

REGULAR MEETING

Monday, June 21, 1954, 6:30 P.M. CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, June 21, 1954, at 6:30 P.M. CST in regular session.

President Bright in the chair.

The Deputy 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. Wicker, seconded by Mr. Radel.

Mr. Wallace moved that the Journal of the Common Council for the regular meeting of June 7, 1954, be corrected in the following manner, to wit:

On page 372 in the 9th line of the printed minutes under the heading "New Business" substitute "Bright" for "Emhardt" (last name in third line of 'Ayes').

Mr. Wallace moved that the Journal of the Common Council for the special meeting of June 9, 1954, be corrected in the following manner, towit:

On page 379 in the 6th line of the printed minutes the name "Mr. Radel" should follow immediately after the name "Eltzroth."

Which was seconded by Mr. Eltzroth and unanimously passed by the Common Council.

COMMUNICATIONS FROM THE MAYOR

June 9, 1954

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. 9, 1954

An ordinance appropriating and allocating the sum of Thirty Nine Thousand Two Hundred Ninety one and Seventy Two one Hundredths (\$39,291.72) Dollars from the unexpended and unappropriated balance of the Department of Aviation General Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Aviation, Board of Aviation Commissioners, Weir Cook Municipal Airport, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 53. 1954

An ordinance to amend the Municipal Code of Indianapolis, 1951 as amended, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-812, by amending sub-section 3 thereof and by the addition of sub-section 255 thereto, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Arlington Avenue and on Tenth Street, in the City of Indianapolis, at all times between certain designated points, subject to the penalties provided and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 66, 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.

GENERAL ORDINANCE NO. 67, 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.

GENERAL ORDINANCE NO. 69, 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.

GENERAL ORDINANCE NO. 70, 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.

GENERAL ORDINANCE NO. 71, 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 4-814 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Warman Avenue at all times except Sundays and Holidays between certain designated points, subject to the penalties provided and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 72, 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 the West side of Summit Street 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.

GENERAL ORDINANCE NO. 73, 1954

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and as amended, and more particularly Title 7, Chapter 17, Section 7-1711, subsection (3) thereof, regulating advertising on taxicabs, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 75, 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, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 76, 1954

An ordinance authorizing the Department of Public Works to purchase, through its duly authorized purchasing agent, one (1) Model 81 Elgin Sweeper to be paid for out of funds heretofore appropriated, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 77, 1954

An ordinance authorizing the Department of Public Safety to purchase, through its duly authorized purchasing agent, one (1) 1954 Buick Model 72 R-4 Door Sedan, with equipment, accessories and extras to meet specifications, to be paid for out of funds heretofore appropriated, and fixing a time when the same shall take effect.

Respectfully,

ALEX. M. CLARK.
Mayor

June 11, 1954

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 ordinance:

GENERAL ORDINANCE NO. 84, 1954

An ordinance authorizing and approving the entering into of a contract of employment by and between the City of Indianapolis, Indiana, by and through its Mayor, and Warren & Van Praag, Inc., Consulting Engineers, of Decatur, Illinois, said engineers to be employed for the purpose of performing certain professional services in connection with the Water Rate Case now pending before the Superior Court of Marion County, Indiana, sitting in general term, and fixing a time when the said ordinance shall take effect.

Respectfully,

ALEX. M. CLARK
Mayor

June 15, 1954

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

Gentlemen:

I am this day returning to the City Clerk, Mrs. Grace M. Tanner, General Ordinance No. 74, 1954, without my signature for the following reason:

After careful study of the above mentioned ordinance I have vetoed same. See letter attached.

Respectfully,

ALEX. M. CLARK,
Mayor

June 15, 1954

To: Honorable Alex. M. Clark, Mayor

From: Rufus C. Kuykendall, Assistant City Attorney

Subject: GENERAL ORDINANCE NO. 74, 1954

This ordinance purports to amend Title 7, Chapter 17, Section 7-1702, subsection 1; Section 7-1711, sub-sections 1 and 2, and Section 7-1712, sub-section 2, relating to the regulation of taxicabs.

Sub-section 1 of Section 7-1711 is amended to require inspections of the taximeter and of other mechanical devices of each licensed taxicab at least once each ninety days. This extended period would permit any abuses by the operators of such vehicles to the ultimate detriment of the general public. This is particularly true with reference to faulty meters and could easily result in the loss to the public through overcharge of many thousands of dollars.

The repeal by General Ordinance No. 74 of sub-section 2 of Section 7-1711 and the substitution of a new sub-section 2 which permits any licensee who shall desire to discontinue the services of any such taxicab or taxicabs for a period in excess of ten days and not more than ninety days, to do so by depositing said license with the Board of Safety. This proviso gives any licensee the arbitrary right to discontinue any taxicab from service for any eighty day period during the year and this eighty day period may be repeated after said license has been placed in service for a period of ten days. Any such licensee may avail himself of this provision without the giving of any reason for so doing.

Upon the basis of the two sections outlined herein it is the opinion of this Department that the General Ordinance No. 74, 1954, cannot be considered to be in the public interest and that, therefore, it should be vetoed.

Respectfully submitted,

CITY OF INDIANAPOLIS
DEPARTMENT OF LAWRUFUS C. KUYKENDALL
Assistant City Attorney

SPECIAL ORDER OF BUSINESS

At this time, immediately following Mayor's communications, Mr. Radel called up for action General Ordinance No. 74, 1954.

Mr. Radel made the following motion:

Mr. President:

I move that General Ordinance No. 74, 1954, be passed, the Mayor's veto notwithstanding.

GLEN W. RADEL

The motion was seconded by Mr. Eltzroth.

President Bright instructed the Clerk to call the roll.

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

COMMUNICATIONS FROM CITY OFFICIALS

June 21, 1954

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

Gentlemen:

In Re: General Ordinances Nos. 53, 71, 72, 73 & 75, 1954

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

General Ordinances Nos. 53, 71 & 72, 1954—The Indianapolis News, The Indianapolis Commercial, Wednesday, June 16 and 23, 1954

General Ordinances Nos. 73 & 75, 1954—The Indianapolis Star, The Indianapolis Times, Wednesday, June 16 & 23, 1954,

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

Very truly yours,

GRACE M. TANNER,
City Clerk

To the President and Members
of the Common Council

Subject: General Ordinance No. 96, 1954, establishing city zoning classifications in the recently annexed area bounded by Keystone Avenue, 62nd Street, Rural Street and Kessler Boulevard, East Drive.

Submitted herewith are copies of the subject ordinance, which was given a public hearing after due public notice by the City Plan Commission at its meeting June 14, 1954, resulting in a vote of 8 "Yes" and 2 "No" on a motion to approve said ordinance as herewith submitted.

The zoning proposed is for U3 or Business, A4 or 1200 Square Feet Area, and H1 or 50 Feet Height, from 62nd Street south to a line beginning at a point in the west line of Riddle Manor Addition 530 feet north of the north line of Kessler Boulevard, East Drive; thence west to a point 588.55 feet east of the east line of Keystone Avenue; thence north 64 feet; thence northwesterly 550.15 feet; thence southwesterly 163 feet to the east line of Keystone Avenue.

The zoning proposed for the remaining south portion of the annexed area is U1 or Dwelling House, A1 or 7500 Square Feet Area, and H1 or 50 Feet Height.

The City Plan Commission, in view of their approval above stated,

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requests of and recommends to the Common Council that this ordinance be passed.

Very truly yours,

NOBLE P. HOLLISTER,
Executive Secretary,
City Plan Commission

June 21, 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 Appropriation Ordinance No. 12, 1954, appropriating the sum of Thirty-five Thousand (\$35,000.00) Dollars from the anticipated, estimated, unexpended and unappropriated 1954 balance of the General Fund of the City of Indianapolis to a certain designated fund and item in the Department of Law.

Very truly yours,

CHARLES P. EHLERS
Councilman

June 21, 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. 85, 1954, to amend Title 4, Chapter 13, Section 4-1303 of the Municipal Code of Indianapolis, 1951, as amended, by amending subsection U thereof, prohibiting trucks from the use of Delaware Street between certain designated points.

Very truly yours,

GLENN W. RADEL,
Councilman

June 21, 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. 86, 1954, to amend Title 4, Chapter 8, Section 4-819 of the Municipal Code of Indianapolis, 1951, by repealing sub-section 25 thereof, prohibiting parking on Kentucky Avenue between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 87, 1954, to amend Title 4, Chapter 8, Section 4-817 of the Municipal Code of Indianapolis, 1951, by the repeal of sub-section 30 thereof, prohibiting parking on Kentucky Avenue between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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 Ord-

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nance No. 88, 1954, to amend Title 4, Chapter 8, Section 4-815 of the Municipal Code of Indianapolis, 1951, by the addition of sub-section 2 thereto, prohibiting parking on Washington Street between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 89, 1954, to amend Title 4, Chapter 8, Section 4-821 (a) of the Municipal Code of Indianapolis, 1951, prohibiting parking on Kentucky Avenue and Merrill Street between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 90, 1954, establishing a certain passenger and/or loading zone for the use and occupancy of Kiefer-Stewart Company, 141 West Georgia Street.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 91, 1954, to amend Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, prohibiting parking on Lafayette Road at all times between certain designated points.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 92, 1954, to amend Title 4, Chapter 6, Section 4-602 of the Municipal Code of Indianapolis, 1951, by making the alley known as Nineteenth Street and Brighton Boulevard one-way streets between certain designated points.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 93, 1954, to amend Title 4, Chapter 8, of the Municipal Code

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of Indianapolis, 1951, by the addition of Section 4-834 thereof, prohibiting parking on certain parts of certain streets between certain designated points and during certain designated hours.

Very truly yours,

GLENN W. RADEL
Councilman

June 21, 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. 94, 1954, amending Title 7, Chapter 2, Section 7-202, sub-section 2, of the Municipal Code of Indianapolis, 1951, by the addition of sub-section 60 thereto, providing for the regulating and licensing and the granting of a certificate of convenience and necessity for the operation of Sight-seeing Busses, and providing for the regulation of the operation of said Sight-seeing Busses, and reserving unto the Common Council of the City of Indianapolis the right to set fares and to revoke certificates of convenience upon grounds; and establishing fees for convenience and permits.

Very truly yours,

JOHN A. SCHUMACHER
Councilman

June 21, 1954

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 95, 1954, 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.

This property is located at the Northeast corner of the intersection of Perkins and Van Buren Streets and lies immediately North of Bethel Avenue, from a U-2 zoning to a U-3 zoning.

Very truly yours,

J. WESLEY BROWN
Councilman

June 21, 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. 96, 1954, establishing city zoning in the recently annexed area bounded by Keystone Avenue, 62nd Street, Rural Street and Kessler Boulevard, East Drive.

Very truly yours,

J. WESLEY BROWN
Councilman

June 21, 1954

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 11, 1954, annexing certain territory to the City of Indianapolis.

Very truly yours,

J. WESLEY BROWN,
Councilman

Mr. Ehlers asked for recess. The motion was seconded

by Mr. Wicker, and the Council recessed at 7:15 P.M. CST.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 7, 1954, General Ordinances Nos. 43, 68, 78, 79, 80, 81, 82 and 83, 1954 and Special Ordinance Nos. 7 and 10, 1954.

The Council reconvened at 7:25 P.M. CST with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Indiana, June 21, 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. 7, 1954, entitled

AN ORDINANCE appropriating \$25,000.00 from the general fund to Fund 26, Public Works, Adm.,

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

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

Indianapolis, Indiana, June 21, 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. 43, 1954, entitled

AN ORDINANCE providing for the regulation of the size and location of price signs and placards used in the retail sales of petroleum products,

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

Indianapolis, Indiana, June 21, 1954

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

Gentlemen:

We, your Committee on Election to whom was referred General Ordinance No. 68, 1954, entitled

AN ORDINANCE establishing a loading zone for Lucille Nursing Home, 614 N. Senate Ave.,

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

JOSEPH A. WICKER, Chairman
CHRISTIAN J. EMHARDT
CARTER W. ELTZROTH
J. WESLEY BROWN
CHARLES P. EHLERS

Indianapolis, Indiana, June 21, 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. 78, 1954, entitled

AN ORDINANCE authorizing the purchase of 30—1954 Plymouth
2 Dr. Sedans—Police Department,

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

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

Indianapolis, Indiana, June 21, 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. 79, 1954, entitled

AN ORDINANCE authorizing the purchase of 12 Ford Dump
Trucks, \$23,424.00—Street Commissioner,

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, Indiana, June 21, 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. 80, 1954, entitled

AN ORDINANCE authorizing a temporary loan in the amount of \$2,500,000.00 for the use of the general fund,

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, Indiana, June 21, 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. 81, 1954, entitled

AN ORDINANCE authorizing a temporary loan in the amount of \$230,000.00 for the Police Pension Fund,

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, Indiana, June 21, 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. 82, 1954, entitled

AN ORDINANCE authorizing \$150,000.00 temporary loan for Fire Pension Fund,

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

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

Indianapolis, Indiana, June 21, 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. 83, 1954, entitled

AN ORDINANCE repealing sub-sections 5 and 16 of Sec. 4-602, concerning one-way traffic on Arsenal Avenue and Dorman Street,

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, Indiana, June 21, 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 Special Ordinance No. 7, 1954, entitled

AN ORDINANCE annexing territory in the area of Kessler Blvd. on the south, 62nd St. on the north and 23 lots fronting on Rural St.,

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

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

Indianapolis, Indiana, June 21, 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 Special Ordinance No. 10, 1954, entitled

AN ORDINANCE annexing territory in the area of Hawthorne Lane—40th to 42nd Sts., and Graham Ave.,

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 APPROPRIATION ORDINANCES

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 12, 1954

AN ORDINANCE appropriating the sum of Thirty-five Thousand (\$35,000.00) Dollars from the anticipated, estimated, unexpended and unappropriated 1954 balance of the General Fund of the City of Indianapolis to a certain designated fund and item in the Department of Law, created by virtue of the 1954 Budget (General Ordinance No. 100, 1953, as amended), declaring an emergency 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 sum total of Thirty-five Thousand (\$35,000.00) Dollars from the anticipated, unexpended and unappropriated 1954 balance in the General Fund of the City of Indianapolis, be and the same is hereby appropriated and allocated to the following designated fund and item in the Department of Law, created by virtue of the 1954 Budget (General Ordinance No. 100, 1953, as amended), to wit:

DEPARTMENT OF LAW

1. SERVICES—PERSONAL

13. Other Compensation -----\$35,000.00

Section 2. The above appropriation is necessary because of the existing emergency requiring additional funds for the use of the Department of Law of the City of Indianapolis.

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

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Radel;

GENERAL ORDINANCE NO. 85, 1954

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 13, Section 4-1303 thereof, by amending sub-section U prohibiting trucks as defined in said title, Chapter and code from the use of Delaware Street between certain designated points, 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 13, Section 4-1303 of the Municipal Code of Indianapolis, 1951, as amended, be amended by amending sub-section U thereof, to read as follows, to wit:

Street	From	To
U. Delaware St.	350 Ft. South of Palmer St.	Adler St.

subject to the penalties as provided in Title 4, Chapter 8, Section 4-1309 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 Works.

By Councilman Radel:

GENERAL ORDINANCE NO. 86, 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 4-819, by repealing subsection 25 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Kentucky Avenue between certain designated points and during certain designated hours, 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 4-819 be amended as follows, to wit:

By the repeal of sub-section 25 thereof, as follows:

	Street	Side of Street	From	To
25.	Kentucky Ave.	Southeast	West St.	Harding St.

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. 87, 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 4-817, by repealing sub-section 30 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Kentucky Avenue between certain designated points and during certain designated hours, 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 4-817 be amended as follows, to wit:

By the repeal of sub-section 30, as follows, to wit:

	Street	Side of Street	From	To
30.	Kentucky Ave.	Southeast	West St.	Belt R. R.

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. 88, 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 4-815 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Washington 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 4-815 be amended as follows, to wit:

By the addition of sub-section 2, as follows, to wit:

	Street	Side of Street	From	To
2.	Washington St.	Both	Harding St.	Elder St.

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. 89, 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 4-821 (a) thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Kentucky Avenue and Merrill 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 4-821 (a) be amended as follows, to wit:

By the addition of sub-sections 6 and 7, as follows, to wit:

	Street	Side of Street	From	To
6.	Kentucky Ave.	Both	West Street	West City Limits
7.	Merrill St.	South	Kentucky Ave.	West Street

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. 90, 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 or 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 on the South curb line of Georgia Street Fifty-one (51) feet East of the East curb line of Capitol Avenue and continuing East for a distance of Sixty-five (65) feet, for the use and occupancy of Kiefer-Stewart Company, 141 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 Public Works.

By Councilman Radel:

GENERAL ORDINANCE NO. 91, 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, stop-

ping or standing on Lafayette Road at all times between certain designated points, 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 of the Municipal Code of Indianapolis, 1951, be amended as follows, to wit:

By the addition of sub-section 256, as follows, to wit:

Street	Side of Street	From	To
256. Lafayette Rd.	Both	16th St.	Cold Springs Rd.

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 Law & Judiciary.

By Councilman Radel:

GENERAL ORDINANCE NO. 92, 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 6, Section 4-602 thereof, by making the alley known as Nineteenth Street and Brighton Boulevard one-way streets between certain designated points, 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 6, Section 4-602 of the Muni-

pal Code of Indianapolis, 1951, be and hereby is amended as follows, to wit:

By the addition of sub-sections 77 and 78, as follows:

Street	From	To	Direction Traffic Shall Move
77. Alley, known as 19th St.	Meridian St.	Pennsylvania St.	East
78. Brighton Blvd.	16th St.	West St.	South

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 City Welfare.

By Councilman Radel:

GENERAL ORDINANCE NO. 93, 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 thereof, by the addition of Section 4-834 prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on certain parts of certain streets 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, be amended by the addition of Section 4-834, as follows:

4-834. Parking, stopping or standing prohibited between 6:00

A.M. and 9:00 A.M.. except on Saturdays and Sundays, on certain streets. It shall be unlawful for the owner, driver or operator of any vehicle to park or stop the same, or to permit the same to be parked, or to stand, at any time between the hours of 6:00 o'clock A.M., and 9:00 o'clock A.M., in the morning of any day of the week, excepting on Saturdays and Sundays, upon any of the following designated parts of certain streets in this city, to wit:

Street	Side of Street	From	To
1. Kentucky Ave.	Both	West St.	West City Limits

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 Election.

By Councilman Schumacher:

GENERAL ORDINANCE NO. 94, 1954

AN ORDINANCE providing for the regulating and licensing and the granting of a certificate of convenience and necessity for the operation of Sight-Seeing Busses, and providing for the regulation of the operation of said Sight-Seeing Busses and reserving unto the Common Council of the City of Indianapolis the right to set fares and to revoke certificates of convenience upon grounds and amending the Municipal Code of Indianapolis, 1951, and more particularly Title 7, Chapter 2, Section 7-202, Sub-section 2 thereof, by the addition of sub-section 60 establishing fees for convenience 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. DEFINITIONS—for the purpose of this ordinance, except where the context requires a different meaning, the following

words shall have the meaning ascribed to them in this section:

- (a) **SIGHT-SEEING BUS.** The word "Sight-seeing Bus" shall mean and include any motor vehicle which is used on regularly conducted sight-seeing trips for compensation to designations and over routes not controlled by the passenger or passengers transported therein, over the public streets and highways within the jurisdiction of the City of Indianapolis.
- (b) **OWNER.** The "Owner" shall be defined as a person, persons, firm or corporation owning or operating the sight-seeing bus which is driven by licensed drivers in the City of Indianapolis or within the jurisdiction of the City of Indianapolis.
- (c) **SAFETY BOARD.** The term "Safety Board" shall be construed to mean the Board of Public Safety of the City of Indianapolis.

SECTION 2. OWNER'S LICENSE REQUIRED. No person shall engage in the business of operating a sight-seeing bus upon the streets of the City or upon the highways within the jurisdiction of the City without having first obtained a license therefor for each of said sight-seeing busses.

SECTION 3. APPLICATION—FORM OF. Application for a permit shall be submitted to the Board of Public Safety, 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 Safety. One application may be made for one or more Sight-seeing Busses and one permit may be issued for one or more Sight-seeing Busses, provided, however, that a separate fee for each bus shall be paid as hereinafter provided.

SECTION 4. SCHEDULE OF RATES: POSTING OF RATES. The City Council shall set the fares to be charged for the Sight-seeing services rendered. A printed schedule of the current fares shall be placed in each Sight-seeing bus so as to be plainly visible to all passengers and the license or permit fee shall be \$25.00 for each Sight-seeing Bus.

SECTION 5. OWNER'S PERMIT—FEE. Each application for a permit to operate a Sight-seeing Bus shall be accompanied by a fee for each Sight-seeing Bus to be determined as follows:

For the first year and each succeeding year thereafter, pursuant to any agreement entered into by the Board of Public Safety, the owner of a Sight-seeing Bus shall pay \$25.00 per year for each Sight-seeing Bus operated by and under a permit from the Board of Public Safety.

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

SECTION 6. APPLICATION FOR PERMIT—REQUIREMENTS OF. The application for a permit for the operation of a Sight-seeing Bus 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 7. PERMIT BY GRANTING BY BOARD OF PUBLIC SAFETY. If the Board of Public Safety shall find that the applicant has complied with the prerequisites of this Ordinance and that the maintenance of Sight-seeing Busses at the specified locations will not encumber or interfere with the free use of the public way, 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.

SECTION 8. AUTHORITY TO ENTER INTO AGREEMENTS. The Board of Public Safety of the City of Indianapolis is hereby authorized and empowered to enter into an agreement or agreements with persons, firms, or corporations, for maintenance of Sight-seeing Busses, 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 9. CANCELLATION OF PERMIT. Any permit issued under authority of this Ordinance may be revoked by the Board of Public Safety upon complaint in writing, and after 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 Safety for the continued maintenance of one or more Sight-seeing Busses.

SECTION 10. RIGHT OF APPEAL. Decisions of the Board of Public Safety shall be subject to review and appeal as is now, or may hereafter be, provided by law.

SECTION 11. ISSUE OF LICENSE—REQUIREMENT. Before the Board of Public Safety shall issue a license as hereinabove provided, each applicant shall pay to the City Controller an annual fee as prescribed by the License Schedule for each Sight-seeing Bus used in such business.

SECTION 12. SIGHT-SEEING BUS STANDS. Any owner licensee allocated a twenty (20) foot Sight-seeing Bus Stand in any metered area in the City, shall be given the first twenty foot space without charge where its headquarters is located. For each additional twenty feet of space at its headquarters or other location in a metered area, an annual fee of \$5.00 per foot shall be charged. Not more than forty (40) feet shall be allocated to any one company at any location. All allocations of curb space are subject to final approval of the Safety Board. Such footage shall be used for a period corresponding with the license year. The City shall have the power to cancel any Sight-seeing Bus Stand permit at any time; however, in the event that such cancellation occurs before the permit has expired a rebate for each unexpired three months period shall be given.

SECTION 13. LIABILITY INSURANCE OR BOND. Before a permit for the operation of a Sight-seeing Bus shall be issued or renewed, the applicant shall post or maintain with the Board of Public Safety either an indemnity bond or a policy of public liability insurance, approved as to form by the Corporation Counsel, and condi-

tioned 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 operation of a Sight-seeing Bus 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 operation or maintenance of a Sight-seeing Bus. 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 Sight-seeing Busses 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 (\$15,000) Dollars for death or injury of one person, and One Hundred Thousand (\$100,000.00) Dollars for total liability for death or personal injury arising out of any one event or casualty, and Fifteen Hundred (\$1,500.00) Dollars for property damage.

Any such bond so posted shall be accompanied by good and sufficient sureties approved by the Board of Public Safety

The Board of Public Safety shall notify the permittee of any claim of which the City has notice where such claim arises from the installation or maintenance of any Sight-seeing Bus as herein provided.

SECTION 14. SERVICE REQUIRED OF COMPANIES; DISCONTINUANCE OF VEHICLES: INVESTIGATION OF RECORDS.

All owner licensees shall provide service in accordance with the provisions of the certificate of public convenience and necessity as set forth by the City Council as provided herein for the issuance of said certificate of public convenience and necessity. The Safety Board may, upon application of any licensee hereunder, and for good cause shown, permit such licensee to temporarily discontinue any Sight-seeing Bus for a period of time as in his judgment he shall deem advisable. All owner licensees shall permit examination of their employment and work records when necessary for any criminal investigation.

SECTION 15. SIGNS AND PERMITS. 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 16. MANNER OF SEEKING EMPLOYMENT. No eight-seeing bus shall stand in any immediate area in any public street or place other than upon the stand assigned to it in accordance with this section. Each sight-seeing bus shall operate from the stand assigned to it, unless additional areas for picking up and discharging passengers are assigned to said sight-seeing bus by the Board of Public Safety.

SECTION 17. PUBLIC SIGHT-SEEING BUS STANDS. The Board of Public Safety shall determine the number of sight-seeing busses that shall be permitted to stand at any of the public stands. The Board of Public Safety shall cause to be attached to a post or stanchion a metal sign which shall state the number of sight-seeing busses which shall be permitted to stand at such particular stand. Such stands may be changed or cancelled at any time. No vested rights are obtained by any licensee hereunder to use any stand.

SECTION 18. OPERATION OR PROCEDURE WHILE WAITING EMPLOYMENT IN PUBLIC SIGHT-SEEING BUS STAND. Only public sight-seeing busses in such number as are set forth on the metal signs as required by the preceding section may remain in such stand while waiting for employment and they must be parked in single file. The sight-seeing bus standing in such designated stand shall not be permitted to refuse to carry any orderly person who offers to hire such sight-seeing bus and agrees to pay the proper rate of fares.

SECTION 19. SUBSTITUTION OF VEHICLES. The holder of any such license as required by Section 3 of this Ordinance may substitute one bus for another of equal carrying capacity, but if such substitution continues for more than three days, a written notice of substitution shall be filed with the Board of Public Safety and notice thereof endorsed upon the license theretofore issued by the Board of Public Safety. All license plates and notices as provided for in this Ordinance shall be forthwith transferred to such substituted motor vehicle. Any bus substituted under the provisions of this sec-

tion must be fully covered by insurance as provided in Section 13 of this Ordinance.

SECTION 20. REVOCATION OF LICENSES UNDER ARTICLE. The Board of Public Safety may, for incompetency or the violation of any of the provisions of the laws of the United States, the State of Indiana, the Code of Ordinances of the City of Indianapolis, Indiana, 1951, or of any ordinance of the City, or for any immoral or lewd conduct or unlawful activity on the part of the licensee owner or the licensed driver of any sight-seeing bus or for any other cause which it shall deem sufficient, revoke any license for the operation of any sight-seeing bus, and take up or cause such license badge or license plates to be surrendered to the Board of Public Safety. Any person who shall, after written notice by the Safety Board, that such license has been revoked, refuse to surrender the same, shall be deemed to have been guilty of a violation of the provisions hereof. Any person feeling himself aggrieved by any ruling or decision of the Safety Board may appeal by petition to the City Council, within ten days from date of revocation, and the decision of the City Council thereon shall be final.

SECTION 21. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED. No owner's license shall be granted until the person applying for such license shall have secured from the Safety Board a certificate certifying that the public convenience and necessity require the operation of the sight-seeing bus. The Board of Public Safety shall determine the maximum number of sight-seeing busses, necessary for the proper service for the people of the city. In determining such public convenience and necessity the Safety Board shall consider the number of sight-seeing busses then operating in the city, and whether the demands of the public require additional sight-seeing bus service, the financial responsibility of the applicant, the number, kind, type and equipment of those sight-seeing busses for which licenses are asked, the traffic conditions of the city, whether the additional sight-seeing busses will result in a greater hazard to the public, whether the requirements of public convenience and necessity can be met and complied with only by the issuance of additional certificates of public convenience and necessity, the result and effect upon the business of existing licensees and upon the existing agencies of mass transportation, and such other relevant facts as the Safety Board may deem advisable or necessary. The Safety Board shall not refuse to renew an existing license merely on the ground of lack of convenience or necessity. The City Council

reserves the right to revoke said certificate of public convenience and necessity upon reasonable grounds.

SECTION 22. NO PERSON SHALL DRIVE OR OPERATE A SIGHT-SEEING BUS:

- (1) For any purpose personal to the driver including social or recreational purposes.
- (2) For the purpose of providing transportation for persons when engaged in an unlawful undertaking.
- (3) For the purpose of transporting a passenger other than in sight-seeing bus service.

SECTION 23. That Title 7, Chapter 2, Section 7-202, Sub-section (2) thereof, be amended by adding an additional clause as follows, to wit:

“60. Sight-Seeing Busses. Annual permit and license for each Sight-seeing Bus:

For the first year and each succeeding year thereafter, pursuant to any agreement entered into by the Board of Public Safety, the owner of a Sight-seeing Bus shall pay \$25.00 per year for each Sight-seeing Bus operated by and under a permit from the Board of Public Safety.

SECTION 24. PENALTY. Any person, firm or corporation who shall violate or fail to comply with any provisions 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 (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars.

SECTION 25. REPEALING CLAUSE. 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 26. EFFECTIVE DATE OF ORDINANCE. 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:

GENERAL ORDINANCE NO. 95, 1954

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.

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

Section 1. That Section 11-103(a) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, of said Title 11, Chapter 1, being commonly known as the Zoning Code of the City of Indianapolis, and in particular that the district or zone, map and plats which are made a part of said Chapter 1 shall therefore be and the same are hereby amended, supplemented and extended as to the U-3 or Business District so as to include the following described real estate, to-wit:

Part of the East Half of the Southwest Quarter of Section 17, Township 15 North, Range 4 East of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, to-wit:

Beginning on the East line of the Southwest Quarter of said Section, Township and Range at a point 13 3/100 chains South of the North East corner of said Quarter Section; thence West 8 25/100 chains; thence South 2 98/100 chains to the center of the Gravel Road; thence South 57 1/2 degrees East, 9 70/100 chains in the center of said Road to the East line of said Quarter Section; thence North 8 2/100 chains to the place of beginning, containing 4 60/100 acres, EXCEPT the following described tract:

Beginning at a point on the East line of said Southwest Quarter Section a distance of 874.98 feet South of the Northeast corner thereof; thence South upon and along said East line a distance of 90 feet to a point; thence on a line with a bearing of 89 degrees 46 minutes to the right a distance of 242 feet to a point; thence North and parallel to the East line of said Quarter Section a distance of 90 feet to a point, said point being 242 feet West of the East line of said Quarter Section; thence East a distance of 242 feet to the place of beginning. Containing 0.5 acres, more or less. Subject to any legal highway or rights-of-way. The North line of said tract lies parallel to and 15 feet South of the North line of the above described tract. ALSO EXCEPT:

One Hundred Seventy and no tenths feet (170.0) by parallel lines off the entire west side of the above described tract.

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

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

By Councilman Brown:

GENERAL ORDINANCE NO. 96, 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, Indiana, and fixing a time when the same shall take effect.

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

Section 1. That Section 11-103(a) of Title 11, Chapter 1 of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1 being commonly known as the Zoning Code of the City of Indianapolis, Indiana, and in particular that the district or zone map and plats which are made a part of said Chapter 1 by reference, be and the same are hereby amended, supplemented and extended as to the U3 or Busi-

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

Beginning at the point of intersection of the east right-of-way line of Keystone Avenue and the south right-of-way line of 62nd Street; thence east with the south right-of-way line of 62nd Street to the west line of Riddle Manor Addition, extended north; thence south along the extension north of the west line of Riddle Manor Addition and along the west line of Riddle Manor Addition to a point 530 feet north of the north right-of-way line of Kessler Boulevard East Drive; thence west and parallel with said north right-of-way line to a point 588.55 feet east of the east right-of-way line of Keystone Avenue; thence north and parallel with said east line of Keystone Avenue a distance of 64 feet; thence northwesterly on a forward deflection angle to the left of 61 degrees, 33 minutes, a distance of 550.15 feet to a point; thence southwesterly on a forward deflection angle to the left a distance of 163 feet to a point in the east right-of-way line of Keystone Avenue which point lies a distance of 723.0 feet north of the north right-of-way line of Kessler Boulevard, East Drive; thence north with the east right-of-way line of Keystone Avenue to the place of beginning.

Section 2. That Section 11-103(a) of Title 11, Chapter 1 of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1 being commonly known as the Zoning Code of the City of Indianapolis, Indiana, and in particular that the district or zone map and plats which are made a part of said Chapter 1 by reference, be and the same are hereby amended, supplemented and extended as to the U1 or Dwelling House District, that A1 or 7500 Square Feet Area District, and the H1 or 50 feet Height District, so as to include the following described territory, to-wit:

Beginning at a point in the west line of Riddle Manor Addition, 530 feet north of the north right-of-way line of Kessler Boulevard, East Drive; thence west and parallel with said north right-of-way line to a point 588.55 feet east of the east right-of-way line of Keystone Avenue; thence north and parallel with the east right-of-way line of Keystone Avenue a distance of 64 feet to a point; thence in a northwesterly direction on a forward deflection angle to the left of 61 degrees, 33 minutes, a distance of 550.15 feet to a point; thence in a southwesterly direction on a forward deflection

angle to the left of 78 degrees, 27 minutes a distance of 163 feet to the east right-of-way line of Keystone Avenue; thence south with the east right-of-way line of Keystone Avenue a distance of 193.0 feet to a point 530 feet north of the north right-of-way line of Kessler Boulevard, East Drive; thence east and parallel with said north right-of-way line a distance of 420.00 feet to a point; thence south and parallel with the east right-of-way line of Keystone Avenue to the north right-of-way line of Kessler Boulevard, East Drive; thence east with said north right-of-way line to the west line of Riddle Manor Addition; thence north with the west line of Riddle Manor Addition to the place of beginning.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication according to law.

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

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO. 11, 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 the point of intersection of the east right-of-way line of Keystone Avenue and the northwesterly right-of-way line of Allisonville Road; thence southwesterly with said right-of-way line of Allisonville Road extended across Keystone Avenue and continuing southwesterly with the northwesterly right-of-way line of Allisonville Road, otherwise known as Fall Creek

Parkway, and being the present corporation line of the City of Indianapolis, to its intersection with the center line of the State Fair Grounds Bridge (Thirty-Ninth Street Bridge), as produced northwest; thence southeasterly along said bridge center line and the present corporation line of the City of Indianapolis to the westerly right-of-way line of Sutherland Avenue; thence northeasterly with the present corporation line of the City of Indianapolis to the northeast property line of Caroline Avenue as extended northwest; thence southeast with the present corporation line of the City of Indianapolis to the northwest corner of Lot 23 in Highway Park Addition; thence northeasterly with the present corporation line of the City of Indianapolis to the center line of the first alley east of Eastern Avenue; thence north with the center line of said alley produced north to the center line of Sutherland Avenue; thence northeasterly with the center line of Sutherland Avenue and the present corporation line of the City of Indianapolis a distance of 551.15 feet, more or less, to a point; thence southeasterly with the present corporation line of the City of Indianapolis a distance of 700 feet to a point; thence northeasterly with the present corporation line of the City of Indianapolis a distance of 674.74 feet to a point; thence northerly with the present corporation line of the City of Indianapolis to the north property line of 42nd Street; thence southeasterly with the north property line of 42nd Street to the west line of the area annexed to the City of Indianapolis by Special Ordinance No. 10, 1952; thence northwesterly with the present corporation line of the City of Indianapolis to the center line of Sutherland Avenue, otherwise known as Millersville Road; thence northeasterly with the center line of Sutherland Avenue, otherwise known as Millersville Road, to the northeasterly line of Deauville Estates Addition and of Lot 93 of Hammond Estates Addition extended southeasterly to said center line; thence northwesterly with said extended line and along the northeasterly line of said Lot 93 and of said Deauville Estates Addition and along the northeasterly line of Deauville Estates Addition extended northwesterly across Fall Creek to the north right-of-way line of Fall Creek Parkway North Drive as extended across Parker Avenue; thence westerly with the meandering curving north property line of Fall Creek Parkway North Drive and said line extended across all intersecting streets to the west property line of Temple Avenue, formerly known as Vauxhall Drive; thence north with the west property line of Temple Avenue to its intersection with the southeasterly right-of-way line of Allisonville

Road; thence northwesterly at a right angle across Allisonville Road to the northwesterly line thereof, being also the present corporation line of the City of Indianapolis; thence southwesterly with the present corporation line of the City of Indianapolis 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 Health

ORDINANCES ON SECOND READING

Mr. Schumacher called for General Ordinance No. 43, 1954 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Radel, General Ordinance No. 43, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 43, 1954, was read a third time by the Clerk and FAILED TO PASS by the following roll call vote:

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

Noes 6, viz: Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Wallace, Mr. Wicker, President Bright.

Mr. Wicker called for General Ordinance No. 68, 1954 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Radel, General Ordinance No. 68, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 68, 1954 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. 78, 1954 for second reading. It was read a second time.

Mr. Radel presented the following motion to amend General Ordinance No. 78, 1954:

Indianapolis, Ind., June 21, 1954

Mr. President:

I move that General Ordinance No. 78, 1954 be amended by striking out the words "Plymouth Plaza" in line three; the words "Plymouth Plaza" in line four of Section 1; the words "Plymouth Plaza" in line one of the description set out under Requisition No. 8563 and inserting in lieu thereof the following:

the word "Chevrolet."

GLENN W. RADEL,
Councilman.

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.

On motion of Mr. Radel, seconded by Mr. Wicker, General Ordinance No. 78, 1954, As Amended, was or-

dered engrossed, read a third time and placed upon its passage.

General Ordinance No. 78, 1954, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Eltzroth called for General Ordinance No. 79, 1954 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Wicker, General Ordinance No. 79, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79, 1954 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. Ehlers called for General Ordinance No. 80, 1954 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, General Ordinance No. 80, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 80, 1954 was read a third time by the Clerk and passed by the following roll call vote:

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

Noes 1, viz: Mr. Wallace.

Mr. Ehlers called for General Ordinance No. 81, 1954 for second reading. It was a read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, General Ordinance No. 81, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 81, 1954, 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. Ehlers called for General Ordinance No. 82, 1954 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, General Ordinance No. 82, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 82, 1954 as 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. 83, 1954 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 83, 1954 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 83, 1954 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, 1954 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Ehlers, Special Ordinance No. 10, 1954 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 10, 1954 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.

MISCELLANEOUS BUSINESS

Mr. Wicker made a motion that since the Indianapolis transit strike is settled, the committee appointed at the meeting of June 7th to investigate said strike, be dismissed at this time.

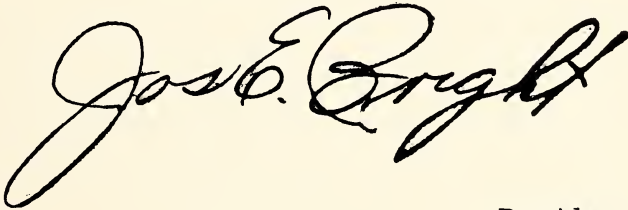
The motion was seconded by Mr. Wallace and carried by the unanimous voice vote of the Council.

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On motion of Mr. Ehlers, seconded by Mr. Radel, the Common Council adjourned at 8:00 P.M. CST.

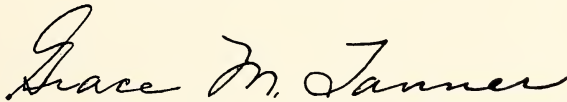
We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 21st day of June, 1954, at 6:30 P.M. CST.

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.

