

## REGULAR MEETING

Monday, October 18, 1943.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chambers at the City Hall, Monday, October 18, 1943, at 7:30 p. m., in regular session. President Schumacher in the chair.

The Clerk called the roll.

Present: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Bowers, and seconded by Mr. Worley.

## COMMUNICATIONS FROM THE MAYOR

October 5, 1943.

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

Gentlemen:

I have this day approved with my signature and delivered to Mr. Frank J. Noll, Jr., City Clerk, the following ordinances:

## GENERAL ORDINANCE No. 65, 1943

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE No. 70, 1943

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

## APPROPRIATION ORDINANCE No. 46, 1943

AN ORDINANCE amending certain items in Fund No. 11, Department of Public Safety in the 1943 budget as enacted by General Ordinance No. 61, 1942, beginning as of October 1, 1943, and transferring, appropriating, and reallocating the sum of One Thousand Three Hundred Fifty Dollars (\$1,350.00) from said items to other items in said fund of the same Department, effective as of October 1, 1943; and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE No. 56, 1943

AN ORDINANCE transferring, reallocating, and reappropriating the sum of Three Hundred Fifty Dollars (\$350.00) from Fund No. 26, Fire Department in the Department of Public Safety of the City of Indianapolis, Indiana, to Fund No. 36, Office Supplies, in the same Department; and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE No. 57, 1943

AN ORDINANCE transferring, reallocating, and re-appropriating the sum of Twelve Hundred Dollars (\$1,200.00) from Fund No. 11, Engineer (Clarification), Sewage Disposal Plant of the Department of Public Sanitation of Indianapolis, Indiana, to certain other designated funds in the same Department; and fixing a time when the same shall take effect.

RESOLUTION No. 9, 1943

WHEREAS, there exists in the City of Indianapolis a condition that is detrimental to the health and safety of its citizens, to-wit: numerous buildings, houses and other structures which through neglect and abandonment on the part of the owners thereof have become unsafe to the extent of endangering the lives of occupants and persons living in the vicinity because of said structural defects, fire hazards and unsanitary conditions.

RESOLUTION No. 10, 1943

WHEREAS, the last official codification and publication of ordinances for the City of Indianapolis was in 1925, and

Respectfully,

ROBERT H. TYNDALL,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

October 18, 1943.

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

Gentlemen:

In Re: A. O. Nos. 59, 60, 61, 62, 63 and 64, 1943

I beg leave to report that pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers of Public Hearing" to be inserted in the following newspapers, to-wit:

A. O. Nos. 59, 60, 61, 62, 63 and 64, 1943—Friday, October 8, 1943—The Indianapolis News and The Indianapolis Commercial

that taxpayers would have the right to be heard on the above ordinances at the regular meeting of the Common Council to be held October 18, 1943, and by posting copies of notices in the City Hall, Court House, and Police Station in the City of Indianapolis, which notices remained posted for more than 10 days prior to the date of hearing.

Sincerely,

FRANK J. NOLL, JR.,  
City Clerk.

October 18, 1943.

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

Gentlemen:

In Re: G. O. Nos. 65 and 70, 1943.

I beg leave to report pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G. O. No. 65, 1943—Friday, October 15 and 22, 1943—The Marion County Messenger and The Indiana Catholic Record.

G. O. No. 70, 1943—Friday, October 15, and 22, 1943—The Marion County Mail and The Indianapolis Commercial

and that said ordinances are now in full force and effect as of the last date of publication.

Sincerely,

FRANK J. NOLL, JR.,  
City Clerk.

October 18, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 65, 1943, appropriating the sum of \$100.00 from the estimated, anticipated, unappropriated 1943 balance of the City General Fund to Fund No. 25, Repairs, Department of Public Works, Public Buildings, to take care of necessary repairs in the City Hall.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,  
City Controller.

October 18, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 66, 1943, reappropriating the sum of \$25.00 from Fund No. 26, Other Con-

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tractual, to Fund No. 24, Printing and Advertising, Department of Public Works, Street Commissioner.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,  
City Controller.

October 18, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 67, 1943, appropriating the sum of \$522.00 from the estimated, anticipated, un-appropriated 1943 balance of the City General Fund to Fund No. 72, Equipment, Department of Public Safety, Dog Pound, for the purchase of a new boiler.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,  
City Controller.

October 18, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 68, 1943, reappropriating the sum of \$625.00 from Fund No. 33, Garage and Motor, Administration; Fund No. 31, Food Child Hygiene Division; and Fund No. 33, Garage and Motor, Tuberculosis Prevention; all Department of Public Health and Charities, to Funds No. 24, Printing and Advertising, No. 36, Office Supplies, Administration; to Funds No. 24, Printing and Advertising, No. 36, Office Supplies, Child Hygiene Division; and to Fund No. 36, Office Supplies, Tuberculosis Prevention Division.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,  
City Controller.

October 18, 1943.

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

Gentlemen:

Attached are copies of Appropriation Ordinance No. 69, 1943, reappropriating the sum of \$658.71 in the Municipal Airport, from



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Fund No. 51, Insurance and Premiums, and Fund No. 11, Salaries and Wages, Regular, General Maintenance Man and Electrician, to Fund No. 24, Printing and Advertising, and Fund No. 26, Other Contractual.

I respectfully recommend the passage of this ordinance.

Yours very truly,

ROY E. HICKMAN,  
City Controller.

October 18, 1943.

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

Gentlemen:

Attached are 21 copies of proposed General Ordinance No. 71, 1943. This proposes to repeal General Ordinance No. 10, 1943, pertaining to the driving around safety zones.

I respectfully recommend the passage of this ordinance.

Sincerely,

CARSON C. JORDAN,  
Councilman.

October 18, 1943.

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

Gentlemen:

Attached are 21 copies of proposed General Ordinance No. 72, 1943. This ordinance is pertaining to restrictions on obstructions at street corners, such as weeds, shrubbery, trees, etc.

I respectfully recommend the passage of this ordinance.

Sincerely,

A. ROSS MANLY,  
Councilman.

October 18, 1943.

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

Gentlemen:

Submitted herewith is General Ordinance No. 73, 1943, estab-

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lishing an 18 foot "loading zone" on the south side of Georgia Street just west of Meridian Street for the Ideal Furniture Company.

We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

By WM. H. REMY,  
President.

October 21, 1943.

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

Gentlemen:

Acting under instructions from the Board of Public Health of the City of Indianapolis, I am directed to submit General Ordinance No. 74, 1943, pertaining to the regulation and inspection of restaurants, cafeterias, delicatessens and other places where food is manufactured and offered for sale.

It is the opinion of the Board of Health following several conferences with representatives of the Indianapolis Restaurant Association and the Indianapolis Chamber of Commerce, that the bill as presented will enable the Health Department to provide a more adequate and thorough inspection of such food establishments.

Respectfully submitted,

H. G. MORGAN, Sec.,  
Board of Public Health and Charities.

October 18, 1943.

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

Gentlemen:

Attached are 21 copies of proposed Special Ordinance No. 2, 1943, providing for the changing of the name of Kennington Street to South Alabama Street.

Sincerely,

A. ROSS MANLY,  
Councilman

October 18, 1943.

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

Gentlemen:

Attached are copies of Resolution No. 13, 1943, relating to the acceptance by the City of Indianapolis of the proposal of the United States Housing Authority for payments in lieu of ad valorem real estate taxation against the P.W.A. Housing Division Project known as the Lockefield Gardens Apartments (Project H-1601).

I respectfully recommend the passage of this resolution.

Yours very truly,

**ROY E. HICKMAN,**  
City Controller.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 48, 58, 59, 60, 61, 62, 63, 64, 1943, General Ordinance No. 64, 1943, Special Ordinance No. 1, 1943, and Resolutions Nos. 6, 11, 12, 1943.

Mr. Bowers asked for recess. The motion was seconded by Mr. Worley and the Council recessed at 7:40 p. m.

The Council reconvened at 8:50 p. m., with the same members present as before.

## COMMITTEE REPORTS

Indianapolis, Ind., October 18, 1943.

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. 48, 1943, entitled:

AN ORDINANCE appropriating the sum of Six Thousand Three Hundred Fifty-Two Dollars and Eighty-Six Cents (\$6,352.86) from the estimated, anticipated, unappropriated and unexpended 1943 balance of the General Fund of the City of Indianapolis, Indiana, to the Department of Public Works, Administration Fund No. 22—Heat, Light and Power, as per 1943 budget classification, for the purpose of paying a delinquent 1939 bill; and fixing a time when the same shall take effect;

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

HERMAN E. BOWERS, Chairman  
EDWARD R. KEALING  
LUCIAN B. MERIWETHER  
R. C. DAUSS  
ROSS MANLY

Indianapolis, Ind., October 18, 1943.

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  
Appropriation Ordinance No. 58, 1943, entitled:

AN ORDINANCE transferring, reallocating and reappropriating the sum of One Thousand Three Hundred Thirty-One Dollars and Forty-Two Cents (\$1,331.42) from certain funds to other designated funds in the City Hospital, Department of Public Health and Charities of the City of Indianapolis, Indiana, according to 1943 Budget classifications, for the purpose of increasing certain salaries beginning as of October 15, 1943; and fixing a time when this ordinance shall take effect;

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

EDWARD R. KEALING, Chairman  
HERMAN E. BOWERS  
R. C. DAUSS  
WILLIE B. SULLIVAN  
CARSON C. JORDAN

Indianapolis, Ind., October 18, 1943.

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

Gentlemen:

We, your Committee on Parks, to whom was referred Appropriation Ordinance No. 59, 1943, entitled:

AN ORDINANCE appropriating the sum of Four Thousand Dollars (\$4,000.00) from the estimated, anticipated, unexpended and unappropriated 1943 balance of the General Fund of the Department of Public Parks of the City of Indianapolis, Indiana, to Fund No. 25, Repairs, in the same Department, for the purpose of paying said Department's proportion of the costs of repairs to the Ringgold Street bridge; and fixing a time when the same shall take effect;

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

ROSS MANLY, Chairman  
R. C. DAUSS  
LUCIAN B. MERIWETHER  
O. H. WORLEY  
WILLIE B. SULLIVAN



Indianapolis, Ind., October 18, 1943.

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  
Appropriation Ordinance No. 60, 1943, entitled:

AN ORDINANCE appropriating the sum of Five Thousand  
Dollars (\$5,000.00) from the anticipated, estimated  
and unexpended 1943 balance of the Gasoline Tax  
Fund of the City of Indianapolis, Indiana, to Fund  
No. 22, Gas Tax, in the Gamewell Division of the  
Department of Public Safety, for the purpose of  
paying current bills for the remainder of 1943; and  
fixing a time when the same shall take effect;

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

R. C. DAUSS, Chairman  
EDWARD R. KEALING  
HERMAN E. BOWERS  
O. H. WORLEY  
CARSON C. JORDAN

Indianapolis, Ind., October 18, 1943.

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. 61, 1943, entitled:

AN ORDINANCE appropriating the total sum of Seven Thousand Three Hundred and Two Dollars (\$7,302.00) to certain designated funds under Street Commissioner in the Department of Public Works of the City of Indianapolis, Indiana, appropriating from the estimated, anticipated and unexpended 1943 balance of the General Fund of the City of Indianapolis (tax levy) the amount of Four Thousand Four Hundred and Two Dollars (\$4,402.00) thereof, and by transferring, reallocating and reappropriating Two Thousand Nine Hundred Dollars (\$2,900.00) thereof from certain other funds in the Department of Public Works; and fixing a time when the same shall take effect;

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

HERMAN E. BOWERS, Chairman  
EDWARD R. KEALING  
R. C. DAUSS  
LUCIAN B. MERIWETHER  
ROSS MANLY

Indianapolis, Ind., October 18, 1943.

**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  
Appropriation Ordinance No. 62, 1943, entitled:

AN ORDINANCE appropriating the sum of Nine Hundred  
Dollars (\$900.00) from the estimated, anticipated, un-  
expended 1943 balance of the General Fund of the  
Department of Public Sanitation of the City of Indi-  
anapolis, Indiana, to Fund No. 37, Power Plant  
Naphtha, Garbage Reduction Plant in the same De-  
partment, according to 1943 budget classification;  
and fixing a time when the same shall take effect;

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

EDWARD R. KEALING, Chairman  
HERMAN E. BOWERS  
R. C. DAUSS  
WILLIE B. SULLIVAN  
CARSON C. JORDAN

Indianapolis, Ind., October 18, 1943.

**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. 63, 1943, entitled:

AN ORDINANCE appropriating the total sum of Eight Thousand Nine Hundred Thirty-Four Dollars (\$8,934.00) to certain items under certain funds under Street Commissioner in the Department of Public Works of the City of Indianapolis, Indiana, by transferring, reallocating and reappropriating the amount of Seven Thousand Nine Hundred Dollars (\$7,900.00) thereof to said items (Gas Tax) from other items (Gas Tax) under said Department according to the 1943 budget classifications, and by appropriating the remainder of One Thousand Thirty-Four Dollars (\$1,034.00) thereof from the anticipated, estimated and unexpended 1943 balance of the Gasoline Tax Fund; and fixing a time when the same shall take effect;

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

HERMAN E. BOWERS, Chairman  
EDWARD R. KEALING  
R. C. DAUSS  
LUCIAN B. MERIWETHER  
ROSS MANLY

Indianapolis, Ind., October 18, 1943.

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  
Appropriation Ordinance No. 64, 1943, entitled:

AN ORDINANCE appropriating the sum of Twenty-Five  
Hundred Dollars (\$2,500.00) from the anticipated,  
estimated and unexpended 1943 balance of the General  
Fund of the Department of Public Sanitation of the  
City of Indianapolis, Indiana, to Fund No. 72, Equip-  
ment, under the Collection Department in the De-  
partment of Public Sanitation, according to 1943  
budget classifications, for the purchase of twenty  
(20) used Hi-Way Trailers from the City of St. Paul,  
Minnesota; and fixing a time when the same shall  
take effect;

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

EDWARD R. KEALING, Chairman  
HERMAN E. BOWERS  
R. C. DAUSS  
WILLIE B. SULLIVAN  
CARSON C. JORDAN

Indianapolis, Ind., October 18, 1943.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 64, 1943, entitled:

AN ORDINANCE abolishing the taxi-cab stand located on  
on the north side of Market Street, immediately east  
of Illinois Street, in the City of Indianapolis, Indiana;  
and fixing a time when the same shall take effect;

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

O. H. WORLEY, Chairman  
WILLIE B. SULLIVAN  
HERMAN E. BOWERS  
EDWARD R. KEALING  
LUCIAN B. MERIWETHER

Indianapolis, Ind., October 18, 1943.

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

Gentlemen:

We, your Committee on Election, to whom was referred Special Ordinance No. 1, 1943, entitled:

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis, and fixing a time when the same shall take effect;

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

WILLIE B. SULLIVAN, Chairman  
CARSON C. JORDAN  
R. C. DAUSS  
ROSS MANLY

Indianapolis, Ind., October 18, 1943.

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 Resolution No. 6, 1943, entitled:

WHEREAS, there has been considerable loss of life by drowning in the Canal of the Indianapolis Water

Company and in other waterways within the City of Indianapolis, apparently due to a lack of proper protection by the City, and etc.;

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

R. C. DAUSS, Chairman  
EDWARD R. KEALING  
HERMAN E. BOWERS  
OTTO H. WORLEY  
CARSON C. JORDAN

Indianapolis, Ind., October 18, 1943.

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

Gentlemen:

We, your Special Committee, composed of Councilmen Bowers, Kealing, Jordan and Worley, to whom was referred Resolution No. 11, 1943, entitled:

WHEREAS, the efficient and safe operation of the Sanitation Plant is essential for the good health of the citizens of Indianapolis and the areas south of the city, etc.;

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

HERMAN E. BOWERS, Chairman  
EDWARD R. KEALING  
CARSON C. JORDAN  
O. H. WORLEY



Indianapolis, Ind., October 18, 1943.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred Resolution No. 12, 1943, entitled:

A RESOLUTION approving, confirming and ratifying a certain permit granted by order of the Board of Public Works and Sanitation of the City of Indianapolis to Indianapolis Railway, Incorporated, on the 1st day of October, 1943, for the use of Sherman Drive from 31st Street to 32nd Street for extending thereon the Brightwood trackless trolley car line of Indianapolis Railways, Incorporated, to a turn-around loop on private property at the southeast corner of 32nd Street and Sherman Drive, pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936;

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

OTTO H. WORLEY, Chairman  
WILLIE B. SULLIVAN  
HERMAN E. BOWERS  
EDWARD R. KEALING  
LUCIAN B. MERIWETHER

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

## APPROPRIATION ORDINANCE No. 65, 1943

AN ORDINANCE appropriating the sum of One Hundred Dollars (\$100.00) from the estimated, anticipated and unappropriated 1943 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 25, Repairs, under Public Buildings in the Department of Public Works; 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 sum of One Hundred Dollars (\$100.00) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1943 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 25, Repairs, under Public Buildings in the Department of Public Works.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 66, 1943

AN ORDINANCE transferring, reallocating and reappropriating the sum of Twenty-Five Dollars (\$25.00) from (tax levy) Fund No. 26, Other Contractual, Street Commissioner, under Department of Public Works of the City of Indianapolis, Indiana, according to 1943 budget classifications, to (tax levy) Fund No. 24, Printing and Advertising, Street Commissioner, under said Department of Public Works; 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 sum of Twenty-Five Dollars (\$25.00) be and the same is hereby transferred, reallocated and reappropriated from Fund No. 26 Other Contractual, (tax levy), Street Commissioner, under Department of Public Works of the City of Indianapolis, Indiana, according to 1943 budget classifications, to Fund No. 24 (tax levy), Printing and Advertising, Street Commissioner, in the same Department.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 67, 1943

AN ORDINANCE appropriating the sum of Five Hundred Twenty-Two Dollars (\$522.00) from the estimated, anticipated and unappropriated 1943 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Dog Pound, in the Department of Public Safety, for the purchase of a new boiler; 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 sum of Five Hundred Twenty-Two Dollars (\$522.00) be and the same is hereby appropriated from the estimated, anticipated and unappropriated 1943 balance of the General Fund of the City of Indianapolis, Indiana, to Fund No. 72, Equipment, Dog Pound, in the Department of Public Safety, for the purchase of a new boiler.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and compliance with all laws pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 68, 1943

AN ORDINANCE appropriating the total sum of Six Hundred Twenty-Five Dollars (\$625.00) to certain designated funds in the Department of Public Health and Charities of the City of Indianapolis, Indiana, according to 1943 budget classifications, by transferring, reallocating and reappropriating monies therefor from certain other designated funds in said 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 respective sums of money hereinafter indicated and totaling Six Hundred Twenty-Five Dollars (\$625.00) now in the respectively designated funds in the Department of Public Health and Charities of the City of Indianapolis, Indiana, according to 1943 budget classifications, to-wit:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES  
ADMINISTRATION

Fund No. 33—Garage and Motor.....\$400.00

CHILD HYGIENE DIVISION

Fund No. 31—Food .....\$125.00

TUBERCULOSIS PREVENTION

Fund No. 33—Garage and Motor.....\$100.00

TOTAL.....\$625.00

be and the same are hereby transferred, reallocated and reappropriated to the following designated respective funds of the same Department in the respective amounts hereinafter indicated, to-wit:

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

ADMINISTRATION

Fund No. 24—Printing and Advertising.....	\$350.00
Fund No. 36—Office Supplies .....	50.00

CHILD HYGIENE DIVISION

Fund No. 24—Printing and Advertising.....	\$100.00
Fund No. 36—Office Supplies .....	25.00

TUBERCULOSIS PREVENTION

Fund No. 36—Office Supplies .....	\$100.00
TOTAL.....	<u>\$625.00</u>

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

By the City Controller:

APPROPRIATION ORDINANCE No. 69, 1943

AN ORDINANCE appropriating the total sum of Six Hundred Fifty-Eight Dollars and Seventy-One Cents (\$658.71) to certain designated funds under Municipal Airport, Board of Public Works and Sanitation of the City of Indianapolis, Indiana, according to 1943 budget classification, by transferring, reallocating and reappropriating Sixty Dollars (\$60.00) thereof from Fund No. 51, Insurance and Premiums, in said Department, and Five Hundred Ninety-Eight Dollars and Seventy-One Cents (\$598.71) thereof from Fund No. 11, Salaries and Wages, Regular, General Maintenance Man and Electrician, of the same 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 respective funds of money hereinafter indicated and totaling Six Hundred Fifty-Eight Dollars and Seventy-One Cents (\$658.71) now in the respectively designated funds under Municipal Airport in the Board of Public Works and Sanitation of the City of Indianapolis, Indiana, according to 1943 budget classifications, to-wit:

Fund No. 51—Insurance and Premiums.....	\$ 60.00
Fund No. 11—Salaries and Wages, Regular, General Maintenance Man and Electrician.....	598.71
	<hr/>
TOTAL.....	\$658.71

be and the same are hereby transferred, reallocated and reappropriated to the following designated respective funds of the same Department, in the respective amounts hereinafter indicated, to-wit:

BOARD OF PUBLIC WORKS AND SANITATION  
MUNICIPAL AIRPORT

Fund No. 24—Printing and Advertising.....	\$ 60.00
Fund No. 26—Other Contractual.....	598.71
TOTAL.....	\$658.71

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Jordan:

GENERAL ORDINANCE No. 71, 1943

AN ORDINANCE to repeal General Ordinance No. 10, 1943, concerning the driving around safety zones; 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 General Ordinance No. 10, 1943, concerning driving around safety zones, be and the same is hereby repealed.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all law appertaining thereto.

Which was read the first time and referred to a special committee appointed by President Schumacher, the members being as follows: Mr. Manly, Chairman; Dr. Meriwether, Mr. Jordan, Mr. Worley.

By Councilman Manly:

GENERAL ORDINANCE No. 72, 1943

AN ORDINANCE prohibiting the placing and maintenance of obstructions in the proximity of the intersections of public streets, providing penalties for the violation thereof, and fixing a time when the same shall take effect.

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

Section 1. It shall be unlawful for any person, firm or corporation to place or maintain or suffer to exist upon premises owned or leased by any such person, firm or corporation any obstruction within fifteen (15) feet of any point where two or more curb lines intersect and form any intersection of two or more streets. It shall be unlawful for any person, firm or corporation to place or maintain in or upon any public place any obstruction within fifteen (15) feet of any point where two or more curb lines intersect and form any intersection of two or more streets.

Section 2. An obstruction for the purposes of this ordinance shall include trees, shrubs, news stands, rubbish boxes, merchandise stands, fences, embankments, or any other objects, but shall not include any such objects not in excess of forty-four (44) inches above the street level, nor any such objects permitted and authorized to be so placed, erected or maintained by any provision of any other ordinance of the City of Indianapolis.

Section 3. This ordinance shall be interpreted as supplemental to any and all other ordinances regulating the placing and maintenance of any obstructions as heretofore defined, and shall not be interpreted as limiting in any manner the powers of the Board of Park Commissioners of the City of Indianapolis in the regulation of the trimming, removal, planting and cutting of trees, shrubs, vines, hedges and plants; and shall not be interpreted as limiting in any manner the powers of the Board of Public Works and Sanitation in the regulation of new stands and rubbish boxes on and upon the sidewalks of said city.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Twenty-Five Dollars (\$25.00).

Section 5. 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. 73, 1943

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, Indiana, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended; 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 a certain public street in the City of Indianapolis, Indiana, 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, 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 its establishment, pursuant to the terms of said ordinance, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to-wit:

Eighteen foot "loading zone" on the south side of Georgia Street starting at a point 92 feet west of the west curb line of South Meridian Street and extending 18 feet west.

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 Health and Charities:

GENERAL ORDINANCE No. 74, 1943

AN ORDINANCE defining restaurant, itinerant restaurant, employee, utensils, Health Officer, etc.; requiring permits and licenses and fixing the license fee therefor for the operation of such establishments; prohibiting the sale of adulterated or unwholesome food; providing for the inspection of food and restaurants; providing for an inspection force and fixing their salaries and qualifications and method of selection; the enforcement of this ordinance and the fixing of penalties for its violation, and repealing all ordinances or parts of ordinances in conflict therewith.

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 enforcement of this ordinance:

(a) **Restaurant.**—The term “restaurant” shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain serving food, and all other eating and/or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

(b) **Food.**—The term “food” as used herein shall include all articles used for food, drink, confectionery or condiment, whether simple, mixed or compound, and all substances and ingredients used in the preparation thereof.

(c) **Itinerant Restaurant.**—The term “itinerant restaurant” shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(d) **Employee.**—The term “employee” shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.

(e) **Utensils.**—“Utensils” shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(f) **Health Officer.**—The term “Health Officer” shall mean the Secretary of the Board of Health of the City of Indianapolis, sometimes referred to as the “City Sanitarian”, or his authorized representative.

(g) **Person.**—The word “person” shall mean person, firm, corporation, or association.

Section 2. PERMITS AND FEES: It shall be unlawful for any person to operate a restaurant in the City of Indianapolis who does not possess an unrevoked permit from the Health Officer. Such permit shall be posted in a conspicuous place in the restaurant. Every person who desires to operate a restaurant in the City of Indianapolis shall, after securing a permit from the Health Officer, obtain from the City Controller a license for a restaurant or for a public eating house and shall, if application, is filed between the first day of January and the thirtieth day of June of any year, pay therefor to the City Controller, at his office, a fee of Sixteen Dollars (\$16.00) annually, and if such application is filed between the first day of July and the thirty-first day of December, of any year such applicant shall pay to the City Controller, at his office, a fee of Eight Dollars (\$8.00) for the balance of the calendar year. Every person operating a restaurant or public eating house shall annually pay to the City Controller, at his office, a renewal license fee of Sixteen Dollars (\$16.00) if such fee be paid at any time between the first day of January and the first day of February next succeeding the date

of the expiration of such license; and a renewal license fee of Twenty Dollars (\$20.00) if such renewal fee be paid at any time between the first day of February and the first day of March next succeeding the date of the expiration of such license; and a renewal fee of Twenty-Five Dollars (\$25.00) if such renewal license fee be paid at any time between the first day of March and the first day of April next succeeding the date of expiration of such license. If the renewal license fee is not paid on or before the first day of July next succeeding the date of the expiration of such license, such license shall be ipso facto void; Provided, That in case of failure of any holder of a license for the operation of a restaurant or public eating house, to pay such renewal license fee after the first day of July of any year, such license may be reinstated upon the payment of all fees unpaid and a penalty of Twenty-Five Dollars (\$25.00) for each year or fraction of a year for which payment was in default, provided payment is made within two (2) years from the date on which the license should have been renewed. All of said fees shall be paid into and credited by the City Controller to the Board of Health General Fund of the City of Indianapolis, and such license fees shall be paid to aid in carrying out and enforcing the provisions of this ordinance. No license for a restaurant or public eating house shall be issued by the City Controller to anyone except the holder of an unrevoked permit issued by the Health Officer. Only persons who comply with the requirements of this ordinance shall be entitled to receive and retain such a permit and license.

The application for a permit from the Health Officer and said permit, when issued, shall describe the premises for which the same is issued, and said application shall contain such other pertinent information as may be necessary and required by the Health Officer. A permit hereunder shall be issued to any applicant who has complied with the requirements of this ordinance and no applicant's permit, or the renewal thereof, shall be denied on capricious or arbitrary grounds.

All licenses for the operation of a public eating place now held by any person shall continue in force for the period for which they were issued, providing, such person shall secure a permit from the Health Officer for the operation of a restaurant as herein provided.

Such permit, issued by the Health Officer, may be temporarily suspended by the Health Officer upon the violation, by the holder, of any of the terms of this ordinance, or revoked, after an opportunity for a hearing by the Health Officer, upon serious or repeated violations.

Any person desiring to conduct an itinerant restaurant shall secure a permit therefor from the Health Officer.

Section 3. EXAMINATION AND CONDEMNATION OF UNWHOLESAME OR ADULTERATED FOOD OR DRINK.—Samples of food, drink, and other substances may be taken and examined by the Health Officer as often as he deems necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated.

Section 4. INSPECTION OF RESTAURANTS: As often as he shall deem necessary, but in any event at least once every three (3) months, the Health Officer shall inspect every restaurant located within the City of Indianapolis. In case the Health Officer discovers the violation of any item of sanitation, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this ordinance. Any violation of the same item of this ordinance on such second inspection shall call for immediate suspension of permit.

One copy of the suspension report shall be posted by the Health Officer upon an inside wall of the restaurant, 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 person operating the restaurant shall upon request of the Health Officer permit access to all parts of the establishment and shall permit copying any or all records of food purchased.

Section 5. SANITATION REQUIREMENTS FOR RESTAURANTS.—All restaurants shall comply with all of the following items of sanitation:

Item 1. **Floors.**—The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

Item 2. **Walls and Ceilings.**—Walls and ceilings of all rooms shall be kept clean and in good repair.

Item 3. **Doors and Windows.**—When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

Item 4. **Lighting.**—All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.

Item 5. **Ventilation.**—All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.



**Item 6. Toilet Facilities.**—Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, conforming with the ordinances of the City of Indianapolis. In restaurants hereafter constructed toilet rooms shall not open directly into any room in which food or drink is served or prepared for serving. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees.

**Item 7. Water Supply.**—Running water under pressure shall be easily accessible in all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe sanitary quality. Hot water shall be provided wherever it is deemed necessary by the Health Officer for the sterilization of utensils and adequate facilities and space shall be provided for proper compliance with the above provision.

**Item 8. Lavatory Facilities.**—Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

**Item 9. Construction of Utensils and Equipment.**—All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. No cracked, chipped or broken dishes or glasses shall be used in the preparation or serving of food or drink.

**Item 10. Cleaning and Bactericidal Treatment of Utensils, and Equipment.**—All equipment, including display cases or windows,

counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single service containers shall be used only once.

All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

**Item 11. Storage and Handling of Utensils and Equipment.**—After bactericidal treatment, utensils shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

**Item 12. Disposal of Waste.**—All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

**Item 13. Refrigeration.**—All readily perishable food and drink shall be kept at or below 50° F., except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

Item 14. **Wholesomeness of Food and Drink.**—All food and drink shall be clean, wholesome, free from spoilage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor. All oysters, clams, and mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

Item 15. **Storage, Display, and Serving of Food and Drink.**—All food and drink shall be stored, displayed, and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches and rodents shall be used.

Item 16. **Health and Cleanliness of Employees.**—All employees engaged in handling food, drink, utensils or equipment shall be required to secure a health certificate, approved by the Health Officer, at least every six (6) months, or as often as may be deemed necessary by the Health Officer, showing that they are free from any infectious or transmittable disease. A blood test for syphilis shall be provided the Health Officer by all such employees at least once annually. Examinations for such health certificates shall be made and issued by a reputable, licensed physician. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment and shall, while engaged in the preparation or serving of food, wear a suitable head covering to protect the food from contamination from human hair. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.

Item 17. **Miscellaneous.**—The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as

living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

Section 6. DISEASE CONTROL: No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease he shall notify the Health Officer immediately.

Section 7. PROCEDURE WHEN INFECTION SUSPECTED: When suspicion arises as to the possibility of transmission of infection from any restaurant employee the Health Officer is authorized to require any or all of the following measures: (1) The immediate exclusion of the employee from all restaurants; (2) The immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer; (3) Adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

Section 8. REINSTATEMENT OF PERMIT: Any restaurant, the permit of which has been suspended, may at any time make application for the reinstatement of such permit. Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of this ordinance have been conformed with, the Health Officer shall make a reinspection, and thereafter as many additional reinspection as he may deem necessary to assure himself that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reinstate the permit.

Section 9. PERSONNEL: The personnel of the Restaurant Inspection Division, City Board of Health, shall be qualified through education, experience and training to fill their respective positions.

Such personnel, before appointment to their respective jobs, 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.

Employees shall possess the following qualifications:

1. **Director.** The Director of the Division shall be a graduate of a recognized college and shall have had special training in sanitary science and bacteriology and shall have a knowledge of public health practice as it pertains to food and milk inspection.

The Director shall be provided with adequate laboratory facilities, office space and office personnel, consisting of one stenographer, one file clerk and one laboratory technician.

2. **Field Inspection Force.**—The Field Inspection force shall consist of not less than six (6) inspectors, which number shall be increased as necessary to a number which the Health Officer deems sufficient to adequately enforce this ordinance. Field inspectors shall have the following qualifications:

**WOMEN:**

(a) Special training in sanitary science and domestic science.

(b) A knowledge of public health practices as they pertain to food and milk inspection.

(c) Such qualifications may be obtained either by practical experience or special training.

## MEN:

(a) Training in sanitary science and public health administration.

(b) Knowledge in the field of food and milk inspection, acquired either by experience or special training.

The Health Officer shall certify the names of the successful applicants taking the examination to the Board of Health of the City of Indianapolis, who shall recommend to the Mayor of the City of Indianapolis those whom it nominates for such appointments, and such appointments shall be made by the Mayor without regard to political affiliations or influence.

Adequate "in-service training schools" shall be established by the Health Officer for the inspection personnel herein provided and such schools shall be conducted as often and for such length of time as the Health Officer may deem necessary for the efficient and effective training of such personnel.

Section 10. COMPENSATION OF ENFORCEMENT PERSONNEL: The maximum compensation of the personnel for the enforcement of this ordinance, as provided in Section 9 hereof, is hereby fixed as hereinafter set out:

## 1. SERVICES—PERSONAL

## 11—Salaries and Wages

Director of Restaurant Inspection Division.....\$.....	
Chief Field Inspector.....	3,600.00
Field Inspectors—5 @ \$2,400.00.....	12,000.00
1 Stenographer .....	1,320.00
1 File Clerk .....	1,200.00
1 Laboratory Technician .....	1,800.00

Section 11. ENFORCEMENT: This ordinance shall be enforced by the Health Officer, who shall adopt such measures as he may deem necessary to facilitate its enforcement. The Health Officer shall prepare and prescribe such rules and regulations, as he deems necessary, for the proper enforcement and to carry out the purposes and intent of this ordinance and shall prepare and promulgate a civil code regulating restaurants, to be used as the legal interpretation of this ordinance and a copy of such code shall be furnished with each permit granted by the Health Officer.

Within ten (10) days after any hearing before the Health Officer, as provided in Section 2 of this ordinance, the Health Officer shall take final action and enter such order as he shall determine in said proceedings and shall notify the applicant or permittee, in writing, by registered mail, directed to the address given in the application or permit. Such applicant or permittee may, within ten (10) days of the receipt of such notice, appeal from the decision of the Health Officer to the Circuit or Superior Court of Marion County, Indiana, in the manner now provided by law in other civil cases.

Section 12. PENALTIES: Any person who violates any of the provisions of this ordinance or who refuses to comply with any lawful orders, rules or regulations of the Health Officer, as provided in Section 12 of this ordinance, shall, upon conviction, be punished for the first offense by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00); for the second and any subsequent offenses by a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00). Each and every violation of the provisions of this ordinance shall constitute a separate offense.

Section 13. REPEAL AND DATE OF EFFECT: All ordinances and parts of ordinances in conflict herewith are hereby repealed, and this ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Section 14. UNCONSTITUTIONALITY CLAUSE: Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

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

## INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Manly:

### SPECIAL ORDINANCE No. 2, 1943

AN ORDINANCE changing the name of a certain street within 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 the first street east of Madison Avenue, and running north and south, from Terrace Avenue to Sanders Street, in the City of Indianapolis, Indiana, now known as Kennington Street but formerly known as South Alabama Street, shall be henceforth known and designated as South Alabama Street.

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.



## INTRODUCTION OF RESOLUTIONS

By the City Controller:

### RESOLUTION No. 13, 1943

A RESOLUTION accepting the proposal of the United States Housing Authority to make annual payments in lieu of taxes with respect to the Lockefield Gardens Apartments.

WHEREAS, the United States Housing Authority has proposed in writing to the City of Indianapolis to pay the State of Indiana, the City of Indianapolis, the Board of Commissioners of the County of Marion, the Board of School Commissioners of the City of Indianapolis, and Center Township of Marion County, an annual sum in lieu of any and all ad valorem real estate taxation against the P.W.A. Housing Division Project known as Lockefield Gardens Apartments (Project H-1601) in the City of Indianapolis; and

WHEREAS, according to such proposal of payment, the Government shall pay the sum of Seven Thousand One Hundred Twenty-Two Dollars and Three Cents (\$7,122.03) for the period from February 16, 1941, to June 30, 1942; and

WHEREAS, according to such proposal, the annual payment to be made in lieu of taxes for the period beginning July 1, 1942, and ending June 30 of each year thereafter shall be a sum which will equal either (a) 5 per cent of the Actual Shelter Rents annually charged tenants (including sundry items of income) less the cost of dwelling and commercial utilities, or (b) 1/6 of the excess of the annual revenue of the Project over the operating expenses, whichever amount is the greater; and

WHEREAS, said proposal provides that the said annual payment in lieu of taxes shall be paid to the Treasurer of Marion County, Indiana, for distribution to the aforesaid taxing bodies in lieu of having the payment made to the City of Indianapolis; and

WHEREAS, the City of Indianapolis is authorized by the Housing Co-operation Act of Indiana, Chapter 209, Acts of 1937, approved March 11, 1937, to accept the aforementioned proposal of the United States Housing Authority; and

WHEREAS, the Common Council of the City of Indianapolis desires and determines to accept said proposal;

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

Section 1. That the proposal of the United States Housing Authority to make annual payments to the Treasurer of Marion County for distribution to the State of Indiana, the City of Indianapolis, the Board of Commissioners of the County of Marion, the Board of School Commissioners of the City of Indianapolis, and Center Township of Marion County in lieu of any and all ad valorem real estate taxation against the P.W.A. Housing Division Project known as the Lockefield Gardens Apartments (Project H-1601) be and the same is hereby approved and accepted on behalf of the City of Indianapolis.

Section 2. That said proposal of the United States Housing Authority, which is hereby approved and accepted, is as follows:

"That the parties hereto, pursuant to the provisions of Section 13(c) of the United States Housing Act of 1937, as amended, for the considerations hereinafter mentioned, covenant and agree as follows:

1. This Agreement shall become effective as of February 16, 1941, and shall continue in effect until terminated by either party as hereinafter provided;

2. During the term of this Agreement, the Taxing District has provided and shall continue to provide the LOCKEFIELD GARDENS APARTMENTS (Project H-1601) in the City of Indianapolis, hereinafter called the "Project", located within the jurisdictional limits of the Taxing District, and the inhabitants of the Project, with such public and municipal services as it provides for other inhabitants of the City and for property not covered by this Agreement.

3. A. The Government shall pay the sum of Seven Thousand One Hundred Twenty-Two Dollars and Three Cents (\$7,122.03) to the Treasurer of Marion County, Indiana, for proportionate distribution as hereinafter provided to all proper political subdivisions, including the Taxing District for public and municipal services heretofore supplied by them to the Project and the inhabitants thereof for the period from February 16, 1941, to June 30, 1942.

B. The Government shall pay annually to the Treasurer of Marion County, Indiana, for proportionate distribution as hereinafter provided to all proper political subdivisions, including the Taxing District for public and municipal services heretofore and to be hereafter supplied by them to the Project and the inhabitants thereof for the period beginning July 1, 1942, and ending June 30, of each year thereafter (unless this Agreement be terminated) a sum which will equal either (a) 5 per cent of the Actual Shelter Rents annually charged tenants (including sundry items of income) less the cost of dwelling and commercial utilities, or (b) 1/6 of the excess of the annual revenue of the Project over the operating expenses, whichever amount is the greater.

C. The payments otherwise required by this Section shall never exceed the taxes which would be paid to the Taxing District or Districts covered hereby if the property were not exempt from taxation.

4. The payments provided for in Section 3 hereof shall be distributed by the Treasurer of Marion County to the Taxing District and to all other political subdivisions having the power to levy real estate taxes in the area in which the Project is located for the period for which these payments are made so that each political subdivision will receive from such payment the same proportion as each political subdivision's ad valorem tax rate or tax rates bore and bear to the total ad valorem tax rate or rates which would have been and would be levied if the Project were subject to taxation.

5. In the event of transfer of the title to the Project, or any part thereof, the payments hereby provided for shall be prorated between the Government and such transferee in the same manner as taxes would customarily be prorated in a sale between private parties, provided that the transferee shall not be required to assume and pay, nor shall the Taxing District or Districts be entitled to receive, any payment covering a period for which the property may be taxed by the Taxing District or Districts as a result of such title transfer.

6. This Agreement may be terminated by either party hereto on June 30, 1944, or the 30th day of June of any year thereafter providing that at least thirty (30) days' notice of such termination shall be given prior to such termination to the other party hereto.

7. No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this Agreement or to any benefit that may arise therefrom."

Section 3. This Resolution shall take effect immediately upon its passage and approval by the Mayor.

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

## ORDINANCES ON SECOND READING

Mr. Kealing called for Appropriation Ordinance No. 58, 1943, for second reading. It was read a second time.

On motion of Mr. Kealing, seconded by Mr. Dauss, Appropriation Ordinance No. 58, 1943, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 58, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Dauss called for Appropriation Ordinance No. 60, 1943, for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Manly, Appropriation Ordinance No. 60, 1943, was ordered engrossed, read a third time, and placed upon its passage.

Appropriation Ordinance No. 60, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Bowers called for Appropriation Ordinance No. 61, 1943, for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Kealing, Appropriation Ordinance No. 61, 1943, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 61, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Kealing called for Appropriation Ordinance No. 62, 1943, for second reading. It was read a second time.

Mr. Kealing made a motion to strike from the files Appropriation Ordinance No. 62, 1943. The motion was seconded by Mr. Manly and passed by the following roll call vote

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Bowers called for Appropriation Ordinance No. 63, 1943, for second reading. It was read a second time.

On motion of Mr. Bowers, seconded by Mr. Worley, Appropriation Ordinance No. 63, 1943, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 63, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Kealing called for Appropriation Ordinance No. 64, 1943, for second reading. It was read a second time.

Mr. Kealing made a motion to strike from the files Appropriation Ordinance No. 64, 1943. The motion was seconded by Mr. Dauss and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Mr. Sullivan called for Special Ordinance No. 1, 1943, for second reading. It was read a second time.

On motion of Mr. Sullivan, seconded by Mr. Worley, Special Ordinance No. 1, 1943, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 6, viz: Mr. Dauss, Mr. Jordan, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley.

Noes, 3, viz: Mr. Bowers, Mr. Kealing, President Schumacher.

Mr. Dauss called for Resolution No. 6, 1943, for second reading. It was read a second time.

On motion of Mr. Dauss, seconded by Mr. Kealing, Resolution No. 6, 1943, was ordered engrossed, read a third time, and placed upon its passage.

Resolution No. 6, 1943, was read a third time by the Clerk and passed by the following roll call vote:



Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

Resolution No. 6, 1943, provided for a committee appointed by President Schumacher. President Schumacher appointed the Committee on Public Safety.

Mr. Worley called for Resolution No. 12, 1943, for second reading. It was read a second time.

On motion of Mr. Worley, seconded by Mr. Jordan, Resolution No. 12, 1943, was ordered engrossed, read a third time and placed upon its passage.

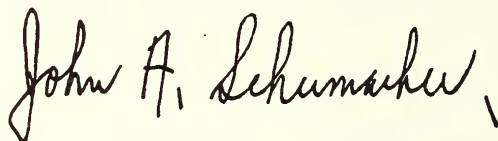
Resolution No. 12, 1943, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bowers, Mr. Dauss, Mr. Jordan, Mr. Kealing, Mr. Manly, Dr. Meriwether, Mr. Sullivan, Mr. Worley, President Schumacher.

On motion of Mr. Bowers, seconded by Mr. Kealing, the Common Council adjourned at 9:20 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 18th day of October, 1943, 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.

A handwritten signature in cursive script that reads "John A. Schumaker". The signature is written in black ink and is positioned above the printed name.

President.

Attest:

A handwritten signature in cursive script that reads "Frank J. Hall Jr.". The signature is written in black ink and is positioned above the printed name.

City Clerk.

(SEAL)