

REGULAR MEETING

7:30 p. m. (Standard Time)

Monday, July 7, 1941

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

The Clerk called the roll.

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

Absent: Mr. Moore.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Dr. Hemphill.

COMMUNICATIONS FROM THE MAYOR

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 and resolution:

APPROPRIATION ORDINANCE NO. 8, 1941
As Amended

AN ORDINANCE appropriating moneys for the newly created Dairy Division of the Department of Public Health and Charities, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 48, 1941

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 50, 1941

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000) in anticipation of current taxes of the City of Indianapolis actually levied and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 51, 1941

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan in the year 1941 in the sum of One Hundred Twenty-five Thousand Dollars (\$125,000) for the use of the Board of Health of said city in anticipation of and payable out of the current revenues of said Board of Health actually levied for general Board of Health purposes and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 52, 1941

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the year 1941 in the sum of Twenty Thousand Dollars (\$20,000), for the use of the Board of Health of said city, in

anticipation of and payable out of the current taxes of the Board of Health actually levied for the School Health Fund of said board and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 53, 1941

AN ORDINANCE authorizing the City of Indianapolis to make a temporary loan in the sum of Fifteen Thousand Dollars (\$15,000) for the use of the Board of Health of said City, in anticipation of and payable out of the current taxes of said Board of Health actually levied for the Tuberculosis Fund of said Board and in the course of collection for the fiscal year in which said loan is made payable; providing for the interest to be charged therefor; providing for legal notice and the time when said loan shall mature; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 54, 1941

AN ORDINANCE authorizing the city controller of the City of Indianapolis to make a temporary loan in the sum of Seventy Thousand Dollars (\$70,000) for the use of the Board of Trustees of the Firemen's Pension Fund of said city, in anticipation of and payable out of the current taxes of the Firemen's Pension Fund actually levied for said fund and in the course of collection for the fiscal year in which said loan is made payable; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 55, 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.

GENERAL ORDINANCE NO. 56, 1941

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

SPECIAL ORDINANCE NO. 10, 1941
As Amended

AN ORDINANCE amending Section 34 and Section 35 of Special Ordinance No. 1, 1940, an ordinance changing the names of certain streets and naming certain unnamed public ways in the City of Indianapolis; and fixing a time when the same shall take effect.

RESOLUTION NO. 4, 1941
As Amended

A RESOLUTION urging the Mayor to proclaim daylight saving for the City of Indianapolis.

Respectfully,

R. H. SULLIVAN,
Mayor.

June 19, 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 ordinance:

GENERAL ORDINANCE NO. 47, 1941
As Amended

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 inspection of dairy farms and milk plants, the examination, grading, labeling, placarding, pasteurization, regrading, distribution, and sale of milk and milk

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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.

Respectfully,

R. H. SULLIVAN,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

July 7, 1941.

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

Gentlemen:

Re: Appropriation Ordinance No. 9, 1941, and
General Ordinance No. 60, 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 July 7, 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.

July 7, 1941.

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

Gentlemen:

Attached please find copies of General Ordinance No. 61, 1941, transferring the sum of Twenty-five Hundred Dollars (\$2,500.00) from Fund No. 11 of the Department of Public Safety, Police Department, as per the 1941 budget of the City of Indianapolis, and reappropriating the same to Fund No. 25 of said Police Department.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

July 7th, 1941.

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

Gentlemen:

Attached hereto please find 18 copies of General Ordinance No. 62 authorizing the Board of Safety, through its duly appointed Purchasing Agent, to purchase the following articles for the Police Department:

6 Automobiles, Standard Coupes with Special Radio Generators at a price not to exceed \$3870.00.

These bids were duly advertised according to law and opened

in public by the Board of Safety, and the award made to the lowest and best bidder.

The Purchasing Department respectfully recommends the passage of this Ordinance.

DEPARTMENT OF PUBLIC PURCHASE,
ALBERT H. LOSCHE, Purchasing Agent.

July 7th, 1941.

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

Gentlemen:

Attached hereto please find 18 copies of General Ordinance No. 63 authorizing the Board of Works and Sanitation, through its duly appointed Purchasing Agent, to purchase the following equipment for the Street Commissioner's Department:

One Automobile Truck Chassis upon which can be mounted an existing Sewer Eductor—not to exceed-----\$4,000.00

One Motor Driven Gutter Sweeper for Cleaning Streets, Gutters and Thorofares not to exceed-----\$3,524.00

These bids were duly advertised according to law and opened in public by the Board of Works and Sanitation, and the award therefore to be made to the lowest and best bidder.

The Purchasing Department respectfully recommends the passage of this Ordinance.

DEPARTMENT OF PUBLIC PURCHASE,
ALBERT H. LOSCHE, Purchasing Agent.

July 7th, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 64, 1941, prohibiting parking at all times on the west side of South Harding Street between certain points, and restricting parking to one and one-half hours on both sides of Eleventh Street from Pennsylvania Street to Illinois Street, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,
President.

LJK/EHA

July 7th, 1941.

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

Gentlemen:

Submitted herewith is General Ordinance No. 65, 1941, amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-section (75) making Montclam Street preferential at its intersection with West Eighteenth Street. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,

LJK/EHA

July 7, 1941

City of Indianapolis, Ind.

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July 7th, 1941.

To the Common Council of
the City of Indianapolis.

Gentlemen:

Attached hereto are 18 copies of General Ordinance No. 66, 1941, amending Section 376 of General Ordinance No. 121, known as the Municipal Code of 1925, as amended by General Ordinance No. 31, 1928.

Very truly yours,

JOSEPH G. WOOD.

July 3, 1941.

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

Gentlemen:

Attached hereto are twenty copies of General Ordinance No. 67, 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.

GFR/k

July 5, 1941.

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

Gentlemen:

Attached please find 18 copies of General Ordinance No. 68,

1941, governing the use of motor boats on White River, between Emrichsville Dam and 38th street, practically all of abutting lands being under the control and jurisdiction of the Board of Park Commissioners.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PARK COMMISSIONERS,

By MARY E. GRIFFIN, Secretary.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 9, 1941, and General Ordinance No. 60, 1941.

COMMITTEE REPORTS

Indianapolis, Ind., July 7, 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. 9, 1941, entitled

Appropriating the sum of \$5,000.00

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

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

Indianapolis, Ind., July 7, 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 considera-
tion, and recommend that the same be held for further consideration.

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

Indianapolis, Ind., July 7, 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 consideration and recommend that the same be passed as amended.

ALBERT O. DELUSE
ERNEST C. ROPKEY.
F. B. RANSOM.

Indianapolis, Ind., July 7, 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
devices

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

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

Indianapolis, Ind., July 7, 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. 57, 1941, entitled

Concerning the salaries and wages of members of the Indianapolis Fire Department

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
ALBERT O. DELUSE
F. B. RANSOM
ERNEST C. ROPKEY
GUY O. ROSS
JOSEPH G. WOOD

Indianapolis, Ind., July 7, 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. 59, 1941, entitled

Regulating parking on certain parts of Gray 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
F. B. RANSOM
HARMON A. CAMPBELL

July 3, 1941.

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

Gentlemen:

The City Plan Commission, at its regular meeting on June 30,

1941, approved and recommended the passage of General Ordinance No. 60, 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.

GFR, k

Indianapolis, Ind., July 7, 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

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

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

Indianapolis, Ind., July 7, 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. 12, 1941, entitled

Annexing certain contiguous territory

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

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

INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 61, 1941

AN ORDINANCE transferring Twenty-five Hundred Dollars (\$2,500.00) from Fund No. 11 of the Department of Public Safety, Police Department, as per 1941 budget of the City of Indianapolis, and reappropriating said sum to Fund No. 25 of said Police Department; and fixing a time when the same shall take effect.

WHEREAS, an extraordinary emergency has arisen in that funds heretofore appropriated to Fund No. 25 of the Department of Public Safety, Police Department, will be inadequate to meet the unforeseen rise in cost and extent of repairs required to properly maintain the property of said department for the balance of the current fiscal year, NOW, THEREFORE,

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

SECTION 1. That the sum of Twenty-five Hundred Dollars (\$2,500.00) now in the following fund as per 1941 budget classification of the City of Indianapolis, to-wit:

DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT

Fund No. 11—Salaries and Wages, Regular Patrol-
men 1st Grade \$2,500.00
be and the same is hereby transferred therefrom, reappropriated and
reallocated to the following designated fund of said department in
like amount, to-wit:

DEPARTMENT OF PUBLIC SAFETY
POLICE DEPARTMENT

Fund No. 25—Repairs \$2,500.00

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 Com-
mittee on Public Safety.

By the Purchasing Department:

GENERAL ORDINANCE NO. 62, 1941

AN ORDINANCE authorizing the Board of Public Safety of the City
of Indianapolis to purchase, through its duly authorized Pur-
chasing Agent, six Automobiles, Coupes, with certain special
equipment, for the Police Department; and fixing a time when
the same shall take effect.

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

SECTION 1. That the Board of Public Safety of the City of
Indianapolis, through its duly authorized purchasing agent, be and it
is hereby authorized to receive bids, after duly advertising therefor
according to law, and make purchase of six (6) automobiles, coupes,
with special Bosch or equal radio generators, according to city speci-
fications, and the total combined cost of all of said automobiles shall
not exceed the sum of Three Thousand Eight Hundred Seventy Dol-
lars (\$3,870.00), and the allowance for the trade-ins of six (6) used

automobiles of said department, bearing city numbers, 8, 9, 19, 26, 57 and 66, which trade-ins are hereby authorized to be made at not less than the appraised value thereof as fixed by the Appraisal Board of said city.

SECTION 2. That the purchase of said equipment shall be paid out of the funds heretofore appropriated to the Board of Public Safety of said city for said purpose.

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.

By the Purchasing Department:

GENERAL ORDINANCE NO. 63, 1941

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

WHEREAS, the Board of Public Works and Sanitation of the City of Indianapolis was heretofore authorized to purchase one Sewer Eductor and Chassis therefor in a sum not to exceed Nine Thousand Dollars (\$9,000), all as provided by General Ordinance No. 30, 1941, duly adopted by the Common Council on May 5, 1941, and approved by the Mayor on May 6, 1941; and

WHEREAS, in the meantime the purchase of said Sewer Eductor and Chassis has been deferred and has not been made and said board has caused one of its existing Sewer Eductors (which originally was to be replaced) to be rebuilt and repaired, and accordingly the city need not purchase a new Sewer Eductor at this time; and

WHEREAS, the Board of Public Works and Sanitation has deter-

mined that the aforesaid rebuilt and repaired Sewer Eductor will be sufficient for the city's present needs, provided a new motor chassis is purchased upon which said Eductor can be mounted; NOW, THEREFORE,

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

SECTION 1. That the Board of Public Works and Sanitation of the City of Indianapolis be and it is hereby authorized and empowered to purchase, through its duly authorized purchasing agent, certain specified equipment, including not only the equipment described in the preamble hereof but also certain equipment for use by the Street Commissioner's Department, all of which equipment is more particularly described as follows, to-wit:

- (1) One (1) Automobile Truck Chassis upon which can be mounted the existing Sewer Eductor recently overhauled, repaired and rebuilt \$4,000.00
- (2) One (1) Motor Driven Gutter Sweeper, according to specifications of the Purchasing Agent of the City of Indianapolis, for use by the Street Commissioner's department on and upon the public streets and highways of the City of Indianapolis \$3,524.00

SECTION 2. That said purchases shall be made from the lowest and best bidder, or bidders, after advertising for competitive bids therefor, and the cost of each of said pieces of equipment shall not exceed the respective sums hereinbefore specified.

SECTION 3. That the purchase of the Automobile Truck Chassis shall be paid for out of funds heretofore appropriated to the Board of Public Works and Sanitation for said purpose, and the purchase of the Gutter Sweeper shall be paid for out of funds heretofore appropriated to the Department of Public Works, Street Commissioner, as per 1941 budget classification, to-wit: Fund No. 72—Equipment, which said funds have been derived from gasoline tax.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approved by the Mayor.

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

By the Board of Safety:

GENERAL ORDINANCE NO. 64, 1941

AN ORDINANCE prohibiting and regulating parking on certain parts of certain streets 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 any vehicle to park the same or suffer, permit or allow the same to be parked upon a certain part of South Harding Street in the City of Indianapolis, described as follows:

- (a) On the west side of South Harding Street from the south boundary line of the property of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company to the north boundary line of the Baltimore & Ohio Railroad Company property.

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 (1½) hours between the hours of 7:00 o'clock A. M. and 6:00 o'clock P. M. on any day of the week except Sundays, on a certain part of Eleventh Street in said city, described as follows:

- (a) On both sides of Eleventh Street, from the west curb line of North Pennsylvania Street to the east curb line of North Illinois 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 Safety:

GENERAL ORDINANCE NO. 65, 1941

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, by adding thereto sub-section (75), and fixing a time when the same shall take effect.

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

SECTION 1. That Section 44 of General Ordinance No. 96, 1928, as amended, be amended by adding thereto sub-section (75) as follows:

(75) Montcalm Street at its intersection with West Eighteenth Street.

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

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

By Councilman Wood:

GENERAL ORDINANCE NO. 66, 1941

AN ORDINANCE to amend Section 376 of General Ordinance No. 121, known as the Municipal Code of 1925, as amended by General Ordinance No. 31, 1928, 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 Rule 1 of the Common Council of the City of Indianapolis, as the same was adopted by General Ordinance No. 31, 1928, which ordinance amended Section 376 of General Ordinance No. 121, known as the Municipal Code of 1925, be and the same is hereby amended by adding after the last period appearing after the last sentence in said Rule 1, the following, to-wit:

The said time of 7:30 P. M. shall mean 7:30 P. M. Central Standard Time. Provided, however, that whenever Day-light Saving Time, by the one hour advancement of Central Standard Time, is being generally observed throughout the City of Indianapolis, whether such general observance is pursuant to an executive proclamation or order of an official or by legislative fiat of a legislative body of the city, state or federal government, then the regular meeting shall be held at the hour of 6:30 P. M., Central Standard Time (7:30 P. M. Day-light Saving Time).

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 Law and Judiciary.

By the City Plan Commission:

GENERAL ORDINANCE NO. 67, 1941

AN ORDINANCE to amend General Ordinance No. 114, 1922, com-

monly known as the Zoning Ordinance, 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 U-1 or Residential District, the A-2 or 4,800 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:

Beginning at a point on the present corporation line north of Tenth Street at its intersection with the west property line of Irvington Avenue; Thence north on and along the west property line of Irvington Avenue to a point measured along the west property line of Irvington Avenue two hundred forty six and fifty seven hundredths feet (246.57') north of the center line of Tenth Street; Thence west one hundred fifty two and sixty three hundredths feet (152.63') to a point said point being two hundred forty five feet (245') north of the center line of Tenth Street; Thence south to a point in the present corporation line; Thence east following the present corporation line to a point in the west property line of Irvington Avenue, the point or place of beginning.

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

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

By the Board of Park Commissioners:

GENERAL ORDINANCE NO. 68, 1941

AN ORDINANCE regulating boating in and upon a certain part of White River in the City of Indianapolis; prohibiting certain boats from the use of said stream; providing for the registra-

tion of certain boats with the Department of Public Parks; providing a penalty for any violation thereof; and fixing a time when the same shall take effect.

WHEREAS, the stream of White River in the City of Indianapolis has recently been widened and dredged in parts thereof, particularly between the 30th Street Bridge on the south and 38th Street on the north, and said stream for the most part is of sufficient width and depth to permit small boats, including sail, hand and motor propelled, to travel in and along said stream between the Emrichsville dam on the south and 38th Street on the north; and

WHEREAS, numerous citizens of the City of Indianapolis have expressed the desire to use said stream for boating purposes and have requested the City of Indianapolis to adopt rules and regulations covering the use of said stream by all persons desiring to avail themselves of said waters; and

WHEREAS, the City of Indianapolis is the largest riparian owner of lands abutting both sides of said river between the aforesaid Emrichsville dam and 38th Street, by reason of the fact that practically all of said abutting lands are park lands and under the jurisdiction and control of the Board of Park Commissioners of said city; and

WHEREAS, it is the desire of the Common Council of the City of Indianapolis to comply with the aforesaid request of those citizens wishing to use said river for boating purposes, and in order to afford the maximum amount of pleasure to all such citizens and at the same time provide for the general welfare, safety and security of all persons who may use said river; NOW, THEREFORE,

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) "Boat": Any and all kinds, types and sizes of boats capable of carrying a person or persons.

- (b) "Motor Boat": Every boat propelled by a motor or engine, using as power either electricity, steam, gas, gasoline, or energy of any other sort.
- (c) "Motor": Any motor or engine using as power either electricity, steam, gas, gasoline, or energy of any other sort.
- (d) "White River": Whenever the phrase "White River" is used herein, such phrase shall be construed to include only that portion of the stream of White River between what is commonly known as the Emrichsville Dam on the south and West 38th Street (if extended) on the north.
- (e) "Permit": The Certificate of Permission issued by the Department of Public Parks of the City of Indianapolis, Indiana, at its offices in the City Hall, Indianapolis, Indiana.
- (f) "Owner": The word "Owner" shall include any person, firm, corporation or partnership.

SECTION 2. The owner of any motor boat propelled by a motor of not more than ten (10) horse power and who may desire to use the same upon that portion of White River between the Emrichsville Bridge and 38th Street shall cause such boat to be registered with the Department of Public Parks of the City of Indianapolis. Such owner shall make application to said Department upon a printed form to be furnished free of charge by said Department and wherein such owner shall set forth a brief description of the boat, including the name of its manufacturer, size of boat, the horse power of the motor, the passenger capacity and such other information as may be required by said Department. Such application shall be accompanied by a One Dollar (\$1.00) service charge to cover the cost of printing of all forms, the servicing of said application and the issuing of a permit.

SECTION 3. Each boat registered hereunder and for which a permit has been issued shall have a distinctive registration and permit number assigned to it by said Department. Such number shall be displayed upon both sides of the prow of the boat in black letters or numbers not less than four inches (4") high and two inches (2") wide on a

white background and in a manner to be legible from a distance of fifty (50) yards. Such registration and permit shall be valid for the life of the boat or until title thereof is transferred. Upon the transfer of any boat registered hereunder, the vendor shall remove from the boat the permit numbers, and the registration thereof shall expire.

SECTION 4. It shall be unlawful for the owner of any motor boat to operate or cause, suffer or permit the same to be operated in and upon White River, as herein defined, without first having said motor boat registered as provided for in Section 2 hereof.

SECTION 5. It shall be unlawful for the owner or operator of any motor boat having a motor exceeding ten (10) horse power or which said motor boat shall exceed sixteen feet and one inch (16' 1") in length to operate or cause, suffer or permit the same to be operated in and upon White River, as herein defined, at any time.

SECTION 6. It shall be unlawful for the owner or operator of any motor boat which is propelled with a motor commonly known as an "Outboard Motor," to use the stream of White River for boating unless the same shall be equipped with a modern and improved muffler, sufficient to prevent noise from the exhaust of such engine, and said muffler shall be kept and remain closed by the person or persons operating or in charge of the boat at all times when such motor is in operation.

SECTION 7. It shall be unlawful for the owner or operator of any motor boat to use the stream of White River, as herein defined, for boating without providing one (1) life preserver for each occupant of said boat. Said life preservers shall be kept in said motor boat at all times when said boat is in use.

SECTION 8. It shall be unlawful for the owner or operator of any boat using the stream of White River, as herein defined, to tow another boat at any time; provided, however, that this provision shall not apply in the case of an emergency, and in such an event the boat then being towed shall be pulled or towed only to the shore, or to the nearest designated wharf or landing area.

SECTION 9. Every motor boat operating in and upon the stream of White River, as herein defined, at any time from a half hour after sunset to a half hour before sunrise, and at any other time when

there is not sufficient light to reveal clearly discernible persons and boats in and upon said waterway at a distance of five hundred feet (500'), shall display one lighted red and one lighted green lamp on the prow or forward end and one lighted white lamp aft, when lights shall be of sufficient power to reveal objects visible not less than two hundred feet (200') from such boat. It shall be unlawful to operate any boat in and upon the stream of White River between the hours of 10:00 o'clock P. M. (Central Standard Time) and 5:00 o'clock A. M. (Central Standard Time).

SECTION 10. The Board of Park Commissioners of the City of Indianapolis is hereby authorized and directed to establish and designate, by resolution duly adopted by said Board, certain safety areas in and along the stream of White River which shall be considered and known as "Safety Areas" and which shall be designated and marked with appropriate signs to be erected by the Department of Public Parks, either in the water or on and upon the banks of said stream, or both. Said Board is further authorized and directed to establish in the same manner certain safety channels through which all boats shall proceed at a reduced speed, which in no event shall exceed three (3) miles per hour. Such Safety Channels shall be established, designated and marked as other Safety Areas, either by the erection of appropriate signs or by the placing of buoys in said waterway, outlining such channels, or both. It shall be unlawful for the operator of any motor boat to travel at a speed greater than three (3) miles per hour in, upon and through any Safety Channel which may hereafter be established, designated and marked. It shall be unlawful for the operator of any motor boat at any time to enter in and upon any area in said stream of White River which shall have been established, designated and marked as a "Safety Area," as in this section provided.

SECTION 11. The Board of Park Commissioners of the City of Indianapolis is hereby authorized and empowered to establish and designate, by resolution duly adopted by said Board, certain landing areas on and along the banks of the stream of White River, and the owner or operator of any boat using said waterway shall use only such landing areas as may be established and designated by said Board. All such landing areas shall be established for the embarking and landing of all boats, and it shall be unlawful for the owner or operator of any boat to land or to embark with any boat at any place other than at one of the landing areas so established and designated. When not in use all boats shall be securely moored at one of the permanent docks or piers erected at the aforesaid landing areas.

SECTION 12. It shall be unlawful for the operator of any motor boat in passing any other boat which is approaching from the opposite direction to pass or to attempt to pass such approaching boat other than on and upon the right hand side thereof. It shall be unlawful for the operator of any motor boat to pass or to attempt to pass any other boat which said motor boat is overtaking from the rear other than on and upon the left hand side of such overtaken boat. It shall be unlawful for the operator of any motor boat to pass so close to another boat as to cause said other boat to be swamped or overturned by the wake created by said motor boat.

SECTION 13. Notice is hereby given to all persons, firms, corporations and partnerships who shall own or operate any boat or boats on and upon White River, as herein defined, that all boats using said waterway shall be used and operated solely at the risk of such owner, operator or the persons therein, and neither the City of Indianapolis nor its said Board of Park Commissioners assumes any responsibility or liability therefor. The City of Indianapolis hereby serves notice upon all persons who may use said waterway that said city does not represent that said waterway has sufficient depth for boating purposes nor that the same is free and clear of obstructions beneath the surface of said stream.

SECTION 14. All permits issued pursuant hereto shall be subject to all the rules and regulations contained herein or hereafter prescribed and adopted by the Board of Park Commissioners of the City of Indianapolis, and the violation of any such rules and regulations, or of any section hereof, shall be deemed to be sufficient cause for revocation or suspension of any such permit. Any such revocation or suspension shall rest within the discretion of said Board of Park Commissioners.

SECTION 15. Any person, firm, corporation or partnership violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not less than five dollars (\$5.00) and not more than One Hundred Dollars (\$100.00).

SECTION 16. 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.

ORDINANCES ON SECOND READING

Mr. Ropkey called for Appropriation Ordinance No. 9, 1941, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Dr. Hemphill, Appropriation Ordinance No. 9, 1941, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 9, 1941, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Deluse called for General Ordinance No. 31, 1941, for second reading. It was read a second time.

Mr. Deluse presented the following written motion to amend General Ordinance No. 31, 1941.

July 7, 1941.

Mr. President:

I move that General Ordinance No. 31, 1941, be amended as follows:

In section 2, paragraph (a), the words, "East Raymond Street," be struck out and the words "Lincoln Street" be substituted.

In section 2, paragraph (c) the words "North Pennsylvania Street" be struck out and the words "East Street" be substituted.

In section 2, paragraph (g), the words "Olney Street" be struck out and the words "Kealing Avenue" be substituted.

In section 3, paragraph (a), the words "East Raymond Street" be struck out and the words "Lincoln Street" be substituted.

In section 3, paragraph (c), the words "North Pennsylvania Street" be struck out and the words "East Street" be substituted.

In section 3, paragraph (d), the following words be added: "except upon such parts where parking is now prohibited at all hours of the day, which prohibition shall remain in full force and effect."

In section 3, paragraph (f), the words, "Olney Street," be struck out and the words "Kealing Avenue" be substituted.

I also recommend that parking be prohibited on Illinois Street from Sixteenth Street to Thirty-fourth Street between certain hours and that the following paragraphs be included in General Ordinance No. 31.

Section 2.

(h) On the west side of Illinois Street from the south curb line of Thirty-fourth Street to the north curb line of Sixteenth Street.

Section 3.

(h) On the east side of Illinois Street from the north curb line of Sixteenth Street to the south curb line of Thirty-fourth Street.

I also recommend that parking be prohibited on each side of Michigan Street from East Street to West Street between certain hours and that the following paragraph be included in General Ordinance No. 31.

Section 3.

(i) On either side of Michigan Street from the west curb line of East Street to the east curb line of West Street.

I also recommend that parking be prohibited on Sixteenth Street from Delaware Street to College Avenue between certain hours and that the following paragraph be included in General Ordinance No. 31.

Section 3.

(j) On the south side of Sixteenth Street from the east curb

line of Delaware Stret to the west curb line of College Avenue.

ALBERT O. DELUSE,
Member.

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. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 31, 1941, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 31, 1941, as amended, was read a third time by the Clerk and passed by the following roll call vote:

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

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

Mr. Deluse called for General Ordinance No. 37, 1941, for second reading. It was read a second time.

Mr. Deluse made a motion to strike from the files General Ordinance No. 37, 1941. 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. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

Mr. Deluse called for General Ordinance No. 59, 1941, for second reading. It was read a second time.

On motion of Mr. Deluse, seconded by Mr. Ransom, General Ordinance No. 59, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 59, 1941, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Campbell called for General Ordinance No. 60, 1941, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Bach, General Ordinance No. 60, 1941, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 60, 1941, was read a third time by the Clerk and passed by the following roll call vote:

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

Mr. Ransom called for Special Ordinance No. 7, 1941, for second reading. It was read a second time.

Mr. Ransom made a motion to strike from the files Special Ordinance No. 7, 1941. The motion was seconded by Mr. Deluse and passed by the following roll call vote:

Ayes, 8, viz: Mr. Bach, Mr. Campbell, Mr. Deluse, Dr.

Hemphill, Mr. Ransom, Mr. Ropkey, Mr. Ross, President Wood.

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

On motion of Mr. Ransom, seconded by Mr. Deluse, Special Ordinance No. 12, 1941, was ordered engrossed, read a third time and placed upon its passage.

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

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

MISCELLANEOUS BUSINESS

Mr. Campbell asked that the rules be suspended for the further consideration and passage of General Ordinance No. 66, 1941. The motion was seconded by Dr. Hemphill and passed by the following roll call vote:

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

The rules were suspended.

The Council reverted to the previous order of business.

COMMITTEE REPORTS

Indianapolis, Ind., July 7, 1941.

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

Gentlemen:

We, your Committee on Law & Judiciary to whom was referred
General Ordinance No. 66, 1941, entitled

An ordinance amending Section 376 of General Ordinance
No. 121, 1925, as amended by General Ordinance No. 31,
1928.

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

HARMON A. CAMPBELL
F. B. RANSOM
OLLIE A. BACH
GUY O. ROSS
WALTER E. HEMPHILL

ORDINANCES ON SECOND READING

Mr. Campbell called for General Ordinance No. 66,
1941, for second reading. It was read a second time.

On motion of Mr. Campbell, seconded by Mr. Bach,
General Ordinance No. 66, 1941, was ordered engrossed,
read a third time and placed upon its passage.

General Ordinance No. 66, 1941, was read a third time
by the Clerk and passed by the following roll call vote:

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

General Ordinance No. 17, 1941, and General Ordinance No. 57, 1941, were held for further consideration by the committee to which they were referred.

On motion of Dr. Hemphill, seconded by Mr. Ross, the Common Council adjourned at 8:20 p. m. Central Standard Time.

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 7th day of July, 1941, at 7:30 p. m. Central Standard Time.

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.