

REGULAR MEETING

Monday, December 5th, 1960, 7:30 P.M.

The Common Council of the City of Indianapolis, met in the Council Chamber in the City Hall, Monday, December 5th, 1960 at 7:30 P.M., in regular session. President Wallace in the chair.

The Clerk called the roll.

Present: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

The reading of the Journal for the previous meeting was dispensed with on motion of Mrs. Spoerle seconded by Mr. Huber.

COMMUNICATIONS FROM THE MAYOR

November 23, 1960

TO THE HONORABLE PRESIDENT AND 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. Teresa Laffey, the following City Ordinances.

APPROPRIATION ORDINANCE NO. 27, 1960

An Ordinance appropriating the sum of Twenty-two Thousand Five Hundred Dollars (\$22,500.00), from the unexpended Gaso-

line Tax Appropriation, to certain specific items and funds in the Department of Public Works created by virtue of the 1960 Budget, General Ordinance No. 75, 1959, as Amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 28, 1960

An Ordinance appropriating the sum of Three Thousand Dollars (\$3,000.00), from the anticipated, unexpended and unappropriated 1960 balance of the General Fund of the City of Indianapolis to a certain designated item and fund in the Office of City Clerk of the City of Indianapolis, created by virtue of the 1960 Budget, General Ordinance No. 75, 1959, as Amended, declaring an emergency and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 29, 1960

An Ordinance appropriating the sum of Twenty-two Thousand Dollars (\$22,000.00), from the anticipated, unexpended and unappropriated 1960 balance of the General Fund of the City of Indianapolis to a certain designated item and fund in the Department of Finance, City Controller, created by virtue of the 1960 Budget, General Ordinance No. 75, 1959, as Amended, declaring an emergency and fixing a time when the same shall take effect.

SPECIAL RESOLUTION, 1960

WHEREAS, the Board of Public Works of the City of Indianapolis, has represented and shown to this council that the new City-County Building does not have facilities for the maintenance and repair of city equipment and motor vehicles and that the present Municipal Garage is in need of expansion, and

WHEREAS, the Elmore Agency, as agent for Immanuel Methodist Church, has submitted a proposition to the City to sell a portion of Lot No. 1 in Square 39 of the donation lands of the City of Indianapolis, the same being a tract of ground rectangular in shape, measuring 120 feet by 67.6 feet, situated at the southwest corner of East New York Street and North New Jersey Street, in the City of Indianapolis, for the sum of Twenty-five Thousand Dollars (\$25,000.00).

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

Section 1. That the Common Council of the City of Indianapolis now determines the desirability of the purchase of the real estate described in the proposition from the Elmore Agency as agent for Immanuel Methodist Church.

Section 3. That the Common Council of the City of Indianapolis, directs the Board of Public Works to proceed with the acquisition of said real estate in accordance with the laws thereto pertaining.

SPECIAL ORDINANCE NO. 49, 1960

An Ordinance annexing certain contiguous territory of the City of Indianapolis, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 50, 1960

An Ordinance annexing certain contiguous territory of the City of Indianapolis, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 55, 1960

An Ordinance annexing certain contiguous territory of the City of Indianapolis, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 56, 1960

An Ordinance annexing certain contiguous territory of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 87, 1960

An Ordinance authorizing the City of Indianapolis to make a temporary loan not to exceed the sum of Four Million Dol-

lars (\$4,000,000.00), for the use of the general fund of the City of Indianapolis as needed during the six months period beginning January 2, 1961, and ending no later than June 30, 1961, in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; empowering the controller to issue tax anticipation warrants to evidence such loan at such time and amount and for such duration as needed, providing for the legal notice of sale, and the time when said loan shall mature; and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 88, 1960

An Ordinance authorizing the City of Indianapolis to make a temporary loan for the General Fund of the Department of Public Parks in the amount of Five Hundred Thousand Dollars (\$500,000.00), for the purpose of carrying on the functions of said Department; said loan to be made in anticipation of and payable out of the current taxes of said Department of Public Parks actually levied for the general fund of the Department of Public Parks and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period; providing for the interest to be charged therefor; providing for legal notice of temporary loan sale and the time when the said loan shall mature; and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 89, 1960

An Ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thirty Thousand Dollars (\$330,000.00), for the use of the Board of Trustees of the Indianapolis Police Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes for the Indianapolis Police Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 90, 1960

An Ordinance authorizing the City of Indianapolis to make a temporary loan in the amount of Three Hundred Thousand Dollars (\$300,000.00), for the use of the Board Trustees of the Indianapolis Firemen's Pension Fund of the City of Indianapolis, in anticipation of and payable out of the current taxes from the Indianapolis Firemen's Pension Fund actually levied for said fund, and in the course of collection for the fiscal year in which said loan is made payable; to be borrowed at such times and in such amounts as is needed during said period; and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 91, 1960

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, and more particularly Title 4, Chapter 8, Section 4-838 thereof, by the addition of a subsection thereto prohibiting parking between 8:00 A.M. and 9:00 A.M. except Saturdays, Sundays and holidays on certain designated streets between certain designated points, and by the further addition of a subsection to Section 4-839, prohibiting parking between 3:00 P.M. and 4:00 P.M. except Saturdays, Sundays and holidays, on certain designated streets, between certain designated points, providing for a penalty for violation of same and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 93, 1960

An Ordinance to amend the Municipal Code of Indianapolis, 1951, Special Ordinance No. 140, 1951, as Amended, and more particularly Title 4, Chapter 8, Section 4-821 (a), and Section 4-834, by the addition of subsection thereto prohibiting parking on certain designated streets between certain designated points at certain designated times, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 94, 1960

An Ordinance to amend the Municipal Code of Indianapolis, 1951, the same being General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-819 thereof, by the

addition thereto of Subsection 85 prohibiting the stopping, standing or parking of vehicles on certain streets in the City of Indianapolis between the hours of 4:00 P.M. to 6:00 P.M. inclusive, except on Saturdays and Sundays, and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 95, 1960 (As Amended)

An Ordinance to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4 thereof, by the addition thereto of Chapter 18 providing for the determination of snow emergencies, determining snow emergency routes, restricting parking thereon, providing a penalty for the violation of same, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 96, 1960

An Ordinance authorizing the Board of Public Safety of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, certain supplies to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,

CHARLES H. BOSWELL
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

December 5, 1960

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Times and the Indianapolis Commercial, on Fri-

day, November 25th, 1960 and again on Friday, December 2, 1960, Special Ordinances Nos. 49, 50, 55, and 56, 1960.

The above named Ordinances will be in full force and effect thirty days after the last date of publication and compliance with all laws pertaining thereto.

Respectfully,

CITY OF INDIANAPOLIS

TERESA F. LAFFEY
City Clerk

December 5, 1960

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial and the Indianapolis Times, on Friday, November 25th, 1960, General Ordinances Nos. 91, 93, 94, and 95, 1960.

The above named ordinances will be in full force and effect eight days after date of publication and compliance with all laws pertaining thereto.

Respectfully yours,

CITY OF INDIANAPOLIS

TERESA F. LAFFEY
City Clerk

December 5, 1960

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

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Times and the Indianapolis Commercial a "Notice to Taxpayers" regarding Appropriation Ordinance No. 30, 1960, that said ordinance would be brought before the Council on December 5, 1960, and hearings were set for that date.

Notices of the above were posted ten days prior to the date of the hearing in the Court House, Police Station and City Hall.

Respectfully yours,

CITY OF INDIANAPOLIS

TERESA F. LAFFEY,
City Clerk

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 98, 1960, establishing a certain passenger and/loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and fixing a time when the same shall take effect.

Ryan Auto Parts Company, Inc., 602 E. Washington St.

Respectfully submitted,

AUGUST C. HUBER
Councilman

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 99, 1960, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 6, Section 4-602 thereof, by the addition thereto of subsection 134 prescribing the movement of vehicular traffic on Madison Avenue, and fixing a time when the said amendment shall take effect.

Respectfully submitted,

R. A. McKINNEY
Councilman

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 100, 1960, establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and fixing a time when the same shall take effect.

Stillerman Electric Supply Company, Inc., 1001 Union Street

Respectfully submitted,

AUGUST C. HUBER
Councilman

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 101, 1960, to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-834 thereof, by the addition of subsection 22 thereto prohibiting parking between the hours of 6:00 A.M. to 9:00 A.M., inclusive except Saturdays and Sundays, between certain points on the West Side of College Avenue, and fixing a time when the same shall take effect.

Respectfully submitted,

R. A. McKINNEY
Councilman

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 102, 1960, and more particularly Title 4, Chapter 8, Section 4-812 thereof, by the addition of sub-sections 380 and 381 thereto, prohibiting parking at all times on certain designated streets, namely 21st and 22nd Streets, between certain designated points and fixing a time when the same shall take effect.

Respectfully submitted,

R. A. McKINNEY
Councilman

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

Transmitted herewith are twenty-eight copies of General Ord-

nance No. 103, 1960, relating to Examination and Occupational Licensing and Regulation of Professional Bale Bondsmen, requiring affidavit of financial ability, taking of finger prints, authorization of the Board of Public Safety to conduct all investigations in connection therewith and revocation and suspension of licenses and providing for penalties for violation hereof.

Respectfully submitted,

WILLIAM H. WILLIAMSON
Councilman

December 5, 1960

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

Gentlemen:

Transmitted herewith are thirty-five copies of Resolution No. 9, 1960, requesting permission from the Common Council, by the Board of Trustees of the Town of Speedway to Annex certain territory to the Town of Speedway.

Respectfully submitted,

WILLIAM H. WILLIAMSON
Councilman

Mrs. Spoerle asked for recess. The motion was seconded by Mr. Huber and the Council recessed at 7:55 P.M.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 30, 1960; Special Ordinances Nos. 57, 58, and 63, 1960.

The Council reconvened at 8:05 P.M. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., December 5, 1960

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. 30, 1960, entitled

AN ORDINANCE appropriating the sum of Thirty Thousand One Hundred Nineteen Dollars (\$30,119.00) from the Raymond Street Bridge Fund (Board of Works) to the City Controller's Bond Sinking Fund,

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

WM. H. WILLIAMSON, Chairman
R. A. MCKINNEY
MARY M. SPOERLE
AUGUST C. HUBER
DANIEL P. MORIARTY

Indianapolis, Ind., December 5, 1960

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 Special Ordinance No. 57, 1960, entitled

AN ORDINANCE annexing certain contiguous property to the City of Indianapolis—103 acres at Arlington Ave. between 46th and 56 Street,

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

WM. H. WILLIAMSON, Chairman
R. A. MCKINNEY
MARY M. SPOERLE
AUGUST C. HUBER
DANIEL P. MORIARTY

Indianapolis, Ind., December 5, 1960

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 Special Ordinance No. 58, 1960, entitled

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis—90.86 acres between 52nd Place and 56th, and between Moonlight Drive and Banbury Road,

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

WM. H. WILLIAMSON, Chairman
R. A. MCKINNEY
MARY M. SPOERLE
AUGUST C. HUBER
DANIEL P. MORIARTY

Indianapolis, Ind., December 5, 1960

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. 63, 1960, entitled

AN ORDINANCE authorizing the Board of Public Works of the

City of Indianapolis to sell certain real estate belonging to the City of Indianapolis,

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

AUGUST C. HUBER, Chairman
WM. H. WILLIAMSON
DANIEL P. MORIARTY
ED FEATHERINGILL
DAN V. WHITE

Indianapolis, Ind., December 5, 1960

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

Gentlemen:

We, your Committee on Public Parks to whom was referred General Ordinance No. 97, 1960, entitled

AN ORDINANCE eliminating the requirements of safety gates at the Railroad Crossing at Leota Street,

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

DANIEL P. MORIARTY, Chairman
R. A. McKINNEY
AUGUST C. HUBER
THOMAS HASBROOK
ED FEATHERINGILL

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Huber:

GENERAL ORDINANCE NO. 98, 1960

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of

the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, 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 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 the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as Amended, Section 4-1001, 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) Beginning at a point 25 feet east of the east curb line of Park Avenue and extending a distance of 25 feet eastward along the north curb of East Washington Street for the use and occupancy of the Ryan Auto Parts Company, Inc., 602 E. Washington 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 Law & Judiciary.

By Councilman McKinney:

GENERAL ORDINANCE NO. 99, 1960

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 6, Section 4-602 thereof, by the ad-

dition thereto of subsection prescribing the movement of vehicular traffic on Madison Ave., 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 Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended be amended, be, and the same is hereby amended by the addition thereto of subsection No. 134 as follows, to-wit:

	Street	From	To	Direction Traffic Shall Move
134	Madison Ave.	Norwood St.	South St.	Northbound

Section 2. That any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, Indiana, 1951, as amended.

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 Huber:

GENERAL ORDINANCE NO. 100, 1960

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, 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 occu-

pants of certain premises fronting on certain 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 the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, Section 4-1001, 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) Beginning at a point 25 feet east of the east curb line of Union Street and extending eastward a distance of 60 feet along the south curb of Ray Street for the use and occupancy of the Stillerman Electric Supply Company, Inc., 1001 Union 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 Elections.

By Councilman McKinney:

GENERAL ORDINANCE NO. 101, 1960

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-834 thereof, by the addition of subsection 22 thereto prohibiting parking between the hours of 6:00 A.M. to 9:00 A.M. inclusive excepting Saturdays and Sundays and fixing a time when the same shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-834 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the addition of subsection 22 thereto as follows, to-wit:

Street	Side	From	To
22 College Ave.	West	100' north of the north curb line of 42nd Street	200' north of the north curb line of 42nd Street

subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended.

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 pertinent thereto.

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

By Councilman McKinney:

GENERAL ORDINANCE NO. 102, 1960

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 4, Chapter 8, Section 4-812 thereof, by the addition of sub-sections 380 and 381 thereto, prohibiting parking at all times on certain designated streets between certain designated points, and fixing a time when the same shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-812 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be and the same is hereby amended by the addition of sub-sections 380 and 381 thereto as follows, to-wit:

	Street	Side	From	To
380	22nd St.	Both	College Ave.	Martindale Ave.
381	21st St.	Both	Sherman Drive	Emerson Ave.

subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended.

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 Parks.

By Councilman Williamson:

GENERAL ORDINANCE NO. 103, 1960

AN ORDINANCE relating to Examination and Occupational Licensing and Regulation of Professional Bail Bondsmen, requiring affidavit of financial ability, taking of fingerprints, authorization of the Board of Public Safety to conduct all investigations in connection therewith and revocation and suspension of licenses and providing for penalties for violation hereof.

WHEREAS, the Common Council of the City of Indianapolis recognizes the primary purpose of bail is, and always has been, the retention of control over the defendant to the end that justice might be administered, and

WHEREAS, said Common Council recognizes the existence of Professional Bail Bondsmen doing business in the City of Indianapolis and believes it to be in the best interests of the public that its welfare, safety, convenience, and necessity may be best conserved and that certain abuses and hazards of the occupation may be avoided by licensing and regulation thereof, and fixing a time when the same shall take effect.

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

Sec. 1 Definition.

Professional Bail Bondsmen, shall, for the purpose of this Ordinance, mean every individual conducting, proposing or engaged in the bail bond business in connection with criminal judicial proceedings who as surety principal or agent or as an individual or who under power of attorney assumes the obligation to execute bail and who receives or is promised money or other things of pecuniary value therefor.

(a) A Runner shall mean any person employed by a Bail Bondsman for the purpose of presenting the defendant in Court or assisting Bail Bondsmen in apprehension and surrender of defendant to the Court or keeping defendant under surveillance, run errands, and do odd jobs such as answering the telephone, bookkeeping, picking up cancelled bonds, but in no event shall the Runner solicit Bail Bond business or execute bail bonds. This does not affect the right of a Bail Bondsman to employ counsel or to hire Private Detectives, or to ask law enforcement officers for assistance.

Sec. 2. Issuance and Renewal of License.

The Board of Public Safety shall have full power and authority to administer the provisions of this Ordinance; and to that end, to adopt, promulgate and enforce Rules and Regulations necessary and proper to effectuate and enforce the purposes and provisions of this Ordinance; provided, that before such Rules and Regulations are passed, each licensed Bail Bondsman that would be affected by such Rules and Regulations or changes thereof shall be notified in writing ten (10) days prior thereto, and a time and place should be set where such changes, rules, and regulations shall be discussed openly with the Licensed Bail Bondsmen in order that their interests and views may be heard and considered.

(a) No license shall be issued except in compliance with this Ordinance and none shall be issued except to an individual. No firm, partnership, associations, or corporations, as such, shall be licensed, but may employ licensed agents or bail bondsmen.

(b) The Board of Public Safety shall not issue nor renew, nor permit to exist, any license for any individual deemed to be untrustworthy or incompetent, or who has not established to

the satisfaction of the Board that he is qualified therefor in compliance with the Ordinance, and the Board may conduct any reasonable inquiry or investigation it sees fit, relative to the determination of the applicant's fitness to be licensed or to continue to be licensed.

(c) All licenses issued shall expire annually on the 1st day of January of each year unless revoked or suspended prior thereto by the Board of Public Safety.

(d) A renewal of license may be issued by the Board of Public Safety upon receipt of written application on forms provided by said Board to any licensee who has continuously maintained his license in effect without further examination and upon payment of license fee as hereinafter provided, but such licensee shall in all respects be required to comply with and be subject to the provisions of this Ordinance.

Sec. 3. License Compulsory.

No individual or person shall act in the capacity of a Professional Bail Bondsman or Runner, or perform any of the functions, duties, or powers prescribed for Professional Bondsmen or Runners herein unless that individual or person be qualified and licensed as provided for in this Ordinance.

Sec. 4 Qualifications for Professional Bail Bondsman License.

The issuance of any Professional Bail Bondsman license in accordance with this Ordinance shall be subject to the following conditions and qualifications:

(a) Application for qualification for Professional Bail Bondsmen shall be submitted on forms provided by the Board of Public Safety.

(b) To qualify as a Professional Bail Bondsman it must affirmatively appear:

1. Applicant is a natural person who has reached the age of twenty-one (21) years.

2. Applicant is a citizen of the U.S. and has been a bona fide and continuous resident of the State of Indiana for a period of one (1) year last past.

3. Applicant will actively engage in the bail bond business on a full time basis.

4. Applicant has knowledge, experience, or instruction in the bail bond business or has been engaged as a licensed Runner for a period of one (1) year within the past two (2) years, or has held a valid all lines Fire and Casualty Agent's license for one (1) year within the past two (2) years or he has been employed by a company or business engaged in writing bail bonds in which field he has specialized for at least one (1) year of the past two (2) years.

5. Applicant can be vouched for and recommended upon sworn statement by at least three (3) reputable citizens who are residents of Marion County, Indiana.

6. Applicant shall be a person of good moral character and integrity.

7. Applicant shall not have been convicted of a felony. However, the Board may reserve the right to investigate, review, and rule on each case.

8. Applicant shall have his finger-prints taken at the Identification Bureau of the Indianapolis Police Department and shall file documentary proof of same with his application along with a recent bust photograph size $1\frac{1}{2}'' \times 1\frac{1}{2}''$.

Sec. 5. Financial Statement Requirement.

In addition to the application for qualification for Professional Bail Bondsman license, applicant must furnish to the Board a detailed financial statement under oath reflecting the rating plan he will use in writing bail bonds and must furnish a copy of any Power of Attorney authorizing him as agent to execute bail bonds.

(a) Applicant shall file a verified statement listing all real

estate owned by him in Marion County and the State of Indiana, listing the street address, legal description, county in which recorded giving Deed Record number and page number, the current assessed value, the date and from whom title acquired, the purchase price and how paid, that property is not encumbered, and if married, disclose wife's interest or title, if he intends to use said real estate as collateral in his Bail Bond Business.

Sec. 6. Bail Bond Forfeiture.

Licensee shall report all forfeiture of bail bond to the Board of Public Safety within ten (10) days from date of rendering judgment of forfeiture on forms prescribed by the Board.

Sec. 7. Application or Affidavits Notarized.

All applications and affidavits in connection with and material to effecting or obtaining any license herein shall be made under oath before a Notary Public, and any material mis-statement on the application form by applicant shall be cause to deny license or to revoke license.

Sec. 8. Application Fee.

A fee of 25.00 Dollars shall be submitted to the Board of Public Safety with each application which shall be used by the Board to defray the costs of conducting investigation and administrative costs.

(a) **License Fee.** The Bail Bondsman License Fee shall be 75.00 Dollars payable at the time the license is issued.

Sec. 9. License Display.

Professional Bail Bondsmen and Runners shall display their licenses in conspicuous places where the license can be observed at all times.

Sec. 10. Qualifications for Runner's License.

The issuance of any Runner's license in accordance with this Ordinance shall be subject to the following conditions and qualifications:

(a) Application for qualification for Runner shall be submitted on forms furnished by the Board of Public Safety.

(b) To qualify as a Runner it must affirmatively appear:

1. Applicant is a natural person who has reached the age of 21 years.

2. Applicant is a citizen of the U.S. and has been a bona fide and continuous resident of the State of Indiana for a period of one (1) year last past.

3. Applicant can be vouched for and recommended upon sworn statement by at least three (3) reputable citizens who are residents of Marion County, Indiana.

4. Applicant shall be a person of good moral character and integrity.

5. Applicant shall not have been convicted of a felony. However, the Board may reserve the right to investigate, review and rule on each case.

6. Applicant shall have his fingerprints taken at the Identification Bureau of the Indianapolis Police Department and shall file documentary proof of same with his application along with a bust photograph size $1\frac{1}{2}'' \times 1\frac{1}{2}''$.

Sec. 11. Supervision of Runner.

A Runner shall be employed by a Professional Bail Bondsman who will supervise the work of applicant and be responsible for the Runner's conduct and Runner's application must be endorsed by his employer who shall supervise Runner's activities in his behalf.

Sec. 12. Application Fee.

A fee of Ten Dollars (\$10.00) shall be submitted with each application which shall be used by the Board to defray the cost of conducting investigation and administrative costs. If the application is approved, license may be issued without additional cost.

Sec. 13. Restrictions (Soliciting and Rebating Prohibited).

No Professional Bail Bondsman or Runner shall:

1. Suggest or advise the employment of or name for employment of any particular attorney, law firm, or association of attorneys to represent his principal.

2. Solicit business in or about any place where prisoners are confined.

3. Pay a fee or rebate or give or promise anything of value to any City employee, or any person who has the power to arrest or to hold in custody, or to any public official or public employee in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond or forfeiture thereof. However, this section does not preclude the right of Bondsman or Runner to employ the services of of an attorney.

4. Pay a fee or rebate or give anything of value to any attorney, law firm, or association of attorneys in bail bond matters, except in defense of any action on a bond, or to prosecute an action to recover loss occurring out of a bail bond forfeiture.

5. Participate in the capacity of an attorney at a trial or hearing of one on whose bond he is surety or agent for the surety.

Sec. 14. Receipts for Collateral of Bailee.

When a Bail Bondsman accepts collateral on bail security, he shall give a written receipt for same, which receipt shall itemize in detail a full account of the collateral received which collateral shall be returned to the respective owner on final termination of liability.

(a) A copy of such collateral receipt shall be attached to and accompany the bail bond power or proper document. One copy shall be given to the defendant and one copy shall be attached to and remain a permanent part of the Bail Bondsman's record.

Sec. 15. Persons Not Qualified for License.

The following persons or classes shall not be licensed as Bail

Bondsmen or Runners and shall not directly or indirectly receive any benefits from the execution of any bail bond:

1. Jailers.
2. Any Peace Officer.
3. Any public official or any public employee.

4. No attorney at law and no official authorized to admit to bail, nor any state, city, town, or county official or officer shall become surety on any bail bond, except in cases of need for such surety in his respective immediate family.

5. A Bail Bondsman shall not sign nor countersign in blank any bond for bail, nor shall he give Power of Attorney to, or otherwise authorize anyone to countersign his name to bonds unless the person so authorized is a licensed Bondsman, directly employed by the Bondsman giving such power or authority.

Sec. 16. Recommendation of Bondsman.

It shall be unlawful for an employee of the City of Indianapolis or any Peace Officer having power of arrest to directly or indirectly recommend a Professional Bail Bondsman to any person being held in custody.

Sec. 17. Licensed Bondsmen List.

The Board of Public Safety shall cause to be posted in the Turnkey's Office and in plain view of persons in custody to see, and in such other places in the City Jail where needed to permit persons to see it who are seeking the services of a Bail Bondsman a sign made of white cardboard with black lettering (size 8½"×10½") listing the names, addresses, and telephone numbers of all licensed Bail Bondsmen. Said signs may be placed at such other places as designated by the Courts of Marion County, Indiana.

Sec. 18. Fee Splitting Unlawful.

It shall be unlawful for any licensee hereunder to divide or split fees with anyone who is not registered hereunder as a licensed Professional Bail Bondsman, registered as an agent, or acting under

Power of Attorney of such licensee, provided that no city, county, state or federal employee can act as agent or act under Power of Attorney for such licensee.

Sec. 19. Compensation.

The compensation for any and all forms of Criminal Court bail bonds shall not exceed 10% of the amount of such bond. Any amount received exceeding 10% shall be a violation of this Ordinance and cause for revocation or suspension of the licensee's license. Anything received having an extrinsic or pecuniary value which exceeds 10% of the amount of the bond shall be deemed compensation and a violation of this Ordinance.

Sec. 20. Receipts to Bailee for Bond Premium.

All licensees hereunder shall give receipts to the Bailee showing amount of bond, amount of premium fee, amount of premium fee received, and balance of premium fee due, and shall show the case or cause number and court, and such receipts shall become a part of the permanent records of the licensee and shall be produced and submitted to the Board of Public Safety on demand.

Sec. 21. Revocation or Suspension of License—Appeal.

Any license revoked by the Board of Public Safety shall not be resubmitted for a period of six (6) months from termination date of revocation thereof. Appeals for review of the revocation or suspension of any license hereunder shall be submitted to the Board of Public Safety within ten (10) days from the date of such revocation or suspension of the license.

Sec. 22. Records.

All Professional Bail Bondsmen shall maintain and keep an accurate records of all bail bonds made and executed, which records shall be subject to inspection by the Board of Public Safety at all times and such record shall be submitted to the Board of Public Safety upon demand. These records shall be maintained for a period of three (3) years. The Bail Bondsman records shall contain the following data:

1. The full name and address of the person (defendant) for whom the bond is executed and the full name and address of his employer, if any;

2. The offense with which the defendant is charged;
3. The name of the court or officer authorizing the defendant's admission to bail;
4. The amount of the bond;
5. The amount of the bondsman's charge and premium paid for executing the bond;
6. The manner of payment of such charge;
7. The caption and number of the cause wherein the bond is given;
8. Whether or not the bond has been discharged;
9. The date of any and all forfeitures and the amount of forfeiture, amount paid, date, name of defendant, and the court and number of the cause wherein bond was given.

Sec. 23. Penalty.

Any person violating any of the provisions of this Ordinance shall upon conviction be fined in an amount not exceeding \$500.00 or by imprisonment for a period not exceeding 60 days, or by both such fine and imprisonment for each offense. In addition to the above penalty, any licensee hereunder committing a violation of any of the provisions hereof shall be cause for revocation or suspension of the license of such licensee.

Sec. 24. Publication.

This Ordinance shall be published in booklet form and a copy given to each licensee.

Sec. 25. Constitutionality.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be unconstitutional or ultra vires, such decision shall not effect the validity of the remaining portions of this Ordinance, the Common Council of the City of Indianapolis, Indiana, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase, or

word thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or words be declared unconstitutional or ultra vires.

Sec. 26. Effective Date.

This Ordinance shall be in full force and effect thirty (30) days 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 Finance.

INTRODUCTION OF RESOLUTION

By Councilman Williamson:

RESOLUTION NO. 9

WHEREAS, the Board of Trustees of the Town of Speedway has requested the consent of the Common Council of the City of Indianapolis to the annexation by the Town of Speedway of the tract of land described below, by resolution adopted by said Board November 21, 1960, which resolution has been inserted in the minute book of said Council, NOW, THEREFORE,

BE IT RESOLVED by the Common Council of the City of Indianapolis that it consents to the annexation by the Town of Speedway of said tract of land described as follows:

Sixty (60) acres by parallel line off the North end of the Southeast Quarter of Section 25 in Township 16 North, Range 2 East, Marion County, the said part being more particularly described as follows:

Beginning at the Northeast corner of said Quarter Section; running thence South 00 degrees 40 minutes 30 seconds West upon and along the East line of the said Quarter Section a distance of 981.98 feet to a point; running thence South 90 degrees 00 minutes 00 seconds West a distance of 2656.67 feet to a point

on the West line of the said Quarter Section; running thence North 00 degrees 35 minutes 15 seconds East upon and along the West line of the said Quarter Section a distance of 981.98 feet to the Northwest corner of the said Quarter Section; running thence North 89 degrees 51 minutes 55 seconds East upon and along the North line of the said Quarter Section a distance of 1345.80 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of the said Section 25; running thence South 89 degrees 51 minutes 40 seconds East upon and along the North line of the said Quarter Section a distance of 1312.37 feet by measurement (1314.00 feet by plat) to the place of beginning.

President

Attest:

Clerk

I hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Common Council of the City of Indianapolis of the _____ day of _____, 1960.

Clerk

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

ORDINANCES ON SECOND READING

Mr. Williamson called for Appropriation Ordinance No. 30, 1960 for second reading. It was read a second time.

On motion of Mr. Williamson, seconded by Mrs. Spoerle, Appropriation Ordinance No. 30, 1960 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 30, 1960 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

Mr. Williamson called for Special Ordinance No. 58, 1960 for second reading. It was read a second time.

On motion of Mr. Williamson, seconded by Mrs. Spoerle, Special Ordinance No. 58, 1960 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 58, 1960 was read a third time by the Clerk and passed for the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

Mr. Williamson called for Special Ordinance No. 57, 1960 for second reading. It was read a second time.

Mr. Williamson presented the following written motion to amend Special Ordinance No. 57, 1960, to-wit:

Indianapolis, Ind., December 5th, 1960

Mr. President:

I move that Special Ordinance No. 57, 1960, be amended by strik-

ing out of Section 1, line 22, the figures 874.18 feet and inserting in lieu thereof the following: 854.15 feet.

WILLIAM H. WILLIAMSON, Councilman

Which was seconded by Mrs. Spoerle and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

On motion of Mr. Williamson, seconded by Mrs. Spoerle, Special Ordinance No. 57, 1960, as amended, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 57, 1960, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

Mr. Huber called for Special Ordinance No. 63, 1960 for second reading. It was read a second time.

On motion of Mr. Huber, seconded by Mrs. Spoerle, Special Ordinance No. 63, 1960 was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 63, 1960 was read a third time by the Clerk and passed for the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

Mr. Moriarty called for General Ordinance No. 97, 1960, for second reading. It was read a second time.

On motion of Mr. Moriarty, seconded by Mrs. Spoerle, General Ordinance No. 97, 1960 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 97, 1960 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

OLD BUSINESS

Mr. Williamson called for Special Resolution, 1960, requesting the Indiana General Assembly to enact legislation which will enable the President of the City Council to succeed the Mayor in the event a vacancy occurs in the office of Mayor during his term, which was submitted by Councilman Hasbrook on July 6, 1960 and has been held in committee since that date. It was read a second time.

Mr. Hasbrook presented the following written motion to amend Special Resolution, 1960, to-wit:

Indianapolis, Ind., December 5th, 1960

Mr. President:

I move that Special Resolution 1960 be amended by striking out in line 2 of paragraph 1, the words "the president". In Section 1 line 4 the words "president of the" and the word "would" and inserting in lieu thereof the following: In paragraph 1, line 2, the words "a member". In line 4, Section 1, the words "will elect one of its members."

THOMAS C. HASBROOK, Councilman

Which was seconded by Mr. Featheringill and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

On motion of Mr. Hasbrook, seconded by Mrs. Spoerle, Special Resolution, 1960, as amended, was ordered engrossed, read a third time and placed upon its passage.

Special Resolution, 1960, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Featheringill, Mr. Hasbrook, Mr. Huber, Mr. McKinney, Mr. Moriarty, Mrs. Spoerle, Mr. White, Mr. Williamson, President Wallace.

NEW BUSINESS

The meeting this evening was attended by 39 Boy Scouts from Troop 83, accompanied by Mrs. Crafton Griffin, Scoutmaster, Mr. A. J. Williams for Troop No. 83, and Mr. Terrence Williams, Round Table Committee Chairman. All of these boys are working for their Civic in Community badges and three boys for merit badges to finish Eagle Scouting.

Also attending and working for a Citizens badge in Community are the following members of Scout Troops 88 and 422: Roland Staib, Randy Keller, Brad Keller, Rick Anderson, Steve Lamar, Paul Ford, William Chatlin, Dan Osborn, Charles Lunsford, Lewis Beckwith, Don Erath, Roger Whann, Steve Bird, Steve Weber, John Hillery. These boys were accompanied by Mr. James Carson, Merit Badge Counsel; Mr. Walter Ford, Scoutmaster for Troop 88, and Mr. Charles Lunsford, Committeeman for Troop 422.

Mr. Featheringill made a motion to adjourn which was seconded by Mrs. Spoerle, and the Council adjourned at 8:30 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 5th day of December, 1960, 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.

Joseph C. Wallace

ATTEST:

President

Teresea G. Rappley

(SEAL.)

City Clerk