

REGULAR MEETING.

COUNCIL CHAMBER,
CITY OF INDIANAPOLIS,
February 20, 1893. }

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, February 20th, at 8 o'clock, in regular meeting.

Present, Hon. Martin J. Murphy, President of the Common Council, in the chair, and 14 members, viz: Messrs. Allen, Colter, Cooper, Gasper, Laut, Linn, McGuffin, Puryear, Rassmann, Ryan, Schmidt, Schrader and Young.

Absent, 7—viz: Messrs. Costello, Froschauer, Gauss, Halloran, McGill, Sherer and White.

The Proceedings of the Common Council for the regular meeting held Monday, February 6, 1893; having been printed and placed upon the desks of the Councilmen, said Journal was approved as published.

The Clerk proceeded to read the Journal, whereupon Councilman Colter moved that the further reading of the Journal be dispensed with.

Which motion prevailed.

REPORTS FROM OFFICIAL BOARDS.

DEPARTMENT OF PUBLIC WORKS.
OFFICE OF THE BOARD,
INDIANAPOLIS, February 17, 1893. }

To the Honorable Martin J. Murphy, President Common Council, City of Indianapolis:

SIR—We beg to submit for the consideration of the Common Council "An ordinance regulating the collection, keeping, storing and handling and licensing the removal by contract of kitchen garbage, night soil, ashes and other refuse matter,

whether animal or vegetable, etc., repealing conflicting ordinances and providing a penalty for violation thereof."

Very respectfully,

A. W. CONDUITT,

A. SCHERRER,

M. M. DEFREES,

Board of Public Works.

Which was received and ordered spread on the minutes.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business the following entitled ordinances were introduced :

By Board of Public Works, through President Murphy :

G. O. No. 5, 1893. An ordinance regulating the collecting, keeping, storing, handling, and licensing the removal by contract of kitchen garbage, night soil and other refuse matter, whether animal or vegetable, and regulating the cleaning of sidewalks on all improved streets, alleys or public highways; providing a penalty for the violation thereof, repealing conflicting ordinances and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, as follows: The words "kitchen garbage," where used in this ordinance, shall be held to mean any and every accumulation of vegetable matter, liquid or solid, that is received from kitchens, and also decayed or unsound matter, such as vegetables or fruits. The words "night soil" to mean the contents of privy vaults, cesspools, dry wells, sinks, or other material giving off noxious odors, whether animal or vegetable, liquid or solid, other than that received from kitchens. The word "ashes" to mean the waste products of combustion of any material, sweepings, papers, dirt, or other accumulations not giving off noxious odors.

SEC. 2. It shall be unlawful for any person, firm, or corporation to throw, cast or deposit any dead animal, garbage, or noxious refuse matter of any kind whatever, upon the banks of, or into any stream of water flowing into the City of Indianapolis, at any point within ten miles of the corporate limits thereof; or into, or on, any gutter, sewer, manhole, street, alley, public place or vacant lot within said city.

SEC. 3. It shall be the duty of every tenant, lessee, or occupant of every dwelling, tenement house, lodging house, hotel, restaurant or boarding house, or other person or persons, firm or corporation, on whose premises garbage or offal collects, to provide and at all times to keep within such building, or on the lot on which such building is erected, suitable and sufficient boxes, barrels or tubs, with covers thereto, for receiving and holding, without leakage, and without being filled to within four inches of the top, all the garbage that may accumulate on the premises between the times of collection, as hereinafter specified; and all such boxes, barrels or tubs shall be placed at all times in such places as to be readily accessible for removal and emptying, and where they shall not be a public nuisance, as upon a public street, alley or highway, and no person, unless authorized for that purpose by contract or license, shall interfere with them or the contents thereof.

All ashes, or material other than garbage, as defined in Section 1 in this ordinance, shall at all times be placed in a separate covered receptacle, and be readily accessible for emptying or removal, and be placed within the building or within the confines of the lot on which the building is situated.

SEC. 4. All garbage, night soil, or matter giving off noxious odors shall be hauled through the public streets of the city in air tight vessels or wagons. All ashes and refuse matter not giving off noxious odors must be hauled in water tight wagons or vessels. The top may be open, but when hauling the contents shall be covered with tarpaulin or any suitable cover, and the contents must not, in any event, be allowed to be scattered by the wind, or be spilled upon any public street, alley or highway within the City of Indianapolis, or upon any public highway before reaching its destination.

Carts, wagons or vessels used in the collection of garbage or noxious matters, when not in use, must be kept in some place where no needless offense shall be given to any resident of the city.

SEC. 5. All sweepings from stores or sidewalks located on any improved street shall be deposited in a closed receptacle and placed so as to be readily accessible for removal. Such sweepings must be deposited in such receptacle before the hour of 8:30 A. M., and after the contents are removed by the contractor the occupants of such store shall remove the receptacle.

SEC. 6. All persons, firms or corporations engaged in collecting and hauling garbage, night soil, ashes and other refuse matter through the streets, alleys or public highways of the City of Indianapolis must provide carts or wagons that will not allow the contents of the wagon or cart to be sifted, spilled, or to fall upon such street, alley or highway, and must provide wagons or carts with sideboards high enough to prevent the overflow or jolting off of any of the contents of such wagon or cart.

SEC. 7. It shall be unlawful for any person engaged in the business of hauling garbage, night soil, ashes and other refuse matter, as enumerated in Section 1 of this ordinance, to fail to comply with the terms of his contract.

SEC. 8. It shall be the duty of the Department of Public Safety and health officers to see that the provisions of this ordinance are complied with, and it shall be the duty of the health officers, under the Board of Health and Charities, to see that no garbage is left or permitted to remain in or on the premises of the residents of the city, and to enforce all penalties that may be prescribed in any contract entered into with any person on the part of the city for the proper removal and disposal of all garbage, night soil, ashes and other refuse matter.

SEC. 9. Any person violating any of the provisions of this ordinance shall be fined in any sum not less than one dollar nor more than one hundred dollars.

SEC. 10. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SEC. 11. This ordinance shall be published one day each week for two consecutive weeks in the *Indianapolis Sentinel*, a daily newspaper printed and published in said city, and shall take effect and be in full force on and after the first day of May, 1893.

Read first time and referred to Committee on Health.

By Mr. Linn:

G. O. No. 6, 1893. An ordinance requiring the Lake Erie & Western and Louisville, New Albany & Chicago Railway Companies to station and maintain a flagman at the intersection of said companies' tracks with Clyde street in the City of Indianapolis, Indiana.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, Indiana, That the Lake Erie & Western and Louisville, New Albany & Chicago Railway Companies be and are hereby required to station and maintain a flagman at the intersection of their tracks with Clyde street, in the City of Indianapolis, Indiana, the same to be done within ten days from the date of the passage of this ordinance. Said flagman shall be a man over the age of twenty-one years, and his

duty shall be to warn all persons on foot or in vehicles of the approach of all trains on the tracks of said railway companies at said crossing, between the hours of seven o'clock A. M. and six o'clock P. M. of each and every day except Sundays. Said companies are required to provide said flagman with a red flag for use in daylight and a red lantern for use at night. Every day said railway company or companies shall fail or refuse to comply with all the provisions of this ordinance, the company so failing shall be liable to a fine not exceeding five dollars, on complaint of any citizen before the police judge of the City of Indianapolis, Indiana, and each day's failure on the part of said railway company or companies to comply with all the provisions of this ordinance shall be a separate offense.

SEC. 2. This ordinance shall take effect and be in force from and after its passage and publication for one day each week for two consecutive weeks in the *Indianapolis Sentinel*, a daily newspaper of general circulation printed and published in the City of Indianapolis, Marion County, Indiana.

Read first time and referred to Committee on Railroads.

By Mr. Sherer, through Mr. Rassmann :

G. O. No. 4, 1893. An ordinance to change the name of Leland street to Blake street.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis Indiana, That pursuant to the authority vested by Section 23 of the act approved March 6, 1891, commonly called the City Charter, that the name of Leland street, the same being the name of the street which begins at Indiana avenue and extends north to Pratt street, the same being a continuation of Blake street, all in the City of Indianapolis, be and the same is hereby changed to Blake street.

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

Read a first time and referred to the Committee on Sewers, Streets and Alleys.

By Mr. Young :

G. O. No. 7, 1893. An ordinance to amend Section 13 of G. O. No. 27, 1886, the same being an ordinance regulating the licensing of peddlers in the City of Indianapolis, ordained and established June 14, 1886; repealing conflicting ordinances, providing for publication, and fixing the time when the same shall take effect.

SECTION 1. Be it ordained by the Common Council of the City of Indianapolis, That Section 13 of G. O. No. 27, 1886, the same being an ordinance regulating the licensing of peddlers in the City of Indianapolis, ordained and established June 14, 1886, be amended to read as follows:

"Section 13. It shall be unlawful for any person, firm or corporation to sell any goods, wares or merchandise of any nature whatsoever by stationing himself, or itself, upon any street, alley or public place in the City of Indianapolis."

SEC. 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication once each week for two consecutive weeks in the *Sentinel*, a daily newspaper printed and published in the City of Indianapolis.

Read a first time, and referred to the Committee on Sewers, Streets and Alleys.

MISCELLANEOUS BUSINESS.

President Murphy offered the following :

INDIANAPOLIS, February 20, 1893.

To the Honorable Members of the City Council of the City of Indianapolis—Greeting:

At a meeting of the Progress Club Sunday afternoon, the following resolutions were adopted and are hereby submitted for your consideration :

WHEREAS, A petition is before the Board of Public Works for granting a franchise to a new street railroad company; and,

WHEREAS, The charter of the Citizens Street Railroad Company will expire in a few years; therefore, be it

Resolved, That in the opinion of the Progress Club no new franchise should be granted, but steps should be taken to enable the city to carry on its own street railroad service; and, be it further

Resolved, That we request of the legislature the passage of such amendment to Section 13 of the State Constitution as will enable municipalities to establish and operate their own public utilities, such as water works, gas works, electric lighting plants, telephone and street car plants.

The Nationalist Club sometime since prepared an amendment to the article of the constitution quoted embodying the spirit of the above resolutions, and the same is now in the hands of a legislative committee.

Which was read and referred to the Committee on Legislation.

ORDINANCES ON SECOND READING.

Mr. Young moved that the following ordinance be called from the Committee on Sewers, Streets and Alleys :

G. O. No. 50, 1892. An ordinance providing for a license upon vehicles drawn upon the streets of the City of Indianapolis, Indiana, regulating the construction and dimensions of tires to be used on such vehicles and providing penalties for the enforcement of the same.

The ayes and nays being called for by Messrs. Ryan and Schrader.

The roll was called which resulted in the following vote :

AYES 10—viz: Councilmen Allen, Cooper, Gasper, Puryear, Rassmann, Ryan, Schmidt, Young and President Murphy.

NAYS 4—viz: Councilmen Laut, Linn, McGuffin and Schrader.

Mr. Ryan moved that G. O. No. 50, 1892, be referred to the Committee on Finance.

Mr. Cooper moved to lay Mr. Ryan's motion on the table.

The ayes and nays being called for by Messrs. Ryan and Schrader.

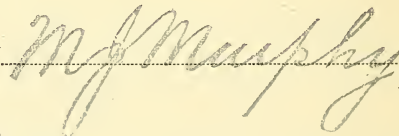
The roll was called, which resulted in the following vote :

AYES 7—viz: Councilmen Allen, Cooper, Gasper, Linn, Puryear, Rassmann and Young.

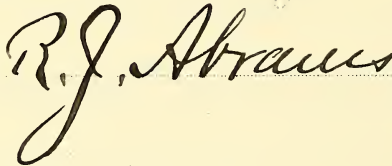
NAY 7—viz: Councilmen Colter, Lant, McGuffin, Ryan, Schmidt, Schrader and President Murphy.

Thereupon G. O. No. 50, 1892, was referred to the Finance Committee.

On motion of Mr. Rassmann, the Common Council, at 9 o'clock P. M., adjourned.


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President.

ATTEST :


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City Clerk.