

REGULAR MEETING

Monday, November 2, 1942.
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, November 2, 1942, at 7:30 p. m. in regular session. President Bach in the chair.

The Clerk called the roll.

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

Absent: Mr. Moore, Mr. Ross.

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

COMMUNICATIONS FROM THE MAYOR

October 20, 1942.

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

Gentlemen:

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

GENERAL ORDINANCE No. 69, 1942

as amended

AN ORDINANCE to amend, repeal, and add certain sections of Division E of Section 865 of General Ordinance No. 121, 1925, as amended, of the City of Indianapolis, Indiana; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 71, 1942

AN ORDINANCE to regulate and to license solicitations for charitable, patriotic, social welfare, benefit, philanthropic, and other similar purposes, or which use such an appeal in connection with any sale to the public in the City of Indianapolis, Indiana; requiring registration of those engaged in solicitations for religious purposes; prohibiting the use of false, deceptive or misleading statements or methods; providing for the creation and functioning of a Charity Solicitations Commission; designating a time when it shall become effective; and providing a penalty.

GENERAL ORDINANCE No. 72, 1942

AN ORDINANCE to amend sub-section (a) of Section 4 of General Ordinance No. 31, 1941, and sub-section (b) of Section 1 of General Ordinance No. 11, 1941, of the City of Indianapolis, Indiana; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 73, 1942

AN ORDINANCE transferring a certain sum of money from a certain designated fund in the Department of Public Parks of the City of Indianapolis, Indiana, to a certain other fund of said department as per 1942 budget classification; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 74, 1942

AN ORDINANCE transferring a certain sum of money from a certain designated fund in the budget of the Board of Public Works and Sanitation of the City of Indianapolis, Indiana, to a certain

IND. U. LAW LIB. IND. PLS.

other fund of the Department of Public Works and Sanitation as per 1942 budget classification; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

November 2, 1942.

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

Gentlemen:

Appropriation Ordinance No. 19, 1942

Appropriation Ordinance No. 20, 1942

General Ordinance No. 75, 1942

I beg leave to report that in accordance with the laws of the State of Indiana, I caused notice of public hearing to be inserted in the Indianapolis Star and the Indianapolis Times that taxpayers would have the right to be heard on the above ordinances at the regular meeting of the Common Council to be held on the 2nd day of November, 1942, and by posting copy of said notices in the City Hall, Court House and Police Station.

Very truly yours,

JOHN M. LAYTON,
City Clerk.

November 2, 1942.

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

Gentlemen:

Submitted herewith is General Ordinance No. 77, 1942, prohibiting parking at all times between designated points on Northwestern Avenue and West Twenty-first Street, and we respectfully recommend its passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By L. J. Keach,
President.

November 1, 1942.

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

Gentlemen:

Attached please find copies of General Ordinance No. 78, 1942, transferring moneys from certain designated funds of the Department of Public Safety to certain other designated funds in said department.

I respectfully recommend the passage of this ordinance.

Respectfully yours,

JAMES E. DEERY,
City Controller.

November 2, 1942.

To the President and Members
of the Common Council:

Gentlemen:

Attached hereto are twenty copies of Special Ordinance No. 4,
1942.

This ordinance is being introduced by me by request.

F. B. RANSOM,

Mr. Ropkey presented the following written motion to
amend the printed copy of the Journal:

November 2, 1942.

Mr. President:

I move to correct the journal of the regular meeting of the
Common Council, held October 19, 1942, by striking out the word
"General" where the same appears in the line immediately below
the line reading "By the City Controller:" and before the word
"Ordinance", all on page 691 of the printed copy of said journal,
and by inserting in lieu of said word "General" the word "Appropriation."

ERNEST C. ROPKEY,
Member of the Common Council.

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

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moynahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 19, 1942, Appropriation Ordinance No. 20, 1942, and General Ordinance No. 75, 1942.

Mr. Moynahan asked for a recess. The motion was seconded by Mr. Campbell and the Council recessed at 7:45 p. m.

The Council reconvened at 8:00 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., November 2, 1942.

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. 19, 1942, entitled:

AN ORDINANCE creating and establishing a quarantine hospital for those suffering from venereal diseases and

appropriating funds for the operation and maintenance thereof;

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

ERNEST C. ROPKEY, Chairman
F. B. RANSOM
JOSEPH G. WOOD
T. A. MOYNAHAN

Indianapolis, Ind., November 2, 1942.

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. 20, 1942, entitled:

AN ORDINANCE appropriating the sum of \$25,000 to
Fund No. 31—Food, City Hospital;

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

ERNEST C. ROPKEY, Chairman
F. B. RANSOM
JOSEPH G. WOOD
T. A. MOYNAHAN

Indianapolis, Ind., November 2, 1942.

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. 75, 1942, entitled:

AN ORDINANCE transferring moneys from a certain fund
in the Department of Public Safety to a certain other
fund;

beg leave to report that we have had said ordinance under con-
sideration, and recommend that the same be passed

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

Indianapolis, Ind., November 2, 1942.

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. 76, 1942, entitled:

AN ORDINANCE prohibiting parking on a certain part of
N. Pennsylvania St.;

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

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL

INTRODUCTION OF GENERAL ORDINANCES

By the Board of Public Safety:

GENERAL ORDINANCE No. 77, 1942

AN ORDINANCE prohibiting parking on certain parts of certain streets in the City of Indianapolis, Indiana, 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 at any time upon certain parts of certain streets in the City of Indianapolis, described as follows:

- (a) On the east side of Northwestern Avenue from the north curb line of West Eighteenth Street to the south curb line of West Twenty-first Street.
- (b) On the south side of West Twenty-first Street from the east curb line of Northwestern Avenue to the first alley west of Highland Place.

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

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

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

By the City Controller:

GENERAL ORDINANCE No. 78, 1942

AN ORDINANCE transferring moneys from certain designated funds in the Department of Public Safety of the City of Indianapolis, Indiana, to certain other designated funds in said department, as the same appear in the 1942 annual budget for said city; and fixing a time when the same shall take effect.

WHEREAS, there exists an extraordinary emergency for the transfer of certain sums of money from certain funds in the 1942 budget of the Department of Public Safety of the City of Indianapolis to other funds in said department, which sums and funds are hereinafter designated; NOW, THEREFORE,

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

Section 1. That the sums of money hereinafter designated, now in the following (tax levy) funds of the Department of Public Safety, to-wit:

GAMEWELL DIVISION

Tax Levy

Fund No. 11—Salaries and Wages, Regular.....	\$1,000.00
Fund No. 44—General Materials	2,500.00
Fund No. 72—Equipment	500.00
	<hr/>
Total.....	\$4,000.00

be and the same is hereby transferred therefrom, reappropriated and reallocated to the following designated (tax levy) funds of said department, to-wit:

GAMEWELL DIVISION

Tax Levy

Fund No. 22—Heat, Light and Power.....	\$4,000.00
--	------------

Section 2. That the sum of money hereinafter designated, now in the following (tax levy) fund of the Department of Public Safety, to-wit:

POLICE DEPARTMENT

Tax Levy

Fund No. 11—Salaries and Wages, Regular.....	\$3,125.00
--	------------

be and the same is hereby transferred therefrom and reallocated to the following designated (tax levy) funds of said department in the respective amounts as indicated, to-wit:

POLICE DEPARTMENT

	Tax Levy
Fund No. 21—Communication and Transportation.....	\$ 500.00
Fund No. 22—Heat, Light and Power.....	500.00
Fund No. 31—Food	125.00
Fund No. 38—General Supplies	1,000.00
Fund No. 45—Repair Parts	1,000.00
	\$3,125.00

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and compliance with all the requirements of law pertaining thereto.

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

INTRODUCTION OF SPECIAL ORDINANCES

Mr. Wood made a motion that the rules be suspended to permit the introduction of Special Ordinance No. 4, 1942. The motion was seconded by Mr. Ransom and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moynahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

By Councilman Ransom:

SPECIAL ORDINANCE No. 4, 1942

AN ORDINANCE annexing certain contiguous territory to 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 City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Beginning at a point on the present corporation line of the City of Indianapolis, said point being on the center line of East 52nd Street at its intersection with the Southward production of the West property line of Ralston Avenue as the said streets are located and platted in Colonial Manor, an Addition to the City of Indianapolis and recorded in Plat Book 25, Page 281, in the Office of the Recorder of Marion County, Indiana; Thence West on and along the center line of East 52nd Street to a point ninety-two feet (92') West of the West property line of Rosslyn Avenue; Thence North and parallel to the West property line of Rosslyn Avenue to a point on the South property line of East 54th Street; Thence East on and along the South property line of East 54th Street to a point one hundred eighteen and five-tenths feet (118.5') East of the East property line of Primrose Avenue; Thence South and parallel to the East property line of Primrose Avenue to a point four hundred forty feet (440') South of the South property line of East 53rd Street; Thence East and parallel to the South property line of East 53rd Street a distance of one hundred eighteen and five-tenths feet (118.5') to a point on the West property line of Ralston Avenue; Thence South on and along the West property line of Ralston Avenue and the production Southward of the said West property line to the center line of East 52nd Street, 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 Committee on Public Works.

ORDINANCES ON SECOND READING

Mr. Ropkey called for Appropriation Ordinance No. 19, 1942, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Dr. Hemphill, Appropriation Ordinance No. 19, 1942, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 19, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moy-nahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

Mr. Ropkey called for Appropriation Ordinance No. 20, 1942, for second reading. It was read a second time.

On motion of Mr. Ropkey, seconded by Mr. Ransom, Appropriation Ordinance No. 20, 1942, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 20, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moy-nahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

Mr. Wood called for General Ordinance No. 75, 1942, for second reading. It was read a second time.

On motion of Mr. Wood, seconded by Mr. Moynahan, General Ordinance No. 75, 1942, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 75, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moynahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

Mr. Wood called for General Ordinance No. 76, 1942, for second reading. It was read a second time.

On motion of Mr. Wood, seconded by Dr. Hemphill, General Ordinance No. 76, 1942, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moynahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

Mr. Campbell made a motion that the rules be suspended to permit the introduction of General Ordinance No. 79, 1942. The motion was seconded by Mr. Ransom and passed by the following roll call vote:

Ayes, 7, viz: Mr. Campbell, Dr. Hemphill, Mr. Moynahan, Mr. Ransom, Mr. Ropkey, Mr. Wood, President Bach.

The Council reverted to the previous order of business.

COMMUNICATIONS FROM CITY OFFICIALS

November 2, 1942.

To the President and Members
of the Common Council.

Gentlemen:

Attached hereto are 18 copies of General Ordinance No. 79, 1942, amending General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

HARMON A. CAMPBELL.

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Campbell:

GENERAL ORDINANCE No. 79, 1942

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

of Indianapolis, Indiana; 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 5 of General Ordinance No. 114, 1922, as amended, be and the same is hereby amended to read as follows, to-wit:

SECTION 5. ACCESSORY USES IN RESIDENCE DISTRICTS

An accessory use customarily incident to a class U1 or U2 use shall be permitted in, respectively, a class U1 or U2 district. In a dwelling house district a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 2,000 square feet of the lot area. In an apartment house district a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 500 square feet of the lot area. A billboard, signboard or advertising sign shall in no case be permitted as an accessory use except that of the placing of a "for sale" or "for rent" sign, shall, however, be permitted as an accessory use. A store, trade or business shall not be permitted as an accessory use except that the office of a physician, dentist, surgeon, chiropractor, osteopath or naturopath may be located in the dwelling or apartment used by such physician, dentist, surgeon, chiropractor, osteopath or naturopath, as his private residence and except that any person carrying on a customary home occupation, may do so in a dwelling or apartment used by him as his private residence. In a dwelling or apartment occupied as a private residence not more than two rooms may be rented and table board may be furnished only to such occupants. A restaurant or public dining room may be located in a hotel or apartment house as an accessory use. A news stand may be located in a railway passenger station as an accessory use. Fuel may be stored in any yard area in an apartment house district as an accessory use during any such time in which a war emergency exists.

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.

On motion of Dr. Hemphill, seconded by Mr. Moynahan, the Common Council adjourned at 8:10 p. m.

Ollie A. Bach

Attest:

President.

John M. Layton

(SEAL)

City Clerk.