

REGULAR MEETING

Monday, August 17, 1953
6:30 P.M. CST.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 17, 1953, at 6:30 P.M. CST 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

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

COMMUNICATIONS FROM THE MAYOR

August 5, 1953

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. 21, 1953

An ordinance amending General Ordinance No. 80, 1952, as amended, transferring, reappropriating, and reallocating cer-

tain designated funds in the Department of Public Health and Hospitals, Public Health General, as appropriated under said 1953 budget, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 22, 1953

An ordinance appropriating, transferring, reappropriating and reallocating a certain designated sum, Gas Tax Money, from a certain designated item and fund in the Department of Public Safety, Police Department, as appropriated under the 1953 Budget (General Ordinance No. 80, 1952, as amended), to certain other designated items and funds in the Department of Public Works, Municipal Garage, creating Fund 22, Gas Tax, and Fund 45, Gas Tax, in the Department of Public Works, Municipal Garage, declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 23, 1953

An ordinance appropriating the sum of Twenty-five Thousand (\$25,000.00) Dollars from the anticipated, estimated, unexpended and unappropriated 1953 balance of the Flood Control Maintenance and General Expense Fund of the City of Indianapolis to a certain designated fund and item in the Board of Flood Control, created by virtue of the 1953 Budget (General Ordinance No. 80, 1952, as amended), declaring an emergency, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 24, 1953

An ordinance appropriating, transferring, reappropriating and reallocating a certain designated sum, Tax Levy Money, from a certain designated item and fund in the Department of Public Safety, Fire Department, as appropriated under the 1953 Budget (General Ordinance No. 80, 1952, 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. 25, 1953

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

certain designated item and fund in the Department of Public Safety, Police and Fire Radio Division, as appropriated under the 1953 Budget (General Ordinance No. 80, 1952, as amended), to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 86, 1953

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.

GENERAL ORDINANCE NO. 88, 1953

An ordinance authorizing the Board of Flood Control to purchase, through its duly authorized purchasing agent, certain equipment to be paid for out of funds heretofore appropriated, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 91, 1953

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 4-823 thereof, limiting parking on Eastern Avenue during certain designated hours and between certain designated points, and fixing a time when said amendment shall take effect.

GENERAL ORDINANCE NO. 92, 1953

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 9, Chapter 2, Section 9-212 thereof, regulating the burring of waste materials and fixing a time when the said amendment shall take effect.

Respectfully,

ALEX M. CLARK
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

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

Gentlemen:

In Re: General Ordinance No. 95, 1953

Pursuant to the laws of the State of Indiana, I caused to be published on Thursday, August 6, 1953 in The Indianapolis Star and The Indianapolis Commercial "Notice to Interested Citizens" and that General Ordinance No. 95, 1953 (Zoning) was set for hearing before the Common Council on August 17, 1953.

Very truly yours,

GRACE M. TANNER,
City Clerk

August 17, 1953

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

Gentlemen:

In Re: General Ordinances Nos. 86, 91 and 92, 1953

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

G. O. Nos. 86, 91 and 92, 1953—Wednesday, August 12 and 19, 1953—The Indianapolis News and The Indianapolis Commercial

and that said ordinances are in full force and effect eight days after

the last publication date and compliance with any laws pertaining thereto.

Very truly yours,

GRACE M. TANNER,
City Clerk

August 11, 1953

To President and Members of the Common Council

Subject General Ordinance No. 68, 1953

The subject ordinance, to amend the Zoning Code of the City of Indianapolis as to area requirement in a district located between Emerson and Spencer Avenues north of 20th Street, was given a public hearing after due public notice by the City Plan Commission at its meeting August 10, 1953, resulting in approval of said ordinance by a vote of six "Yes" and no "No".

The City Plan Commission therefore recommends passage of General Ordinance No. 68, 1953, which would change the area requirement from A2 or 4800 Square Feet to A3 or 2400 Square Feet in the district described in said ordinance.

NOBLE P. HOLLISTER,
Executive Secretary,
City Plan Commission

August 11, 1953

To President and Members of the Common Council

Subject: General Ordinance No. 90, 1953

The subject ordinance, to amend the Zoning Code of the City of Indianapolis in a part of "The Meadows", located northwest of Meadowbrook Apartments on Meadows Drive, was given a public hearing after due public notice by the City Plan Commission at its meeting August 10, 1953, resulting in disapproval by unanimous vote of No "Yes" and seven "No".

The City Plan Commission therefore recommends against the passage of General Ordinance No. 90, 1953, which would change the zoning from U2 or Apartment House to U3 or Business in the district described in said ordinance.

NOBLE P. HOLLISTER
Executive Secretary
City Plan Commission

To the President and Members of the Common Council

Subject: General Ordinance No. 101, 1953 to establish original city zoning in recently annexed territory north of 21st Street between Emerson and Riley Avenue.

The subject ordinance attached herewith was given a public hearing after due public notice by the City Plan Commission at its meeting August 10, 1953, resulting in unanimous approval by a vote of seven "Yes" and no "No".

Said ordinance would establish city zoning for U1 or Dwelling House, A2 or 4800 Square Feet Area, and H1 or 50 Feet Height in the recently annexed area described in the ordinance and annexed by Special Ordinance No. 9, 1953.

The City Plan Commission therefore requests and recommends that this ordinance be passed.

NOBLE P. HOLLISTER,
Executive Secretary,
City Plan Commission

August 17, 1953

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

Gentlemen:

Submitted herewith are 24 copies of General Ordinance No. 101,

August 17, 1953]

City of Indianapolis, Ind.

695

1953, establishing original city zoning in recently annexed territory north of 21st Street between Emerson and Riley Avenue.

Very truly yours,

J. WESLEY BROWN
Councilman

To the Common Council of the
City of Indianapolis:

Submitted herewith are the Petition for Rezoning signed by the owners of the described property and twenty-four copies of General Ordinance No. 102, 1953. This Ordinance proposes to amend, supplement and extend the Zoning Code of the City of Indianapolis, Indiana, as to the U-4 or First Industrial District, so as to include the described territory.

GLENN W. RADEL
Common Council Member

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. 103, 1953, amending Title 11, Chapter 1 of the Municipal Code of Indianapolis, 1951, commonly known as the Zoning Code of the City of Indianapolis to zone the property on the East side of North Arlington Avenue from 14th Street to 16th Street and East to proposed Webster Street for an apartment house district.

Very truly yours,
J. WESLEY BROWN

Councilman

August 11, 1953

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

Attached herewith you will find General Ordinance No. 104, 1953,

dealing with the rezoning of land owned by the Omar Baking Company and located south of 16th Street between Bundy and Bellefontaine Streets.

Very truly yours,

CHARLES P. EHLERS
Councilman

August 17, 1953

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. 105, 1953, authorizing the Department of Public Works to purchase certain equipment for the use of the Street Commissioner.

Very truly yours,

J. WESLEY BROWN
Councilman

August 7, 1953

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

Gentlemen:

Transmitted herewith are twenty-four copies of General Ordinance No. 106, 1953 amending 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, to zone the property commonly known and designated as 720 East 54th Street for business.

Very truly yours,

JOHN A. SCHUMACHER
Councilman

August 14, 1953

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

Gentlemen:

Herewith are twenty-five copies of General Ordinance No. 107, 1953 with petition signed by property owners to amend the zoning code of the City of Indianapolis in respect to the area described in the ordinance.

The purpose of this ordinance is to change the zoning from a first industrial district to a dwelling house district, and the enclosed petition and ordinance are submitted accordingly for appropriate action by the Council.

Very truly yours,

J. WESLEY BROWN
Councilman

August 17, 1953

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 Special Ordinance No. 11, 1953, annexing certain contiguous territory which is presently included within the boundaries of the incorporated Town of Woodruff Place, to the City of Indianapolis.

Very truly yours,

J. WESLEY BROWN
Councilman

August 17, 1953

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 Special Ordinance No. 12, 1953, authorizing the Board of Public Works of

the City of Indianapolis, through its duly authorized Purchasing Agent, to sell certain real estate consisting of three tracts belonging to the City of Indianapolis.

Very truly yours,

J. WESLEY BROWN
Councilman

August 17, 1953

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

Gentlemen:

Transmitted herewith are 24 copies of Special Ordinance No. 13, 1953 providing for the annexation to the City of certain territory contiguous to said City lying in the vicinity of East 52nd Street and North Keystone.

Very truly yours,

J. WESLEY BROWN
Councilman

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

Gentlemen:

Transmitted herewith are 24 copies of Special Ordinance No. 14, 1953 providing for the annexation to the City of certain territory contiguous to said City lying in the vicinity of East 54th Street and Tacoma Avenue.

Very truly yours,

J. WESLEY BROWN
Councilman

August 11, 1953

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Resolution No. 9 approving, confirming and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis, by its written order on August 6, 1953, to Indianapolis Railways, Incorporated, under and pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936.

Very truly yours,

J. WESLEY BROWN
Councilman

Mr. Radel asked for recess. The motion was seconded by Mr. Ehlers, and the Council recessed at 7:20 P.M. CST.

At this time those present were given an opportunity to be heard on General Ordinances Nos. 36, 68, 81, 87, 89, 90, 93, 94, 95, 96, 97, 98, 99, 1953 and Special Ordinance No. 10, 1953.

The Council reconvened at 8:45 P.M. CST, with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., August 17, 1953

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. 36, 1953, entitled

AN ORDINANCE establishing minimum standards for housing.

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., August 17, 1953

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. 68, 1953, entitled

AN ORDINANCE amending the Zoning Code—13 residential lots
—Spencer Ave. in center of block from 20th to 21st Sts.,

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHARLES P. EHLERS
JOSEPH A. WICKER

Indianapolis, Ind., August 17, 1953

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. 81, 1953, entitled

AN ORDINANCE prohibiting parking on the west side of Pennsylvania St., from South to Henry Sts.,

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
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 87, 1953, entitled

AN ORDINANCE repealing Vehicle Impounding Fund Section
4-1107

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
JOHN A. SCHUMACHER
CHARLES P. EHLERS
CHRISTIAN J. EMHARDT
JOSEPH A. WICKER

Indianapolis, Ind., August 17, 1953

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. 89, 1953, entitled

AN ORDINANCE increasing the charges for parking on certain streets,

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
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 90, 1953, entitled

AN ORDINANCE re-zoning an area in Meadows Addition to U3,

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHARLES P. EHLERS
JOSEPH A. WICKER

Indianapolis, Ind., August 17, 1953

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. 93, 1953, entitled

AN ORDINANCE prohibiting parking during certain designated

hours on the west side of Madison Ave. from Minnesota St. to Southern Ave.,

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
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 94, 1953, entitled

AN ORDINANCE prohibiting parking during certain designated hours, on the east side of Madison Ave. from Southern Ave. to Minnesota St.,

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
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 95, 1953, entitled

AN ORDINANCE establishing standard requirements for open air auto sales lots and parking lots,

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

J. WESLEY BROWN, Chairman
JOHN A. SCHUMACHER
CHARLES P. EHLERS
JOSEPH A. WICKER

Indianapolis, Ind., August 17, 1953

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. 97, 1953, entitled

AN ORDINANCE making One-Way Streets as follows: Fifteenth St. from Penn. St. to Delaware St., traffic moving east; Woodland Ave. from Fairfield Ave. to Thirty-eighth St., traffic moving north; Coliseum Ave. from Thirty-eighth to Fairfield Ave., traffic moving south;

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

GLENN W. RADEL, Chairman
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 98, 1953, entitled

AN ORDINANCE providing for the flow of traffic in a counter-clockwise direction only on the half-circle known as Meadows Court,

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

GLENN W. RADEL, Chairman
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 99, 1953, entitled

AN ORDINANCE prohibiting parking on Michigan Street at all times between certain designated points,

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

GLENN W. RADEL, Chairman
CARTER W. ELTZROTH
CHARLES P. EHLERS
JOSEPH A. WICKER
JOSEPH C. WALLACE

Indianapolis, Ind., August 17, 1953

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. 96, 1953, entitled

AN ORDINANCE which deals with certain powers delegated by the Council to the Board of Public Safety,

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

CARTER W. ELTZROTH, Chairman
CHARLES P. EHLERS
GLENN W. RADEL
JOSEPH C. WALLACE
CHRISTIAN J. EMHARDT

Indianapolis, Ind., August 17, 1953

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. 10, 1953, entitled

AN ORDINANCE annexing the incorporated Town of Meridian Hills,

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

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Brown:

GENERAL ORDINANCE NO. 101. 1953

AN ORDINANCE to amend Section 11-103 (a) of Title 11, Chapter 1 of the Municipal Code of the City 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 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 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, A2 or 4800 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 on the center line of Riley Avenue five hundred seventy-three (573) feet north of the south line of Section 28, Township 16 North, Range 4 East in Marion County, Indiana; thence north on and along the center line of Riley Avenue to the south right-of-way line of the C.C.C. and St.L. Railroad; thence northeastward on and along said south right-of-way line to a point, said point being two hundred two (202) feet west measured at right angles from the center line of Emerson Avenue; thence south on a line parallel with the center line of Emerson Avenue to a point forty-seven and eight-tenths (47.8) feet south of the south line of Lot 10 in Emerson-Riley Addition Amended; thence east twenty-nine (29) feet; thence south on the west line of said Emerson-Riley Addition Amended to the north property line of 21st Street; thence west on the north property line of 21st Street a distance of one hundred ninety-six (196) feet to a point; thence north and parallel to Riley Avenue a distance of two hundred forty-eight (248) feet to a point; thence west and parallel to the south line of the aforesaid Section 28 a distance of one hundred thirty-three (133) feet to a point; thence north and parallel to Riley Avenue a distance of one hundred twenty-four and two-tenths (124.2) feet to a point; thence east and parallel to the south line of said Section 28 a distance of one hundred thirty-three (133) feet to a point; thence north and parallel to Riley Avenue a distance of one hundred seventy-five and eight-tenths (175.8) feet to a point; thence west to the 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 Public Works.

By Councilman Radel:

GENERAL ORDINANCE NO. 102, 1953

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 or 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 U-4 or First Industrial District so as to include the following described territory, to wit:

All that part of Lot K in North Side Addition to the City of Indianapolis, as per plat thereof recorded in Plat Book 5, page 25, in the office of the Recorder of Marion County, Indiana, more particularly described as follows:

Beginning on the north side of Sutherland Avenue at the point of intersection with the west line of the right-of-way of the Monon Railroad, thence running northwardly along the west line of said right-of-way to the north line of the southwest quarter of Section 19, Township 16 North, Range 4 East; thence running westwardly along said north line 248.15 feet; thence southwestwardly 425 feet; thence southwestwardly at a greater angle 637.56

feet to the north line of Sutherland Avenue; thence along the north line of Sutherland Avenue 750 feet to the place of beginning;

Also, that part of Lot K south of Sutherland Avenue North of 33rd Street east of Winthrop Avenue and west of the right-of-way of the Monon Railroad, subject to all legal highways.

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 Works.

By Councilman Brown:

GENERAL ORDINANCE NO. 103, 1953

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 or 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-2 or Apartment House district, the A-4 or 1200 square feet area district, and the H-1 or 50 foot height district so as to include the following described territory, to-wit:

A part of the southwest quarter of Section 35, Township 16 North, Range 4 East, more particularly described as follows:

Beginning at a point which is 45 feet East of the West line

of said quarter section and in the center line of East 16th Street; thence East on and along said center line a distance of 297.14 feet to a point; thence South on and along a line parallel to the said West quarter section line a distance of 803.5 feet to a point; thence West on a line parallel to the North line of said quarter section a distance of 297.14 feet to a point in the East right-of-way line of North Arlington Avenue; thence North on and along the East right-of-way line of North Arlington Avenue a distance of 803.5 feet to the 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 Public Works.

By Councilman Ehlers:

GENERAL ORDINANCE NO. 104, 1953

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 U-4 or Industrial District, the A-4 Area District, and the H-2 or 80 Feet Height District, so as to include the following described territory, to-wit:

Beginning at the point where the property line on the south side of 16th Street intersects with the property line on the east side of Bundy Place and running thence west along the said south property line of 16th Street to the intersection of the

property line on the east side of Bellefontaine Street; thence south along said east property line of Bellefontaine Street to the midline of a certain vacated alley lying immediately south of and adjoining Lot 19 in Butler's Addition to College Corner found in Plat Book 3, page 92 and 180 in the office of the Recorder of Marion County and running thence due east to the property line on the east side of Bundy Place; thence running north along said property line to the place of beginning.

Sec. 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 Works.

By Councilman Brown:

GENERAL ORDINANCE NO. 105, 1953

AN ORDINANCE authorizing the Department of Public Works to purchase, through its duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated, 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 Department of Public Works of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the following equipment to be used by the Street Commissioner as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said Department after advertisement therefor, as provided by law, and the total cost of said equipment shall not exceed the sum of money heretofore appropriated for use of said Department.

DEPARTMENT OF PUBLIC WORKS
STREET COMMISSIONER

Requisition No. 12409

1 Eductor for a sanitary catch basin -----\$ 7,379.40

Requisition No. 12410

1 Truck Chassis—17,500 lbs. capacity ----- 4,061.21

TOTAL ----- \$11,440.61

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 Finance.

By Councilman Schumacher:

GENERAL ORDINANCE NO. 106, 1953

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 or 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, the A-2 or 4800 square feet area district, and the H-1 or 50 foot height district so as to include the following described territory, to-wit:

Lot 3, Blasdel's Amended Addition, as per plat thereof recorded in Plat Book 27, pp. 311-312, in the office of the Recorder of Marion County, Indiana, and a part of Lot 2 in said Addition being more particularly described as follows: Commencing at the Northeast corner of said Lot 2, thence South 15', thence West 96.68' on and along the North line of said Lot 3, thence North 15', thence East 96.68' on and along the North line of said Lot 2, to the 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 Public Works.

By Councilman Brown:

GENERAL ORDINANCE NO. 107, 1953

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 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 U-1 or Dwelling House District, A-3 or 2400 Square Feet Area District, and H-1 or 50 Feet Height District, so as to include the following described territory, to-wit:

All of the area bounded by the south property line of St. Clair Street, the east property line of the first alley east of Arnolda Avenue, the north property line of Walnut Street, and the west property line of the first alley west of Arnolda Avenue.

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 Works.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO. 11, 1953

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:

All that part of the West half of the Northeast quarter of Section 6, Township 16 North, Range 4 East, in Marion County, Indiana, which is presently included within the boundaries of the incorporated Town of Woodruff Place.

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:

SPECIAL ORDINANCE NO. 12, 1953

AN ORDINANCE authorizing the Board of Public Works of the City of Indianapolis, Indiana, through its duly authorized Purchasing Agent, to sell certain real estate consisting of three tracts belonging to the City of Indianapolis, and fixing a time when the same shall take effect.

WHEREAS, certain lands owned by the City of Indianapolis and heretofore used by the Board of Public Works, and more particularly hereinafter described, is no longer needed by the City of Indianapolis and has been wholly abandoned by the Board of Public Works and is no longer necessary for the use of the Board of Public Works nor for the use and benefit of the general public; and

WHEREAS, it is deemed for the best interests of the City of Indianapolis to dispose of said lands by sale;

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

Section 1. That the Board of Public Works of the City of Indianapolis, Indiana, through its duly authorized Purchasing Agent, be and the same is hereby authorized, directed and empowered to sell separately and severally each of the following described tracts of real estate for cash to the highest bidder and for the amount equivalent to or above the duly appraised evaluation of each such tract after the same has been appraised and advertised according to law, to-wit:

1. Lot Numbered Eighty (80) in McCarty's Subdivision of Out Lot 120, commonly known as the North East Corner of West Morris Street and South Capitol Avenue.
2. Lot Numbered One Hundred Thirty-five (135) in McCarty's Subdivision of Out Lot 120, commonly known as the North West Corner of West Morris Street and South Illinois Street.
3. A part of the West half of Section 36, Township 17, North of Range 3, East in Marion County, State of Indiana, described as follows, to-wit:
Beginning at a point 83 feet East of a point 419 feet North of where the North line of what was formerly known as the Town or Village of Broad Ripple would intersect the West line of Section 36, and running thence North and parallel with said section line 113.84 feet; thence East and parallel with the North line of what was formerly known as the Town or Village of Broad Ripple 72 feet; thence South and parallel with the West line 113.84 feet; thence West and parallel with the North line 72 feet to the place of beginning.

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 Finance.

By Councilman Brown:

SPECIAL ORDINANCE NO. 13, 1953

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:

Parcel 1. Beginning at a point in the north line of East 52nd Street one hundred sixty-one and twelve one-hundredths (161.12) feet west of the southeast corner of the northeast 1/4 of Section 7, Township 16 North, Range 4 East, in Marion County, Indiana; thence east along the north line of 52nd Street and said line extended across Keystone Avenue to the east property line of North Keystone Avenue; thence south on and along said east property line of North Keystone Avenue to the present corporation line of the City of Indianapolis, Indiana; thence East on and along said present corporation line to the west right-of-way line of the N. Y., C. & St. L. Railroad Company (Nickel Plate Road); thence northeasterly on and along said west line of said railroad right-of-way to its intersection with the south property line of East 53rd Street; thence west on and along the south property line of East 53rd Street to the east property line of North Keystone Avenue; thence north on and along the east property line of North Keystone Avenue to a point four hundred ninety-nine and twenty-nine one hundredths (499.29) feet north of the south line of the aforesaid northeast 1/4 of Section 7; thence west across North Keystone Avenue and on and along the north line of the south half of Out Lot 7 in Malott Park to the east line of

Frazee Home Place Addition; thence south on and along said east line of Frazee Home Place Addition to the present corporation line of the City of Indianapolis; thence east on and along the present corporation line of the City of Indianapolis to a point three hundred twenty-two and twenty-four one-hundredths (322.24) feet east of the east line of the aforesaid northeast $\frac{1}{4}$ of Section 7; thence south with the present corporation line of the City of Indianapolis, a distance of one hundred ninety-three and thirty-nine one-hundredths (193.39) feet to a point; thence east with the present corporation line of the City of Indianapolis, a distance of one hundred sixty-one and twelve one-hundredths (161.12) feet to a point; thence south with the present corporation line of the City of Indianapolis to the place of beginning.

Parcel 2. Beginning at the intersection of the East property line of Keystone Avenue and the South property line of East 53rd Street (formerly Forest Avenue) as the said streets are now located; running thence East on the South property line of East 53rd Street to the Westerly right-of-way line of the N. Y., C. & St. L. Railroad Company (Nickel Plate Road); thence Northeasterly on and along said west line of said railroad right-of-way to a point on the center line of Rural Street; thence North on the center line of Rural Street to the South property line of East 54th Street (formerly Central Street); thence West on the South property line of East 54th Street and the South property line produced Westward to the West property line of Temple Avenue (formerly Maple Street); thence South on the West property line of Temple Avenue to the North property line of the first alley South of 54th Street; thence West on and along the North property line of the first alley South of 54th Street and the said property line produced West to a point on the West property line of Tacoma Avenue (formerly Walnut Street); thence South on the West property line of Tacoma Avenue to the North property line of 53rd Street; thence West on the North property line of 53rd Street to the East property line of Keystone Avenue; thence South fifty (50) 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 Public Health.

By Councilman Brown:

SPECIAL ORDINANCE NO. 14, 1953

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, Indiana, and fixing a time when 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 North West Quarter of Section 8, Township 16 North, Range 4 East, in Marion County, Indiana, beginning at the southwest corner of Tacoma Avenue (formerly known as Walnut Street) and East 54th Street (formerly known as Central Avenue); thence North on and along the west line of Tacoma Avenue to the northwest corner of Tacoma Avenue and 55th Street (formerly known as Park Avenue); thence East on and along the North line of 55th Street to the northeast corner of 55th Street and Rural Street (formerly known as Poplar Street); thence South on and along the East line of Rural Street to a point twenty-five (25) feet distant from the northeast corner of Rural Street and 54th Street in the center line of 54th Street; thence West on and along the center line of 54th Street to a point in the center line of 54th Street and Rural Street; thence South on and along the center line of Rural Street to a point where the extended South line of 54th Street intersects the center line of Rural Street; thence West on and along the South line of 54th Street 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 Public Health.

INTRODUCTION OF RESOLUTIONS

By Councilman Brown:

RESOLUTION NO. 9, 1953

A RESOLUTION, approving, confirming, and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis by its written order on August 6, 1953, to Indianapolis Railways, Incorporated, under and pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936:

WHEREAS, in the agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, amended and approved by General Ordinance No. 40, 1936, said city granted to Indianapolis Railways, Incorporated, subject to the terms and conditions therein set forth, the right to erect and maintain poles, feeder lines, trolley wires and other structures necessary to the operation of trackless trolley cars on certain streets and parts of streets named and designated in said agreement, together with such other streets and parts of streets as may from time to time by the Board of Public Works by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolley cars, subject to approval of such permits by the Common Council, and to use such streets and parts of streets for transportation of passengers by means of trackless trolley cars; and

WHEREAS, pursuant to said provisions contained in said agreement, as amended and approved by said General Ordinance No. 40, 1936, for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley operation, under the terms and conditions of said agreement, the Board of Public Works did on August 6, 1953, subject to approval by the Common Council, by written order grant to Indianapolis Railways, Incorporated, the following permit contained in the following order, to-wit:

ORDER BY THE
BOARD OF PUBLIC WORKS OF
CITY OF INDIANAPOLIS

ENTERED-----

RE: PETITION OF INDIANAPOLIS RAILWAYS, INCORPORATED FOR APPROVAL OF USE OF CERTAIN STREETS FOR TRACKLESS TROLLEY OPERATION (NEW YORK STREET FROM HIGHLAND AVENUE TO ORIENTAL STREET)—(ORIENTAL STREET FROM NEW YORK STREET TO MICHIGAN STREET)

BE IT REMEMBERED That on August 6, 1953 the Board of Public Works of the City of Indianapolis, Indiana, considered the petition of Indianapolis Railways, Incorporated, heretofore filed with the Board in the above entitled matter requesting the Board to authorize and approve the use of certain streets (New York Street from Highland Avenue to Oriental Street)—(Oriental Street from New York Street to Michigan Street) for the operation of trackless trolley cars to enable petitioner to make a necessary change in the route used by trackless trolley cars for access to petitioner's Highland Avenue Station, by reason of the changes in the overhead construction of petitioner's yard operation at Highland Station.

The Board having made its analysis and investigation of the facts alleged and of the requests contained in said petition, and being duly advised in the premises, now finds that it is in the public interest to authorize the petitioner to use the aforesaid additional parts of said streets for the operation of said trackless trolley cars and said petition should be granted.

IT IS THEREFORE HEREBY ORDERED That the Board of Public Works of the City of Indianapolis hereby authorizes and approves the use of the following additional parts of streets for the operation by petitioner of trackless trolley cars:

- New York Street from Highland Avenue to Oriental Street.
- Oriental Street from New York Street to Michigan Street.

and it is further authorized and permitted, for the purpose of such trackless trolley operation, to erect such poles, overhead wires and switches, and other structures on said streets as are necessary or desirable for such operation, said construction and said operation of trackless trolley cars to be made and done under and pursuant to the terms and conditions of said agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936,

and approved with amendments by General Ordinance No. 40, 1936, of the City of Indianapolis; Provided, however, that no portion of said street shall be used for said construction or for said trackless trolley operation unless and until said use is approved by the Common Council of the City of Indianapolis, as required under the terms of said contract.

BOARD OF PUBLIC WORKS OF
THE CITY OF INDIANAPOLIS

By Richard K. Munter, President
George P. Cafouros
Thomas M. Quinn
Otto H. Worley
Board of Public Works

Approved August 6, 1953.

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

That the Common Council does hereby in all things approve, confirm and ratify the permit granted on August 6, 1953, by the Board of Public Works to Indianapolis Railways, Incorporated, as contained in said order; Provided, that the use by Indianapolis Railways, Incorporated, of the portion of the streets covered by said permit for the aforesaid purpose shall in all things be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Ehlers called for General Ordinance No. 36, 1953
for second reading. It was read a second time.

Mr. Ehlers presented the following written motion to
amend General Ordinance No. 36, 1953:

Indianapolis, Ind., August 17, 1953

Mr. President:

I move that General Ordinance No. 36, 1953 be amended to read as follows:

GENERAL ORDINANCE NO. 36, 1953, AS AMENDED

AN ORDINANCE to amend Title 6 of the Municipal Code of Indianapolis, 1951, by adding to and creating a new chapter to be known as Chapter 10 of Title 6 of said Municipal Code of Indianapolis, 1951, establishing minimum standards governing the condition and maintenance of dwellings; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to make dwellings safe, sanitary, and fit for human habitation; establishing minimum standards governing the conditions of dwellings offered for rent; fixing certain responsibilities and duties of owners and occupants of dwellings; authorizing the inspection of dwellings, and the condemnation of dwellings unfit for human habitations; coordinating the activities and functions of the Commissioner of Buildings and the Director of Public Health of the City of Indianapolis, fixing penalties for violations; and fixing a time when the same shall take effect.

WHEREAS, in the City of Indianapolis, there are, or may in the future be, dwelling structures which are so delapidated, unsafe, dangerous, unhygienic, or insanitary as to constitute a menace to the health and safety of the people of the City of Indianapolis.

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

SECTION 6-1001. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance;

6-1001.1. Basement shall mean a portion of a building located partly underground, but having less than two-thirds of its clear floor-to-ceiling height below the average grade of the adjoining ground.

- 6-1001.2. Building Commissioner shall mean the Commissioner of Buildings of the City of Indianapolis, or his authorized representative.
- 6-1001.3. Cellar shall mean a portion of a building located partly or wholly underground, and having two-thirds or more than two-thirds of it clear floor-to-ceiling height below the average grade of the adjoining ground.
- 6-1001.4. Dwelling shall mean any building which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.
- 6-1001.5. Dwelling unit shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.
- 6-1001.6. Extermination shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the Health Officer.
- 6-1001.7. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- 6-1001.8. Habitable Room shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.
- 6-1001.9. Health Officer shall mean the Director of Public Health of the City of Indianapolis, or his authorized representative.
- 6-1001.10. Infestation shall mean the presence, within or around a dwelling, of any insects, rodents or other pests.
- 6-1001.11. Multiple Dwelling shall mean any dwelling containing more than two dwelling units.
- 6-1001.12 Occupant shall mean any person, over one year of age,

living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.

6-1001.13. Operator shall mean any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

6-1001.14. Ordinary Minimum Winter Conditions shall mean the temperature 15 degrees F. above the lowest recorded temperature for the previous 10-year period.

6-1001.15. Owner shall mean any person who, alone or jointly or severally with others:

(a) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; provided, however, that whenever the dwelling or dwelling unit is subject to conditional sale contract, lease with option to purchase, or any other form of written contract under the terms of which any person is entitled to a conveyance of legal title upon payment of a specified sum, the term owner shall mean the person who shall have such contractual right, rather than the person holding legal title; or

(b) Shall have charge, care or control of any dwelling or dwelling unit as executor, executrix, trustee, receiver or guardian of the owner as defined in Subsection (a) immediately preceding. Any such person thus representing the actual owner shall be bound to comply with the provisions of this ordinance, to the same extent as if he were the owner. Any person acting as agent of the owner shall not be construed to be an owner within the terms of this ordinance, but shall be bound to notify the owner, by means of a registered letter addressed to the owner at his last known address, of any order or notice issued by the Health Officer or Building Commissioner relating to the property of the owner.

6-1001.16. Person shall mean and include any individual, firm, corporation, association, or partnership.

6-1001.17. Plumbing shall mean and include all of the following supplied facilities and equipment; gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clotheswashing machines, catch basins, drains, vents,

and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

6-1001.18. Rooming Unit shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

6-1001.19. Rooming House shall mean any dwelling or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to five or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.

6-1001.20. Rubbish shall mean combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard timmings, leaves, tin cans, metals, mineral matter, glass crockery and dust.

6-1001.21. Supplied shall mean paid for, furnished or provided by or under the control of the owner or operator.

6-1001.22. Temporary Housing shall mean any tent, trailer, or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than 30 consecutive days.

6-1001.23. Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming unit", "premises", are used in this ordinance, they shall be construed as though they were followed by the words "or any part thereof".

SECTION 6-1002. INSPECTION OF DWELLINGS, DWELLING UNITS, ROOMING UNITS, AND PREMISES.

6-1002.1. The Health Officer and Building Commissioner are hereby severally authorized and directed to make inspections to determine the condition of dwellings, dwelling units, and premises located within this City of Indianapolis, in order that they may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections the Health Officer and Building Commissioner are hereby severally authorized to enter, examine, and survey, at proper times after due notice, all dwellings, dwelling units, room-

ing units and premises. The owner or occupant of every dwelling, dwelling unit and rooming unit, or the person in charge thereof, shall give the Health Officer and Building Commissioner access to such dwelling, dwelling unit or rooming unit and its premises, at proper times after due notice, for the purpose of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this ordinance.

SECTION 6-1003. ENFORCEMENT—SERVICE OF NOTICES AND ORDERS—HEARINGS

6-1003.1. Whenever the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance which affects the health of the occupants of any dwelling, dwelling unit or rooming unit or the health of the general public, or whenever the Building Commissioner determines that there are reasonable grounds to believe that there has been a violation of any such provision which affects the safety of any such occupants or the safety of the general public, the Health Officer or the Building Commissioner, as the case may be, shall give notice of such alleged violation to the person or persons responsible therefor, and to any known agent of such person, as hereinafter provided. Such notice shall:

- (a) Be put in writing;
- (b) Include a statement of the reasons why it is being issued;
- (c) Allow a reasonable time for the performance of any act it requires;
- (d) Be served upon the owner or his agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally, or if a copy thereof is sent by registered mail to his last known address, or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice, or if he is served with such notice by any other method authorized or required under the laws of this state.

- (e) Such notice must contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance.

6-1003.2. Any person affected by any such notice issued by the Health Officer may request and shall be granted a hearing on the matter before the Board of Public Health and Hospitals of the City of Indianapolis, and any person affected by any such notice issued by the Building Commissioner may request and shall be granted a hearing on the matter before the Board of Public Safety of the City of Indianapolis, provided that such person shall file in the office of the Health Officer or Building Commissioner, as the case may be, within ten (10) days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition, the Health Officer or Building Commissioner, respectively, shall arrange a time and place for such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with.

6-1003.3. After such hearing the respective Board shall sustain, modify or withdraw the notice, depending upon its findings as to whether the provisions of this ordinance has been complied with. If the respective Board shall sustain or modify such notice, it shall be deemed to be an order. Any notice served pursuant to Subsection 6-1003.1 of this ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the Health Officer or Building Commissioner within ten (10) days after such notice is served. After a hearing in the case of any notice suspending any permit required by this ordinance, when such notice has been sustained by the respective Board, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the Health Officer or Building Commissioner within ten (10) days after such notice is served.

6-1003.4. The proceedings at such hearing, including the findings and decision of the Board, shall be summarized, reduced to writing and entered as a matter of public record in the offices of the Board. Such record shall also include a copy of every notice or

order issued in connection with the matter. Any person aggrieved by the decision of the Board may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.

- 6-1003.5. Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the Health Officer shall be afforded a hearing as soon as possible, in the manner provided in Subsection 6-1003.2. After such hearing, depending upon the finding as to whether the provisions of this ordinance have been complied with, the Board shall continue such order in effect, or modify it, or revoke it.

SECTION 6-1004. MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

- 6-1004.1. Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water and sewer system approved by the Plumbing Department of the Building Commissioner.
- 6-1004.2. Every dwelling unit (except as otherwise permitted under Sub-section 6-1004.3 of this Section) shall contain a room which affords privacy to a person within said room and which is equipped with a flush water closet and a lavatory basin in good working condition and properly connected to a water and sewer system approved by the Health Officer or Building Commissioner.
- 6-1004.3. The occupants of two or more dwelling units but not to exceed ten persons in total number, may share a single flush water closet, a single lavatory basin, and a single bathtub or shower.
- 6-1004.4. At the expiration of a period of five (5) years from the effective date of this ordinance, every kitchen sink, lavatory basin

and bathtub or shower required under the provisions of Subsections 6-1004.1, 6-1004.2, and 6-1004.3 of Section 6-1004 of this ordinance shall be properly connected with water lines.

- 6-1004.5. Every dwelling unit shall be supplied with adequate rubbish storage facilities.
- 6-1004.6. Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers.
- 6-1004.7. Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of the State of Indiana and ordinances of the City of Indianapolis.
- 6-1004.8. The requirements of Subsections 6-1004.1, 6-1004.2 and 6-1004.3 of this Section shall not apply in cases where sewer and water facilities are not available within a distance of one hundred (100) feet of the lot on which the dwelling unit is located.

SECTION 6-1005. MINIMUM STANDARDS FOR LIGHT,
VENTILATION AND HEATING.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- 6-1005.1. Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be seven (7%) of the floor area of such room.
- 6-1005.2. Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to at least forty-five per cent (45%) of the minimum window area size or minimum skylight type window size, as required in Subsection 6-1005.1 of Section 6-1005 of this ordinance, except where there is supplied some other device affording adequate ventilation and approved by the Health Officer or Building Commissioner.
- 6-1005.3. Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in Subsections 6-1005.1 and 6-1005.2 of Section

6-1005, except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with a ventilation system approved by the Health Officer or Building Commissioner.

6-1005.4. Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 70 degrees F., at a distance three (3) feet above floor level, under ordinary minimum winter conditions.

6-1005.5. Every public hall and stairway in every multiple dwelling shall be adequately lighted in conformity with the National Electrical Code.

6-1005.6. During that portion of each year when the Health Officer deems it necessary for protection against mosquitos, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens; provided that such screens shall not be required during such period in rooms deemed by the Health Officer to be located high enough in the upper stories of buildings as to be free from such insects, and in rooms located in areas of the City of Indianapolis which are deemed by the Health Officer to have so few insects as to render screens unnecessary.

6-1005.7. Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

**SECTION 6-1006. GENERAL REQUIREMENTS RELATING TO
THE SAFE AND SANITARY MAINTENANCE OF PARTS
OF DWELLINGS AND DWELLING UNITS.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements;

- 6-1006.1. Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodent-proof; shall be capable of affording privacy; and shall be kept in good repair.
- 6-1006.2. Every window, exterior door, and basement hatchway shall be reasonably weathertight, watertight, and rodentproof; and shall be kept in sound working condition and good repair.
- 6-1006.3. Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
- 6-1006.4. Every plumbing fixture and water waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.
- 6-1006.5. Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- 6-1006.6. Every supplied facility, piece of equipment, or utility which is required under this ordinance shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.
- 6-1007. No owner, operator, or occupant shall cause any service facility, equipment or utility which is required under this ordinance to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies or when discontinuance of service is approved by the Health Officer or Building Commissioner.
- 6-1006.8. No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.
- 6-1006.9. Every roof of a dwelling or dwelling unit shall be equipped with adequate gutters and downspouts capable of carrying off normal rainfall and be connected to a sewer where available, and such gutters and downspouts shall be kept in good repair and free from obstruction.

SECTION 6-1007. MINIMUM SPACE, USE AND LOCATION
REQUIREMENTS.

No person shall occupy or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

6-1007.1. Every dwelling unit shall contain at least one hundred (100) square feet of floor space for the first occupant thereof and at least fifty (50) additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

6-1007.2. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least sixty (60) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least forty (40) square feet of floor space for each occupant thereof over twelve (12) years of age and at least thirty (30) square feet for each occupant thereof under twelve (12) years of age.

6-1007.3. At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet; and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

6-1007.4. No basement or cellar space shall be used as a dwelling unit unless:

- (a) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness;
- (b) The total of window area in each room is equal to at least the minimum window area sizes as required in Subsection 6-1005.1 of Section 6-1005 of this ordinance;
- (c) The total of openable window area in each room is equal to at least the minimum as required under Subsection 6-1005.2 of Section 6-1005 of this ordinance, except where there is supplied some other device affording adequate ventilation and approved by the Health Officer or Building Commissioner.

- (d) Every window which is below the grade of the ground adjoining such window shall have a lightwell or area way extending at least 30 inches out from said window the entire depth and width of said window.

SECTION 6-1008. RESPONSIBILITIES OF OWNERS
AND OCCUPANTS.

- 6-1008.1. Every owner of a dwelling containing more than four dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public area of the dwelling and premises thereof.
- 6-1008.2. Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.
- 6-1008.3. Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish container required by Subsection 6-1004.5 of Section 6-1004 of this ordinance.
- 6-1008.4. Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities or garbage storage containers required by Subsection 6-1004.6 of Section 6-1004 of this ordinance. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling containing more than four dwelling units and for all dwelling units located on premises where more than four dwelling units share the same premises. In all other cases it shall be the responsibility of the occupant to furnish such facilities or containers.
- 6-1008.5. Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this ordinance or of any rule or regulation adopted pursuant thereto, except where the owner has agreed to supply such service.
- 6-1008.6. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects,

rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonable insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

6-1008.7. Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

SECTION 6-1009. ROOMING HOUSES.

No person shall operate a rooming house, or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this ordinance except the provisions of Section 6-1004 and Section 6-1008.

6-1009.1. No person shall operate a rooming house unless he holds a valid rooming house license issued by the office of the City Controller in the name of the operator and for the specific dwelling unit. The operator shall apply to the office of the Building Commissioner for a permit for such license, which shall be issued by the office of the City Controller upon compliance by the operator, to the satisfaction of the Building Commissioner, with the applicable provisions of this ordinance. This license shall be displayed in a conspicuous place within the rooming house, at all times. No such license shall be transferable. Every person holding such a license shall give notice in writing to the office of the City Controller and the Building Commissioner within twenty-four (24) hours after having sold, transferred, given away or otherwise disposed of ownership of, interest in or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming house. Every rooming house license shall expire

at the end of one year following its date of issuance, unless sooner suspended or revoked as hereinafter provided.

6-1009.2. Any person whose application for a permit to obtain a license to operate a rooming house has been denied may request and shall be granted a hearing on the matter, under the procedure provided by Section 6-1003 of this ordinance.

6-1009.3. Whenever upon inspection of any rooming house the Health Officer or Building Commissioner finds that conditions or practices exist which are in violation of any provision of this ordinance, the Health Officer or Building Commissioner, as the case may be, shall give notice in writing to the operator of such rooming house that unless such conditions or practices are corrected within a reasonable period, to be determined by the Health Officer or Building Commissioner respectively, the operators rooming house license will be suspended. At the end of such period the Health Officer or Building Commissioner, as the case may be, shall reinspect such rooming house, and if he finds that such conditions or practices have not been corrected, he shall give notice in writing to the operator that the latter's license has been suspended. Upon receipt of notice of suspension, such operator shall immediately cease operation of such rooming house, and no person shall occupy for sleeping or living purposes any rooming unit therein.

6-1009.4. Any person whose license to operate a rooming house has been suspended, or who has received notice from the Health Officer or Building Commissioner that his license is to be suspended unless existing conditions or practices at his rooming house are corrected, may request and shall be granted a hearing on the matter before the Board of Public Health and Hospitals or the Board of Public Safety, as the case may be, under the procedure provided by Section 6-1003 of this ordinance; provided that if no petition for such hearing is filed within ten (10) days following the day on which such license was suspended, such license shall be deemed to have been automatically revoked.

6-1009.5. At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sewer system approved by the Plumbing Inspector of the Building Commissioner's office and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of the said facilities; provided that in a rooming house

where rooms are let only to male, flush urinals may be substituted for not more than one-half of the required number of water closets. All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Health Officer or Building Commissioner.

- 6-1009.6. The operator of every rooming house shall change supplied bed linen and towels therein at least once each week, and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- 6-1009.7. Every room occupied for sleeping purposes by one person shall contain at least sixty (60) square feet of floor space, and every room occupied for sleeping purposes by more than one person shall contain at least forty (40) square feet of floor space for each occupant thereof over twelve (12) years of age and at least thirty (30) square feet for each occupant therein under twelve (12) years of age, as computed in accordance with Sub-section 6-1007.3 of this ordinance.
- 6-1009.8. Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of this state and this City of Indianapolis.
- 6-1009.9. The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for maintenance of a sanitary condition in every other part of the rooming house; and shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.
- 6-1009.10. Every provision of this ordinance which applies to rooming houses shall also apply to hotels, except to the extent that any such provision may be found in conflict with the laws of this state or with the lawful regulations of any state board or agency.
- 6-1009.11. The Health Officer is empowered to suspend the operation of sub-sections 6-1007.1, 6-1007.2 and/or 6-1009.7 hereof by special or general order in writing when he shall deem an emergency exists which in his discretion shall warrant such sus-

pension; provided, however, that no such general or special order so suspending operation of sub-sections 6-1007.1, 6-1007.2 and/or 6-1009.7 shall be of a duration longer than ten (10) days.

**SECTION 6-1010. DESIGNATION OF UNFIT DWELLINGS AND
LEGAL PROCEDURE OF CONDEMNATION.**

The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:

6-1010.1. Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the Health Officer or Building Commissioner:

6-1010.1.1. One which is so damaged, decayed, dilapidated, insanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

6-1010.1.2. One which lacks illumination, ventilation or sanitary facilities adequate to protect the health or safety of the occupants or of the public.

6-1010.1.3. One which because of its general condition or location is insanitary or other wise dangerous to the health or safety of occupants or of the public.

6-1010.2. Any dwelling or dwelling unit condemned as unfit for human habitation, and so designated and placarded by the Health Officer or Building Commissioner, shall be vacated within sixty (60) days as ordered by the Health Officer or Building Commissioner.

6-1010.3. No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the Health Officer or Building Commissioner. The Health Officer or Building Commissioner shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

6-1010.4. No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for

human habitation and placarded as such, except as provided in Sub-section 6-1010.3.

- 6-1010.5. Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the Board of Public Health and Hospitals or the Board of Public Safety, as the case may be, under the procedure set forth in Section 6-1003 of this ordinance.

SECTION 6-1011. PENALTIES.

- 6-1011.1. Any failure to comply with any provision of this ordinance shall constitute a misdemeanor. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than Ten Dollars (\$10.00) or more than Three Hundred Dollars (\$300.00) to which may be added imprisonment for not more than ninety (90) days. Each violation shall constitute a separate offense, and each day's failure to comply with any such provision shall constitute a separate violation.

SECTION 6-1012. CONFLICT OF ORDINANCES— EFFECT OF PARTIAL INVALIDITY.

- 6-1012.1. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of this City of Indianapolis existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of this City of Indianapolis existing on the effective date of this ordinance, which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this ordinance shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.
- 6-1012.2. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and

to this end the provisions of this ordinance are hereby declared to be severable.

SECTION 6-1013. EFFECTIVE DATE.

6-1013.1. 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.

CHARLES P. EHLERS
Councilman

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

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Radel, Mr. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Noes 1, viz: Mr. Emhardt.

On motion of Mr. Ehlers, seconded by Mr. Schumacher, General Ordinance No. 36, 1953, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 36, 1953, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 6, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Radel, Mr. Schumacher, President Bright.

Noes 3, viz: Mr. Emhardt, Mr. Wallace, Mr. Wicker.

Mr. Brown called for General Ordinance No. 68, 1953 for second reading. It was read a second time.

On motion of Mr. Brown, seconded by Mr. Eltzroth, General Ordinance No. 68, 1953 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 68, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Brown called for General Ordinance No. 90, 1953 for second reading. It was read a second time.

Mr. Brown made a motion that General Ordinance No. 90, 1953 be stricken from the files.

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

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

Mr. Brown called for General Ordinance No. 95, 1953 for second reading. It was read a second time.

On motion of Mr. Brown, seconded by Mr. Eltzroth, General Ordinance No. 95, 1953 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 95, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Radel called for General Ordinance No. 97, 1953 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Wicker, General Ordinance No. 97, 1953 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 97, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Radel called for General Ordinance No. 98, 1953 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Wicker, General Ordinance No. 98, 1953 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 98, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Radel called for General Ordinance No. 99, 1953 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 99, 1953 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 99, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Schumacher called for Special Ordinance No. 10, 1953 for second reading. It was read a second time.

On motion of Mr. Scaumacher, seconded by Mr. Brown, Special Ordinance No. 10, 1953 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 10, 1953 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. Schumacher, Mr. Wallace, Mr. Wicker, President Bright.

On motion of Mr. Schumacher, seconded by Mr. Wallace, the Common Council adjourned at 9:30 P.M. CST.

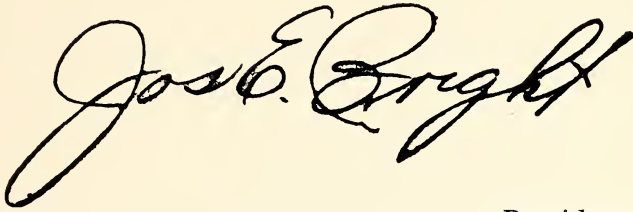
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 17th day of August, 1953, at 6:30 P.M. CST.

August 17, 1953]

City of Indianapolis, Ind.

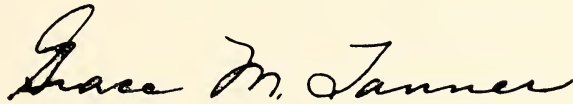
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In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

A large, elegant handwritten signature in cursive script, reading "Joseph E. Bright".

ATTEST:

President.

A handwritten signature in cursive script, reading "Grace M. Tanner".

(SEAL)

City Clerk.

