

REGULAR MEETING

Monday, December 1, 1952
7:30 P.M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, December 1, 1952, at 7:30 P.M. in regular session. President Bright in the chair.

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. Ross, seconded by Mr. Radel.

COMMUNICATIONS FROM THE MAYOR

November 18, 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. 37, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain designated sum, Tax Levy Money, from certain designated items and funds of the Department of Public Works, City Civil Engineer, and the Department of Public

Works, Public Buildings, as appropriated under the 1952 Budget (General Ordinance No. 100, 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. 38, 1952

An ordinance appropriating and allocating the sum of Fifteen Thousand (\$15,000.00) Dollars from the unexpended and unappropriated 1952 balance of the Gas Tax Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Public Works, City Civil Engineer, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 39, 1952

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

GENERAL ORDINANCE NO. 122, 1952

An ordinance to amend Section 11-203 of Title 11, Chapter 2, of the Municipal Code of Indianapolis, 1951, and fixing a time when the same shall be in effect.

Respectfully,

ALEX. M. CLARK,
Mayor

COMMUNICATIONS FROM THE CITY OFFICIALS

December 1, 1952

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 40 and 41, 1952

Pursuant to the laws of the State of Indiana, I caused "Notice to

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Taxpayers" to be inserted in the following newspapers, to-wit:

A. O. Nos. 40 and 41, 1952—Friday, November 21 and 28, 1952—The Indianapolis Star 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., December 1st, 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

December 1, 1952

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

Gentlemen:

In Re: General Ordinance No. 122, 1952

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

G. O. No. 122, 1952—Monday, November 24 and December 1, 1952—The Indianapolis Star and The Indianapolis Commercial

and that said ordinance is 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

December 1, 1952

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

Gentlemen:

In Re: General Ordinances Nos. 123, 124 and 125, 1952

Pursuant to the laws of the State of Indiana, I caused to be published on Friday, November 21, 1952 in The Indianapolis Star and Indianapolis Commercial "Notice to Interested Citizens" and that General Ordinances Nos. 123, 124 and 125, 1952 (Zoning Ordinances) were set for hearing before the Council on December 15, 1952.

Very truly yours,

GRACE M. TANNER,
City Clerk

November 28, 1952

To the President and Members of the Common Council

Gentlemen:

In Re: General Ordinance No. 126, 1952

An ordinance to establish original city zoning in recently annexed territory in area bounded generally by Graham Avenue, Arlington Avenue, Tenth Street and the line of Thirteenth Street, and to change zoning to U3 or Business on the north side of Tenth Street between Arlington Avenue and the line of Campbell Avenue.

Attached herewith are copies of an ordinance to establish original city zoning in the subject annexed area, and to change the zoning to U3 or Business in a certain parcel of land lying between Arlington Avenue and the line of Campbell Avenue, on the north side of Tenth Street.

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The proposed zoning set forth in this ordinance is U1 or Dwelling House, A1 or 7500 Square Feet Area, and H1 or 50 Feet Height in all of the recently annexed area except a tract bounded on the south by the north line of Tenth Street, on the west by a line 373.31 feet west of the east line of Section 34 (center line of Arlington Avenue), on the north by a line 394.75 feet north of the center line of Tenth Street and on the east by the center line of Arlington Avenue and also by the U3 or Business district 175 feet square at the northwest corner of Tenth Street and Arlington Avenue.

The proposed zoning of the latter described excepted tract is U3 or Business, A3 or 2400 Square Feet Area, and H1 or 50 Feet Height.

At its regular meeting November 24, the City Plan Commission approved this ordinance as herewith submitted by a vote of nine "Yes" and one "No," and therefore the Commission requests and recommends that said ordinance be passed.

NOBLE P. HOLLISTER,
Executive Secretary,
City Plan Commission

December 1, 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. 126, 1952, to amend the Zoning Code of the City of Indianapolis.

Very truly yours,

J. WESLEY BROWN,
Councilman

November 29, 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. 127, 1952; to amend Section 11-103 (A) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951.

Very truly yours,

J. WESLEY BROWN,
Councilman

December 1, 1952

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

Gentlemen:

Transmitted herewith are twenty-six (26) copies of General Ordinance No. 128, 1952, rezoning an area east of Arlington Avenue and North of U. S. Road 52 from Arlington to Webster Street, from U1 to U3.

Very truly yours,

J. WESLEY BROWN
Councilman

December 1, 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. 129, 1952, amending Title 5, Chapter 9, of the Municipal Code of Indianapolis, 1951, defining explosives and regulating their manufacture, transportation, storage, possession and use.

Very truly yours,

GLENN W. RADEL,
Councilman

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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. 130, 1952; to amend Section 11-103(a) of Title 11, Chapter 1, of the Municipal Code of the City of Indianapolis, Indiana, 1951.

Very truly yours,

J. WESLEY BROWN
Councilman

December 1, 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. 131, 1952, to authorize the City of Indianapolis to make a temporary loan in the amount of One Hundred Twenty-five Thousand (\$125,000.00) Dollars, for the use of the Board of the Indianapolis Police Pension Fund of the City of Indianapolis in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable.

Very truly yours,

CARTER W. ELTZROTH
Councilman

December 1, 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. 132, 1952, authorizing the City Controller of the City

of Indianapolis to make a temporary loan in the sum of One Million, Five Hundred Thousand Dollars (\$1,500,000.00), for the use of the general fund of the City of Indianapolis in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor, and providing for the legal notice and the time said loan shall mature.

Very truly yours,

CARTER W. ELTZROTH,
Councilman

December 1, 1952

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 15, 1952, annexing territory 223 feet north of East 21st Street east of Riley Avenue, to the City of Indianapolis.

Very truly yours,

JOHN A. SCHUMACHER
Councilman

Mr. Radel asked for recess. The motion was seconded by Mr. Emhardt, and the Council recessed at 7:50 P.M.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 40, 41, 1952, General Ordinances Nos. 87, 117, 119, 120, 1952 and Special Ordinance No. 14, 1952.

PROGRESS REPORT ON TAXICABS BY SPECIAL COMMITTEE

Submitted by Mr. Radel, Chairman; Mr. Ross and Mr. Eltzroth recommending that the following changes be made:

1. Administration of ordinance should be vested in the Board of Public Safety. All appeals from decisions of the Board to come before Common Council for hearing.

All applications for licenses should be investigated by the Board of Public Safety and Police Department and issued by the Board of Public Safety on the basis of its qualifications.

2. To prevent monopoly of the taxicab industry by one individual or company, no one individual or company or companies with interlocking directorship or stockholders shall hold more than 30 to 40% of the available licenses. A list of directors and stockholders of corporations should be filed with application.

The number of cabs permitted to operate should be fixed and it is recommended that this number be placed at 500 to 525, subject to review and change by Common Council once each year.

3. Taxicab licenses should be non-transferable viz: licenses may be transferred from one vehicle to another when replacements are made, but no transfer should be permitted from one owner to another; license should revert back to city for reissue.

A transfer fee of \$1.00 should be made on transfer from vehicle to vehicle to cover cost of paper work involved.

4. In cooperation with Police Department and Department of Weights and Measures all cabs should be inspected for any and all types of mechanical defects, the meters checked for condition and accuracy at 30 day intervals. To certify these inspections the meter should be sealed and a sticker placed on the windshield or window showing that inspection has been made and the date thereof. No cab should be permitted to operate without this seal and sticker.

Inspections should be made in an orderly manner so as not to cripple the efficiency of any one operating fleet.

5. Rates now effective should be reviewed as they are out of line with other cities in the country and may be operating to the disadvantage of the cab companies.

6. Some adjustment should be made in the amount of liability insurance coverage on each cab. It appears the amounts are too high, which works a hardship on small operators.

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

COMMITTEE REPORTS

Indianapolis, Ind., December 1, 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. 40, 1952, entitled

AN ORDINANCE transferring \$145,000 from Tax Levy and Gas Tax, Board of Public Safety to City Controller and Public Works, Administration,

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

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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. 41, 1952, entitled

AN ORDINANCE transferring \$7,500.00 from various funds to
Fund No. 38, Street Commissioner,

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., December 1, 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

Indianapolis, Ind., December 1, 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. 117, 1952, entitled

AN ORDINANCE making Vermont St. one-way from Alabama
to East Sts.,

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

GLENN W. RADEL, Chairman
JOHN A. SCHUMACHER
JOSEPH C. WALLACE

Indianapolis, Ind., December 1, 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. 119, 1952, entitled

AN ORDINANCE changing the powers and duties of Board of
Zoning Appeals

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

Indianapolis, Ind., December 1, 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. 120, 1952, entitled

AN ORDINANCE authorizing one-hour parking meters on certain
designated points on Twenty-second Street and Talbot Street

beg leave to report that we have had said ordinance under considera-
tion, 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., December 1, 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
Special Ordinance No. 14, 1952, entitled

AN ORDINANCE annexing certain contiguous territory to the
City of Indpls.,

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

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Brown:

GENERAL ORDINANCE NO. 126, 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 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 1 by reference, be and the same are hereby amended, supplemented and extended as to the U1 or Dwelling House District, A1 or 7500 Square Feet Area District and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at a point in the west line of Lot 109 in Ellenberger Terrace 4th Section Revised Addition 25 feet south of the north-west corner of said lot 109; thence east on a line 175 feet north of and parallel to the center line of East Tenth Street to a point 373.31 feet west of the southeast corner of Section 34, Township 16 North, Range 4 East, in Marion County, Indiana; thence north a distance of 394.75 to a point; thence east to the east line of said Section 34; thence north with the said east line of Section 34 to a point; thence west and along the south boundary line of the existing U2 or Apartment House District a distance of 321 feet more or less; thence north on and along the boundary line of said U2 or Apartment House district a distance of 16 feet; thence west on and along the south boundary line of said U2 or Apartment House district, and said south boundary extended west, a distance of 660 feet to the center line of Graham Avenue; thence south on and along the center line of Graham Avenue to the center line of East Thirteenth Street; thence west on and along

the center line of East Thirteenth Street a distance of 164.16 feet to a point; thence south and along the west lines of Lots 135 through 112 inclusive in Ellenberger Terrace 4th Section Revised Addition to the north line of Lot 109 in said Addition; thence west on and along the north line of said Lot 109 to the northwest corner of said Lot 109; thence south on and along the west line of said Lot 109 to the place of beginning.

Section 2. 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 1 by reference, be and the same are hereby amended, supplemented and extended to the U3 or Business District, A3 or 2400 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at a point in the center line of East Tenth Street 373.31 feet west of the southeast corner of Section 34, Township 16 North, Range 4 East, in Marion County, Indiana; thence east with the center line of East Tenth Street a distance of 198.31 feet to a point; thence north and along the west boundary of the existing U3 or Business District a distance of 175 feet to a point; thence east and along the north boundary of the existing U3 or Business District to the east line of said Section 34; thence north with said east line of Section 34 a distance of 219.75 feet to a point; thence west a distance of 373.31 feet to a point; thence south to the place of beginning.

Section 3. 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 Brown:

GENERAL ORDINANCE NO. 127, 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) Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1 being known as the Zoning Code of the City of Indianapolis, Indiana, and in particular that the district or zone maps and plats which are made a part of said Chapter 1 by reference, be and the same are hereby amended, supplemented and extended as to the U3 district so as to include the following described territory, to-wit:

Part of Lot No. 30 in the original town of Irvington, as recorded in Plat Book 3, page 145 in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning at a point on the East line of said Lot 30, said point being 208.4 feet North of the North property line of East Washington Street, as now established; running thence West and parallel to the North line of Washington Street a distance of 100 feet to a point; thence North and parallel to the East line of the said Lot 30 a distance of 3.92 feet to a point; thence West and parallel to the North line of said Lot 30 a distance of 72.9 feet to a point on the East property line of Audubon Place, as now located, such point being 200 feet South of the North line of said Lot 30; thence Southwestward on and along the East property line of Audubon Place to a point, said point being 212 feet South of the North line of the said Lot 30; thence East and parallel to the North line of said Lot 30 a distance of 38 feet to a point; thence South and parallel to the East line of said Lot 30 a distance of 13.2 feet to a point, said point being 190 feet North of the North property line of Washington Street; thence East and parallel to the North property line of Washington Street a distance of 146 feet to a point on the East line of said Lot 30; thence North on and along the East line of said Lot 30 a distance of 18.4 feet to the point or place 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 Brown:

GENERAL ORDINANCE NO. 128, 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 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 1 by reference, be and the same are hereby amended, supplemented and extended as to U-3 or Business District, so as to include the following described territory, to-wit:

Lots 1, 2, 3, 4, 32, 33, 34 and 35 of Veiker's Addition to the City of Indianapolis as per plat thereof in Plat Book 21, page 180 in the office of the Recorder of Marion County, Indiana.

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. 129, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particu-

early to amend Title 5, Chapter 9 thereof, defining explosives and regulating their manufacture, transportation, storage, possession and use, 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 Title 5, Chapter 9 of the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, be amended to read as follows:

5-901. (1) Explosives defined.—The term “explosive” or “explosives” whenever used in this title shall be held to mean and include any chemical substance, whether solid, liquid and/or gaseous and whether a mixture or a single compound, used or capable of use to produce an explosive chemical reaction liberating at high speed heat and gas and causing thereby tremendous pressure.

(2) Fixed Explosives defined.—The term “fixed explosive” or “fixed explosives” whenever used in this title shall be held to mean and include any explosive to which there is affixed or attached, or with which is transported, stored or in close proximity thereto a detonator and/or any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportion, quantities or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator, of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb and shall include but not be limited to all types of ammunition, bombs, bullets, canisters, cartridges, charges, clusters, dynamite, projectiles, rockets, shells, shot, shrapnel, war heads, and powder; Provided, however, That nothing in this chapter shall be held to mean and include any small arms ammunition or signal rockets, or devices or compositions used to obtain visible or audible pyrotechnic effects, which are covered in sections 5-2401 and 5-2405 hereof.

5-902. Manufacture of explosives or fixed explosives prohibited. It is prohibited for any person to manufacture any explosives or fixed explosives, except that any explosives or fixed explosives

may be manufactured in the laboratories in colleges and similar institutions for the purpose of investigation and instruction.

5-903. Transportation of explosives or fixed explosives in public passenger vehicles prohibited.—It is prohibited for any person to transport or carry any explosive or fixed explosive in or upon any public conveyance which is carrying passengers for hire.

5-904. Storage of explosives or fixed explosives.—Permit required.—It is prohibited for any person to have, keep, use or store any explosives or fixed explosives except under permit therefor.

5-905. Possession of certain explosives prohibited.—It is prohibited for any person to have, keep, store, sell, offer for sale, give away, use or manufacture any of the following explosives in any quantity: Liquid nitroglycerine; high explosives containing over sixty per cent of nitroglycerine (except as may hereinafter be provided); high explosives having an unsatisfactory absorbent or one that permits leakage of nitroglycerine under any conditions liable to exist during transportation or storage; nitrocellulose in a dry condition, in quantity greater than ten pounds in one exterior package; fulminate of mercury in bulk in a dry condition, and fulminate of all other metals in any condition, except as a component of manufactured articles not hereinafter forbidden; or explosives containing an ammonium salt and a chlorate.

5-906. Vehicles carrying explosives—Warning device—smoking—carriage of certain objects.—(1) Every vehicle while carrying explosives or fixed explosives shall have painted on its front, sides and back, in easily legible letters at least six inches high, the words, "Explosives—Dangerous," or in lieu thereof shall display upon an erect pole on the front end of such vehicle and at such height that it shall be visible from all directions, a red flag with the word "Danger" printed, stamped or sewn thereon in white letters. Such flag shall be at least eighteen inches by thirty in size, and the letters thereof shall be at least six inches high.

(2) It is prohibited for any person in charge of a vehicle containing such explosive or fixed explosive to smoke in or upon such vehicle, to drive the vehicle while intoxicated, to drive the vehicle or to conduct himself in a careless or reckless manner, to load or unload such vehicle in a careless manner or while smoking or intoxicated.

(3) It is prohibited for any person to place or carry in the bed or body, or cause to be placed or carried in the bed or body of any vehicle containing such explosives or fixed explosives, any metal tool or other piece of metal.

(4) It is prohibited for any carrier, his agent or any person in charge of a vehicle containing any explosive or fixed explosive to park such vehicle within the city of Indianapolis, or within said limits to transpose such explosive or fixed explosive from one vehicle to another, or for any tractor semi-trailer to be interchanged from one tractor to another whether of the same or of succeeding carriers.

(5) It is prohibited for any carrier, his agent or any person in charge of a vehicle containing any explosive or fixed explosive to leave such vehicle unattended in emergency arising due to mechanical failure.

(6) It is prohibited for any unescorted vehicle transporting explosives to follow closer than one city block any other load of explosives proceeding in the same direction.

5-907. It is prohibited to transport any explosive or fixed explosive within the limits of the city of Indianapolis without having first deposited with the Chief of Police thereof certificates of insurance evidencing a liability coverage which he shall in his discretion deem adequate.

5-908. It is prohibited to transport any explosive through and/or within the limits of the city of Indianapolis except over such route as the Chief of Police thereof may designate for such purpose, and no fixed explosive may be so transported except under police escort.

5-909. Storage, etc., of explosives must conform to requirements of this title—Record.—All explosives must be stored and used in compliance with the requirements of this title, and an accurate record showing the disposition of each container or package of explosives stored or used shall be kept; such record to be subject to inspection by officers of the bureau of fire prevention at all times.

5-910. Factories and magazines.—(1) All factory buildings and magazines in which permissible explosives are had, kept or stored, must be located at distances from neighboring buildings, highways and railroads in conformity with the American Quantity and Distance Table; Provided, That one portable magazine containing not more than fifty pounds of explosive may be allowed if placed on wheels and located not more than ten feet from, on the same floor with and directly opposite to the entrance on the floor nearest the street level, and one portable magazine containing not more than five thousand blasting caps, may be allowed if placed on wheels and located on the floor nearest the street level.

(2) Blasting caps or detonators of any kind shall not be kept in the same magazine with other explosives.

(3) All magazines must be kept locked except when being inspected or when explosives are being placed therein or being removed therefrom.

(4) All magazines or places where explosives are stored must be kept clean and free from grit, rubbish and empty packages.

(5) Portable magazines permitted above shall be made of fire-proof material or wood covered with sheet iron and shall be conspicuously marked, "Magazine-Explosives."

5-911. Blasting.—No person shall blast or carry on any blasting operations without first having obtained a permit from the bureau of fire prevention. The applicant for such permit must file a bond deemed adequate in each case by the bureau of fire prevention, which bond shall become available in the payment of any damage arising from the neglect of the contractor or his agents or employees.

Section 2. 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 City Welfare.

By Councilman Brown:

GENERAL ORDINANCE NO. 130, 1952

AN ORDINANCE to amend Section 11-103 (a) of Title 11, Chapter 1 of the Municipal Code of the City of Indianapolis, Indiana, 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 the City of Indianapolis, Indiana, 1951, said Title 11, Chapter 1 being 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 One by reference, be, and the same are, hereby amended, supplemented and extended as to the U2, or Apartment House District, and the A4, Area District, so as to include the following described territory, to-wit:

A part of Section 17, Township 16 North, Range 4 East and a part of the North Half of Section 8, Township 16 North, Range 4 East, all in Marion County, Indiana, being more particularly described as follows, to-wit:

Blocks C, E and G in The Meadows, 1st Section, an Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 28, pages 269-272, in the office of the Recorder of Marion County, Indiana.

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 Eltzroth:

GENERAL ORDINANCE NO. 131, 1952

AN ORDINANCE authorizing the City of Indianapolis, to make a temporary loan in the amount of One Hundred Twenty-five Thousand (\$125,000.00) Dollars, for the use of the Board of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

WHEREAS, on the 29th day of November, 1952, the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, Indiana, has, by resolution duly adopted, determined to make a temporary loan in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00), principal amount, without considering the interest thereon to be added thereto in a sum not to exceed One Thousand, Two Hundred (\$1,200.00) Dollars, in anticipation of and payable out of current taxes for the Police Pension Fund actually levied, and in the course of collection for the fiscal year in which this loan is made payable, and has requested the Common Council of the City of Indianapolis to authorize such temporary loan; and

WHEREAS, the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis is now and will continue to be until on or about the 29th day of May, 1953, without sufficient funds to meet the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits, and for other necessary current and incidental expenses of the year 1953, as provided in the annual budget of 1953, payable out of the Police Pension Fund; and

WHEREAS, the first semi-annual installment of taxes levied by the City of Indianapolis for the use of the Police Pension Fund for the year 1953 will amount to more than One Hundred Twenty-five Thousand (\$125,000.00) Dollars:

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

Section 1. That the City Controller of the City of Indianapolis is hereby authorized and empowered to negotiate for and obtain a tem-

porary loan in the year 1953, for the use and benefit of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, Indiana, in anticipation of the current taxes for said Police Pension Fund actually levied in the year 1952, and in the course of collection in the fiscal year 1953, for the use of the Police Pension Fund, not to exceed the sum of One Hundred Twenty-five Thousand (\$125,000.00) Dollars, without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed four per cent (4%) per annum, the rate of interest to be fixed by the lowest interest bid for said loan. Said loan shall run for a period of not exceeding One Hundred Thirty-five (135) days. The City Controller is authorized to make sale of said time warrants after a notice thereof shall have been published once each week for two consecutive weeks in two newspapers of general circulation, printed in English language and published in the City of Indianapolis, and said sale to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the Mayor of the City of Indianapolis, and City Controller, counter-signed by the president of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, and attested by the City Clerk, and the seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the City Treasurer of the City of Indianapolis, and to the payment of said time warrants the current revenues and taxes levied in the year 1952, and payable in the year 1953, for the Police Pension Fund of the City of Indianapolis, are hereby irrevocably appropriated and pledged.

Section 2. That for the repayment of the principal amount of the temporary loan herein authorized by this ordinance there is hereby appropriated to Police Pension Fund No. 57—Payment of Temporary Loans (hereby created), out of the current revenues and taxes for the year 1952, payable in the year 1953, for the Police Pension Fund of the City of Indianapolis, the sum of One Hundred Twenty-five Thousand (\$125,000.00) Dollars; and for the payment of the interest thereon is hereby appropriated to Police Pension Fund No. 61—Interest on Temporary Loans (hereby created), out of the above designated revenues and taxes the sum of One Thousand, Two Hundred (\$1,200.00) Dollars.

Section 3. 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.

By Councilman Eltzroth:

GENERAL ORDINANCE NO. 132, 1952

AN ORDINANCE authorizing the City Controller of the City of Indianapolis to make a temporary loan in the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars, for the use of the general fund of the City of Indianapolis in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for the legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

WHEREAS, The City of Indianapolis is now and will continue to be until on or about the 29th day of May, 1953, without sufficient funds to meet current expenses for the year 1953 for municipal purposes as provided in the annual budget of 1953, and

WHEREAS, The first semi-annual installment of taxes for the year 1953 will amount to more than One Million, Five Hundred Thousand (\$1,500,000.00) Dollars:

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

Section 1. That the City Controller is hereby authorized and empowered in the year 1953 to negotiate a temporary loan in anticipation of the current taxes for the general fund of the City of Indianapolis actually levied in the year 1952 and in the course of collection in the fiscal year 1953, not to exceed the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars, without considering the interest thereon to be added thereto, for a period not to exceed the time hereinafter fixed in this ordinance, at a rate of interest not to exceed four per cent (4%) per annum, the rate of interest to be fixed by the lowest interest bid for said loan. Said loan shall run for a period of not exceeding one hundred thirty-five (135) days. The City Controller is authorized to make sale of said time warrants, after notice thereof shall have been published by the City Controller once each week for

two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, said sale is to be not less than ten (10) days after the last publication of said notice. Said time warrants are to be signed by the Mayor of the City of Indianapolis, and seal of the City of Indianapolis to be attached thereto, and said time warrants shall be payable at the office of the City Treasurer in the City of Indianapolis, Indiana; and to the payment of said time warrants the current revenues and taxes thus levied in the year 1952, payable in the year 1953 for the General Fund of the City of Indianapolis, are hereby irrevocably appropriated and pledged.

Section 2. For the repayment of the principal amount of the temporary loan herein authorized by this ordinance there is hereby appropriated to the City Controller's 1953 Budget Fund No. 63—Payment of Temporary Loans (hereby established) out of the current revenues and taxes levied in the year 1952, payable in the year 1953, for the General Fund of the City of Indianapolis, the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars; and for the payment of the interest thereon there is hereby appropriated to the City Controller's 1953 Budget Fund No. 61-2—Interest on Temporary Loans, out of the above designated revenues and taxes the sum of Seven Thousand, Five Hundred (\$7,500.00) Dollars.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and compliance with all the laws pertaining thereto.

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

INTRODUCTION OF SPECIAL ORDINANCE

By Councilman Schumacher:

SPECIAL ORDINANCE NO. 15, 1952

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis 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:

Part of the southeast $\frac{1}{4}$, Section 28, Township 16 North, of Range 4 East, in Marion County, Indiana, described as follows: Beginning at a point in the north line of Twenty-first Street as now laid out and located, said point being 175 feet east of the center line, produced due north, of Riley Avenue as now laid out and located and said point being also 25 feet north of the south line of said Southeast $\frac{1}{4}$ Section and 502 feet, more or less, west of the southeast corner of said Southeast $\frac{1}{4}$ section; thence east on and along the north line of Twenty-first Street a distance of 133 feet to a point; thence north and parallel with the center line of Riley Avenue, produced due north, a distance of 248 feet to a point; thence west and parallel with the north line of Twenty-first Street a distance of 133 feet to a point; thence north and parallel with the center line of Riley Avenue, produced due north, a distance of 124.2 feet to a point; thence east and parallel with the north line of Twenty-first Street a distance of 133 feet to a point; thence north and parallel with the center line of Riley Avenue, produced due north, a distance of 175.8 feet to a point; thence west and parallel with the north line of Twenty-first Street a distance of 308 feet to a point in the center line of Riley Avenue, produced due north; thence south on and along said center line of Riley Avenue, produced due north, a distance of 325 feet to a point, said point being 223 feet north of the north line of Twenty-first Street; thence east and parallel with the north line of Twenty-first Street a distance of 175 feet to a point; thence south and parallel with the center line of Riley Avenue, produced due north, a distance of 223 feet to the point of beginning; containing in all 2.6 acres, more or less.

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. 40, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Ross, Appropriation Ordinance No. 40, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 40, 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. 41, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Ross, Appropriation Ordinance No. 41, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 41, 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 called for General Ordinance No. 117, 1952

for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 117, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 117, 1952 was read a third time by the Clerk and FAILED to pass by the following roll call vote:

Ayes 3, viz: Mr. Radel, Mr. Schumacher, Mr. Wallace.

Noes 6, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Ross, President Bright.

Mr. Radel called for General Ordinance No. 120, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ross, General Ordinance No. 120, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 120, 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.

* * * * *

NEW BUSINESS

Mr. Radel made a motion that the City Clerk write a letter to Captain Audrey Jacobs and ask him to enforce the ordinance now in effect relative to driving over curbs

and sidewalks in the city, namely, on the south side of Vermont Street between Illinois and Pierson Streets.

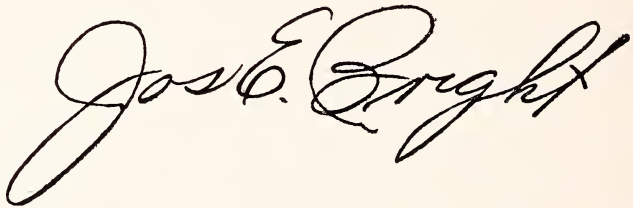
Which was seconded by Mr. Brown and carried by a unanimous voice vote of the Council.

* * * * *

On motion of Mr. Schumacher, seconded by Mr. Radel, the Common Council adjourned at 9:00 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 1st day of December, 1952, at 7:30 P.M.

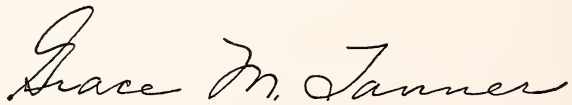
In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



ATTEST:

President

(SEAL)



City Clerk.

