

REGULAR MEETING

Monday, January 18, 1954, 7:30 P.M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, January 18, 1954, at 7:30 P.M. in regular session.

President Bright in the chair.

The Clerk called the roll.

Present: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Absent: Mr. Brown, Mr. Schumacher.

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

COMMUNICATIONS FROM CITY OFFICIALS

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 1 and 2, 1954

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

A.O. Nos. 1 and 2, 1954—The Indianapolis News and The
Indianapolis Commercial—Friday, January 8 and 15, 1954

that taxpayers would have the right to be heard on the above ordi-

nances at the meeting of the Common Council to be held at 7:30 P.M., January 18, 1954 and by posting copies of said notices at the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Very truly yours,

GRACE M. TANNER,
City Clerk

January 18, 1954

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

Gentlemen:

In Re: General Ordinances Nos. 4 and 6, 1954

Pursuant to the laws of the State of Indiana, I caused to be published on Friday, January 8, 1954 in The Indianapolis Star and The Indianapolis Commercial "Notice to Interested Citizens," that General Ordinances Nos. 4 and 6, 1954 (Zoning) were set for hearing before the Common Council January 18, 1954.

Very truly yours,

GRACE M. TANNER
City Clerk.

January 18, 1954

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 Ordi-

nance No. 7, 1954, to amend Title 4, Chapter 8, Section 4-822 of the Municipal Code of Indianapolis, 1951, to limit parking on both sides of Arsenal Avenue from Washington Street to Williams Street for a period longer than one and one-half hours during certain designated hours.

Very truly yours,

J. WESLEY BROWN
Councilman

January 18, 1954

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. 8, 1954, to amend Title 4, Chapter 8, Section 4-827 of the Municipal Code of Indianapolis, 1951, limiting the owner, driver or operator of any vehicle to thirty minute parking on Sixteenth Street between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

January 18, 1954

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. 9, 1954, to amend Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, to prohibit parking, stopping or

standing on Rural Street at all times between certain designated points in the City of Indianapolis.

Very truly yours,

GLENN W. RADEL
Councilman

January 18, 1954

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. 10, 1954, to amend Title 4, Chapter 5, Section 4-509 of the Municipal Code of Indianapolis, 1951, by the repeal of sub-section (1) thereof, prohibiting left turns off of Meridian Street at any time between certain designated points.

Very truly yours,

GLENN W. RADEL
Councilman

January 18, 1954

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. 11, 1954, to amend Title 4, Chapter 8, Section 4-813 of the Municipal Code of Indianapolis, 1951, by amending sub-section (8) of said section and adding sub-sections (9) and (10), to prohibit parking on certain streets and drives in Weir Cook Municipal Airport and to provide that the Board of Public Safety shall cause appropriate signs to be placed and maintained at the several places indicated in all sub-sections of said Section.

Very truly yours,

GLENN W. RADEL
Councilman

January 18, 1954

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. 12, 1954, to establish a passenger and/or loading zone for the use and occupancy of Small and Schelosky Company, 18-22 West Georgia Street.

Very truly yours,

GLENN W. RADEL,
Councilman

January 18, 1954

To the 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. 13, 1954, to establish a passenger and/or loading zone for the use and occupancy of Downey Dunker, 16 North Pennsylvania Street.

Very truly yours,

GLENN W. RADEL,
Councilman

January 18, 1954

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. 14, 1954, to establish a passenger and/or loading zone for

the use and occupancy of Fletcher Trust Company, 108 North Pennsylvania Street.

Very truly yours,

GLENN W. RADEL
Councilman

January 18, 1954

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

Gentlemen:

Transmitted herewith are twenty-six (26) copies of General Ordinance No. 15, 1954, being 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.

Very truly yours,

JOSEPH C. WALLACE
Councilman

January 18, 1954

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

Gentlemen:

Submitted herewith are 24 copies of General Ordinance No. 16, 1954, regulating and licensing the installation and maintenance of courtesy benches upon or near public thoroughfares and sidewalks and establishing fees.

Very truly yours,

CARTER W. ELTZROTH
Councilman

Indianapolis, Indiana, January 14, 1954

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

Gentlemen:

Submitted herewith are twenty-eight (28) copies of Special Ordinance 2, 1954, annexing approximately twelve (12) acres bounded on the North by Southern Avenue, on the East by Bakemeyer's South Addition, on the South by Gimber Street and on the West by Bluff Road.

Respectfully submitted,

J. WESLEY BROWN
Councilman

Mr. Ehlers asked for recess. The motion was seconded by Mr. Radel, and the Council recessed at 8:00 P.M.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 1, 2, 1954, General Ordinances Nos. 1, 2, 3, 4, 5, 6, 1954 and Special Ordinance No. 1, 1954.

The Council reconvened at 8:20 P.M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., January 18, 1954

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 1, 1954, entitled

AN ORDINANCE appropriating \$1,000,000.00 to pay the cost of improvement, expansion and modernization of the Weir Cook Municipal Airport (Bond Issue)

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
GLENN W. RADEL

Indianapolis, Ind., January 18, 1954

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 2, 1954, entitled

AN ORDINANCE appropriating \$1,550,000.00 for sewerage and drainage system of the city and to house equipment and office space for the use of the Board of Works,

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
GLENN W. RADEL

Indianapolis, Ind., January 18, 1954

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. 1, 1954, entitled

AN ORDINANCE authorizing the purchase of equipment for the Fire Department—in the amount of \$99,928.00,

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

CHARLES P. EHLERS, Chairman
CARTER W. ELTZROTH
GLENN W. RADEL

Indianapolis, Ind., January 18, 1954

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

Gentlemen:

We, your Committee on Public Health to whom was referred General Ordinance No. 2, 1954, entitled

AN ORDINANCE authorizing the purchase of an aluminum trailer for the Office of Civil Defense in the amount of \$2,493.00,

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

GLENN W. RADEL
CHRISTIAN J. EMHARDT
JOSEPH C. WALLACE

Indianapolis, Ind., January 18, 1954

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. 3, 1954, entitled

AN ORDINANCE establishing a 25 ft. loading zone for the Business Furniture Co., 112-114 East Maryland St.,

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

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

Indianapolis, Ind., January 18, 1954

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. 4, 1954, entitled

AN ORDINANCE amending the Zoning Code for Minimum Lot Areas, Computation of Lot Areas and Restrictions on Reduction of Lot Areas,

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., January 18, 1954

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. 5, 1954, entitled

AN ORDINANCE limiting parking on the west side of Bosart Ave., from Tenth St. to the first alley north of Tenth St.,

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., January 18, 1954

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. 6, 1954, entitled

AN ORDINANCE amending the Zoning Code in the area of Kelly Street and the west line of Meridian Street,

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., January 18, 1954

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 Special Ordinance No. 1, 1954, entitled

AN ORDINANCE annexing territory in the area of East 38th St. and Sherman Drive (6.43 acres)

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

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Brown:

GENERAL ORDINANCE NO. 7, 1954

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-822 thereof, by limiting the owner, driver or operator of any vehicle from parking, stopping or standing on Arsenal Avenue between certain designated points in the City of Indianapolis for a period longer than one and one-half hours during certain designated hours, subject to the penalties provided and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-822 be amended as follows, to wit:

By the addition of sub-section 83, as follows, to wit:

| Street | Side of Street | From | To |
|------------------|-------------------|----------------|--------------|
| 83. Arsenal Ave. | Both | Washington St. | Williams St. |

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

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 Public Safety.

By Councilman Radel:

GENERAL ORDINANCE NO. 8, 1954

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 4-827 thereof, limiting the owner, driver or operator of any vehicle to thirty minute parking on Sixteenth Street between certain designated points and during certain designated hours, subject to the penalties provided and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-827 be amended as follows ,to wit:

By the addition of sub-section 5, as follows:

| | Street | Side of Street | From | To |
|----|---------------|----------------|--------------|--------------|
| 5. | Sixteenth St. | North | Meridian St. | Illinois St. |

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

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 Public Safety.

By Councilman Radel:

GENERAL ORDINANCE NO. 9, 1954

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 4-812 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Rural Street at all times between certain designated points in the City of Indianapolis, subject to the penalties provided and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-812 be amended as follows, to wit:

By the addition of sub-section 249 as follows, to wit:

| | Street | Side of Street | From First alley S. of Washington St. | To First alley N. of Washington St. |
|------|-----------|-------------------|---|---|
| 249. | Rural St. | West | Washington St. | Washington St. |

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

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 Public Safety.

By Councilman Radel:

GENERAL ORDINANCE NO. 10, 1954

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 5, Section 4-509, by the repeal of sub-section (1) thereof, prohibiting left turns off of Meridian Street at any time between certain designated points in the City of Indianapolis, and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 5, Section 4-509 of the Municipal Code of Indianapolis, 1951, be amended as follows, to wit:

By the repeal of sub-section (1) thereof, as follows, to wit:

(1) Meridian Street, from the north curb line of New York Street to the south curb line of Thirty-eighth Street, except at the intersection of Meridian Street and Thirtieth Street.

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 Public Safety.

By Councilman Radel:

GENERAL ORDINANCE NO. 11, 1954

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 4-813 thereof, by amending sub-section (8) of said section and adding sub-sections (9) and (10), to prohibit parking on certain streets and drives in Weir Cook Municipal Airport and to provide that the Board of Public Safety shall cause appropriate signs to be placed and maintained at the several places indicated in all sub-sections of said Section, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-813 be amended as follows, to wit:

Sub-section (8) is hereby repealed and replaced to read as follows, to wit:

(8) No vehicle shall be parked on either side of Curtiss Street between High School Road and eleven hundred (1100) feet west of High School Road.

Section 2. That Title 4, Chapter 8, Section 4-813 be further

amended by the addition of sub-sections (9) and (10), as follows, to wit:

(9) No vehicle shall be parked on either side of Lindbergh Drive.

(10) No vehicle shall be parked on either side of Doolittle Drive.

Section 3. That Title 4, Chapter 8, Section 4-813 be further amended by the addition of the following at the end of said Section:

“The Board of Public Safety shall cause appropriate signs to be placed and maintained at the several places indicated in the various sub-sections of this Section 4-813, giving notice of the respective restrictions and limitations upon parking in said places.”

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

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

By Councilman Radel:

GENERAL ORDINANCE NO. 12, 1954

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

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

Section 1. That for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended, and the Board of Public Safety, after due investigation, having recommended the estab-

lishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to wit:

(a) A loading zone beginning at a point fifteen (15) feet east of the east curb line of Pierson Street and extending east a distance of fifty (50) feet on the north side of West Georgia Street, for the use and occupancy of Small and Schelosky Company, 18-22 West Georgia Street.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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

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

By Councilman Radel:

GENERAL ORDINANCE NO. 13, 1954

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

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

Section 1. That for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to wit:

(a) A loading zone beginning at the north property line of the building at 16 North Pennsylvania Street and extending south twenty-five (25) feet on the west side of Pennsylvania Street, for the use and occupancy of Downey Dunker, 16 North Pennsylvania Street.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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

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

By Councilman Radel:

GENERAL ORDINANCE NO. 14, 1954

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

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

Section 1. That for the purpose of providing the owners or occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to wit:

(a) A loading zone beginning at a point sixty (60) feet north of the north curb line of Market Street and extending thirty (30) feet north on the west side of Pennsylvania Street, for the use

and occupancy of Fletcher Trust Company, 108 North Pennsylvania Street.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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

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

By Councilman Wallace:

GENERAL ORDINANCE NO. 15, 1954

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, 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 U3 or Business District, A4 or 1200 Square Feet Area District, and H1 or 50 foot Height District, so as to include the following described territory, to wit:

Lot three (3), Square three (3), in Martindale's First Section of Lincoln Park, an Addition to the City of Indianapolis, a plat which is recorded in Plat Book 8, page 189, in the Office of the Recorder of Marion County, Indiana.

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

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

By Councilman Ehlers:

GENERAL ORDINANCE NO. 16, 1954

AN ORDINANCE regulating and licensing the installation and maintenance of courtesy benches upon or near public thoroughfares and sidewalks, and amending the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 7, Chapter 2, Sec. 7-202, Sub-section (2) thereof, establishing fees for licenses and permits, subject to the penalties, and fixing a time when said amendment shall take effect.

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

Section 1. Courtesy benches for the convenience of local bus and trackless trolley patrons and members of the general public may be installed and maintained upon or adjacent to public thoroughfares and sidewalks of the City of Indianapolis by persons, firms or corporations, only in the manner and subject to the conditions and regulations prescribed by the following Sections of this Ordinance.

Section 2. No courtesy bench shall be installed or maintained by any person, firm or corporation except upon consent of the adjoining property owner and a permit obtained from The Board of Public Works of the City of Indianapolis.

Section 3. Application for a permit shall be submitted to The Board of Public Works, in the form prescribed by it disclosing the name and address of the applicant, together with other necessary information required by The Board of Public Works. One application may be made for one or more benches and one permit may be issued for one or more benches, provided, however, that a separate fee for each bench shall be paid as hereinafter provided.

Section 4. Each application for a permit for the installation of a courtesy bench shall be accompanied by a fee for each courtesy bench to be determined as follows:

| | |
|---|---------|
| For the first year that a courtesy bench is placed in a given location | \$ 5.00 |
| For the second year that a courtesy bench is placed in a given location | 6.00 |
| For the third year that a courtesy bench is placed in a given location | 7.00 |
| For the fourth year that a courtesy bench is placed in a given location | 8.00 |
| For the fifth year that a courtesy bench is placed in a given location | 9.00 |
| For the sixth year that a courtesy bench is placed in a given location, and for each year thereafter..... | 10.00 |

In the event that application is made for a permit for a courtesy bench on or after July 1 in any year, the fee shall be one-half ($\frac{1}{2}$) of the amount herein provided for.

The application for a permit for the installation of a courtesy bench shall clearly state whether the permit sought is for a new installation or for a renewal of a previously granted permit. All permits shall expire at midnight on the 31st day of December of each year unless theretofore renewed. Permits shall not be assignable and no refunds or rebates shall be made when permits are revoked except as otherwise provided in this Ordinance. All fees collected hereunder shall be paid over to the City Controller and placed to the credit of the General Fund.

Section 5. If The Board of Public Works shall find that the applicant has complied with the prerequisites of this Ordinance and that the installation and maintenance of a bench or benches at the specified locations will not encumber or interfere with the free use of the public way in the vicinity thereof, such permit shall be issued; otherwise said application shall be denied. Upon denial of the application all fees accompanying the application shall be returned to the applicant.

The Board of Public Works of the City of Indianapolis is hereby authorized and empowered to enter into an agreement or agreements with persons, firms, or corporations, for the installation and continued maintenance of courtesy benches as herein provided, designating such

persons, firms, or corporations as it shall see fit to be entitled to receive permits when said Board shall deem that the welfare and best interests of the City will be served by such action.

Section 6. Any permit issued under authority of this Ordinance may be revoked by The Board of Public Works upon complaint in writing, and after due notice and hearing, for any of the following reasons and as hereinafter set forth:

1. For violation by the permittee of any of the provisions of this Ordinance.
2. For fraud or misrepresentation made by the permittee in the application.
3. For failure by the permittee to maintain in full force and effect the necessary indemnity bond or policy of public liability insurance required by this Ordinance; or to pay successive annual renewal fees within the time required; or to perform, or comply, during the term thereof, with the provisions of any agreement with The Board of Public Works for the continued maintenance of one or more benches.

Section 7. Decisions of The Board of Public Works shall be subject to review and appeal as is now, or may hereafter be, provided by law.

Section 8. The permittee shall cause any courtesy benches to conform to the following requirements:

(a) No bench shall be more than forty-two inches (42") in height and two feet six inches (2'6") wide, and not more than seven feet (7') long. Benches shall be uniform in appearance throughout the City and The Board of Public Works is empowered to make and enforce rules and regulations to accomplish this purpose.

(b) No more than two (2) benches may be maintained at any one location without a special finding of The Board of Public Works that the public convenience requires more than two benches at such location. Benches shall be located only at designated bus stops and shall not be maintained on private property, unless satisfactory arrangements have been made between the permittee and the owner of such property concerning such use of such

private property and evidence of such agreement shall have been presented to The Board of Public Works. The permittee shall inspect each bench periodically and at least semi-monthly.

(c) No bench shall be maintained in any alley nor at any location where the distance from the face of the curb to the property line is less than ten feet (10') unless The Board of Public Works in its written approval of the application finds that to maintain a bench at such location is in the public interest. Benches shall be kept at all times in a neat, clean and usable condition.

(d) No advertising shall be displayed except on the front and rear surfaces of the back rest, and no obscene, immoral or indecent advertising shall be permitted.

(e) No bench shall carry any political advertising or advertising of beer or intoxicating liquor nor shall any advertisement or sign on any such bench display the words "STOP," "LOOK," "DRIVE-IN," "DANGER," or any other word or words which might mislead or distract traffic.

Section 9. Before a permit for a courtesy bench shall be issued or renewed, the applicant shall post or maintain with The Board of Public Works either an indemnity bond or a policy of public liability insurance, approved as to form by the Corporation Counsel, and conditioned substantially as follows: That the permittee will indemnify and save harmless the City of Indianapolis, Indiana, its officers, agents and employees from any and all loss, costs, damages, or expenses, by reason of legal liability which may result from or arise out of the granting of such permit, or the installation and maintenance of such bench for which a permit is issued, and that the permittee will pay any and all loss or damage that may be sustained by any person resulting from, or arising out of, the illegal or negligent installation or maintenance of any such bench. The bond or policy of insurance shall be maintained in its original amount by the permittee at his or its expense at all times during the period for which the permit is in effect. In the event that two or more permits are issued to one permittee, one such bond or policy of insurance may be furnished to cover two or more benches and each bond or policy shall be of a type where coverage shall automatically be restored after the occurrence of any accident, or event from which liability may thereafter accrue.

The limit of liability upon any bond or policy so posted shall in no case be less than Fifteen Thousand Dollars (\$15,000.00) for death or injury of one person, and Fifty Thousand Dollars (\$50,000.00)

for total liability for death or personal injury arising out of any one event or casualty, and Five Thousand Dollars (\$5,000.00) for property damage.

Any such bond so posted shall be accompanied by good and sufficient sureties approved by The Board of Public Works.

The Board of Public Works shall notify the permittee of any claim of which the City has notice where such claim arises from the installation or maintenance of any courtesy bench as herein provided.

Section 10. The permittee shall be relieved from obtaining sign licenses or permits as required by Title 8, Chapter 9, and particularly Section 8-908, and from the payment of fees required by Title 8, Chapter 4, Section 8-402, Sub-section (7) thereof, Municipal Code of Indianapolis, 1951, and from the payment of any other municipal fees or penalties than those provided by this Ordinance.

Section 11. That Title 7, Chapter 2, Section 7-202, Sub-section (2) thereof, be amended by adding an additional clause as follows, to wit:

“59. Courtesy benches. Annual permit for each bench:

| | |
|---|---------|
| For the first year that a courtesy bench is placed in a given location | \$ 5.00 |
| For the second year that a courtesy bench is placed in a given location | 6.00 |
| For the third years that a courtesy bench is placed in a given location | 7.00 |
| For the fourth year that a courtesy bench is placed in a given location | 8.00 |
| For the fifth year that a courtesy bench is placed in a given location | 9.00 |
| For the sixth year that a courtesy bench is placed in a given location, and for each year thereafter..... | 10.00 |

Section 12. It is hereby declared by the Common Council that the public welfare, safety, convenience, and necessity will be conserved by limiting the number of courtesy benches, now and hereafter to be located in the City, to Two Thousand (2,000) such benches; all

such permits, however, to be subject to any provisions, or exceptions and limitations, that may be prescribed by this Ordinance.

Section 13. Nothing herein contained shall be deemed to prohibit or regulate the installation or maintenance within the City of Indianapolis of any courtesy bench or other type of seat with or without advertising, to be used for the convenience of patrons of public conveyances or the general public, by any private person, natural or corporate, upon privately owned land lawfully occupied by such person. Any such private installations or maintenance, however, shall be subject to any other applicable ordinances of the City of Indianapolis.

Section 14. Any person, firm or corporation who shall violate or fail to comply with any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall upon conviction thereof, unless otherwise provided by this Ordinance, be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00).

Section 15. All ordinances and parts of ordinances, and codes, and parts of codes of the City of Indianapolis in conflict or inconsistent with the provisions and purposes of this Ordinance are hereby repealed, amended, modified and construed, as and to the extent the necessity therefor may require, to give full force and effect to the provisions of this Ordinance, to the exclusion of all such conflicts and inconsistencies.

Section 16. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO 2, 1954

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis and fixing a time when the same shall take effect.

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

Section 1. That the City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to wit:

Beginning at a point where the present Corporation line of the City of Indianapolis intersects the West property line of Bluff Road, as presently laid out and established; said point being 175 feet South of the North West corner of the South East quarter of Section 23, Township 15 North, Range 3 East of the Second Principal Meridian; thence East on and along said City Corporation line to a point which said point is 729.25 feet East of the West line of the South East Quarter of Section 23, Township 15 North, Range 3 East of the Second Principal Meridian; thence South parallel with said West line of said South East Quarter of Section 23, Township 15 North, Range 3 East to the North property line of Gimber Street as presently laid out and established; thence West on and along the North property line of said Gimber Street and said line being extended West to the West property line of Bluff Road, as presently laid out and established; thence North on and along the West property line of said Bluff Road 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.

ORDINANCES ON SECOND READING

Mr. Ehlers called for Appropriation Ordinance No. 1, 1954 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel,

Appropriation Ordinance No. 1, 1954 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 1, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 2, 1954 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Wicker, Appropriation Ordinance No. 2, 1954 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 2, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Radel called for General Ordinance No. 2, 1954 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 2, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Eltzroth called for General Ordinance No. 3, 1954 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Ehlers, General Ordinance No. 3, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 3, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Radel called for General Ordinance No. 5, 1954 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Wicker, General Ordinance No. 5, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 5, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Eltzroth called for Special Ordinance No. 1, 1954 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Radel,

Special Ordinance No. 1, 1954 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1954 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Wallace, Mr. Wicker, President Bright.

MISCELLANEOUS BUSINESS

Mr. Emhardt, Mr. Wallace and Mr. Ehlers introduced the following Memorial to Mr. Guy O. Ross, who passed away one year ago today:

MEMORIAL TO GUY O. ROSS

The death of Guy O. Ross, a member of the Common Council of the City of Indianapolis, occurred one year ago today, January 18, 1953, at his home 1136 N. Emerson Avenue. He was 74 years old. Mr. Ross was a man of many civic interests and was held in high esteem by all who knew him. He was three times elected to the Common Council, where he represented the Third District. In addition to being a City Councilman, he was at one time a member of the Marion County Tax Adjustment Board.

Mr. Ross was born in Covington, Ohio, but had lived in Indianapolis for 55 years. He was a retired New York Central Railroad Conductor, having worked for the railroad 43 years. He was a member of organized labor for 46 years, belonging to the Brotherhood of Railway Conductors, which he served for 10 years as Chairman of the Local Adjustment Board.

He was a member of Marion Masonic Lodge No. 35, Scottish Rite of Indianapolis and Murat Shrine, Improved Order of Red Men and Loyal Order of Moose. For many years he was Democratic Chairman of the First Ward.

Mr. Ross' contributions to the welfare of Indianapolis were many and his presence in the Indianapolis City Council has been greatly missed by his colleagues.

CHRISTIAN J. EMHARDT, *Chairman*
JOSEPH C. WALLACE
CHARLES P. EHLERS

Mr. Emhardt moved that the foregoing Memorial be spread of record on the Journal of Proceedings of this Council and that the Clerk be instructed to forward a copy of the Memorial to the family of Mr. Ross.

Which was seconded by Mr. Ehlers and approved by a unanimous vote of the Council.

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NEW BUSINESS

Mr. Eltzroth moved that the Clerk be instructed to write the following letter to Mayor Clark:

“The Common Council respectfully requests that you call a joint meeting of the Aviation Commission, the Safety and Aviation Committee of the Common Council and yourself at your convenience on Wednesday, January 20th, for the purpose of discussion and a decision on the matter of basing the Indiana Air National Guard on Weir Cook Municipal Airport.”

Which was seconded by Mr. Radel and carried by the unanimous vote of the Council.

Mr. Radel moved that the Clerk be instructed to write the following letter to the Adjutant General of Indiana:

“The Common Council of Indianapolis wishes to acknowledge receipt of the proposal for basing the Indiana Air National Guard on Weir Cook

Municipal Airport. We are taking this proposal under consideration and hope to have an answer in your hands on Wednesday, January 20th."

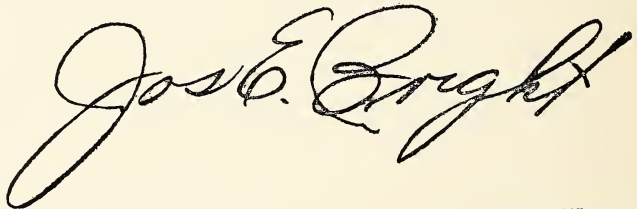
Which was seconded by Mr. Ehlers and carried by the unanimous vote of the Council.

* * * * *

On motion of Mr. Ehlers, seconded by Mr. Eltzroth, the Common Council adjourned at 8:45 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 18th day of January, 1954, at 7:30 P.M.

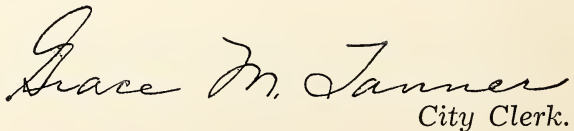
In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



ATTEST:

President.

(SEAL)



City Clerk.