

REGULAR MEETING

Monday, May 19, 1941.
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, May 19, 1941, at 7:30 p. m. in regular session. President Wood in the chair.

The Clerk called the roll.

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

Absent: Mr. Ransom.

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

May 6, 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:

APPROPRIATION ORDINANCE NO. 5, 1941

AN ORDINANCE of the City of Indianapolis, Indiana, appropriating the sum of Two Hundred Fifty Thousand Dollars (\$250,000) from the proceeds of the sale of certain bonds designated as "City of Indianapolis, City Hospital Bonds of 1941," and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 16, 1941

As Amended

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.

GENERAL ORDINANCE NO. 30, 1941

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis to purchase, through its duly authorized purchasing agent, certain equipment; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 32, 1941

AN ORDINANCE amending Section 44 of General Ordinance No. 96-1928, as amended, by adding thereto sub-section (72), and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 33, 1941

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis abolishing certain taxicab stands heretofore created in the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 34, 1941

AN ORDINANCE regulating parking on a certain part of Delaware Street in the City of Indianapolis; providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 35, 1941

AN ORDINANCE prohibiting the doing of business on Sundays in places of business and establishments of automobile wreckers, or used or secondhand automobile or truck parts tires or accessories dealers, and declaring the time when the same shall take effect.

GENERAL ORDINANCE NO. 36, 1941

AN ORDINANCE approving a certain agreement and permit granting the Pennsylvania Railroad Company the right to lay and maintain a sidetrack or switch from its Kentucky Avenue switching track to the main service building of Pennsylvania Greyhound Lines of Indiana, Inc., at Kentucky Avenue and Henry Street; and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 5, 1941

AN ORDINANCE changing the name of a certain street in the City of Indianapolis and fixing the time when the same shall take effect.

SPECIAL ORDINANCE NO. 6, 1941

AN ORDINANCE changing the name of a certain street in the City of Indianapolis and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

IND. H. LAW LIB. INDIANAPOLIS.

COMMUNICATIONS FROM CITY OFFICIALS

May 19, 1941.

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

Gentlemen:

APPROPRIATION ORDINANCE NO. 6, 1941

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice of Public Hearing" to be inserted in the Indianapolis Times and Indianapolis Star, that taxpayers would have the right to be heard on the above ordinance at the regular meeting of the Common Council to be held May 19, 1941, and by posting copies of said notice in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,
City Clerk.

May 19, 1941.

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

Gentlemen:

The Secretary of the Board of Health has informed the City Controller of the setting up of a new Dairy Division in the Department of the Public Health and Charities of the City of Indianapolis. In order for this new division to function it will be necessary that there be additional appropriations for such purpose.

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There were conveyed to the office of the City Controller at the same time the information that certain existing services and employments now established for the purpose of milk inspection would be abolished and the funds heretofore available should be reapropriated to the new division of Dairy Control and that the balance required for this new division should be appropriated out of the anticipated 1941 balance of the General Health Fund of the city.

The Secretary of the Board of Health likewise informs me that the permit fees payable into the General Health Fund of the city should increase the anticipated balance of General Health Fund sufficiently to provide the necessary moneys to operate this department for the balance of the year 1941.

I am, therefore, submitting the required number of copies of Appropriation Ordinance No. 8, appropriating the sum of \$21,155.00, requested by the Department of Public Health and Charities, for the purposes hereinabove set forth.

I respectfully recommend the passage of this ordinance.

Very respectfully yours,

JAMES E. DEERY,
City Controller.

May 19, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 42 1941, abolishing a taxicab stand on the South Side of West Washington Street

INDIANAPOLIS LAW LIB. IND'POLIS.

just west of West Sreet, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY

By L. J. KEACH,
President.

LJK/EHA

May 19, 1941.

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

Submitted herewith is General Ordinance No. 43 1941, prohibiting parking at all times in designated locations on White River Parkway, East Drive, West Thirtieth Street and South Alabama Street, and regulating parking in certain locations on East Sixty-third Street, Riviera Drive and on Bellefontaine Street. We respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. KEACH,
President.

LJK/EHA

May 17, 1941.

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

Gentlemen:

Attached hereto please find 18 copies of General Ordinance No. 44, 1941.

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This ordinance prohibits parking at certain places within parks, golf courses and other public places under the jurisdiction of the Department of Public Parks of the City of Indianapolis.

The Board of Park Commissioners respectfully recommends the passage of this ordinance.

Very truly yours,

BOARD OF PARK COMMISSIONERS,

M. E. GRIFFIN,
Secretary.

May 19, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 45, 1941, establishing an 18 foot "loading zone" at 106 West Ohio Street for the Sacks Brothers Loan Company. We respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. KEACH,
President.

LJK/EHA

May 19, 1941.

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

Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 46, 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/

May 19, 1941.

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

Re: G. O. No. 47, 1941.

Gentlemen:

Acting under instructions from the Department of Public Health, I am enclosing herewith copies of a new milk ordinance, with the recommendation that it be given serious consideration by the Council, introduced and passed in the shortest time possible in keeping with the rules and regulations of council procedure.

You are aware that the Health Department has been providing milk and dairy inspection for the City of Indianapolis through a co-operative plan with the dairy industry. Approximately two thirds

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of the funds for this inspection program have been provided by the dairy industry through a check off system authorized by the State Milk Control Board.

After July 1, 1941, funds derived from the check off will not be available to the City of Indianapolis. Therefore it is urgent that this ordinance be passed in order to continue the present program of inspection.

It would be very detrimental from the public health standpoint as well as a great economical loss to the industry if the Health Department attempted to carry out an inspection program with a budget of only \$11,000.00.

May I add that the department is willing to make further explanation to both council members and the public concerning the need for this ordinance.

Respectfully yours,

H. G. MORGAN.

May 14, 1941.

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

Gentlemen:

Attached hereto are twenty copies of Special Ordinance No. 9, 1941, an ordinance naming certain unnamed public way in the City of Indianapolis.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer,
CITY PLAN COMMISSION.

GFR/k

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 6, 1941.

Mr. Ross asked for a recess. The motion was seconded by Mr. Moore and the Council recessed at 8:00 p. m.

The Council reconvened at 9:40 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., May 19, 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 Appropriation Ordinance No. 6, 1941, entitled

Appropriating \$16,400 from anticipated unexpended 1941 balance of Gas Tax Fund

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

ERNEST C. ROPKEY
ALBERT O. DELUSE
OLLIE A. BACH
GUY O. ROSS

Indianapolis, Ind., May 19, 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 (Taxicabs)

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH. F MOORE

Indianapolis, Ind., May 19, 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 Gen-
eral Ordinance No. 8, 1941, entitled

Authorizing Board of Public Works and Sanitation to con-
tract and employ labor and enter into agreements with em-
ployees

beg leave to report that we have had said ordinance under considera-
tion, and recommend that the same be stricken from files in lieu of a

declaration of policy, now being considered by the Mayor and Labor Representatives.

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

Indianapolis, Ind., May 19, 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. 17, 1941, entitled

Establishing daylight savings time

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
WALTER E. HEMPHILL
RALPH F. MOORE
ERNEST C. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

Indianapolis, Ind., May 19, 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. 31, 1941, entitled

Prohibiting and regulating parking on certain parts of certain
streets

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., May 19, 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. 37, 1941, entitled

Licensing, regulating and taxing mechanical amusement de-
vices

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

ALBERT O. DELUSE
ERNEST C. ROPKEY
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., May 19, 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. 38, 1941, entitled

Amending Sec. 44 of G. O. 96, 1928, as amended by adding
thereto sub-sections 73 and 74

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
HARMON A. CAMPBELL
RALPH F. BOORE

Indianapolis, Ind., May 19, 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. 39, 1941, entitled

Prohibiting and regulating parking on certain parts of South-
eastern Ave. and Capitol Ave. and prohibiting lefthand turns
at certain times at Rural and New York and East and New
York Streets

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
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., May 19, 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. 40, 1941, entitled

Concerning the violation of certain traffic ordinances, providing for the creation of a Traffic Violation Bureau and repealing certain sections of G. O. 96, 1928, as amended

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

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

Indianapolis, Ind., May 19, 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. 41, 1941, entitled

Establishing taxicab stand on East Ohio Street

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
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., May 19, 1941.

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. 7, 1941, entitled

Annexing certain contiguous territory to the City of Indianapolis

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

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

Indianapolis, Ind., May 19, 1941.

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. 8, 1941, entitled

Authorizing the sale, alienation and conveyance of certain land belonging to City of Indianapolis

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

ERNEST C. ROPKEY
ABERT O. DELUSE
WALTER E. HEMPHILL
HARMON A. CAMPBELL

Indianapolis, Ind., May 19, 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 Resolution No. 2, 1941, entitled

Establishing 40 hr. week and granting right of collective bargaining to employees of Sanitation Department

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files in lieu of a declaration of policy now being considered by the Mayor and Labor Representatives.

OLLIE A. BACH
HARMON A. CAMPBELL
ALBERT O. DELUSE
WALTER E. HEMPHILL
RALPH F. MOORE
GUY O. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1941

AN ORDINANCE appropriating moneys for the newly created Dairy Division in the Department of Public Health and Charities, 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. There is hereby appropriated from the funds set out in Section 2 of this ordinance the sum of Twenty-one Thousand One Hundred Fifty-five Dollars (\$21,155.00) for the newly created Dairy Division in the Department of Public Health and Charities for the last half of the year 1941, from July 1, 1941, to December 31, 1941, to the various funds created in said division, as follows:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES
DAIRY DIVISION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular

Director	\$1,500.00	
Chief Farm Sanitarian.....	900.00	
3 Sr. Farm Sanitarian.....	2,520.00	
2 Jr. Farm Sanitarians	1,620.00	
2 Jr. Farm Sanitarians	1,380.00	
1 Chief Plant Engineer	900.00	
1 Jr. Plant Engineer	750.00	
1 Sr. Sample Collector	810.00	
2 Jr. Sample Collectors	1,080.00	
1 Clerk-Stenographer	600.00	
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	\$12,060.00	\$12,060.00

2. SERVICES—CONTRACTUAL

21. Communication and Transportation ..	\$1,250.00	
24. Printing and Advertising	350.00	
25. Repair of Equipment	50.00	
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	\$1,650.00	\$1,650.00

3. SUPPLIES

31. Food	\$750.00	
32. Fuel and Ice	50.00	
33. Garage and Motors	4,225.00	
35. Milk and Food Samples	125.00	
36. Office Supplies	200.00	
38. General Supplies	200.00	
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	\$5,550.00	5,550.00
		<hr/>
		\$19,260.00

LABORATORY SECTION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular		
1 Technician	\$540.00	
1 Ass't Technician	480.00	
	<hr/>	
	\$1,020.00	\$1,020.00

3. SUPPLIES

34. Institutional and Medical	\$125.00	125.00
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3. SUPPLIES

34. Institutional and Medical	125.00	125.00
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7. PROPERTIES

72. Equipment	750.00	750.00
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Grand Total\$21,155.00

SECTION 2. There is hereby transferred out of the following named funds, abolished and eliminated because of the creation of the new Dairy Division in the Department of Public Health and Charities, the sums set out as follows (being one-half of the appropriated sums or balance for the last half of 1941):

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES
T. B. PREVENTION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular		
4 Inspectors	\$2,768.06	\$2,768.06

ADMINISTRATION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	\$1,384.03	\$1,384.03
Total		\$4,152.09

being the sum of \$4,152.09, which is hereby transferred to the Health—General Fund and re-appropriated therefrom to the purposes set out in Section 1 of this ordinance.

The balance of money required, namely, the sum of \$17,002.81, is hereby appropriated from the anticipated 1941 unexpended balance of the General Health Fund, which balance it is anticipated will be augmented by said sum because of permit fees to be paid in according to the provisions of the General Ordinance creating and establishing the Dairy Division in the Department of Public Health and Charities.

SECTION 3. Should the anticipated permit fees payable into the Health General Fund, described in Section 2 of this ordinance, not be sufficient to meet the required sum of \$17,002.81, and should the otherwise anticipated balance in the Health General Fund not be available for the purposes set out in Section 1 of this ordinance, the appropriation herein shall be deemed limited to such extent, and the services, compensations and funds set out in Section 1 of this Ordinance shall be curtailed and limited to the extent such funds are lacking, and the Board of Health of said city shall relatively and proportionately expend only such funds as are available.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval by the mayor and upon completion of all requirements covering additional appropriations by law required.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 42, 1941

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis, abolishing a certain taxicab stand upon West Washington Street in said city; 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 order of the Board of Public Safety of the City of Indianapolis, Indiana, adopted May 6, 1941, abolishing a taxicab stand, as created by sub-section 20 of Section 1 of General Ordinance No. 36, 1940, and described as follows, to-wit:

South side of West Washington Street, starting at a point 45 feet east of the east curb line of the first alley west of West Street and extending east to a point 117 feet—4 cab stand;

be approved and that said taxicab stand be and is hereby abolished.

SECTION 2. 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 Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 43, 1941

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets and boulevards of the City of Indian-

apolis, providing a penalty for any 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 the operator of any vehicle to park the same or suffer, permit or allow the same to be parked at any time upon certain parts of certain streets and boulevards in the City of Indianapolis, described as follows:

- (a) On the west side of White River Parkway, East Drive, from the north curb line of West 30th Street to a point 453 feet north of the north curb line of West 30th Street.
- (b) On the north side of West 30th Street from a point 25 feet east of the east curb line of White River Parkway, East Drive, west to a point 465 feet west of said point 25 feet east of the east curb line of White River Parkway, East Drive.
- (c) On the east side of South Alabama Street from the south curb line of Norwood Street to the north curb line of East Missouri Street.

SECTION 2. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half ($1\frac{1}{2}$) hours, between the hours of 7:00 o'clock A. M. to 6:00 o'clock P. M., upon certain parts of certain streets in the City of Indianapolis, described as follows:

- (a) On both sides of Sixty-third Street from the east curb line of College Avenue to the west boundary line of the Monon Railway right-of-way.
- (b) On the south side of Riviera Drive from the east curb line of College Avenue to the west curb line of Bellefontaine Street.
- (c) On both sides of Riviera Drive from the east curb line of Bellefontaine Street to the Monon Railway right-of-way.

(d) On both sides of Bellefontaine Street from the north curb line of Sixty-third Street to the south bank of the Canal.

(e) On the east side of Massachusetts Avenue from the north curb line of East Tenth Street to the south boundary line of the first alley north of East Tenth Street.

SECTION 3. 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 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 Safety.

By the Board of Park Commissioners:

GENERAL ORDINANCE NO. 44, 1941

AN ORDINANCE prohibiting parking at certain places within parks, golf courses and other public places under the jurisdiction of the Department of Public Parks of 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. That it shall be unlawful for the operator of a vehicle to park the same or suffer, permit or allow the same to be parked at any time within any park, golf course or other public place under the jurisdiction of the Department of Public Parks, except upon public ways provided for the movement of vehicles and except upon parking areas duly designated as parking areas and so marked by appropriate signs.

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 Parks.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 45, 1941

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931; and fixing a time when the same shall take effect.

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

SECTION 1. That for the purpose of providing the owners or occupants of certain premises fronting on certain public streets of 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 Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, relative to the establishment of passenger and/or loading zones, at the place hereinafter set out, and the Board of Public Safety having caused investigation to be made thereof and having recommended the establishment, pursuant to the terms of the aforesaid ordinance, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

An 18-foot zone in front of 106 West Ohio Street said premises being occupied by Sacks Brothers Loan Company.

SECTION 2. 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 Safety.

By the City Plan Commission:

GENERAL ORDINANCE NO. 46, 1941

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

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

SECTION 1. That the U-1 or Residential District, the A-3 or 2400 sq. ft. Area District, the H-1 or 50-ft. Height District, be and the same is hereby amended, supplemented and extended so as to include the following described territory.

Parcel A. Beginning at a point on the center line of the first alley north of Tenth Street at its intersection with the center line of the first alley west of King Avenue; thence north on and along the center line of the first alley west of King Avenue to the center line of the first alley south of Sixteenth Street; thence west on and along the center line of the first alley south of Sixteenth Street to the east property line of Holmes Avenue; thence north on and along the east property line of Holmes Avenue to the north property line of Sixteenth Street; thence east on and along the north property line of Sixteenth Street to the center line of the first alley west of Belleview Place; thence north on and along the center line of the first alley west of Belleview Place to the center line of the alley north of Sixteenth Street; thence east on and along the center line of the first alley north of Sixteenth Street to the center line of the first alley west of Lafayette Road; thence north on and along the center line of the first alley west of Lafayette Road to the north property line

of Plymouth; thence east to a point 91.1 feet west of the Lafayette Road; thence north and parallel to the first alley west of the Lafayette Road to the southwest property line of the Lafayette Road; thence southeastwardly on and along the west property line of Lafayette Road to a point in the south property line of Plymouth Street; thence east on and along the eastward production of the south property line of Plymouth Street to a point on the west bank of White River; thence northwestward following the meanderings of the west bank of White River to a point in the production eastwardly of the north property line of Whitney Street; thence west on and along the eastward production of the north property line of Whitney Street and the north property line of Whitney Street and the production westward of the north property line of Whitney Street to a point 124.84 feet west of the west property line of Holmes Avenue; thence south and parallel to the west property line of Holmes Avenue to a point in the center line of the first alley north of Sixteenth Street; thence west on and along the center line of the first alley north of Sixteenth Street to the west property line of Warman Avenue; thence south on and along the west property line of Warman Avenue to the north property line of Sixteenth Street; thence west on and along the north property line of Sixteenth Street to the east property line of Kessler Blvd.; thence north on and along the east property line of Kessler Blvd. to the center line of the first alley north of Sixteenth Street; thence westward on a production westward of the center line of the first alley north of Sixteenth Street and east of Kessler Blvd. to a point in the east property line of Goodlet Avenue; thence south on and along the east property line of Goodlet Avenue to the center line of Sixteenth Street. Thence west on and along the center line of Sixteenth Street to a point two hundred and eighty feet (280') east of the east property line of Groff Avenue; thence south and parallel to the east property line of Groff Avenue to a point one hundred and twenty-five feet (125') south of the south property line of W. Sixteenth Street; thence west and parallel to the south property line of W. Sixteenth Street to a point one hundred and forty-four and three-tenths feet (144.3') west of the west property line of Tibbs Avenue; thence south and parallel to the west property line of Tibbs Avenue and the center line of the first alley west of Tibbs Avenue to the center line of the first alley north of Twelfth Street; thence west on and along the center line of the first alley north of Twelfth Street and the said alley produced westward to a point in the east property line of Olin Avenue; thence south on and along the east property line of Olin Avenue to the north property line of Tenth Street; thence east on and along the north property

line of Tenth Street to the east property line of Rochester Avenue; thence north on and along the east property line of Rochester Avenue to a point in the center line of the first alley north of Tenth Street; thence east on and along the center line of the first alley north of Tenth Street to the center line of the first alley west of King Avenue, the point or place of beginning.

Parcel B. Beginning at a point on the north property line of Thirty-fourth Street one hundred seven and nine-tenths feet (107.9') west of the west property line of Keystone Avenue; thence north and parallel to the west property line of Keystone Avenue to the center line of the first alley north of Thirty-fourth Street; thence east on and along the center line of the first alley north of Thirty-fourth Street to the west property line of Keystone Avenue; thence north on and along the west property line of Keystone Avenue to a point in the center line of the first alley south of Thirty-eighth Street; thence west on and along the center line of the first alley south of Thirty-eighth street a distance of eighty-eight and one-half feet (88½') to a point; thence north and parallel to the west property line of Keystone Avenue to the south property line of Thirty-eighth Street; thence west on and along the south property line of Thirty-eighth Street to the east property line of Sutherland Avenue; thence southwestwardly on and along the east property line of Sutherland Avenue to a point eighty feet (80') north of Thirty-seventh Street; thence east and parallel to the north property line of Thirty-seventh Street to the center line of the first alley east of Sutherland Avenue; thence south on and along the center line of the first alley east of Sutherland Avenue to a point in the north property line of Thirty-seventh Street; thence west on and along the north property line of Thirty-seventh Street to the east property line of Sutherland Avenue; thence southwest on and along the east property line of Sutherland Avenue to the center line of the first alley north of Thirty-fourth Street; thence east sixty and eighty-five hundredths feet (60.85') to a point; thence south and parallel to the west property line of Hovey Street to a point on the north property line of Thirty-fourth Street; thence east on and along the north property line of Thirty-fourth Street to the point or place of beginning.

Parcel C. Beginning at a point in the center line of the first alley west of Euclid Avenue at its intersection with the first alley south of Sixteenth Street; thence east along the eastward production of the first alley south of Sixteenth Street to the east property line of Linwood Avenue; thence north on and along the east property

line of Linwood Avenue to the center line of the first alley north of Sixteenth Street; thence east on and along the center line of the first alley north of Sixteenth Street to the west property line of Bosart Avenue; thence south on and along the west property line of Bosart Avenue to the center line of the first alley south of Sixteenth Street; thence east on and along the center line of the first alley south of Sixteenth Street and the said center line produced eastward to a point one hundred thirty-seven feet (137') west of the west property line of Bancroft Street north of Sixteenth Street produced southwardly; thence north parallel and one hundred thirty-seven feet (137') west of the west property line of Bancroft Street and its production southwardly to the north property line of Twentieth Street; thence west on and along the north property line of Twentieth Street to the west property line of Riley Avenue; thence south along the west property line of Riley Avenue to the north property line of Nineteenth Street; thence west along the north property line of Nineteenth Street and the north property line produced westward to a point in the production northward to the center line of the first alley west of Gladstone Avenue; thence south on and along the production of and the center line of the first alley west of Gladstone Avenue to the south property line of Eighteenth Street; thence east on and along the south property line of Eighteenth Street to the center line of the first alley west of Euclid Avenue; thence south on and along the center line of the first alley west of Euclid Avenue the point or place of beginning.

Parcel D. Beginning at the intersection of the center line of Ralston Avenue with the center line of Forty-fourth Street; thence north on and along the center line of Ralston Avenue to the south property line of Forty-ninth Street; thence east on and along the south property line of Forty-ninth Street to the east property line of Crittendon Avenue; thence south on and along the east property line of Nineteenth Street; thence west along the north property line production of and the center line of the first alley west of Gladstone line of Crittendon Avenue; a distance of forty feet (40') to a point; thence east and parallel to the south property line of Forty-ninth Street to the west property line of Evanston Avenue; thence north on and along the west property line of Evanston Avenue to the south property line of Forty-ninth Street; thence east on and along the south property line of Forty-ninth Street and its production eastward to the center line of Keystone Avenue; thence south on and along the center line of Keystone Avenue to the center line of the first alley north of Forty-sixth Street; thence west on and

along the center line of the first alley north of Forty-sixth Street to the east right-of-way line of the Nickle Plate Railroad; thence southwest on and along the east right-of-way line of the Nickle Plate Railroad to a point one hundred thirty feet (130') south of the south property line of Forty-sixth Street; thence east and parallel to the south property line of Forty-sixth Street to the center line of Keystone Avenue; thence south on and along the center line of Keystone Avenue to the center line of Duke Street; thence west on and along the center line of Duke Street to the east right-of-way line of the Nickle Plate Railroad; thence southwest on and along the east property line of the Nickle Plate Railroad to the center line of Forty-fourth Street; thence west on and along the center line of Forty-fourth Street to the center line of Ralstone Avenue, the point or place of beginning. Except the following described territory now zoned for business:

Beginning at a point on the east property line of Crittenton Avenue at the intersection of the center line of the first alley north of Forty-sixth Street; thence east on and along the center line of the first alley north of Forty-sixth Street to the west property line of Caroline Avenue; thence south on and along the west property line of Caroline Avenue to the center line of the first alley south of Forty-sixth Street; thence west on and along the center line of the first alley south of Forty-sixth Street to the east property line of Crittendon Avenue; thence north on and along the east property line of Crittendon Avenue to the center line of the first alley north of Forty-sixth Street, the point or place of beginning.

Parcel E. Beginning at a point on the west property line of Emerson Avenue at its intersection with the north property line of Julian Avenue; thence east on and along the north property line of Julian Avenue to the west property line of Spencer Avenue; thence north and northwest with the west property line of Spencer Avenue to the center line of the first alley south of East Washington Street east of Spencer Avenue; thence east on and along the center line of the first alley south of Washington Street to the center line of the first alley east of Hawthorne Lane; thence south a distance of four feet (4'); thence east one hundred fifty feet (150') south of the south property line of Washington Street to the east property line of Ritter Avenue; thence south on and along the east property line of Ritter Avenue a distance of one hundred feet (100') to a point; thence east and parallel to the south property line of Washington

Street a distance of one hundred thirty-five feet (135') to a point; thence north to the southwest property line of Johnson Avenue; thence east and parallel to Washington Street to the east property line of Johnson Avenue; thence southeast on and along the east property line of Johnson Avenue to a point, said point being the southwest corner of Lot No. 5 in Thompson Sub. as recorded in Plat Book ten (10), Page seventy-seven (77), in the office of the Recorder of Marion County; thence east along the south line of said Lot No. five (5) and said lot line produced eastwardly to a point two hundred thirty-three feet (233') west of the west property line of Audubon Road; thence south and parallel to the west property line of Audubon Road a distance of one hundred twenty feet (120') to a point; thence west to the northwest corner of Lot No. ten (10) in Irving Place Addition, an addition to the City of Indianapolis, Indiana; thence south on and along the west line of said Irving Place Addition to the north property line of Julian Avenue; thence eastward on and along the north property line of Julian Avenue to the center line of the first alley west of Audubon Road south of Julian Avenue; thence south on and along the center line of the first alley west of Audubon Road to the south property line of Bonna Avenue; thence west on and along the south property line of Bonna Avenue to a point one hundred sixty-two and one-half feet (162.5') east of the east property line of Ritter Avenue; thence south and parallel to the east property line of Ritter Avenue a distance of two hundred feet (200') to a point; thence east one hundred sixty-two and one-half feet (162.5') to a point; thence south two hundred feet (200') more or less to a point; thence east one hundred seventy-nine feet (179') to a point; thence north one hundred fifty-seven feet (157') to a point; thence east one hundred thirty-seven feet (137'), more or less to a point; thence south ninety-four feet (94') to a point; thence east to a point one hundred seventeen feet (117') east of the east property line of Audubon Road said point being also three hundred thirty-six feet (336') south of the south property line of Bonna Avenue; thence north and parallel to the east property line of Audubon Road three hundred thirty-six feet (336') to a point in the south property line of Bonna Avenue; thence **northeastwardly to a point** on the north line of the Pennsylvania Railroad, said point being on the production of the center line of the first alley east of Audubon Road; thence north on and along the center line of the first alley east of Audubon Road to the north property line of Julian Avenue; thence east on and along the north property line of Julian Avenue one hundred fifteen feet (115') to a point; thence north one hundred forty feet (140') to a point; thence east two hundred feet (200')

to a point; thence north to a point one hundred fifty feet (150') south of the south property line of Washington Street; thence east and one hundred fifty feet (150') south of the south property line of Washington Street to the center line of Arlington Avenue; thence north thirty feet (30') to a point; thence east one hundred twenty feet (120') south of the south property line of Washington Street to the west property line of Sheridan Avenue; thence north on and along the west property line of Sheridan Avenue one hundred twenty feet (120') to a point on the south property line of Washington Street; thence east on and along the south property line of Washington Street to the center line of Edmondson Avenue; thence south on and along the center line of Edmondson Avenue to the north right-of-way line of the Pennsylvania Railroad; thence west on and along the north right-of-way line of the Pennsylvania Railroad to a point one hundred sixty-eight and two-tenths feet (168.2') east of the east property line of Sheridan Avenue; thence south to a point in the south line of the northwest quarter Section eleven (11) Township fifteen (15) North, Range four (4) east; thence west on and along the said south line of said quarter section to a point three hundred fifteen and one-tenth feet (315.1') east of the center line of Arlington Avenue; thence south and parallel to the center line of Arlington Avenue to the north right-of-way line of the B. & O. Railroad; thence northwest on and along the north right-of-way line of the B. & O. Railroad and the north property line of Burgess Avenue to the west property line of Emerson Avenue; thence north on and along the west property line of Emerson Avenue to the north property line of Julian Avenue the point or place of beginning.

Which was read the first time and referred to the City Plan Commission.

By the Board of Public Health and Charities:

GENERAL ORDINANCE NO. 47, 1941

AN ORDINANCE defining "milk" and certain "milk products", "milk producer", "pasteurization", prohibiting the sale of adulterated and misbranded milk and milk products, requiring permits for the sale of milk and milk products, regulating the the inspection of dairy farms and milk plants, the examination, grading, labeling, placarding, pasteurization, regrading, dis-

tribution, and sale of milk and milk products, providing for the publishing of milk grades, the construction of future dairies and milk plants, providing for the permit fees of dairies, retail and wholesale distributors, the enforcement of this ordinance, and the fixing of penalties.

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

SECTION 1. **Definitions.**—The following definitions shall apply in the interpretation and the enforcement of this ordinance:

A. **Milk.**—Milk is hereby defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than 8.0 per cent of milk solids not fat, and not less than 3.25 per cent of milk fat.

B. **Milk fat or butter fat.**—Milk fat or butter fat is the fat of milk.

C. **Cream and sour cream.**—Cream is a portion of milk which contains not less than 18 per cent milk fat. Sour cream is cream the acidity of which is more than 0.20 per cent, expressed as lactic acid.

D. **Skimmed milk.**—Skimmed milk is milk from which a sufficient portion of milk fat has been removed to reduce its milk-fat percentage to less than 3.25 per cent.

E. **Milk or skimmed-milk beverage.**—A milk beverage or a skimmed-milk beverage is a food compound or confection consisting of milk or skimmed milk, as the case may be, to which has been added a syrup or flavor consisting of wholesome ingredients.

F. **Buttermilk.**—Buttermilk is a product resulting from the churning of milk or cream, or from the souring or treatment by a lactic acid or other culture of milk, skimmed milk, reconstituted skimmed milk, evaporated or condensed milk or skimmed milk, or skimmed-milk powder. It contains not less than 8.0 per cent of milk solids not fat.

G. **Vitamin D. milk.**—Vitamin D milk is milk the vitamin D content of which has been increased by a method and in an amount approved by the health officer.

H. **Reconstituted or recombined milk and cream.**—Reconstituted or recombined milk is a product resulting from the recombining of milk constituents with water, and which complies with the standards for milk fat and solids not fat or milk as defined herein. Reconstituted or recombined cream is a product resulting from the combination of dried cream, butter, or butter fat with cream, milk, skimmed milk, or water.

I. **Goat milk.**—Goat milk is the lacteal secretion, free from colostrum, obtained by the complete milking of healthy goats, and shall comply with all the requirements of this ordinance. The word "cows" shall be interpreted to include goats.

J. **Homogezined Milk.**—Homogenized milk is milk which has been treated in such manner as to insure break-up of the fat globules to such an extent that after 48 hours storage no visible cream separation occurs on the milk and the fat percentage of the top 100 cc. of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than 5 per cent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

K. **Milk products.**—Milk products shall be taken to mean and include cream, sour cream, homogenized milk, goat milk, vitamin D milk, buttermilk, skimmed milk, reconstituted or recombined milk and cream, milk beverages, skimmed-milk beverages, and any other product made by the addition of any substance to milk or any of those products and used for similar purposes and designated as a milk product by the health officer.

L. **Pasteurization.**—The term "pasteurization", "pasteurized", and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to at least 143 degrees F., and holding at such temperature for at least 30 minutes, or to at least 160 degrees F., and holding at such temperature for at least 15 seconds, in approved and properly operated equipment; provided that nothing contained in this definition shall be construed as disbaring any other process which has been demonstrated to be equally efficient and is approved by the State health authority.

M. Adulterated milk and milk products.—Any milk or milk product which contains any unwholesome substance, or which, if defined in this ordinance, does not conform with its definition, or which carries a grade label unless such grade label has been awarded by the health officer and not revoked, shall be deemed adulterated and misbranded.

N. Milk producer.—A milk producer is any person who owns or controls one or more cows a part or all of the milk or milk products from which is sold or offered for sale.

O. Milk distributor.—A milk distributor is any person who offers for sale or sells to another any milk or milk products for human consumption as such.

P. Dairy or dairy farm.—A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or offered for sale.

Q. Milk plant.—A milk plant is any place or premises or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

R. Health officer.—The term "health officer" shall mean the Sec'y. of the The Board of Health & Charities of the city of Indianapolis, sometimes referred to as the City Sanitarian, or his authorized representative.

S. Average bacterial plate count, direct microscopic count, reduction time, and cooling temperature.—Average bacterial plate count and average direct microscopic count shall be taken to mean the logarithmic average, and average reduction time and average cooling temperature shall be taken to mean the arithmetic average, of the respective results of the last four consecutive samples, taken upon separate days, irrespective of the date of grading or regrading.

T. Grading period.—The grading period shall be such period of time as the health officer may designate within which grades shall be determined for all milk and milk products, provided that the grading period shall in no case exceed 6 months.

U. Person.—The word "person" as used in the ordinance shall mean "person, firm, corporation, or association".

V. And/or.—Where the term “and/or” is used “and” shall apply where possible, otherwise “or” shall apply.

SECTION 2. The sale of adulterated, misbranded, or ungraded milk or milk products prohibited.—No person shall within the City of Indianapolis or its police jurisdiction, produce, sell, offer, or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated, misbranded, or ungraded. It shall be unlawful for any person, elsewhere than in a private home, to have in possession any adulterated, misbranded, or ungraded milk or milk product.

SECTION 3. Permits.—It shall be unlawful for any person to bring into or receive into the City of Indianapolis, or its police jurisdiction, for sale, or to sell, or offer for sale therein, or to have in storage where milk or milk products are sold or served, any milk or milk product defined in this ordinance, who does not possess a permit from the health officer of the City of Indianapolis.

Only a person who complies with the requirements of this ordinance shall be entitled to receive and retain such a permit.

Such a permit may be suspended or revoked after an opportunity for a hearing by the health officer, upon the violation by the holder of any of the terms of this ordinance by the Mayor.

SECTION 3a. Permit fees.—The permit fee for the sale or disposal of milk or milk products in the City of Indianapolis shall be as follows:

Each milk distributor engaged in the distribution of pasteurized milk or milk products in the City of Indianapolis shall pay to the City of Indianapolis a distributor permit fee of 1c per hundredweight for all milk and milk products received as defined in this ordinance, except sweet cream purchased as such for market milk purposes, in which case the fees shall be $\frac{1}{2}$ c per pound butter-fat. Each milk producer selling milk to the above distributors for sale in the City of Indianapolis shall pay to the City of Indianapolis a producer permit fee of 1c per hundredweight for all milk sold as defined in this ordinance. The milk producer permit fee shall be deducted from amount due milk producer by the milk distributor, and such milk distributor's and milk producer's permit fees paid by the

distributor on the fifth and twentieth of each month to the Controller of the City of Indianapolis, and said permit fee shall be paid to aid in carrying out and enforcing provisions of this ordinance. These fees shall be based on the actual net weight of all milk and milk products received by the milk distributor and sold by the milk producer. The original weight sheet shall be made available to the health officer for the determination of the fee. All milk and milk products shall be purchased by weight.

SECTION 4. Labeling and placarding.—All bottles, cans, packages, and other containers enclosing milk or any milk product defined in this ordinance shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in this ordinance; (2) the grade of the contents; (3) the word "pasteurized" only if the contents have been pasteurized; (4) the word "raw" only if the contents are raw; (5) the phrase "for pasteurization" if the contents are to be pasteurized; (6) the name of the producer if the contents are raw, and the name of the plant at which the contents were pasteurized, if the contents are pasteurized; and (7) in the case of vitamin D milk, the designation "Vitamin D Milk" and the source of the vitamin D. The label or mark shall be in letters of a size, kind, and color approved by the health officer and shall contain no marks or words which are misleading.

Every restaurant, cafe, soda fountain, or other establishment serving milk or milk products shall display at all times, in a place designated by the health officer, a notice approved by the health officer, stating the lowest grade of milk and/or milk products served.

SECTION 5. Inspection of dairy farms and milk plants for the purpose of grading or regrading.—At least once during each grading period the health officer shall inspect all dairy farms and all milk plants whose milk or milk products are intended for consumption within the City of Indianapolis, or its police jurisdiction. In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before the lapse of 3 days; and the second inspection shall be used in determining the grade of milk and/or milk products. Any violation of the same item of this ordinance on two consecutive inspections shall call for immediate degrading.

One copy of the inspection report shall be posted by the

health officer in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be defaced or removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

SECTION 6. The examination of milk and milk products.—

During each grading period at least four samples of milk and cream from each dairy farm and each milk plant shall be taken on separate days and examined by the health officer. Samples of other milk products may be taken and examined by the health officer as often as he deems necessary. Samples of milk and milk products from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be examined as often as the health officer may require. Bacterial plate counts and direct microscopic counts shall be made in conformity with the latest standard methods recommended by the American Public Health Association. Examinations may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration, these examinations to be made in accordance with the latest standard methods of the American Public Health Association and the Association of Official Agricultural Chemists. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. All proprietors or stores, cafes, restaurants, soda fountains, and other similar places shall furnish the health officer, upon his request, with the names of all distributors from whom their milk and milk products are obtained. Bio-assays of the vitamin D content of vitamin D milk shall be made when required by the health officer in a laboratory approved by him for such examinations.

Whenever the average bacterial count, the average reduction time, or the average cooling temperature falls beyond the limit for the grade then held, the health officer shall send written notice thereof to the person concerned, and shall take an additional sample, but not before the lapse of 3 days, for determining a new average in accordance with section 1 (S). Violation of the grade requirement by the new average or by any subsequent average during the remainder of the current grading period shall call for immediate degrading or suspension of the permit, unless the last individual result is within the grade limit.

SECTION 7. The grading of milk and milk products.—At least once every 6 months the health officer shall announce the

grades of all milk and milk products delivered by all producers or distributors and ultimately consumed within the City of Indianapolis or its police jurisdiction. Said grades shall be based upon the following standards, the grading of milk products being identical with the grading of milk except that the bacterial standard shall be doubled in the case of cream, and omitted in the case of sour cream and buttermilk. Vitamin D. milk shall be only of grade A pasteurized quality.

Grade A raw milk.—Grade A raw milk is raw milk to be pasteurized, the average bacterial plate count of which is determined under Sections 1 (S) and 6 of this Ordinance does not exceed 200,000 per cubic centimeter or the average direct microscopic count of which does not exceed 200,000 per cubic centimeter if clumps are counted, or 800,000 per cubic centimeter if individual organisms are counted, or the average reduction time of which is not less than 6 hours; and which is produced upon dairy farms conforming with all of the following items of sanitation.

ITEM 1r. Cows, tuberculosis and other diseases.—Except as provided hereinafter, a tuberculin test of all herds and additions thereto shall be made before any milk therefrom is sold, and at least once every 12 months thereafter, by a licensed veterinarian approved by the State livestock sanitary authority. Said tests shall be made and reactors disposed of in accordance with the requirements approved by the United States Department of Agriculture, Bureau of Animal Industry, for accredited herds. A certificate signed by the veterinarian or attested to by the health officer and filed with the health officer shall be evidence of the above test: Provided, That in modified accredited counties in which the modified accredited area plan is applied to the dairy herds the modified accredited area system approved by the United States Bureau of Animal Industry shall be accepted in lieu of annual testing.

Cows which show an extensive or entire induration of one or more quarters of the udder upon physical examination, whether secreting abnormal milk or not, shall be permanently excluded from the milking herd. Cows giving bloody, stringy, or otherwise abnormal milk, but with only slight induration of the udder, shall be excluded from the herd until re-examination shows that the milk has become normal.

For other diseases such tests and examinations as the health

officer may require shall be made at intervals and by methods prescribed by him, and any diseased animals or reactors shall be disposed of as he may require.

ITEM 2r. Dairy barn, lighting.—A dairy or milking barn shall be required and in such sections thereof where cows are milked, windows shall be provided and kept clean and so arranged as to insure adequate light properly distributed, and when necessary shall be provided with adequate supplementary artificial light.

ITEM 3r. Dairy barn, air space and ventilation.—Such sections of all dairy barns where cows are kept or milked shall be well ventilated and shall be so arranged as to avoid over-crowding.

ITEM 4r. Dairy barn, floors.—The floors and gutters of such parts of all dairy barns in which cows are milked shall be constructed of concrete or other approved impervious and easily cleaned materials, shall be graded to drain properly, and shall be kept clean and in good repair. No horses, pigs, fowls, calves, etc., shall be permitted in parts of the barn used for milking.

ITEM 5r. Dairy barn, walls and ceilings.—The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once over every two years, or oftener, if necessary, or finished in an approved manner, and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which cows are milked, the ceiling shall be tight. If the feed room adjoins the milking space, it shall be separated therefrom by a dust-tight partition and door. No feed shall be stored in the milking portion of the barn.

ITEM 6r. Dairy barn, cow yard.—All cowyards shall be graded and drained as well as practicable and kept clean.

ITEM 7r. Manure disposal.—All manure shall be removed and stored or disposed of in such manner as best to prevent the breeding of flies therein or the access of cows to piles thereof.

ITEM 8r. Milk house or room, construction.—There shall be provided a milk house or milk room in which the cooling, handling, and storing of milk and milk products and the washing, bactericidal treatment, and storing of milk containers and utensils shall be done. (a) The milk house or room shall be provided with a tight floor con-

structed of concrete or other impervious materials, in good repair, and graded to provide proper drainage. (b) It shall have walls and ceilings of such construction as to permit easy cleaning, and shall be well painted or finished in an approved manner. (c) It shall be well lighted and ventilated. (d) It shall have all openings effectively screened including outward-opening, self-closing doors, unless other effective means are provided to prevent the entrance of flies. (e) It shall be used for no other purpose than those specified above except as may be approved by the health officer; shall not open directly into a stable or into any room used for domestic purposes; shall have water piped into it; shall be provided with adequate facilities for the heating of water for the cleaning of utensils; shall be equipped with two-compartment stationary wash and rinse vats.

ITEM 9r. Milk house or room, cleanliness and flies.—The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for the elimination of flies shall be used.

ITEM 10r. Toilet.—Every dairy farm shall be provided with one or more sanitary toilets conveniently located and properly constructed, operated, and maintained, so that the waste is inaccessible to flies and does not pollute the surface soil or contaminate any water supply.

ITEM 11r. Water supply.—The water supply for the milk room and dairy barn shall be properly located, constructed, and operated, and shall be easily accessible, adequate, and of a safe sanitary quality.

ITEM 12r. Utensils, construction.—All multi-use containers or other utensils used in the handling, storage, or transportation of milk or milk products must be made of smooth nonabsorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. Woven wire cloth shall not be used for straining milk. All milk pails shall be of a small-mouth design approved by the health officer. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

ITEM 13r. Utensils, cleaning.—All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly cleaned after each usage.

ITEM 14r. **Utensils, bactericidal treatment.**—All multi-use containers, equipment, and other utensils used in the handling, storage, or transportation of milk or milk products shall between each usage be subjected to an approved bactericidal process with steam, hot water, chlorine, or hot air.

ITEM 15r. **Utensils, storage.**—All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall be stored so as to not become contaminated before being used.

ITEM 16r. **Utensils, handling.**—After bactericidal treatment no container or other milk or milk product utensil shall be handled in such manner as to permit any part of any person or his clothing to come in contact with any surface with which milk or milk products come in contact.

ITEM 17r. **Milking, udders and teats, abnormal milk.**—The udders and teats of all milking cows shall be clean and rinsed with a bactericidal solution at the time of milking. Abnormal milk shall be kept out of the milk supply and shall be so handled and disposed of as to preclude the infection of the cows and the contamination of milk utensils.

ITEM 18r. **Milking, flanks.**—The flanks, bellies, and tails of all milking cows shall be free from visible dirt at the time of milking.

ITEM 19r. **Milkers' hands.**—Milkers' hands shall be clean, rinsed with a bactericidal solution, and dried with a clean towel immediately before milking and following any interruption in the milking operation. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands.

ITEM 20r. **Clean clothing.**—Milkers and milk handlers shall wear clean outer garments while milking or handling milk, milk products, containers, utensils or equipment.

ITEM 21r. **Milk stools.**—Milk stools shall be kept clean.

ITEM 22r. **Removal of milk.**—Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained or poured in the dairy barn.

ITEM 23r. Cooling.—If milk is delivered to a milk plant or receiving station for pasteurization or separation, it must be delivered within 2 hours after completion of milking or cooled to 70 degrees F. or less and maintained at that average temperature until delivered.

ITEM 24r. Miscellaneous. All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun and from contamination. All vehicles used for the transportation of milk or milk products in their final delivery containers shall be constructed with permanent tops and with permanent sides and back, provided that openings of the size necessary to pass the delivery man may be permitted in the sides or back for loading and unloading purposes. All vehicles shall be kept clean, and no substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination.

The immediate surroundings of the dairy shall be kept in a neat, clean condition.

Certified milk—pasteurized.—Certified milk—pasteurized is certified milk—raw which has been pasteurized, cooled, and bottled in a milk plant conforming with the requirements for grade A pasteurized milk.

Grade A pasteurized milk.—Grade A pasteurized milk is grade A raw milk, with such exceptions as are indicated if the milk is to be pasteurized, which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial plate count of which at no time after pasteurization and until delivery exceeds 30,000 per cubic centimeter, as determined under sections 1 (S) and 6.

The grading of a pasteurized milk supply shall include the inspection of receiving and collecting stations with respect to items 1p to 15p, inclusive, and 17p, 19p, 22p, and 23p, except that the partitioning requirements of item 5p shall not apply.

ITEM 1p. Floors.—The floors of all rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, provided with trapped drains, and kept clean.

ITEM 2p. **Walls and ceilings.**—Walls and ceilings of rooms in which milk or milk products are handled or stored or in which milk utensils are washed shall have a smooth, washable, light-colored surface and shall be kept clean.

ITEM 3p. **Doors and windows.**—Unless other effective means are provided to prevent the access of flies, all openings into the outer air shall be effectively screened and doors shall be self-closing.

ITEM 4p. **Lighting and ventilation.**—All rooms shall be well lighted and ventilated.

ITEM 5p. **Miscellaneous protection from contamination.**—The various milk-plant operations shall be so located and conducted as to prevent any contamination of the milk or of the cleaned equipment. All means necessary for the elimination of flies shall be used. There shall be separate rooms for (a) the pasteurizing, processing, cooling, and bottling operations, and (b) the washing and bactericidal treatment of containers. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Pasteurized milk or milk products shall not be permitted to come in contact with equipment with which unpasteurized milk or milk products have been in contact, unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment. Rooms in which milk, milk products, cleaned utensils, or containers are handled or stored shall not open directly into any stable or living quarters. The pasteurization plant shall be used for no other purposes than the processing of milk and milk products and the operations incident thereto, except as may be approved by the health officer.

ITEM 6p. **Toilet facilities.**—Every milk plant shall be provided with toilet facilities conforming with the ordinance of the City of Indianapolis. Toilet rooms shall not open directly into any room in which milk, milk products, equipment, or containers are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be separate from the building, and shall be of a sanitary type constructed and operated in conformity with the requirements of item 10r, grade A raw milk.

ITEM 7p. **Water supply.**—The water supply shall be easily accessible, adequate, and of a safe, sanitary quality.

ITEM 8p. Hand-washing facilities.—Convenient hand-washing facilities shall be provided, including warm running water, soap, and approved sanitary towels. The use of a common towel is prohibited.

ITEM 9p. Sanitary Piping.—All piping used to conduct milk or milk products shall be "sanitary milk piping" of a type which can be easily cleaned with a brush. Pasteurized milk and milk products shall be conducted from one piece of equipment to another only through sanitary milk piping.

ITEM 10p. Construction and repair of containers and equipment.—All multi-use containers and equipment with which milk or milk products come in contact shall be constructed in such a manner as to be easily cleaned and shall be kept in good repair. The manufacture, packing, transportation, and handling of single-service containers and container caps and covers shall be conducted in a sanitary manner.

ITEM 11p. Disposal of wastes.—All wastes shall be properly disposed of.

ITEM 12p. Cleaning and bactericidal treatment of containers and equipment.—All milk and milk products containers and equipment, except single-service containers, shall be thoroughly cleaned after each usage. All containers shall be subjected to an approved bactericidal process after each cleaning and all equipment immediately before each usage. When empty and before being returned to a producer by a milk plant each container shall be effectively cleaned and subjected to bactericidal treatment.

ITEM 13p. Storage of containers and equipment.—After bactericidal treatment all bottles, cans, and other multi-use milk or milk products containers and equipment shall be stored in such manner as to be protected from contamination.

ITEM 14 p. Handling of containers and equipment.—Between bactericidal treatment and usage, and during usage, containers and equipment shall not be handled or operated in such manner as to permit contamination of the milk.

ITEM 15 p. Storage of caps, parchment paper, and single-service containers.—Milk-bottle caps or cap stock, parchment paper for milk cans, and single-service containers shall be purchased and stored

only in sanitary tubes and cartons, respectively, and shall be kept therein in a clean dry place.

ITEM 16p. Pasteurization.—Pasteurization shall be performed as described in section 1(L) of this ordinance.

ITEM 17p. Cooling.—All milk and milk products received for pasteurization shall immediately be cooled in approved equipment to 50 degrees F., or less and maintained at that temperature until pasteurized, unless they are to be pasteurized within 2 hours after receipt; and all pasteurized milk and milk products shall be immediately cooled in approved equipment to an average temperature of 50 degrees F., or less, as defined in section 1(S), and maintained thereat until delivery.

ITEM 18p. Bottling.—Bottling of milk and milk products shall be done at the place of pasteurization in approved mechanical equipment.

ITEM 19p. Overflow Milk.—Overflow milk or milk products shall not be sold for human consumption.

ITEM 20p. Capping.—Capping of milk and milk products shall be done by approved mechanical equipment. Hand capping is prohibited. The cap or cover shall cover the pouring lip to at least its largest diameter.

ITEM 21p. Personnel, health.—The health officer or a physician authorized by him shall examine and take a careful morbidity history of every person connected with a pasteurization plant, or about to be employed, whose work bring him in contact with the production, handling, storage, or transportation of milk, milk products, containers, or equipment. If such examination or history suggests that such person may be a carrier of or infected with the organisms of typhoid or paratyphoid fever or any other communicable diseases likely to be transmitted through milk, he shall secure appropriate specimens of body discharges and cause them to be examined in a laboratory approved by him or by the State health authorities for such examinations, and if the results justify such person shall be barred from such employment.

Such persons shall furnish such information, submit to such

physical examinations, and submit such laboratory specimens as the health officer may require for the purpose of determining freedom from infection.

ITEM 22p. Personnel, cleanliness.—All persons coming in contact with milk, milk products, containers, or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

ITEM 23p. Miscellaneous.—All vehicles used for the transportation of milk or milk products shall be so constructed and operated as to protect their contents from the sun and from contamination. All vehicles used for the transportation of milk or milk products in their final delivery containers shall be constructed with permanent tops and with permanent sides and back, provided that openings of the size necessary to pass the delivery man may be permitted in the sides or back for loading and unloading purposes. All vehicles shall be kept clean, and no substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination. All vehicles used for the distribution of milk or milk products shall have the name of the distributor prominently displayed.

The immediate surroundings of the milk plant shall be kept in a neat, clean condition.

Grade B Pasteurized milk.—Grade B pasteurized milk is pasteurized milk which violates the bacterial standard for grade A pasteurized milk and/or the provision of lip-cover caps of item 20p and/or the requirement that grade A raw milk be used, but which conforms with all other requirements for grade A pasteurized milk, has been made from raw milk of not less than grade B quality, and has an average bacterial plate count after pasteurization and before delivery not exceeding 50,000 per cubic centimeter, as determined under sections 1(S) and 6.

Grade C pasteurized milk.—Grade C pasteurized milk is pasteurized milk which violates any of the requirements for grade B pasteurized milk.

SECTION 8. Grades of milk and milk products which may be sold.—From and after 12 months from the date on which this ordi-

nance takes effect no milk or milk products shall be sold to the final consumer or to restaurants, soda fountain, grocery stores, or similar establishments except Grade A pasteurized and Certified pasteurized. Provided, that when any milk distributor fails to qualify for one of the above grades the health officer is authorized to revoke his permit, or in lieu thereof to degrade his product and permit its sale during a temporary period not exceeding 30 days or in emergencies such longer period as he may deem necessary.

SECTION 9. Supplementary grading prescribed and regrading authorized.—If at any time between the regular announcements of the grades of milk or milk products, a lower grade shall become justified, in accordance with sections 5, 6, and 7 of this ordinance the health officer shall immediately lower the grade of such milk or milk products, and shall enforce proper labeling and placarding thereof.

Any producer or distributor of milk or milk products the grade of which has been lowered by the health officer, and who is properly labeling his milk and milk products, may at any time make application for the regrading of his product.

Upon receipt of a satisfactory application, in case the lowered grade is the result of an excessive average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the health officer shall take future samples of the applicant's output, at a rate of not more than two samples per week. The health officer shall regrade the milk or milk products upward whenever the average of the last four sample results indicates the necessary quality, but not before the lapse of 2 weeks from the date of degrading.

In case the lowered grade of the applicant's product is due to a violation of an item of the specifications prescribed in Section 7, other than average bacterial plate count, direct microscopic count, reduction time, or cooling temperature, the said application must be accompanied by a statement signed by the applicant to the effect that the violated item of the specifications has been conformed with. Within one week of the receipt of such an application and statement the health officer shall make a reinspection of the applicant's establishment, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the higher grade requirements, and, in case the findings

justify, shall regrade the milk or milk products upward, but not before the lapse of two weeks from the date of degrading.

SECTION 10. Transferring or dipping milk; delivery containers; handling of more than one grade; delivery of milk at quarantined residences.—Except as permitted in this section, no milk producer or distributor shall transfer milk or milk products from one container to another on the street, or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose. The sale of dip milk is hereby prohibited.

All pasteurized milk and milk products shall be placed in their final delivery containers in the plant in which they are pasteurized. Milk and milk products sold in the distributor's containers in quantities less than one gallon shall be delivered in standard milk bottles or in single-service containers. It shall be unlawful for hotels, soda fountains, restaurants, groceries, and similar establishments to sell or serve any milk or milk product except in the original container in which it was received from the distributor or from a bulk container equipped with an approved dispensing device; Provided, That this requirement shall not apply to cream consumed on the premises, which may be served from the original bottle or from a dispenser approved for such service.

It shall be unlawful for any hotel, soda fountain, restaurant, grocery, or similar establishment to sell or serve any milk or milk products which have not been maintained, while in its possession, at a temperature of 50 degrees F. or less.

No milk or milk products shall be permitted to come in contact with equipment with which a lower grade of milk or milk products has been in contact unless such equipment has first been thoroughly cleaned and subjected to bactericidal treatment.

Bottled milk or milk products, if stored in water, shall be so stored that the tops of the bottles will not be submerged.

It shall be the duty of all persons to whom milk or milk products are delivered to clean thoroughly the containers in which such milk or milk products are delivered before returning such containers. Apparatus, containers, equipment, and utensils used in the handling, storage, processing, or transporting of milk or milk products shall

not be used for any other purpose without the permission of the health officer.

The delivery of milk or milk products to and the collection of milk or milk products containers from residences in which cases of communicable disease transmissible through milk supplies exist shall be subject to the special requirements of the health officer.

SECTION 11. Milk and milk products from points beyond the limits of routine inspection.—Milk and milk products from points beyond the limits of routine inspection of the City of Indianapolis may not be sold in the City of Indianapolis, or its police jurisdiction, unless produced and/or pasteurized under provisions equivalent to the requirements of this ordinance; provided that the health officer shall require evidence that the health officer having jurisdiction over the production and processing is properly enforcing such provisions.

SECTION 12. Future dairies and milk plants.—All dairies and milk plants from which milk or milk products are supplied to the City of Indianapolis which are hereafter constructed, reconstructed, or extensively altered shall conform in their construction to the requirements of this ordinance for grade A dairy farms producing milk for grade A pasteurization plants. Properly prepared plans for all dairies and milk plants which are hereafter constructed, reconstructed, or extensively altered shall be submitted to the health officer for approval before work is begun. In the case of milk plants signed approval shall be obtained from the health officer and/or the State Health Department.

SECTION 13. Notification of disease.—Notice shall be sent to the health officer immediately by any producer or distributor of milk or milk products upon whose dairy farm or in whose milk plant any infectious, contagious, or communicable disease occurs.

SECTION 14. Procedure when infection suspected.—When suspicion arises as to the possibility of transmission of infection from any person concerned with the handling of milk or milk products, the health officer is authorized to require any or all of the following measures: (1) the immediate exclusion of that person from milk handling, (2) the immediate exclusion of the milk supply concerned from distribution and use, (3) adequate medical and bacteriological

examination of the person, of his associates, and of his and their body discharges.

SECTION 15. Enforcement interpretation.—This ordinance shall be enforced by the health officer in accordance with the interpretations thereof contained in the 1939 edition of the United States Public Health Service Milk Code, a certified copy of which shall be on file in the City Clerk's office.

SECTION 16. Enforcement body.—For the purpose of enforcing this Ordinance, there is hereby set-up in the Department of Public Health and Charities a Dairy Division, and the positions and services hereinafter set-out are hereby created and established on an annual basis, and the various funds and compensations as hereinafter set-out are likewise created and established.

**DEPARTMENT OF PUBLIC HEALTH AND CHARITIES
DAIRY DIVISION**

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	Tax Levy	
Director	\$ 3,000	
Chief Farm Sanitarian.....	1,800	
3 Sr. Farm Sanitarians @ \$1,680 each..	5,040	
2 Jr. Farm Sanitarians @ \$1,620 each..	3,240	
2 Jr. Farm Sanitarians @ \$1,380 each..	2,760	
1 Chief Plant Engineer.....	1,800	
1 Jr. Plant Engineer.....	1,500	
1 Sr. Sample Collector.....	1,620	
2 Jr. Sample Collector @ \$1,080 each..	2,160	
1 Clerk — Stenographer	1,200	
	\$24,120	\$24,120

2. SERVICES—CONTRACTURAL

21. Communication and Transportation.....	\$ 500	
24. Printing and Advertising.....	700	
25. Repair of Equipment.....	100	
	\$ 1,300	\$ 1,300

3. SUPPLIES

31. Food	\$ 1,500	
32. Fuel and Ice.....	100	
33. Garage and Motors.....	9,600	
35. Milk and Food Samples.....	250	
36. Office Supplies.....	400	
38. General Supplies.....	400	
	<hr/>	
	\$12,250	\$12,250

LABORATORY SECTION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	Tax Levy	
1. Bacteriologist (part time).....	\$ 300	
2. Technician	1,080	
3. Ass't. Technician	960	\$ 2,340
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3. SUPPLIES

34. Institutional and Medical.....	\$ 250	\$ 250
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7. PROPERTIES

72. Equipment	\$ 750	\$ 750
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Grand Total.....		<hr/>	\$41,010
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SECTION 17. **Abolition Existing Milk Enforcement.**—The following positions and services set-up in the annual budget for the year 1941 are hereby eliminated and abolished effective as of July 1, 1941, and the remaining monies for the payments of such positions and services for the balance of the year 1941, and are transferred and appropriated for the use of the Dairy Division in this Ordinance created.

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES
T. B. PREVENTION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular	Tax Levy
4 Inspectors @ \$1,384.03.....	\$5,536.12

3. SUPPLIES

Total T. B. Prevention.....	<hr/>	\$5,536.12
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**DEPARTMENT OF PUBLIC HEALTH AND CHARITIES
ADMINISTRATION**

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular
 2 milk and dairy inspectors
 @ \$1,384.03\$2,768.06

SECTION 18. Personnel.—The personnel of the Dairy Division, City Board of Health, including the supervisor, plant and farm sanitarians and laboratory technicians shall be qualified through education, experience, and training to fulfill their respective positions.

The above listed personnel before appointment to their respective positions shall be required to take and pass a written and oral examination given by the Health Officer to determine their eligibility and fitness for such positions. Such examinations shall conform to the standard of examinations given by the State Merit Board of Indiana for similar positions. Only present employees of the Dairy Division, City Board of Health, and those applicants who meet the following qualifications or their equivalent, with respect to training and experience shall be permitted to take this examination.

QUALIFICATIONS OF NEW PROSPECTIVE EMPLOYEES:

***SUPERVISOR (one)**

- (a) A degree from a recognized Agriculture or Veterinarian college or science school with a major in dairy science.
- (b) Practical experience in dairy or milk plant operation.
- (c) At least three years experience in sanitary control of a milk supply under proper supervision.

***SENIOR FARM INSPECTORS (four)**

- (a) A degree from a recognized Agriculture or Veterinarian college or science school with a major pertaining to dairy science.
- (b) Practical experience in dairy farm operation.
- (c) At least three years experience in sanitary control of a milk supply under proper supervision.

*JUNIOR FARM INSPECTORS (four)

- (a) Graduate of a recognized Agriculture or Veterinarian college, or at least one eight-weeks course in Dairy Production in a recognized Agricultural college.

*SENIOR PLANT ENGINEER (one)

- (a) Graduate of a recognized Agriculture college with a major pertaining to dairy engineering.
- (b) At least three years of experience in sanitary milk control under proper supervision.
- (c) Practical experience in milk plant operation.

*JUNIOR PLANT ENGINEER (one)

- (a) Graduate of a recognized Agriculture college with a major pertaining to dairy engineering.
- (b) Practical experience in milk plant operation, or three years experience in sanitary control of a milk supply under proper supervision.

**SENIOR SAMPLE COLLECTOR (one)

- (a) Three years experience in sanitary control of a milk supply under supervision.

**JUNIOR SAMPLE COLLECTOR (two)

Training and experience not required.

LABORATORY TECHNICIAN (one)

- (a) Graduate from a recognized school of Laboratory Technology majoring in bacteriology.

**ASS'T. LABORATORY TECHNICIAN (one)

Training and experience not required.

**SECRETARY (one)

Training acceptable to

Training acceptable to Health Office for general office work.

*Not mandatory for present employees.

**Examination not required.

The names of the successful applicants shall be submitted to the MAYOR of the City of Indianapolis for appointment.

SECTION 19. Repeal.—Sections 544 through 563, inclusive of General Ordinance No. 121, 1925, all sections of General Ordinance No. 93, 1927, except sections 7, 8, 9, 10 and 19, General Ordinance No. 18, 1938, and all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SECTION 20. Penalty.—Any person, firm, corporation or association violating any of the provisions of this ordinance shall, upon conviction, for the first offense be punished by a fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00); for the second offense, a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00); and for a third and subsequent offenses, by a fine of one hundred dollars (\$100.00) and imprisonment in the County Jail for not less than thirty (30) days nor more than ninety (90) days.

SECTION 21. Effective date.—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 and Charities.

INTRODUCTION OF SPECIAL ORDINANCES

By the City Plan Commission:

SPECIAL ORDINANCE NO. 9, 1941

AN ORDINANCE changing the names of 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 the unnamed public way located on a north-east and southwest directional line between Meridian Street and Pennsylvania Street and in the vicinity of Sixty-first Street shall hereafter be known and designated as Penmer Drive, more particularly described as follows:

Beginning at a point on the east property line of Meridian Street north of Kessler Blvd. and extending northeastwardly to the west property line of Pennsylvania Street at a point north of Sixty-first Street said unnamed public way being one hundred feet (100') in width and commonly known as U. S. Road No. 31.

SECTION 2. That the unnamed 25' width public way north of and adjacent to the P. C. C. & St. L. Railroad right-of-way and extending from the west property line of Emerson Avenue to the west property line of the first alley west of Bancroft shall hereafter be known and designated as Howe Drive.

SECTION 3. 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. Ross called for General Ordinance No. 69, 1940, for second reading. It was read a second time.

Mr. Ross made a motion to strike from the files General Ordinance No. 69, 1940. The motion was seconded by Mr. Bach, and passed by the following roll call vote:

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

Mr. Bach called for General Ordinance No. 8, 1941, for second reading. It was read a second time.

Mr. Bach made a motion to strike from the files General Ordinance No. 8, 1941, in lieu of a declaration of policy now being considered by the Mayor and labor representatives. The motion was seconded by Mr. Moore and passed by the following roll call vote:

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

Mr. Deluse called for General Ordinance No. 38, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ropkey, General Ordinance No. 38, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 38, 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. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 39, 1941, for second reading. It was read a second time:

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 39, 1941, was ordered engrossed, read a third time and placed upon its passage:

General Ordinance No. 39, 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. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 40, 1941, for second reading. It was read a second time.

Mr. Deluse presented the following written motion to amend General Ordinance No. 40, 1941:

May 19, 1941.

Mr. President:

I move to amend General Ordinance No. 40-1941 in the following manner:

By striking out the clause reading as follows: "(27) Turning in street between intersections"; where the same appears in Section 1, and inserting in lieu thereof the following: "(27) Turning so as to move in the opposite direction in street between intersections";

By adding after the period appearing after the last sentence in Section 2, the following:

"Provided, however, that if the traffic violation is a non-moving traffic violation, the violator or his agent or his attorney shall have the privilege of paying the sum of two dollars (\$2.00) irrespective of the number of prior traffic violations and shall not be required to present a license or permit to operate a motor vehicle as issued by the State of Indiana."

By striking out the following: "and who has been found guilty, by a court, of three or more traffic violations," where the same appears after the first comma in the first sentence of Section 3, and inserting in lieu thereof the following: "and who has admitted, pursuant to this ordinance, or been found guilty by a court, of three or more moving traffic violations"

By insertng the words: "and the City Prosecutor" after the

word "Safety" and before the word "with" where the same appear in the last sentence of Section 5.

A. O. DELUSE,

Member of the Common Council.

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

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

Mr. Deluse presented the following written motion to amend General Ordinance No. 40, 1941:

Indianapolis, May 19, 1941.

Mr. President:

I move to amend Section 1 of General Ordinance No. 40-1941, by striking out the following words: "(21) Turning left into alleys or driveways," where the same appear in said section, and inserting in lieu thereof the following words: "(21) Turning left into and emerging from alleys and driveways" in a congested district.

A. O. DELUSE,

Member of the Common Council
of the City of Indianapolis.

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

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

On motion of Mr. Deluse, seconded by Mr. Ropkey, Gen-

eral Ordinance No. 40, 1941, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 40, 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. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 41, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Moore, General Ordinance No. 41, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 41, 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. Moore, Mr. Ropkey, Mr. Ross, President Wood.

Dr. Hemphill called for Resolution No. 2, 1941, for second reading. It was read a second time.

Dr. Hemphill made a motion to strike from the files Resolution No. 2, 1941, in lieu of a declaration of policy now being considered by the Mayor and labor representatives. The motion was seconded by Mr. Moore and passed by the following roll call vote:

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

General Ordinances No. 69, 1940, No. 8, 1941, and Resolution No. 2, 1941, were stricken from the files.

Appropriation Ordinance No. 6, 1941, General Ordinance No. 17, 1941, General Ordinance No. 31, 1941, General Ordinance No. 37, 1941, and Special Ordinance No. 7, 1941, and Special Ordinance No. 8, 1941, were held for further consideration by the committees to which they were referred.

On motion of Mr. Moore, seconded by Mr. Bach the Common Council adjourned at 10:10 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 19th day of May, 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.

(SEAL)



City Clerk.