

REGULAR MEETING

Monday, March 3, 1941.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, March 3, 1941, at 7:30 p. m. in regular session. President Joseph G. Wood in the chair.

The Clerk called the roll.

Present: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Absent: Mr. Moore.

The reading of the journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Mr. Ross.

COMMUNICATIONS FROM THE MAYOR

February 18, 1941.

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. John M. Layton, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 5, 1941

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

GENERAL ORDINANCE NO. 6, 1941

AN ORDINANCE to amend B-707, B-712 and B-714 of Section 865, known as the Indianapolis Building Code of 1925, of General Ordinance No. 121, 1925, as amended, and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

March 3, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 14, 1941, amending the building code to provide grounds for refusal of permit by Commissioner of Buildings for buildings where proper ingress to building is not provided. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By L. J. Keach,
President

LJK/EHA

March 3, 1941]

City of Indianapolis, Ind.

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March 3, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 15, 1941, prohibiting parking at all times on both sides of West Morris Street for a certain distance both east and west from the property line of the I. & V. Railroad Company. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By L. J. Keach,
President

LJK/EHA

February 17, 1941.

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

Gentlemen:

Attached hereto are copies of General Ordinance No. 16, 1941, providing for the prohibiting and regulating of noises within the City of Indianapolis.

I respectfully recommend the passage of this ordinance.

WALTER E. HEMPHILL,
Councilman.

enc
jw/

February 20, 1941.

Honorable President & Members
of the Common Council,
City of Indianapolis.

Gentlemen:

Attached hereto are twenty copies of Special Ordinance No. 1, 1941, an ordinance changing the names of certain streets and naming certain unnamed public ways in the City of Indianapolis.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer
CITY PLAN COMMISSION

GFR/k

Mr. Ross asked for a recess. The motion was seconded by Mr. Ropkey and the Council recessed at 7:50 p. m.

The Council reconvened at 9:25 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 69, 1940, entitled
Amending Sec. 9 of G. O. 87, 1935, as amended
(Taxistands)

March 3, 1941

City of Indianapolis, Ind.

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee of the Whole to whom was referred General Ordinance No. 8, 1941, entitled

Authorizing the Board of Public Works and Sanitation
to enter into agreement with employees

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

OLLIE A. BACH
HARMON A. CAMPBELL
ALBERT O. DELUSE
DR. WALTER E. HEMPHILL
F. B. RANSOM
ERNEST C. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

February 27, 1941.

Honorable President & Members
of the Common Council,
City of Indianapolis.

Gentlemen:

The City Plan Commission at its regular meeting on January

27, 1941, approved and recommended the passage of General Ordinance No. 9, 1941, an Ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer
CITY PLAN COMMISSION

k/

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 10, 1941, entitled

Amending Sec. 44 of G. O. 96, 1928 (California St. & 46th St.)

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred General Ordinance No. 11, 1941, entitled

Prohibiting parking on certain parks of Oakland, Christian, Davison and Noble Streets at certain times

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 12, 1941, entitled:

“An Ordinance of the City of Indianapolis, Indiana, authorizing the issuance and sale of bonds for the purpose of funding certain obligations of the said city, and matters connected therewith; and fixing a time when the same shall take effect.”

beg leave to report that we have had the said ordinance under consideration, that we have discovered a typographical error in the form of said bonds as provided in Section 3 thereof, that said ordinance should be amended to correct said error, and we recommend that the same be passed as amended.

We recommend that the sentence in Section 3 of General Ordinance No. 12, 1941, reading as follows, to-wit:

“This bond is one of an authorized issue aggregating One Hundred Eighteen Thousand and Fifty-four Hundredths Dollars (\$118,677.54) of like date,” etc.,

be and the same be amended to read as follows, to-wit:

“This bond is one of an authorized issue aggregating

One Hundred Eighteen Thousand Six Hundred Seventy-seven Dollars and Fifty-four Cents (\$118,677.54) of like date," etc.

ERNEST C. ROPKEY
 F. B. RANSOM
 GUY O. ROSS
 OLLIE BACH
 ALBERT O. DELUSE

March 3, 1941.

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

Gentlemen:

We, your Committee on Public Safety to whom was referred
 General Ordinance No. 13, 1941, entitled

Authorizing the purchase of automobiles and motorcycles
 for the Board of Safety and Board of Public Works &
 Sanitation

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

ALBERT O. DELUSE
 ERNEST C. ROPKEY
 F. B. RANSOM
 HARMON A. CAMPBELL

Indianapolis, Ind., March 3, 1941.

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

Gentlemen:

We, your Committee of the Whole to whom was referred Reso-
 lution No. 2, 1941, entitled

Establishment of 40 hour week and collective bargaining for employees of Sanitation Department

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

- OLLIE A. BACH
- HARMON A. CAMPBELL
- ALBERT O. DELUSE
- DR. WALTER E. HEMPHILL
- F. B. RANSOM
- ERNEST C. ROPKEY
- GUY O. ROSS
- JOSEPH G. WOOD

INTRODUCTION OF GENERAL ORDINANCES

By Board of Public Safety:

GENERAL ORDINANCE NO. 14, 1941

AN ORDINANCE to amend Section 865 of General Ordinance No. 121, 1925, as amended, which section is known as the Indianapolis Building Code of 1925, by adding thereto Section A-367; and fixing a time when the same shall take effect.

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

Section 1. That Section 865 of General Ordinance No. 121, 1925, as amended, which section is known as the Indianapolis Building Code of 1925, be amended by adding thereto Section A-367, which section shall read as follows:

SECTION A-367. Entrances Into Buildings for Fire Department. No building for business, commercial, mercantile or manufacturing use (excepting first class buildings used exclusively for storage) hereafter shall be erected, remodeled or rebuilt within the City of Indianap-

olis unless provided at each floor with readily removable or easily broken windows, panels or doors in at least two building walls remote from each other and bordering on streets, alleys or open areaways. Such windows, panels or doors shall have an area in each wall not less than one-half of one per cent of the floor area and never less than twenty (20) square feet for each window, panel or door. These openings are intended for use by the Fire Department in entering or ventilating the building in case of fire. Failure of plans to show approved, readily removable or easily broken windows, panel or doors as required by this section, shall be sufficient grounds for refusal of a building permit, and failure to provide such windows, panels or doors in a building shall subject it to refusal of approval for occupancy.

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

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

By the Board of Public Safety.

GENERAL ORDINANCE NO. 15, 1941

AN ORDINANCE prohibiting parking of vehicles upon part of West Morris Street, a street in the City of Indianapolis, providing a penalty for the violation thereof, 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. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked on part of West Morris Street in the City of Indianapolis described as follows, to-wit:

(a) On both sides of West Morris Street from the east boundary line of the I. & V. Railroad property to a point 105 feet east of the east boundary line of the I. & V. Railroad, and from the west boundary line of the I. & V. Railroad property to a point 557 feet west of the west boundary line of the I. & V. Railroad property.

Section 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

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

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

By Councilman Hemphill:

GENERAL ORDINANCE NO. 16, 1941

AN ORDINANCE to prohibit and regulate noises within the City of Indianapolis, defining violations thereof, declaring a penalty for the violation thereof; 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 it shall be unlawful for any person to emit, create or cause by any device or otherwise, within the City of Indianapolis any unreasonably loud, disturbing and unnecessary noise or any noise of such character, intensity and duration as to be detrimental to the life or health of any individual.

Section 2. The following acts, among others, are declare to be loud, disturbing and unnecessary noises and unlawful, but said enumeration shall not be deemed to be exclusive, namely:

INDIANAPOLIS LAW LIBRARY

- (a) The use of any horn or warning device on any vehicle for any other purpose than as a warning to the approach of the same while in traffic or as a danger signal to other traffic, vehicular and pedestrian.
- (b) The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly between the hours of 11 p. m. and 7 a. m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.
- (c) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort and repose of any person in the vicinity.
- (d) The use of any automobile, motorcycle, street car or vehicle so out of repair, so loaded or in such manner as to create loud or unnecessary grating, grinding, rattling, or other noise.
- (e) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (f) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.
- (g) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same are in session, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
- (h) The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (i) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.

- (j) The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
- (k) The use of mechanical loud speakers or amplifiers on a truck or other moving vehicle for advertising or other purposes, except where a specific permit is received from the Police Department.

Section 3. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding Twenty-five Dollars (\$25.00).

Section 4. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

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

INTRODUCTION OF SPECIAL ORDINANCES

By the City Plan Commission:

SPECIAL ORDINANCE NO. 1, 1941

AN ORDINANCE changing the names of certain streets and naming certain unnamed public ways in the City of Indianapolis, and fixing a time when the same shall take effect.

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

Section 1. That Craft Street from Manker Street to Shelby Street shall hereafter be known and designated as Willow Drive.

Section 2. That Kennington Street from Terrace Avenue to a point 397.6 feet south of Terrace Avenue, and an unnamed street from a point 478.6 feet north of Lincoln Street to Lincoln he hereafter known and designated as Alabama Street.

Section 3. That Alabama Street from Terrace Avenue to Lincoln Street shall hereafter be known and designated as Kennington Street.

Section 4. That Kreber Street from Haughey Street to Sunset Blvd. shall hereafter be known and designated as Berkley Road.

Section 5. That Arthington Blvd. from 37th Street to 38th Street shall hereafter be known and designated as Manor Court.

Section 6. That Manor Court from 37th Street to 38th Street shall hereafter be known and designated as Arthington Blvd.

Section 7. That Huron Street from Emerson Avenue to Whittier Place shall hereafter be known and designated as Lexington Avenue.

Section 8. That North West Street from 15th to 17th Streets shall hereafter be known and designated as Brighton Blvd.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

ORDINANCES ON SECOND READING

Mr. Deluse called for General Ordinance No. 10, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 10, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 10, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 11, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 11, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 11, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Ropkey called for General Ordinance No. 12, 1941, for second reading. It was read a second time.

Mr. Ropkey presented the following written motion to amend General Ordinance No. 12, 1941:

March 3, 1941.

Mr. President:

I recommend that the sentence in Section 3 of General Ordinance No. 12, 1941, reading as follows, to-wit:

"This bond is one of an authorized issue aggregating One Hundred Eighteen Thousand and Fifty-four Hundredths dollars (\$118,677.54) of like date," etc.,

be and the same be amended to read as follows, to-wit:

"This bond is one of an authorized issue aggregating One Hundred Eighteen Thousand Six Hundred Seventy-seven Dollars and Fifty-four Cents (\$118,677.54) of like date," etc.

ERNEST C. ROPKEY,
Councilman.

The motion was seconded by Mr. Ransom and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

On motion of Mr. Ropkey, seconded by Mr. Bach, General Ordinance No. 12, 1941, as amended, was ordered engrossed read a third time and placed upon its passage.

General Ordinance No. 12, 1941, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 13, 1941 for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 13, 1941 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 13, 1941 was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr. Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

ORDINANCES ON THIRD READING

Mr. Deluse called for third reading on General Ordinance No. 7, 1941.

General Ordinance No. 7, 1941 was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Bach, Mr. Deluse, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Noes, 2, viz: Mr. Campbell, Dr. Hemphill.

General Ordinances No. 69, 1940, No. 8, 1941, No. 9, 1941 and Resolution No. 2, 1941 were held for further consideration by the committees to which they were referred.

On motion of Mr. Ropkey, seconded by Mr. Ross, the Common Council adjourned at 9:40 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 3rd day of March, 1941, at 7:30 p. m.

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



Attest:

President.



City Clerk.

(SEAL)