merger is accomplished and approved by the Public Service Commission there is every probability that such a merger will necessarily produce an increase in the power and light rates in the City and would be disastrous to the public and private interests and the development of said City, and

WHEREAS, a responsible concern has offered to produce such power and light to serve the City of Indianapolis at rates equal to and less than the rates now charged by either of said companies in the City of Indianapolis, providing the City will subscribe for a portion of the common capital stock of such company, and

WHEREAS, it has been proposed by such company that such power company deliver in the City of Indianapolis, to consumers, at not to exceed twenty million dollars within fifteen months herefrom, and

WHEREAS, it will be necessary, in order to fully ascertain the true value of the plants of the Indianapolis Light and Heat Company and the Merchants Heat & Light Company, together with the proposal of the new company to furnish such power and light to said city, and

WHEREAS, in order to make such investigation it will be necessary to employ counsel and expert engineers familiar with such plants to make such preliminary survey and fully inform this council as to the propriety and desirability of taking steps to prevent such merger and to provide for such power and light at the best possible rates, looking towards the best development of this city, now, therefore,

BE IT RESOLVED, that the Common Council declares itself unalterably opposed to such merger as proposed, now by the petition of the Indianapolis Light & Heat Company and the Merchants Heat & Light Company pending before the Public Service Com-

mission of the State of Indiana, and that it is necessary for the interest of said City to procure power and light at the best possible rate, and that in the opinion of this Council such rate can best be procured by a municipal plant organized by the City of Indianapolis, as had been organized by a great many other cities in the State of Indiana, by the City purchasing a majority of the common capital stock of said corporation, and said corporation negotiating preferred stock for the remaining funds necessary to finance said project.

BE IT FURTHER RESOLVED, that for the purpose of making a full and careful investigation and survey of the light and heat situation in the City of Indianapolis and the proposed offer to furnish such light and heat at reasonable rates to such City, by way of a municipal plant as according to the plan heretofore adopted in many cities of the State of Indiana, such plans in every instance having proven profitable and desirable, now, therefore,

BE IT ORDAINED by the Common Council of the City of Indianapolis for the purpose hereinbefore stated, there is now appropriated for the purpose of such survey and investigation the sum of \$5,000.00, to be used in employing engineers and counsel to advise the Common Council of the City of Indianapolis as to the propriety and desirability of entering into the contracts for the purchase of the common stock of such corporation and entering into general contracts for services with such corporation, as may be desirable.

BE IT FURTHER ORDAINED by the Common Council of the City of Indianapolis that the following named members of the Council shall constitute a committee, fully authorized to employ such counsel and engineers and that the City Comptroller is hereby directed and ordered to issue warrants for the services of such engineers and counsel when so selected by the said Committee, upon order of said Committee, to-wit:

and that the treasurer of the City of Indianapolis is hereby authorized and ordered to pay such warrants so issued under the authority of such resolution and ordinance and that this ordinance shall be in full force and effect from and after its passage and the signature of the Mayor of the City of Indianapolis.

Which was read a first time and referred to a Special Committee consisting of Mr. Dorsett, Chairman, Messrs. Bartholomew, Ferguson, Negley and Albertson.

Mr. Bartholomew announced that there would be a meeting of the Committees on City Welfare and Parks on Friday, November 26, 1926 at one o'clock in the Council Chamber.

On motion of Mr. Albertson, seconded by Mr. Bartholomew, the Common Council of the City of Indianapolis adjourned at eight-thirty o'clock p. m.

Raynton J. Moore

President.

Attest:

William A. Boyce, Jr.

City Clerk.

THE ...

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