

REGULAR MEETING

Monday, October 6, 1952
7:30 P.M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 6, 1952, at 7:30 P.M. in regular session. President Bright in the chair.

The Clerk called the roll.

Present: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

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

COMMUNICATIONS FROM THE MAYOR

September 22, 1952

TO THE MEMBERS OF THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Grace M. Tanner, the following ordinances:

APPROPRIATION ORDINANCE NO. 24, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain designated sum, Tax Levy Money, from

a certain designated item and fund of the City Plan Commission and Board of Zoning Appeals, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended, to certain other designated items and funds therein, creating under Item 2, Services-Contractual, Number 26, Other Contractual, and under Item 4, Materials, Number 41, Building Materials, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 25, 1952

An ordinance appropriating, transferring, reappropriating and reallocating certain designated sums, Parking Meter Fund, from certain designated items and funds of the Department of Public Safety, Traffic Engineer, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended) to a certain other designated item and fund therein, creating under Item 4, Materials, Number 44, Materials—General, in the Parking Meter Fund, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 26, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain sum, Tax Levy Money, from a certain designated item and fund of the Department of Public Safety, Market and Refrigeration, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 27, 1952

An ordinance appropriating and allocating the sum of One Thousand Three Hundred Twenty (\$1,320.00) Dollars from the anticipated, unexpended and unappropriated 1952 balance of the General Tax Fund of the City of Indianapolis, now in the hands of the City Controller, to a certain designated fund and item in the Department of Public Parks, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 91, 1952

An ordinance establishing a certain passenger and/or loading

zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 92, AS AMENDED

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

GENERAL ORDINANCE NO. 93, 1952

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

GENERAL ORDINANCE NO. 94, 1952, AS AMENDED

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

GENERAL ORDINANCE NO. 95, 1952

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

GENERAL ORDINANCE NO. 96, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 12, Section 4-1203, subsection (c) thereof, describing traffic violations for which notice shall be given, providing penalties, and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 97, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more par-

ticularly Title 4, Chapter 12, Section 4-1203, subsection (c) thereof, describing traffic violations for which notice shall be given, providing penalties, and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 98, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-822 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on East Ninth Street between certain designated points and during certain designated hours, subject to the penalties provided and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 99, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 6, Section 4-602, by making Riverview Drive, North Drive, a one-way street from College Avenue to Riverview Drive, South Drive, and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 100, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly to amend Title 7, Chapter 18, Section 7-1803 thereof, setting up prerequisites for applicants for taxicab drivers' licenses, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 101, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly to amend Title 7, Chapter 17, Section 7-1728 thereof, setting up duties respecting taxicab drivers and inspections, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 102, 1952

An ordinance to amend Section 11-103 (2) of Title 11, Chapter 1 of the Municipal Code of Indianapolis, 1951, said Title 11,

Chapter 1 being commonly known as the Zoning Code of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 103, 1952, AS AMENDED

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 10, Section 4-1001, subsections (3) and (4), and Title 7, Chapter 2, Section 7-202 subsection 28, providing for a rental fee for existing and newly created loading zones of Five Dollars (\$5.00) per foot, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 104, 1952

An ordinance authorizing the Board of Public Works—Street Commissioner Department, to purchase through its duly authorized Purchasing Agent, certain equipment to be paid for out of Parking Meter Funds heretofore appropriated, and fixing a time when the same shall take effect.

Respectfully,

ALEX. M. CLARK,
Mayor

September 22, 1952

TO THE MEMBERS OF THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS

Gentlemen:

I am this day returning to the City Clerk, Mrs. Grace M. Tanner, Special Ordinance No. 11, 1952, as amended, without my signature for the reason that;

After thorough investigation and discussion with the interested departments we find that it is contrary to

good annexation which contemplates that only adjacent and contiguous areas be annexed. Where ever this rule has been circumvented the annexation has been unsatisfactory.

Respectfully,

ALEX. M. CLARK,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

October 6, 1952

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 28, 29, 30, 31, 32, 33, 1952

Pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 28, 29, 30, 31, 32 and 33, 1952—Thursday,
September 18 and 25, 1952—Marion County Mail and
The Indianapolis Commercial

that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 7:30 P. M., October 6, 1952, and by posting copies of said notices in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Very truly yours,

GRACE M. TANNER,
City Clerk

October 6, 1952]

City of Indianapolis, Ind.

847

October 6, 1952

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

Gentlemen:

In Re: General Ordinances Nos. 96, 97, 98, 99, 100,
101, 102, 103 as Amended, 1952

Pursuant to the laws of the State of Indiana, I caused publication
to be inserted in the following newspapers:

G. O. Nos. 96, 97, 98, 99, 1952—Thursday, September 25
and October 2, 1952—The Marion County Mail and The
Indianapolis Commercial and,

G. O. Nos. 100, 101, 102, 103 as Amended, 1952—Friday,
September 26 and October 3, 1952—The Indianapolis
Star and The Indianapolis Commercial

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

Very truly yours,

GRACE M. TANNER,
City Clerk

October 6, 1952

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

Gentlemen:

In Re: General Ordinance No. 112, 1952 (Zoning)

Pursuant to the laws of the State of Indiana, I caused to be

published on Thursday, September 18, 1952 in the Marion County Mail and The Indianapolis Commercial "Notice to Interested Citizens" and that General Ordinance No. 112, 1952 (Zoning Ordinance) was set for hearing before the Council on October 6, 1952.

Very truly yours,

GRACE M. TANNER,
City Clerk

October 3, 1952

The President and Members
of the Common Council
City of Indianapolis, Indiana

Gentlemen:

Submitted herewith and attached hereto are 24 copies of proposed Appropriation Ordinance No. 34, 1952.

The purpose of this Ordinance is to reinstate certain salaries in the Dairy Division Administration of the Department of Public Health of the Board of Public Health and Hospitals in the 1953 budget.

Respectfully submitted,

CHAS. P. EHLERS, Chairman
Committee on Finance

October 6, 1952

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

Gentlemen:

Submitted herewith are 24 copies of General Ordinance No. 113,

October 6, 1952]

City of Indianapolis, Ind.

849

1952 amending the Zoning Code as to restrictions of floor areas in dwelling houses.

Very truly yours,

J. WESLEY BROWN
Councilman

September 12, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 114, 1952, to amend Section 11-103 (a) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1, being commonly known as The Zoning Code of the City of Indianapolis, Indiana.

Very truly yours,

GLENN W. RADEL,
Councilman

October 6, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 115, 1952, to amend Title 3, Chapter 2, Sections 3-201 and 3-210 of the Municipal Code of Indianapolis, 1951, renaming the Bureau of Air Pollution Prevention and designating and defining additional violations.

Very truly yours,

GLENN W. RADEL,
Councilman

October 6, 1952

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 13, 1952, annexing territory between 10th and 13th Streets and from Ritter Avenue to Lesley Avenue.

Very truly yours,

J. WESLEY BROWN,
Councilman

SPECIAL ORDER OF BUSINESS

At this time, immediately following communications, Mr. Wallace called up for action Special Ordinance No. 11, 1952, As Amended.

Mr. Wallace made the following motion:

Mr. President:

I move that Special Ordinance No. 11, 1952, As Amended, be passed, the Mayor's veto notwithstanding.

Joseph C Wallace
Councilman

The motion was seconded by Mr. Emhardt.

President Bright instructed the Clerk to call the roll.

Ayes 6, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Ross, Mr. Schumacher, Mr. Wallace.

Noes 3, viz: Mr. Ehlers, Mr. Radel, President Bright.

President Bright declared the necessary vote was taken and Special Ordinance No. 11, 1952, As Amended, passed over the Mayor's veto.

Mr. Radel asked for recess. The motion was seconded by Mr. Ehlers, and the Council recessed at 8:05 P.M.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 28, 29, 30, 31, 32, 33, 1952, and General Ordinances Nos. 61, 85, 86, 87, 105, 106, 107, 108, 109, 110, 111, 112, 1952.

The Council reconvened at 8:30 P.M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., October 6, 1952

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. 28, 1952, entitled

AN ORDINANCE transferring \$333.00 from Fund 72 to new account Fund 53, Board of Health, Dairy Division, Adm.,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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. 29, 1952, entitled

AN ORDINANCE transferring \$500.00 from Fund 73 to Fund 57,
Taxes, Department of Redevelopment,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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. 30, 1952, entitled

AN ORDINANCE transferring \$3,000. from Fund 62 to various funds, Department of Public Parks,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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. 31, 1952, entitled

AN ORDINANCE transferring \$400.00 from Fund 11 to Fund 21, Bureau of Air Pollution,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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. 32, 1952, entitled

AN ORDINANCE transferring \$7,233.60 from Fund 43 to Fund 12, Department of Public Parks,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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. 33, 1952, entitled

AN ORDINANCE appropriating \$65,000 from Gas Tax Fund—
\$20,500.00 to Funds 33 and 45, Municipal Garage and \$44,500.00
to Fund 26, Board of Public Works, Adm.,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Parks to whom was referred General

October 6, 1952]

City of Indianapolis, Ind.

855

Ordinance No. 31, 1952, entitled

AN ORDINANCE amending the Zoning Code, so as to limit residences AA, A1, A2 to single family residences,

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

J. WESLEY BROWN, Chairman
GLENN W. RADEL
CARTER W. ELTZROTH
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on City Welfare to whom was referred General Ordinance No. 85, 1952, entitled

AN ORDINANCE requiring permit to transport explosives and designation of time and route,

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

CHRISTIAN J. EMHARDT, Chairman
GUY O. ROSS
J. WESLEY BROWN
GLENN W. RADEL
CARTER W. ELTZROTH

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 86, 1952, entitled

AN ORDINANCE amending General Ordinance No. 74, 1943, commonly known as the "Restaurant Ordinance," defining 'food' and sanitation requirements for restaurants,

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

GLENN W. RADEL, Chairman
JOHN A. SCHUMACHER
J. WESLEY BROWN
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., October 6, 1952

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. 87, 1952, entitled

AN ORDINANCE creating a Board of Zoning Appeals

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

October 6, 1952]

City of Indianapolis, Ind.

857

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 105, 1952, entitled

AN ORDINANCE defining certain areas as "school zones," providing for the posting thereof,

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

GLENN W. RADEL, Chairman
JOHN A. SCHUMACHER
J. WESLEY BROWN
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on City Welfare to whom was referred General Ordinance No. 106, 1952, entitled

AN ORDINANCE establishing a loading zone for Peerless Construction Co., 1431-33 N. Capitol Ave.,

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

CHRISTIAN J. EMHARDT, Chairman
GUY O. ROSS
J. WESLEY BROWN
GLENN W. RADEL
CARTER W. ELTZROTH

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Election to whom was referred General Ordinance No. 107, 1952, entitled

AN ORDINANCE establishing a loading zone for C. H. Appliance Co., 5363 College Ave.,

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

GUY O. ROSS, Chairman
CHRISTIAN J. EMHARDT
GLENN W. RADEL
CHARLES P. EHLERS
J. WESLEY BROWN

Indianapolis, Ind., October 6, 1952

To the 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. 108, 1952, entitled

AN ORDINANCE establishing a loading zone for George Hitz & Co., 120 South Alabama St.,

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
CHARLES P. EHLERS
CARTER W. ELTZROTH
JOHN A. SCHUMACHER

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Public Works to whom was referred General Ordinance No. 109, 1952, entitled

AN ORDINANCE establishing a loading zone for G. W. Berkheimer Co., Inc., 437 South Illinois St.,

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

CARTER W. ELTZROTH, Chairman
CHARLES P. EHLERS
JOHN A. SCHUMACHER
CHRISTIAN J. EMHARDT
GUY O. ROSS

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 110, 1952, entitled

AN ORDINANCE prohibiting trucks over 10,000 lbs. on S. Emerson Ave., from Washington St. to Brookville Road,

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

GLENN W. RADEL, Chairman
JOHN A. SCHUMACHER
J. WESLEY BROWN
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Public Health to whom was referred
General Ordinance No. 111, 1952, entitled

AN ORDINANCE prohibiting parking on Davidson St. from a
point 592 ft. south of St. Clair St. to SCL of Ninth St.,

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

JOHN A. SCHUMACHER, Chairman
CHARLES P. EHLERS
J. WESLEY BROWN
GUY O. ROSS
JOSEPH C. WALLACE

Indianapolis, Ind., October 6, 1952

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

Gentlemen:

We, your Committee on Parks to whom was referred General
Ordinance No. 112, 1952, entitled

AN ORDINANCE amending the zoning code to permit off-street
parking for owners at 3361 N. Penn. St. and 109-11 East 34th
St.,

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

J. WESLEY BROWN, Chairman
GLENN W. RADEL
CARTER W. ELTZROTH
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

2. -----
 3. -----
 4. -----
 5. -----
 7. -----

GRAND TOTAL—Dairy Division
 Administration -----\$59,910.00

Section 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Brown:

GENERAL ORDINANCE NO. 113, 1952

AN ORDINANCE to amend Section 11-118 of Title 11, Chapter 1 of the Municipal Code of Indianapolis, 1951 (as amended), said Title 11, Chapter 1 being commonly known as the Zoning Code 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 Section 11-118 of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951 (as amended), said Title 11, Chapter 1, being commonly known as the Zoning Code of the City of Indianapolis, Indiana, be and the same is hereby amended by the addition of subsection (j), immediately following subsection (i) in Section 11-118, said subsection (j) to read as follows, to-wit:

(j) Restrictions of Floor Areas in Dwelling Houses. In a class AA district no dwelling house may be erected, altered or used

in which the ground floor area, exclusive of attached garage floor area, is less than fifteen hundred (1500) square feet for each family living in such dwelling house.

In a Class A1 district no dwelling house may be erected, altered or used in which the ground floor area, exclusive of attached garage floor area, is less than twelve hundred (1200) square feet for each family living in such dwelling house.

In a Class A2 district, no dwelling house may be erected, altered or used in which the ground floor area, exclusive of attached garage floor area, is less than nine hundred (900) square feet for each family living in such dwelling house.

In a Class A3, A4, A5 or A6 district, no dwelling house may be erected, altered or used in which the ground floor area, exclusive of attached garage, floor area, is less than seven hundred twenty (720) square feet for each family dwelling in such dwelling house.

For the purposes of this section, ground floor area shall be the area of that floor within the walls and under the roof of a dwelling house that is nearest to the level of the lot grade, and otherwise commonly known as the first floor in dwelling houses having basements or having one or more floors above such ground floor area.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

By Councilman Radel:

GENERAL ORDINANCE NO. 114, 1952

AN ORDINANCE to amend Section 11-103 (a) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter

1, being commonly known as the Zoning Code 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 Section 11-103 (a) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1 being commonly known as the Zoning Code of the City of Indianapolis, Indiana, and in particular that the District or Zone Map and Plats, which are made a part of said Chapter by reference be, and the same are hereby amended, supplemented and extended in order that the following described real estate be rezoned from a U1—A3—H1 Zoning Classification, to that of a U3—A3—H1 Zoning Classification.

All of Lots 44 and 45 and part of Lots 40, 41, 42, 43, and 46 which lie east and south of the east line of the first alley east of Winfield Avenue, in Boulevard Plaza, an Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 27, page 151, in the office of the Recorder of Marion County, Indiana, more particularly described as follows, to-wit:

Beginning at the southeast corner of Lot 45, which corner is the northwest corner of the intersection of W. 21st Street and LaFayette Road, running thence West upon and along the north line of W. 21st Street and the South line of Lots 45 and 46 a distance of 297.29 feet to a point in the south line of Lot 46 which lies a distance of 7.5 feet east of the southwest corner of said Lot 46 and along the east line of the first alley east of Winfield Avenue, running thence north and parallel to the west line of said Lots 46, 43, 42, 41, and 40 upon and along the east line of the first alley east of Winfield Avenue, a distance of 303.58 feet to a point, said point lies a distance of 131.50 feet east of the west line of said Lot 41 and 26.0 feet south of the north line of said Lot 41, running thence in a northeasterly direction a distance of 11.31 feet to a point, which point lies a distance of 139.5 feet east of the west line of Lot 41 and a distance of 18.0 feet south of the north line of said Lot 41, running thence east parallel to the north line of said Lot 41 upon

and along the south alley line a distance of 41.39 feet to a point in the east line of said lot 41, which line is also the southwest right of way line of LaFayette Road, running thence in a southeasterly direction upon and along the east property line of Lots 40, 41, 42, 43, 44, and 45 and upon and along the southwest right of way line of LaFayette Road, a distance of 397.53 feet to the point of beginning.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

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

By Councilman Radel:

GENERAL ORDINANCE NO. 115, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Chapter 2, Title 3, Sections 3-201 and 3-210, renaming the Bureau of Air Pollution Prevention, and designating and defining additional violations, 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 Municipal Code of Indianapolis, 1951, be and the same is hereby amended by the amendment of Title 3, Chapter 2, Section 3-201, and that said Chapter 2 shall read as follows, to-wit:

Chapter 2

BUREAU OF AIR POLLUTION CONTROL

And wherever the name "Air Pollution Prevention" appears in Title 3, Chapter 2, of said Municipal Code, the same be and is hereby amended to read, "Air Pollution Control."

Section 2. That the Municipal Code of Indianapolis, 1951, be and the same is hereby amended by the amendment of Title 3, Chapter 2, Section 3-210, Sub-section (1) (a), be and the same is hereby amended to read as follows, to-wit:

3-210. Matters prohibited—(1) (a) No person, firm or corporation shall cause or allow the escape or emission from any stack into the open air of such quantities of soot, cinders, dust, dirt, fly ash, lint, chaff, mists, vapors, obnoxious odors, noxious acids, fumes or gases, in such place or manner as to cause injury, detriment or nuisance to any person or to the public, or in such manner as to cause or have a tendency to cause injury or damage to business or property.

Section 3. That the Municipal Code of Indianapolis, 1951, be and the same is hereby amended by the amendment of Title 3, Chapter 2, Section 3-210, sub-section (1) (c) to read as follows, to-wit:

3-210 (c). The escape or emission of soot, cinders, dust, dirt, fly ash, lint, chaff, mists, vapors, obnoxious odors, noxious acids, fumes or gases, as herein prohibited, is hereby declared to be a public nuisance and may be enjoined by the courts, or be summarily abated by the superintendant of air control, or by anyone whom he may duly authorize for such purpose. Such abatement may be in addition to the fines and penalties hereinafter provided. The unlawful emission of any thereof from each stack shall constitute a separate offense.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO. 13, 1952

AN ORDINANCE annexing certain contiguous territory to 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 the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Beginning at a point, said point being the northwest corner of Lot 135 in Ellenberger Terrace 4th Section Revised Addition, and being located in the south property line of 13th Street and one hundred thirty-nine and sixteen one-hundredths (139.16) feet west of the west property line of Graham Avenue; thence south on and along the west property line of Graham Avenue and the present corporation line of City of Indianapolis to a point one hundred seventy-five (175) feet north of the center line of 10th Street; thence west on and along the present corporation line of the City of Indianapolis to a point one hundred eighty (180) feet east of the center line of Ritter Avenue; thence north on and along the present corporation line of the City of Indianapolis to the northeast corner of Lot 156 in Eastridge 3rd Section Addition, said corner being in the south property line of 13th Street; thence east on and along the south property line of 13th Street extended to the east property line of Lesley Avenue and continuing east on and along the south property line of 13th Street to the place of beginning.

Said boundary lines as above described shall be considered as extending across all intersecting streets and alleys.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

ORDINANCES ON SECOND READING

Mr. Ehlers called for Appropriation Ordinance No. 28, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 28, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 28, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 29, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 29, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 29, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 30, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 30, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 30, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 31, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 31, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 31, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 32, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 32, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 32, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 33, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 33, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 33, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Radel presented the following motion to amend General Ordinance 86, 1952:

Indianapolis, Ind., October 6, 1952

Mr. President:

I move that General Ordinance No. 86, 1952 be amended to read as follows:

GENERAL ORDINANCE NO. 86, 1952, AS AMENDED

AN ORDINANCE amending Sub-Section (b) of Section 1 and Item 16 of Section 5 of General Ordinance No. 74, 1943, As Amended, commonly known as the "Restaurant Ordinance," removing the exemption of soda fountains from provisions of the Restaurant Ordinance and providing that food handling employees attend Health Educational programs and carry cards showing that they have had tuberculosis chest X-Rays, and fixing a time when the same shall take effect.

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

Section 1. That Section 1, Sub-Paragraph (a), of General Ordinance No. 74, 1943, As Amended, be, and the same is hereby amended by adding after the last word of said Section 1, Sub-Paragraph (a), the following:

" : providing, that establishments selling only bottle beverages, packaged candy, popcorn, chewing gum and like products, shall not be deemed to be 'Restaurants'."

Section 2. That Section 1, Sub-Paragraph (b), of General Ordinance No. 74, 1943, As Amended, be, and the same is hereby amended to read as follows, to-wit:

"Section 1. Definitions:

(b) Food. The term 'food' as used herein shall include all articles used for food, drink, confectionary or condiment, whether simple, mixed or compound, and all substances and ingredients used in the preparation."

Section 3. That the first rhetorical paragraph of Section 2 of General Ordinance No. 74, 1943, As Amended, be, and the same is hereby amended to read as follows:

Section 2. PERMITS AND FEES: It shall be unlawful for any person, persons, firm or corporation to operate a restaurant or public eating house within the City of Indianapolis who does not possess an unrevoked permit

from the Health Officer and an effective license obtained from the City Controller. Such permit and license shall be posted in a conspicuous place in the restaurant or public eating house. Every person, persons, firm or corporation who or which desires to operate a restaurant or public eating house within the City of Indianapolis shall, after securing a permit from the Health Officer, obtain from the City Controller, at his office, a license for a restaurant or public eating house before operating such a place. If the application is filed between the first day of January and the 30th day of June of any year, the applicant shall pay to the City Controller, at his office, a fee based upon the number of food handlers in his establishment as follows:

One or two food handlers.....	Fee \$ 5.00
Three or four food handlers.....	Fee \$10.00
Five or more food handlers.....	Fee \$16.00

and if such application is made between the first day of July and the thirty-first day of December of any year, the applicant shall pay to the City Controller, at his office, a fee equal to fifty percent (50%) of the foregoing scale. Every person, persons, firm or corporation operating a restaurant or public eating house in the City of Indianapolis shall annually pay to the City Controller, at his office, a renewal license fee, in accordance with the foregoing scale, between the first day of January and the first day of February of each year. If such fee is not paid on or before the first day of February of each year the license and permit shall be ipso facto void. Operation

of such restaurant or public eating house shall constitute a separate offense. Such restaurant or public eating house may resume operation only after securing a permit from the Health Officer and paying to the City Controller, at his office, a fee of Fifty Dollars (\$50.00) for the license for such year. All of said fees shall be paid into and credited by the City Controller, to the Board of Health General Fund of the City of Indianapolis, and such license fees shall be paid to aid in carrying out and enforcing the provisions of this ordinance. No license for a restaurant or public eating house shall be issued

by the City Controller to anyone except the holder of an unrevoked permit issued by the Health Officer. Only persons who comply with the requirements of this ordinance shall be entitled to receive such a permit and license.

Section 4. That Section 5, Item 16, the first paragraph thereof be, and the same is hereby amended to read as follows, to-wit:

Section 5. SANITATION REQUIREMENTS FOR RESTAURANTS. Item 16. HEALTH, EDUCATION, AND CLEANLINESS OF EMPLOYEES. All employees engaged in handling food, drink, utensils or equipment may be required to attend a food handlers' educational program at a time and place designated by the Health Officer. All such employees shall be required to submit to such physical examination as the Health Officer may require for the purpose of determining freedom from infection. Each employee shall carry a card stating that he, or she, has had a chest X-Ray within the past year and that this X-Ray was examined by a licensed Radiologist and did not show signs of active tuberculosis. Such X-Ray service shall be provided by the Board of Public Health and Hospitals. Said cards shall bear the seal of the Indianapolis Board of Public Health and Hospitals. Such cards shall be renewed yearly. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment, and shall, while engaged in the preparation or serving of food, wear a suitable head covering to protect the food from contamination from human hair. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared."

Section 5. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

GLENN W. RADEL,
Councilman.

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

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 86, 1952, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 86, 1952, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Emhardt called for General Ordinance No. 106, 1952 for second reading. It was read a second time.

On motion of Mr. Emhardt, seconded by Mr. Radel, General Ordinance No. 106, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 106, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Ross called for General Ordinance No. 107, 1952 for second reading. It was read a second time.

On motion of Mr. Ross, seconded by Mr. Radel, General Ordinance No. 107, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 107, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Wallace called for General Ordinance No. 108, 1952 for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Radel, General Ordinance No. 108, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 108, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Eltzroth called for General Ordinance No. 109, 1952 for second reading. It was read a second time.

Mr. Eltzroth presented the following motion to amend General Ordinance No. 109, 1952:

Indianapolis, Ind., October 6, 1952

Mr. President:

I move that General Ordinance No. 109 1952 be amended by strik-

ing out in the third line of the description of Section 1, subsection (a), the word and figures "fifty (50)" and inserting in lieu thereof the following: "twenty-five (25)".

CARTER W. ELTZROTH,
Councilman.

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

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

On motion of Mr. Eltzroth, seconded by Mr. Radel, General Ordinance No. 109, 1952, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 109, 1952, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

Mr. Radel called for General Ordinance No. 110, 1952 for second reading. It was read a second time.

Mr. Ross presented the following motion to amend General Ordinance No. 110, 1952:

Indianapolis, Ind., October 6, 1952

Mr. President:

I move that General Ordinance No. 110, 1952, be amended by striking out all the description in line "v." and inserting in lieu thereof the following: "Emerson Ave. from SCL East 21st St., to Brookville Rd."

GUY O. ROSS,
Councilman.

The motion was seconded by Mr. Emhardt, and *failed* to pass by the following roll call vote:

Ayes 4, viz: Mr. Eltzroth, Mr. Emhardt, Mr. Ross, Mr. Wallace.

Ayes 5, viz: Mr. Brown, Mr. Ehlers, Mr. Radel, Mr. Schumacher, President Bright.

President Bright declared that General Ordinance No. 110, 1952 be not amended.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 110, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 110, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Radel, Mr. Schumacher, Mr. Wallace, President Bright.

Noes 2, viz: Mr. Emhardt, Mr. Ross.

Mr. Schumacher called for General Ordinance No. 111, 1952 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Radel, General Ordinance No. 111, 1952 was ordered engrossed, read a third time and placed upon its passage.

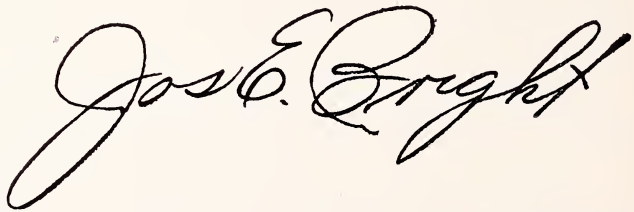
General Ordinance No. 111, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, Mr. Wallace, President Bright.

On motion of Mr. Schumacher, seconded by Mr. Ross, the Common Council adjourned at 9:45 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 6th day of October, 1952, at 7:30 P.M.

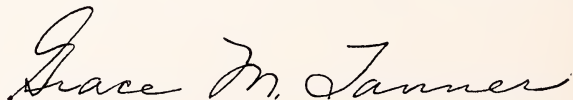
In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



ATTEST:

President

(SEAL)



City Clerk.

October 6, 1952]

City of Indianapolis, Ind.

879

