

REGULAR MEETING

Monday, April 4, 1966, 7:30 P.M.

The regular meeting of the Common Council of the City of Indianapolis was held in the Council Chambers of the City-County Building on Monday, April 4, 1966 at 7:30 P.M.

Vice-President Moriarty in the Chair.

The Clerk called the roll.

Present: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Absent: President Wallace who was ill.

Upon motion of Mr. Kuykendall, seconded by Mr. Deluse, the reading of the minutes of the previous meeting was dispensed with.

Vice-President Moriarty called for the reading of Communications from the Mayor and other City Officials.

COMMUNICATIONS FROM THE MAYOR
AND CITY OFFICIALS

March 25, 1966

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. Angeline Allstatt, the following City Ordinances:

GENERAL ORDINANCE NO. 21, 1966

An Ordinance to require The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, St. Louis Division, (operated by The New York Central Railroad Company) to install automatic flashing light signals at the Harding Street crossing of the tracks of said company in the City of Indianapolis, Indiana, repealing all ordinances or parts of ordinances in conflict therewith, providing penalties for the violation thereof and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 28, 1966

An Ordinance authorizing the Board of Public Works 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.

GENERAL ORDINANCE NO. 29, 1966

An Ordinance prohibiting abandonment of vehicles; restricting the disposition or keeping of wrecked, non-operating, or discarded vehicles; and imposing penalties.

Respectfully submitted,
JOHN J. BARTON,
Mayor

March 25, 1966

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. Angeline Allstatt, the following City Ordinance:

GENERAL ORDINANCE NO. 26, 1966

An Ordinance to prohibit possession, sale, exhibition or distri-

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bution of obscene literature, pictures, or other material in the City of Indianapolis, Marion County, Indiana, to children under the age of 18 years.

Respectfully submitted,
JOHN J. BARTON
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

Indianapolis, Indiana, April 4, 1966

TO THE HONORABLE 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 News and the Indianapolis Commercial on March 18 and March 25, 1966 General Ordinance No. 27, 1966.

Also caused to be published pursuant to the laws of the State of Indiana 'Notice to Taxpayers' of Public Hearings on Appropriation Ordinances No. 12, No. 13, No. 14, No. 15, No. 16, No. 17, and No. 18, 1966 in the Indianapolis News and the Indianapolis Commercial, on March 25 and again on April 1, 1966.

Respectfully submitted,
ANGELINE ALLSTATT
City Clerk

Indianapolis, Indiana, April 4, 1966

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 19, 1966 appropriating the sum of \$8,575.00 from the anticipated, unexpended and unappropriated balance on the Rede-

velopment District General Fund to Fund 1—Services-Personal of the Department of Redevelopment, and fixing a time when the same shall take effect.

Respectfully submitted,
A. O. DELUSE
Councilman

Indianapolis, Indiana, April 4, 1966

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 20, 1966, appropriating the sum of Two Thousand Seventy-Two Dollars (\$2,072.00) from the anticipated, unexpended and unappropriated balance of the General Fund of the City of Indianapolis to Fund 2-Services Contractual of the Human Rights Commission, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,
A. O. DELUSE
Councilman

Indianapolis, Indiana, April 4, 1966

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 21, 1966, transferring the sum of \$1,000.00 (One Thousand Dollars) from Fund 2-Services, Contractual to Fund 7-Properties of the Legal Department, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,
A. O. DELUSE
Councilman

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Indianapolis, Indiana, April 4, 1966

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

Gentlemen:

Transmitted herewith are twenty-eight copies of Appropriation Ordinance No. 22, 1966, transferring the sum of Five Thousand Six Hundred Twenty-Five Dollars (\$5,625.00) within the Department of Public Works, Civil City Engineer, for the purpose of creating the position of Right-of-way Negotiator, declaring an emergency and fixing a time when the same shall take effect.

Respectfully submitted,
A. O. DELUSE
Councilman

Indianapolis, Indiana, April 4, 1966

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. 35, 1966 amending the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1952, as amended, and more particularly Title 5, Chapter 30, thereof, by the deletion and repeal of Section 5-3001 and fixing a time when said amendment shall take effect.

Respectfully submitted,
R. THOMAS McGILL
Councilman

Indianapolis, Indiana, April 4, 1966

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. 36, 1966 amending the Municipal Code of Indianapolis,

1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 5, Chapter 1, thereof, by the addition of a new Section 5-105, and fixing a time when said amendment shall take effect.

Respectfully submitted,
R. THOMAS McGILL
Councilman

Indianapolis, Indiana, April 4, 1966

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. 37, 1966, authorizing the Board of Public Works, Municipal Garage, of the City of Indianapolis to purchase through its duly authorized Purchasing Agent, a certain service to be paid for out of funds heretofore appropriated or available, and fixing a time when the same shall take effect.

Respectfully submitted,
R. THOMAS McGILL
Councilman

Indianapolis, Indiana, April 4, 1966

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

Genlemen:

Transmitted herewith are twenty-eight copies of General Ordinance No. 38, 1966 providing for the licensing of wrecking operations, providing a penalty for the violation of same, and fixing a time when the Ordinance shall take effect.

Respectfully submitted,
MAX E. BRYDENTHAL
Councilman

Upon motion of Mr. Deluse, seconded by Mr. Kuykendall, the Council recessed at 7:55 P.M. for Committee Hearings.

At that time those present were permitted to be heard on Appropriation Ordinances No. 12, No. 13, No. 14, No. 15, No. 16, No. 17 and No. 18, 1966 and General Ordinances No. 30, No. 31, No. 32, No. 33 and No. 34, 1966.

The Council reconvened at 9:10 P.M.

Vice-President Moriarty called for the reading of Committee Reports.

COMMITTEE REPORTS

Indianapolis, Ind., April 4, 1966

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. 12, 1966, entitled

APPROPRIATING the sum of \$304,000.00 from the Park General Fund to Fund 71 in the Park Department

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

A. O. DELUSE, Acting Chairman
R. THOMAS McGILL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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. 13, 1966, entitled

APPROPRIATING and transferring the sum of \$15,000.00 from City Market General Fund to Fund No. 25 . . . \$14,000.00 and Fund No. 26 . . . \$1,000.00.

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

A. O. DELUSE, Acting Chairman
R. THOMAS McGILL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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. 14, 1966, entitled

APPPROPRIATING and transferring \$93,000.00 from the Motor Vehicle Highway Fund to Fund 72 . . . Equipment in the Street Commissioner Department.

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

A. O. DELUSE, Acting Chairman
R. THOMAS McGILL
JAMES L. CUMMINGS

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Indianapolis, Ind., April 4, 1966

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. 15, 1966, entitled

APPROPRIATING from City General Fund \$1,451.00 and transfer from Building Commissioner Fund 11 . . . \$1,841.50 to Fund 11—Legal Department to create position of Condemnation Attorney at \$3,292.00.

beg leave to report that we have had said ordinance under consideration and recommend that the same be held until April 18, 1966.

DANIEL P. MORIARTY, Chairman

Indianapolis, Ind., April 4, 1966

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. 16, 1966, entitled

CREATING two positions in Mayor's Office.

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

DANIEL P. MORIARTY, Chairman

Indianapolis, Ind., April 4, 1966

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. 17, 1966, entitled

TRANSFERRING the sum of \$1,000.00 from Fund No. 24 to Fund 72 . . . Equipment in the Office of the City Clerk to equip City Council Library.

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

A. O. DELUSE, Acting Chairman
R. THOMAS McGILL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 30, 1966, entitled

AUTHORIZING purchase of 2 Dump Trucks, Pressure gun and Concrete sealer . . . \$22,562.00 in City Civil Engineer Department.

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

R. THOMAS McGILL, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS

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Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 31, 1966, entitled

AUTHORIZING the Street Commissioner to purchase . . . Snow Plow . . . \$5,484.00.

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

R. THOMAS McGILL, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 33, 1966, entitled

DELETION AND REPEAL of sub-section prohibiting parking any time on certain streets . . . Morris Street both sides from Kentucky Avenue to Belt R.R.

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

R. THOMAS McGILL, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Works to whom was referred General Ordinance No. 34, 1966, entitled

PROHIBITING parking at all times on . . . Morris Street both sides from Kentucky Avenue to Indianapolis Union Railroad Underpass.

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

R. THOMAS MCGILL, Chairman
RUFUS C. KUYKENDALL
JAMES L. CUMMINGS

Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Parks to whom was referred Appropriation Ordinance No. 18, 1966, entitled

TRANSFERRING from Fund 11 by increasing anticipated vacancies, \$2,700.00, reducing Fund 25—\$1,000.00 and Fund 31—\$2,500.00 Park Department and increasing Fund 11—\$2,200.00 creating position of Director of Recreation and Yard Parks, increasing Fund 24—\$2,000.00 and Fund 36—\$2,000.00.

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

MAX E. BRYDENTHAL, Chairman
JAMES L. CUMMINGS
RUFUS C. KUYKENDALL

Indianapolis, Ind., April 4, 1966

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

Gentlemen:

We, your Committee on Elections to whom was referred General Ordinance No. 32, 1966, entitled

PROHIBITING parking from 6:00 to 9:00 A.M. and 3:00 to 6:00 P.M. on . . . Concord Street west side from 10th Street to 16th Street.

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

HAROLD J. EGENES, Chairman
JAMES L. CUMMINGS
A. O. DELUSE

Vice-President Moriarty called for introduction and first reading of new ordinances.

INTRODUCTION OF NEW ORDINANCES

APPROPRIATION ORDINANCE NO. 19, 1966

Introduced by Councilman Deluse:

AN ORDINANCE appropriating, transferring and allocating the sum of \$8,575.00 from the anticipated, unexpended and unappropriated balance of the Redevelopment District General Fund and transferring the same to certain funds in the Department of Redevelopment and creating the position of Codes Enforcement Coordinator, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, in the City of Indianapolis certain ordinances and codes are in effect pertaining to health, sanitation, fire prevention, buildings and minimum standards for housing, and

WHEREAS, investigation and enforcement under these various ordinances and codes are vested primarily in the Bureau of Fire Prevention, Bureau of Buildings, and the Health & Hospital Corporation of Marion County, and

WHEREAS, it would be in the public interest and for the public health, safety, and welfare to coordinate the activities of the Bureau of Fire Prevention, Bureau of Buildings, and the Health & Hospital Corporation of Marion County, in the area of code investigation and enforcement in the City of Indianapolis,

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

Section 1. There is hereby created in the Department of Redevelopment the offices of Codes Enforcement Coordinator and Asst. Codes Enforcement Coordinator.

Section 2. The Codes Enforcement Coordinator shall coordinate the code inspection and enforcement activities of the Bureau of Fire Prevention, Bureau of Buildings, and the Health & Hospital Corporation of Marion County, by maintaining a current file of code violation notices and orders issued by the Bureau of Fire Prevention, Bureau of Buildings, and the Health & Hospital Corporation of Marion County, and by preparing coordinating, and activating plans to ascertain whether code violation notices and orders have been complied with.

Section 3. That the anticipated, unexpended and unappropriated balance of the Redevelopment District General Fund be, and the same is, reduced in the following amount, to-wit:

REDUCE:

Unexpended and unappropriated Redevelopment District

General Fund, Anticipated Balance -----\$8,575.00
and said amount is transferred therefrom, appropriated and allocated to the following items and funds, to-wit:

INCREASE:

DEPARTMENT OF REDEVELOPMENT

Redevelopment Fund

1. SERVICES PERSONAL

11. Salaries and Wages, Regular

Codes Enforcement Coordinator -----	\$4,390.00
Asst. Codes Enforcement Coordinator -----	4,185.00
	<hr/>
	\$8,575.00

Section 4. That 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.

APPROPRIATION ORDINANCE NO. 20, 1966

Introduced by Councilman Deluse:

AN ORDINANCE appropriating the sum of Two Thousand Seventy-Two Dollars (\$2,072.00) from the anticipated, unexpended and unappropriated balance of the General Fund of the City of Indianapolis to certain designated items in Fund 2 in the Human Rights Commission, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing Annual Budget, and certain monies appropriated for certain accounts of the Human Rights Commission are insufficient to meet current needs of the Department;

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

Section 1. That the sum of Two Thousand Seventy-Two Dollars (\$2,072.00) from the anticipated, unexpended and unappropriated balance of the General Fund of the City of Indianapolis, is hereby set apart and appropriated out of said fund as follows:

REDUCE: TAX LEVY

Unexpended and Unappropriated City General Fund,

Anticipated Balance -----\$2,072.00
and said amount is transferred therefrom, appropriated and allocated to the following items:

INCREASE: TAX LEVY

HUMAN RIGHTS COMMISSION

2. SERVICES—CONTRACTUAL

21. Communication and Transportation -----	\$1,962.00
24. Printing and Advertising -----	110.00
	\$2,072.00

Section 2. This appropriation is necessary due to an under-estimation of expenses for postage and printing in the 1966 Budget.

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

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

APPROPRIATION ORDINANCE NO. 21, 1966

Introduced by Councilman Deluse:

AN ORDINANCE transferring, reappropriating and reallocating the sum of One Thousand Dollars (\$1,000.00) from a certain spe-

cific, designated item and fund in the Legal Department of the City of Indianapolis, to a certain other designated item and fund in the same Department, created by virtue of the 1966 Budget, General Ordinance No. 100, 1965, as amended, declaring an emergency and fixing a time when the same shall take effect.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing Annual Budget, and certain monies appropriated for certain accounts of the Legal Department are insufficient to meet current needs of the Department, and

WHEREAS, certain existing appropriations for said department now have unobligated balances which will not be needed for the purpose for which appropriated;

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

Section 1. That a certain item and fund specifically budgeted in the Legal Department be and the same is hereby reduced in the following amount, to-wit:

LEGAL DEPARTMENT

REDUCE: TAX LEVY

2. SERVICES—CONTRACTUAL

24. Printing and Advertising -----\$1,000.00 and said amount is transferred therefrom, reappropriated and re-allocated to the following item and fund:

INCREASE: TAX LEVY

7. PROPERTIES

72. Equipment ----- \$1,000.00

Secton 2. The above appropriation is of an emergency nature due to the necessity of providing legal reference materials and law reports and equipment to carry out the functions of the Legal Department.

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

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

APPROPRIATION ORDINANCE NO. 22, 1966

Introduced by Councilman Deluse:

AN ORDINANCE transferring, reappropriating and reallocating the sum of Five Thousand Sixty Hundred Twenty-Five Dollars (\$5,625.00) from certain designated funds in the Department of Public Works, Civil City Engineer to other designated funds in the same department, and fixing a time when same shall take effect.

WHEREAS, the Department of Public Works has and will continue to expand its program of street and thoroughfare improvement, and

WHEREAS, said Department could not heretofore anticipate the need for expanded right-of-way negotiations to accomplish the improvement of streets and thoroughfares, and

WHEREAS, said additional right-of-way purchases require the skill and talents of a competent right-of-way negotiator, and

WHEREAS, the position of right-of-way negotiator should be created in the Department of Public Works, under the City Civil Engineer,

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

Section 1. That the sum of Five Thousand Six Hundred Twenty-Five Dollars (\$5,625.00) now held in the following items and fund in the Department of Public Works, Civil City Engineer, according to the 1966 Budget, General Ordinance No. 100, 1965, be and the same is hereby reduced as follows:

DEPARTMENT OF PUBLIC WORKS
CIVIL CITY ENGINEER

REDUCE: TAX LEVY

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

(By adjusting the allowance for anticipated vacancies \$5,625.00

and said amount is transferred therefrom, appropriated and allocated to the following item and fund:

INCREASE: TAX LEVY

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

1 Right-of-way Negotiator (at \$7500.00 per year) \$5,625.00

Section 2. This transfer and reappropriation is for the purpose of creating the position of Right-of-way Negotiator.

Section 3. This Ordinance shall be retroactive to April 1, 1966.

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

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

GENERAL ORDINANCE NO. 35, 1966

Introduced by Councilman McGill:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 5, Chapter 30, thereof, by the deletion and repeal of Section 5-3001, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 5, Chapter 30, Section 5-3001 of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the deletion and repeal thereof of said Section 5-3001, as follows:

5-3001. This title not construed to empower bureau of fire prevention to enforce laws or regulations under jurisdiction of bureau of buildings. Nothing contained in this title shall be deemed or construed to give any power and/or authority to the chief of the fire department and/or chief of the bureau of fire prevention to enforce any provision and/or requirement of this code or of any ordinance and/or law which is under the jurisdiction of the bureau of buildings and/or which is required to be enforced by the bureau of buildings by provisions contained elsewhere in this code, or laws or ordinances of the city, and said chief of the fire department and/or chief of the bureau of fire prevention, and every representative and/or employee thereof, shall not enforce and/or attempt to enforce any provision and/or requirement of any such ordinance and/or law, except when such ordinance and/or law specifically provides that some provision thereof is to be enforced by said chief of the fire department and/or said chief of the bureau of fire prevention.

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

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

GENERAL ORDINANCE NO. 36, 1966

Introduced by Councilman McGill:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 5, Chapter 1, thereof, by the addition of a new section 5-105, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 5, Chapter 1, Section 5-105, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended to read as follows:

5-105. Inspection of buildings. It shall be the duty of the chief of the fire department to inspect, or cause to be inspected, by members and/or officers of the fire department or bureau of fire prevention, as often as may be necessary and at least once a year, all buildings and premises for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or explosion, or any violation of the provisions or intent of any law or ordinance of the city affecting fire hazards or safety of occupants. Premises as above mentioned shall be construed to include public streets, alleys and roads as well as yards whether enclosed or not which surround said buildings. When any of the following conditions are found by the inspector, he shall order the same to be removed or remedied by those responsible for such correction:

(a) Combustible or explosive matter, or dangerous accumulations of waste paper, boxes, shavings or any highly-inflammable materials so situated as to endanger property, or;

(b) the finding of obstructions to or on fire escapes, stairs, elevators, passageways, doors or windows, liable to interfere with the operation of the fire department or egress of occupants in case of fire or explosion, or;

(c) the finding of recognized hazards, practices and conditions which might cause loss of life or property.

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

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

GENERAL ORDINANCE NO. 37, 1966

Introduced by Councilman McGill:

AN ORDINANCE authorizing the Board of Public Works of the

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

BOARD OF PUBLIC WORKS
MUNICIPAL GARAGE

Reqn. No. R-7636—Base Bid for Car Wash
9,000 cars (more or less) -----\$10,350.00

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

GENERAL ORDINANCE NO. 38, 1966

Introduced by Councilman Brydenthal:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, and more particularly Title 8 thereof, by the addition of Chapter 15 thereto; providing for the licensing of wrecking operations, providing a penalty for the violation of same, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 8, of the Municipal Code of Indianapolis, 1951, General Ordinance No. 140, 1951, as amended, be amended by the addition thereto of the following Chapter 15, as follows:

Chapter 15 — WRECKING OPERATIONS:

8-1501 WRECKING OPERATION: Wrecking operations shall include demolishing, disassembling, dismantling, dismembering, razing and removing of buildings or structures.

8-1502 WRECKING PERMITS: A wrecking permit shall be obtained before the removal of all buildings and structures except for frame buildings of not more than nine hundred (900) square feet floor area. No permit will be issued for wrecking buildings and structures unless the application is signed by the owner of the property or verified by affidavit authorizing the wrecking contractor to secure permit for the demolition of the building or structure referred to in statements contained in the application.

8-1503 LICENSE REQUIRED: No person, partnership, firm or corporation shall contract to wreck or engage in the business of wrecking buildings or other structures without a license from the Commissioner of Buildings authorizing the holder thereof to carry on or engage in such business. The license permit shall not be transferable to allow sub-contracting.

8-1504 ISSUANCE OF LICENSES: The Commissioner of Buildings is hereby empowered to issue licenses to wreck or demolish buildings and other structures.

8-1505 Application shall be made on a form furnished for that purpose and shall be accompanied by affidavit that the applicant or someone employed by him in a supervisory capacity has been engaged in the business of wrecking buildings or structures for a period of one (1) year. The Commissioner shall also require each new applicant for a wrecking contractor's license to pass a written examination establishing in a manner satisfactory to the Commissioner

that the applicant has the necessary knowledge of the ordinance provisions relating to wrecking, the principles and practices of wrecking operations and the obligations of a licensed wrecking contractor.

8-1506 Wrecking Contractor's licenses shall be classified as follows:

- (A) Class A License authorizes the holder thereof to wreck all types of buildings and structures including wood frame, masonry, steel frame and reinforced concrete buildings and structures of unlimited height.

- (B) Class B License authorizes the holder thereof to wreck wood frame and solid masonry buildings and structures not exceeding three (3) stories of fifty (50) feet in height.

8-1507 BOND AND INSURANCE: No wrecking contractor's license shall be issued until the applicant has delivered a surety bond in the amount of thirty thousand dollars (\$30,000.00) conditioned on the faithful performance of the provisions of this and other applicable laws and ordinances, and saving and protecting the City of Indianapolis harmless from any and all damages to private property and to pay for any and all damages to public property that may arise from the use of any of its streets, alleys, boulevards or other public places in the wecking of buildings and other structures. Provided further, that the applicant shall also file with the Commissioner of Buildings a public liability and property damage insurance policy naming the applicant and the City of Indianapolis as the assured and providing for the payment of any liability imposed by law on such applicant and/or the City of Indianapolis to the extent of not less than fifty thousand dollars (\$50,000.00) for injury or death, or any one person, and not less than one hundred thousand dollars (\$100,000.00) for injuries to or death of more than one person and for damage to property in the amount of not less than twenty-five thousand dollars (\$25,000.00); and provided further, that the applicant submits a satisfactory insurance policy with evidence to the effect that he is covered by workmen's compensation insurance covering any and all wrecking operations. The policies of insurance shall contain a provision for a continuing liability thereunder to the full amount thereof notwithstanding any recovery thereon. Any insurance company whose policy or policies have been so filed pur-

suant to this section shall file written notice in the office of the Commissioner of Buildings of its intention to terminate and cancel such policy or policies and give notice thereof to the licensee, whereupon the Commissioner of Buildings shall cause the wrecking contractor's license of the person, firm, partnership, or corporation affected thereby to become null and void until such time as new policies of insurance as prescribed in this section are presented to the Commissioner of Buildings. Every license issued under the provisions of this ordinance shall expire December 31 of the year issued.

8-1508 Every license issued under the terms of this ordinance shall state the location of the main office.

8-1509 No permit for the wrecking, dismembering, disassembling and dismantling of any building or other structure shall be issued except to a person, partnership, firm or corporation licensed under the provisions of this ordinance, provided that a permit may be issued for the wrecking of a minor building or structure, as hereinbefore defined or to the wrecking or removal of fifty (50) per cent or less of any building or structure incidental to or necessary in connection with the repair, alteration or enlargement of such building or structure.

9-1510 FENCES OR BARRICADES: Fences or barricades shall be required for buildings and structures adjacent to street and alley lines. For buildings not exceeding twenty-two (22) feet high, such fence shall not be less than seven (7) feet from the building. For buildings exceeding twenty-two (22) feet in height, the fence shall not be less than nine (9) feet from the building. These fences or barricades shall not be less than six (6) feet in height, and shall be built of three-quarters ($\frac{3}{4}$) inch boards, laid tight together and securely fastened to four (4) inch by four (4) inch uprights, set not over four (4) feet apart with two (2) inch by six (6) inch bracing and girts. The posts shall be securely set and braced to prevent buckling or overturning.

8-1511 The fence shall be continued past each end of the building a distance equal to the required distance from the face of the building and returned back to the property line at each end, but no such fence shall extend beyond the lot line of the property upon which the building is located without the consent of the adjoining owner. Wherever the fence cannot be continued past the end of the building

the required distance, a sidewalk cover, or other effective protection shall be provided to guard the public from falling materials. These fences may be omitted where the building is not over thirty-five (35) feet high or is set back twenty (20) feet from the street or alley line. However, no fence or barricade would be required for a family dwelling.

8-1512 For buildings over thirty-five (35) feet in height similar fences may be used if fifteen (15) feet or more from the building except that the boards on such fence shall be nominal two (2) inch plank. In the storage of material, erection of fences or barricades, care shall be taken to leave fire hydrants easily accessible.

8-1513 SIDEWALK BRIDGES: Bridges or sidewalk covers shall be provided over all sidewalks or alleys in all cases where it is not permissible to use a fence as required. The cover or bridge for sidewalks, streets or alleys shall not be less than seven (7) feet from the exterior wall of the building. The frame of the bridge shall be designed to carry at least one hundred fifty (150) pounds per square foot and the top deck shall be designed to carry not less than two hundred fifty (250) pounds per square foot. Nominal two (2) inch planking shall not span more than three (3) feet. The roof of the bridge shall be made water-tight and suitable provision shall be made for lighting the walk under the bridge by means of at least fifty (50) watt electric lights placed twelve (12) feet on center. The clear ceiling height above the sidewalk under the bridge shall not be less than eight (8) feet six (6) inches except the lower ends of knee braces which shall be located not less than six (6) feet six (6) inches above the sidewalk.

8-1514 The inner wall of the bridge shall be sheathed with nominal two (2) inch plank from the sidewalk to the top of the bridge. A substantial two (2) inch plank barricade not less than four (4) feet high shall be provided on the outer edge of the roof, well braced posts shall be knee braced in both directions by two (2) by six (6) pieces at an angle of forty-five (45) degrees, or other equally effective methods. Posts may be set directly on concrete sidewalks, but should there be no concrete sidewalk, suitable mud sills and stringers shall be provided for posts and a temporary tight two (2) inch plank sidewalk for full width of bridge provided for its full length. There shall be no handrails or other obstruction on the outer edge of the bridge. When desired, an iron or structural steel bridge may be constructed in place of the wooden bridge herein speci-

fied, but such steel bridge shall be of equivalent strength and dimension and shall be subject to the approval of the Department in each case.

8-1515 Before a building or structure can be wrecked, the owner, wrecking company or person who has applied for the permit shall give notice thereof in writing by registered or certified mail to all public and private utilities maintaining facilities within or appurtenant to the building in the City of Indianapolis, including, but not limited to water, steam, electricity, gas, sewage and communications. Said utilities thus notified shall within ten (10) days of receipt of said certified or registered mail, furnish to applicant statements in writing that said utility will take care of same.

8-1516 All roof structures, all signs and other exterior appurtenances shall be removed before wrecking operations are started.

8-1517 The wrecking company, or persons who secures the permit for the razing of the structure, will be held responsible for the compliance with these regulations and other laws and ordinances covering the subject. The methods to be used in wrecking shall not involve undue hazards to the public or unnecessary danger to the workmen and shall be in accordance with good practice. All persons actively engaged in wrecking operations on the job site shall wear a safety hard hat. Suitable provision shall be made for the disposal of materials which are accumulated during the wrecking operations. No part of the structure shall be overloaded by excessive storage of materials which in their removal would cause any excessive amount of dust shall be well wet down to prevent the creation of a nuisance. No open fires or other sources of flame except necessary cutting torches will be permitted on the inside of the building which is being wrecked, or in close proximity to flammable materials outside of the building, and every precaution shall be taken to prevent the possibility of fire.

8-1518 Blasting and use of explosives shall be done only by a person licensed by the Fire Department to perform such work.

8-1519 The licensed wrecking contractor or a competent employee in his employ shall be present at the site while wrecking operations are in progress.

8-1520 The requirements of this section are designated as the minimum necessary for average conditions and in the case of unusual or dangerous situations, adequate provision shall be made and every precaution taken to protect the safety of the public and workmen. All abandoned basements or cellars and holes shall be filled to grade, and all excess materials, rubbish and debris shall not be permitted to remain on the premises above grade. The Fire Department shall be notified before removing standpipes, sprinklers or fire protection water supplies.

8-1521 If any section of this ordinance is declared unconstitutional, it is not to invalidate any other sections or provisions of the ordinance.

This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication as required by law.

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

ORDINANCES ON SECOND READING

Mr. Deluse, Acting Chairman of the Finance Committee, called for a second reading of Appropriation Ordinance No. 12, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. McGill, Appropriation Ordinance No. 12, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. Deluse called for a second reading of Appropriation Ordinance No. 13, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. Brydenthal, Appropriation Ordinance No. 13, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 7, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Noes 1, viz: Mr. Hasbrook.

Mr. Deluse called for a second reading of Appropriation Ordinance No. 14, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. Kuykendall, Appropriation Ordinance No. 14, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. Deluse called for a second reading of Appropriation Ordinance No. 17, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Deluse, seconded by Mr. Brydenthal, Appropriation Ordinance No. 17, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. McGill called for a second reading of General Ordinance No. 30, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Kuykendall, General Ordinance No. 30, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. McGill called for a second reading of General Ordinance No. 31, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Deluse, General Ordinance No. 31, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. McGill called for a second reading of General Ordinance No. 33, 1966.

The Clerk read the Ordinance for a second time.

Mr. McGill moved, seconded by Mr. Kuykendall, General Ordinance No. 33, 1966 be ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. McGill called for a second reading of General Ordinance No. 34, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. McGill, seconded by Mr. Kuykendall, General Ordinance No. 34, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. Brydenthal called for a second reading of Appropriation Ordinance No. 18, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Brydenthal, seconded by Mr. McGill, Appropriation Ordinance No. 18, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Mr. Egenes called for a second reading of General Ordinance No. 32, 1966.

The Clerk read the Ordinance for a second time.

Upon motion of Mr. Egenes, seconded by Mr. Hasbrook, General Ordinance No. 32, 1966 was ordered engrossed, read a third time and placed upon its passage.

The Clerk read the Ordinance for a third time and it passed on the following roll call:

Ayes 8, viz: Mr. Brydenthal, Reverend Cummings, Mr. Deluse, Mr. Egenes, Mr. Hasbrook, Mr. Kuykendall, Mr. McGill and Vice-President Moriarty.

Vice-President Moriarty called for any Old Business or any New Business.

Mr. Hasbrook introduced Boy Scout Troop 174 with Counselors Mike Downey and Ray Schnorr, Sr.

Scout members present were Patrick Healey, Raymond Schnorr, Jr., Michael Hill, Raul Sarmiento, Jim Krier, Tom Kibler and John Hastings.

Mr. Earl Owens, the lay member of the Council Library Committee, gave a report on progress of the Committee.

Upon motion of Mr. Deluse, seconded by Mr. Kuykendall, the Council adjourned at 9:30 P.M. by unanimous voice vote.

We hereby certify the above and foregoing is a full and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 4th day of April, 1966 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.

Daniel P. Moriarty

ATTEST:

Vice-President

Angeline Allstatt

(SEAL)

City Clerk