

REGULAR MEETING

Monday, November 15, 1948
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, November 15, 1948, at 7:30 P. M., in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jame-son, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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

COMMUNICATIONS FROM THE MAYOR

November 3, 1948.

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 the City Clerk, Mr. Richard Stewart, the following ordinances:

APPROPRIATION ORDINANCE NO. 26, 1948.

AN ORDINANCE appropriating, transferring and reappropriating and reallocating as of November 1, 1948, a certain sum (tax levy monies) from certain designated items and funds in the Department of Public Works, as appropriated under the 1948 Budget

(G. O. 98, 1947) to certain other funds in the Department of Public Works, as hereby amended, and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 27, 1948.

AN ORDINANCE appropriating, transferring and reappropriating and reallocating as of September 1, 1948, a certain sum (tax levy money) from a certain designated item and fund in the Department of Finance, City Controller, as appropriated under the 1948 Budget (G. O. 98, 1947) to another certain fund in the Department of Finance, City Controller, as hereby amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 93, 1948.

AN ORDINANCE to amend Section 6 of General Ordinance No. 61, 1946; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 94, 1948.

AN ORDINANCE to amend Section 854 of General Ordinance No. 121, 1925, as amended; and providing a time when the same shall take effect.

GENERAL ORDINANCE NO. 95, 1948.

AN ORDINANCE approving an order of the Board of Public Safety of the City of Indianapolis, to establish a four (4) cab taxicab stand in said City pursuant to Section 9 of General Ordinance 87, 1935, as amended, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 96, 1948.

AN ORDINANCE prohibiting left turns at the intersection of Massachusetts Avenue and Pennsylvania Street, providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 97, 1948.

AN ORDINANCE to amend General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis, and fixing a time when the same shall be in effect.

GENERAL ORDINANCE NO. 99, 1948.

AN ORDINANCE to amend General Ordinance No. 72, 1948, amending General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis, and fixing a time when the same shall take effect.

Respectfully,
AL FEENEY,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

November 13, 1948.

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

Gentlemen:

In Re: General Ordinances Nos. 93, 94, 96, & 97, 1948.

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers, to-wit:

G. O. Nos. 93, 94, 96 and 97, 1948—Friday, November 5, and November 12, 1948—The Marion County Messenger and The Indianapolis Commercial

and that said ordinances are in full force and effect as of the last date of publication and compliance with laws pertaining thereto.

Sincerely yours,
RICHARD G. STEWART,
City Clerk.

November 13, 1948.

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 28, 29, 30 & 31, 1948.

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

A. O. Nos. 28, 29, 30 & 31, 1948—Friday, November 5 and November 12, 1948—The Marion County Mail and The Indianapolis Commercial

that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 7:30 P. M., November 15, 1948, and by posting copies of said notices in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Sincerely yours,

RICHARD G. STEWART,
City Clerk

November 10, 1948.

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

Gentlemen:

Attached hereto are twenty-one (21) copies of General Ordinance No. 100, 1948, amending Section 1 of General Ordinance No. 37, 1948.

This ordinance is requested for the purpose of enabling the Board of Public Works to enter into a contract with the Fred Malotte Machinery Co., Inc., the best bidder, for the purchase of two (2) motorized pick-up sweepers to be used in the Street Commissioners Department. The purchase of these sweepers was heretofore authorized under General Ordinance No. 37, 1948, but due to an escalator clause contained in the bid, the price of these sweepers has increased in the sum of \$579.00.

It is requested and recommended that this Ordinance be passed under suspension of the rules in order that these two sweepers may be acquired and put into operation by the Street Commissioner without further delay.

Respectfully submitted,

ALBERT H. LOSCHE,
City Purchasing Agent.

November 10, 1948.

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

Gentlemen:

We submit herewith General Ordinance No. 101, 1948.

This Ordinance prohibits parking on the south side of 57th Street from Central Avenue to Washington Boulevard.

We respectfully recommend its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY,
L. J. KEACH, President.

November 10, 1948.

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

Gentlemen:

We submit herewith General Ordinance No. 102, 1948.

This Ordinance makes Noble Street preferential from Washington Street to Virginia Avenue, except at Fletcher Avenue.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY,
L. J. KEACH, President.

November 15, 1948.

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

Gentlemen:

We submit herewith General Ordinance No. 103, 1948.

This Ordinance establishes Passenger Zones at 22 Virginia Avenue for Indiana Trust Company and at 246 E. Louisiana Street, for Indianapolis Welding and Supply Company.

We respectfully request its passage.

Very truly yours,

BOARD OF PUBLIC SAFETY,
L. J. KEACH, President.

November 15, 1948.

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

Dear Members of the Council:

In Re: General Ordinance No. 104, 1948.

The Board of Air Pollution Control has determined upon certain provisions for air pollution control in the City of Indianapolis. In accordance with the recommendations of this Board, the City Legal Department has been directed to prepare a proposed Ordinance. This Ordinance is now submitted for your consideration.

Respectfully yours,

E. S. PEARCE,
President, Air Pollution Control.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 28, 29, 30, 31, General Ordinances Nos. 78, 82, 98, 1948.

Mr. Seidensticker asked for recess. The motion was seconded by Mr. Ehlers, and the Council recessed at 7:50 P. M.

The Council reconvened at 8:10 P. M., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., November 15, 1948.

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. 28, 1948, entitled

AN ORDINANCE appropriating, transferring and reappropriating and reallocating as of November 1, 1948, the sum of \$7,100.00 (tax levy monies) from Fund 71 in the Department of Public Parks, as appropriated under the 1948 Budget (G. O. 98, 1947) to Fund 22 in the Department of Public Parks, as hereby amended 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.

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., November 15, 1948.

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. 29, 1948, entitled

AN ORDINANCE appropriating, transferring, reappropriating and reallocating as of November 1, 1948, the sum of \$12,990.00 (tax levy money) from Fund 26 in the Department of Public Works, as appropriated under the 1948 Budget (G. O. 98, 1947) to Fund 72 in the Department of Street Commissioner, as hereby amended, 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.

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., November 15, 1948.

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. 30, 1948, entitled

AN ORDINANCE transferring and appropriating the sum of \$3,010.40 from the Airport General Fund, and appropriating it to the Equipment Fund of the Weir Cook Airport, in the 1948 fiscal year budget; 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.

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., November 15, 1948

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. 31, 1948, entitled

AN ORDINANCE appropriating, transferring and reappropriating and reallocating the sum of \$1,535.99 (tax levy money) to Funds

11 and 12 in the Department of Redevelopment as appropriated under the 1948 Budget (G. O. 98, 1947, as amended), 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.

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Indianapolis, Ind., November 15, 1948

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. 82, 1948, entitled

AN ORDINANCE adding part of Noble Street as a preferential Street in the City.

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

GUY O. ROSS, Chairman
JOSEPH A. WICKER
JOSEPH C. WALLACE
CHARLES P. EHLERS
JOSEPH E. BRIGHT

Indianapolis, Ind., November 15, 1948

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. 98, 1948, entitled

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis (241 Massachusetts Avenue).

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

GUY O. ROSS, Chairman
 JOSEPH A. WICKER
 JOSEPH C. WALLACE
 CHARLES P. EHLERS

INTRODUCTION OF GENERAL ORDINANCES

By the Purchasing Agent:

GENERAL ORDINANCE NO. 100, 1948.

AN ORDINANCE amending Section 1, of General Ordinance No. 37, 1948, 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 1 of General Ordinance No. 37, 1948, be and the same is hereby amended as follows:

That the Board of Public Works of the City of Indianapolis be and is hereby authorized and empowered to purchase, through its duly authorized Purchasing Agent, the hereinafter described equipment to be used by the respective department as indicated. The said equipment is to be purchased from the lowest and best bidder, or bidders, whose bids have been received and opened in public by said board after advertisement therefore, and the total cost of said equipment shall not exceed the sum of money hereinafter set out, to be paid out of funds heretofore appropriated for the use of said Board.

Req. No. 10181—Street Commissioner Department—

(1) Motorized Pick-up Sweeper, 2 to 2½ yds. capacity with special equipment	@	\$6,922.00
Less trade in City No. 152 Austin-Western R-796	@	300.00
		<hr/>
	Net	\$6,622.00

Req.No.10182—Street Commissioner Department—

(1) Motorized Pick-up Sweeper, 2 to 2½ yds. capacity with special equipment	@	\$6,922.00
Less trade in City No. 153 Austin-Western R-792	@	300.00
		<hr/>
	Net	\$6,622.00
	Total	\$13,244.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 101, 1948.

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

A. On the south side of East 57th Street from Central Avenue to Washington Boulevard.

Section 2. Any person violating any provision of this ordinance shall, upon conviction, be fined in any sum not exceeding \$300.00 to which may be added imprisonment not exceeding 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 for the first time and referred to the Committee on Public Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 102, 1948.

AN ORDINANCE amending Sec. 1, of G. O. 44, 1946, and Sec. 44 of G. O. 96, 1928, as amended, to include a certain preferential street 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 1 of G. O. 44, 1946, be and the same is hereby amended as follows:

Lexington Avenue from Virginia Avenue to and including Harlan Street, with the exception of Noble, Shelby and State Streets intersections.

Section 2. That Section 44 of G. O. 96, 1928, as amended, is hereby amended by adding a new preferential street as follows:

Noble Street from the south curb line of Washington Street to the north curb line of Fletcher Avenue and from the south curb line of Fletcher Avenue to the north curb line of Virginia Avenue.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 103, 1948.

AN ORDINANCE establishing certain passenger and/or loading zones in the City of Indianapolis, pursuant to the provisions of

Sec. 26 of G. O. 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 certain public streets in the City of Indianapolis, with ingress and egress for passengers, materials and merchandise, coming to or going from such premises, owners or occupants having complied with the provisions of Sec. 26, G. O. 96, 1928, as amended, and the Board of Public Safety, after investigation having recommended the establishment of the same, the following passenger and/or loading zones be and the same are hereby established in the City of Indianapolis, to-wit:

- A. Beginning at a point 5 feet north of the south building line of 22 Virginia Avenue and extending 25 feet north on the east curb line of Virginia Avenue, for the use and occupancy of the Indiana Trust Company.
- B. Beginning at a point 36 feet west of the east building line of 246 E. Louisiana Street and extending 25 feet west on the north curb line of East Louisiana Street, for the use and occupancy of Indianapolis Welding Supply Company.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By the Board of Air Pollution Control:

GENERAL ORDINANCE NO. 104, 1948.

AN ORDINANCE regulating atmosphere control and restraining Air Pollution in and over the City of Indianapolis.

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

Section 1. PURPOSES: It appearing that the City of Indian-

apolis and the citizens thereof suffer injury and loss through excessive air pollution brought about by the emission of smoke, soot, dust, fumes and noxious gases, mists and vapors to the extent that it may seriously affect the welfare and property of the city and of the citizens, and whereas, it is the intention of the City Council to protect the welfare and property of the city and of the citizens, the provisions of this ordinance herein contained are enacted.

PART ONE

Section 2. DEFINITIONS: The following words, phrases and terms, if and when used in this ordinance shall have the meaning and definition as hereinafter set forth.

(a) **Building Fires:** The act of building up a fire from a cold start, or when there is no fire in the furnace.

(b) **Cleaning Fires:** The act of removing the clinkers and/or ashes from the fuel bed. This does not include the process of "shaking the grates" in the instance of hand-fired operation.

(c) **Dust:** Gas-borne particles larger than one micron in mean diameter.

(d) **Dust-Collecting Equipment—Dust Separating Equipment:** Any device for collecting or separating dust from the gas medium in which it is carried.

(e) **Fuel-Burning Equipment:** Any furnace, incinerator, refuse-burning equipment, boiler, apparatus, device, mechanism, stack or structure used in the process of burning fuel or combustible material **gas-fired water heaters** except vehicles as herein defined, unvented space heaters, unvented furnace and heat generating devices used solely for cooking purposes.

(f) **Fumes:** Gas, vapors or mists that are of such character as to create an uncleanly, destructive, offensive or unhealthful condition.

(g) **Internal Combustion Engine:** An engine in which combustion of a gaseous liquid or pulverized solid fuel takes place within one or more cylinders.

(h) **Open Fires:** Any fire wherein the products of combustion are emitted into the open air and not directed thereto through a stack or chimney.

(i) **Person:** Any individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency, or any other entity recognized by law as the subject of rights and duties.

(j) **Ringelmann Chart:** The Ringelmann Chart, with instructions for use as published by the U. S. Bureau of Mines, Information Circular No. 6888, which is incorporated herein by references, two copies of which are on file in the office of the City Clerk of Indianapolis, Indiana.

(k) **Smoke:** Small gas-borne particles consisting essentially of carbonaceous material in sufficient numbers to be observable.

(l) **Soot:** Agglomerated particles consisting essentially of carbonaceous material.

(m) **Stack or Chimney:** Flue, conduit or opening arranged for emitting gases into the open air.

(n) **Mechanical Fuel Burning Devices:** Any mechanism or fuel burning device actuated either by automatic or manual control which is used to introduce fresh fuel fired from outside furnace into the zone of combustion.

(o) **Dense Smoke:** Smoke of a degree of density or darkness equal to or greater than No. 2 of the Ringelmann Chart shall be held to be and considered as dense smoke when emitted from any source other than vehicles. Smoke of a degree of density or darkness equal to or greater than No. 3 of the Ringelmann Chart shall be held to be and considered as dense smoke when emitted from vehicles.

(p) **Vehicles:** A vehicle is a self-propelled mechanism such as a roller, derrick, crane, trenches, steamboat, tug, railroad locomotive.

(q) **Reconstruction or Alteration:** Major change where the load condition and method or rate of burning are changed.

(r) **Type of Fuel:** Where used, this phrase shall be used only to distinguish between solid, liquid, or gaseous fuels.

Section 3. There is hereby created in the department of Public Safety, The Division of Air Pollution Control, and to administer such division, there is constituted the position of Combustion Engineer. Said Combustion Engineer shall be appointed by the Mayor.

Section 4. ENFORCEMENT: (a) It shall be the duty of such

Combustion Engineer or his assistants to inspect and control the installation of all fuel burning equipment to abate smoke and air pollution from any cause, to examine and approve plans of all fuel burning installations installed or reconstructed in any building, location or on any premises within the jurisdiction of the City of Indianapolis. Such Engineer may adopt and promulgate such rules and regulations as may be necessary to carry out the intent and purposes of the provisions of this ordinance, subject to approval of the Board of Safety and filing the same with the City Clerk before the enforcement thereof, and he shall be the administrative officer of the division charged with the enforcement of the provisions of the ordinance. He shall employ all clerks, stenographers, inspectors, and other personnel necessary for the proper enforcement of this ordinance with the approval of the Mayor and shall with the approval of the Mayor fix the salaries of all employees of the Department.

(b) REGULATIONS. Such Combustion Engineer shall be a graduate from an accredited college or university with a degree in mechanical engineering, or its equivalent, and registered, or eligible for registration, as a professional engineer in the State of Indiana.

(c) POLITICAL ACTIVITY. It shall be unlawful for said Engineer or any employee of Division of Air Pollution Control to solicit any person to vote at any election for any candidate, or, in any manner attempt to influence any elector at such election, or to be a delegate or candidate to any political convention or to solicit for any candidate for or delegate to such convention, or to be a member of any political committee, or to contribute in any manner money, labor or other services to any person or persons for political or election purposes.

(d) The Mayor shall immediately remove from office any employee of the Division of Air Pollution Control who violates the provisions of this section.

Section 5. RIGHT OF EMPLOYEES TO ENTER UPON PREMISES: (a) The employees of the Division of Air Pollution Control, including the Combustion Engineer, in the execution of their duties shall have the right to enter upon any premises in the City of Indianapolis, and to inspect fuel burning equipment or any of the appurtenances thereto, at all reasonable hours, except that in private residences and single family units, they shall not have the right to enter between the hours of six o'clock p. m. and eight a. m.

(b) Any person who shall, after proper identification, deny ad-

mittance to such person or persons or interfere with him or them in the performance of his or their duties shall be punished as hereinafter provided, not exceeding, however, the penalty provided in the penalty section hereof.

Section 6. SUBMISSION OF PLANS, APPROVAL, PERMITS, FEES, PENALTIES AND VALIDITY OF PERMIT: (a) No new fuel burning equipment shall be reconstructed or altered, within the City of Indianapolis, until plans and specifications of the same have been filed by the owner, contractor, installer or other person in the office of the Combustion Engineer and a permit has been issued by him for such erection, reconstruction or alteration.

(b) Plans and specifications on all installations of high pressure boilers of a load capacity of 12 horsepower or less, or any low pressure boiler of a load capacity of 1,200 square feet of steam radiation, or less, or its equivalent, or any warm air furnace of a heat output of 288,000 B. T. U., or less, shall mean:

1. Name and business address of the installer.
2. Name of owner and address where installation is to be made.
3. Use of property, where installation is to be made.
4. Make and type of equipment to be installed.
5. Capacity of equipment.
6. Load requirements pertaining to the installation.
7. Type of fuel to be used, i.e., gaseous, solid or liquid.
8. Date of installation.

(c) Plans and specifications, together with the applicable fees as hereinafter set out shall be filed with the Combustion Engineer and shall be in duplicate and shall show the amount of work and the amount of heating to be done by such plant and all appurtenances thereto—including all provisions made for the purpose of securing complete combustion of the fuel to be used and for the purpose of preventing smoke, soot, fly ash, fumes, noxious gases, mists or vapors; said plans and specifications shall also contain a statement of the type of the fuel proposed to be used and said plans and specifications shall also show the building, room or apartment in which such plant shall be located showing clearance, location of chimney, proposed breeching and doors, windows, air-shafts, fans and other means of ventilation. Upon determination by the Combustion Engineer or his authorized assistants that said plans and specifications will result in an installation meeting the requirements of the applicable laws of this city and of this state, and including adequate provisions for

the control or abatement of smoke, soot, fly ash, fumes, noxious gases, mists or vapors, according to the criteria hereinafter established, he shall within ten days after filing of plans and specifications issue or reject a permit for the erection, reconstruction, or alteration of such plant or fuel burning equipment. In the event such plans and specifications are rejected by the combustion engineer, he shall state the reasons for such action in writing and shall forward such information to the person submitting the plans and specifications. Immediate action on such plans and specifications shall be given by the Combustion Engineer in the event of emergency where delays of installation would cause a hardship or impair health or safety of an individual.

(d) All fuel-burning equipment hereinafter installed, erected, reconstructed or altered (where such reconstruction makes changes in load conditions, method or rate of burning) within the City of Indianapolis, shall be capable of operation within the load limit set out, by a reasonably skilled operator using reasonable operating or firing methods with the fuel specified in the application for a permit, so as not to exceed the permissible emission of smoke, soot, fly ash, fumes, noxious gases, mists or vapors, as established by this ordinance. Determination of the adequacy of provisions for the control or abatement of smoke, soot, fly ash, fumes, noxious gases, mists or vapors, as required by this ordinance, shall be made by the use of any of the following criteria:

Provisions are adequate by reason of compliance with the rules and regulations governing the installation of fuel burning equipment incorporated in this ordinance by reference, two copies of which are on file with the City Clerk of Indianapolis.

If the proposed installation does not comply with the rules and regulations as set out above, the determination of the adequacy of provisions for control or abatement of smoke, soot, fly ash, fumes, noxious gases, mists or vapors, as required by this ordinance shall be made by the use of the following criteria in order:

(1) The provisions are adequate by reason of the existence of similar installations of fuel burning equipment in the City of Indianapolis which have consistently demonstrated the adequacy of said provisions.

(2) The provisions are adequate by reason of generally accepted engineering knowledge that said provisions are adequate.

(3) The provisions are adequate because of adequate representation or guarantees of responsible firms or individuals reasonably assuring the required performance, said representations or guarantees are to include adequate assurance of alterations or replacement of equipment in the event of failure to satisfactorily meet the requirements of this ordinance.

(4) Provisions are adequate in the case of large, commercial installations or specialized processes by reason of approval by the combustion engineer or by recommendation for approval by a registered, professional engineer.

(5) Adequate test data: In the absence of compliance with any of the above criteria, the Combustion Engineer may require tests to be made of any equipment of combustion as a prerequisite of the issuance of an installation permit. Such tests may be made under the direction of the Combustion Engineer or he may accept authorized tests of a recognized testing laboratory acceptable to him and to the person applying for a permit to install said equipment of combustion. The expense of such tests shall be borne by the applicant for a permit to install said equipment.

(e) The Combustion Engineer with the Board of Safety approving within a period of thirty days after the enactment of this ordinance, shall issue a statement or statements setting out in so far as is possible, the requirements for installation of fuel-burning equipment in accordance with criteria of the previous paragraph. After issuance of said statements compliance with same by any installer or fuel-burning equipment shall constitute sufficient reason for issuance of a permit by the Combustion Engineer. The Board of Safety may alter or amend such findings as may be required to secure compliance with the requirements of this ordinance and said altered or amended findings shall become effective within a period of thirty days of adoption by the Board of Public Safety and Combustion Engineer and publication in a newspaper of general circulation in the City of Indianapolis, once each week for two successive weeks, and the filing of the same in the offices of the City Clerk and the City Combustion Engineer.

(f) The Combustion Engineer or his authorized assistants shall see that the execution of the work permitted is carried out in conformity with the plans and specifications, with special reference to clearance, the size and construction of chimneys used, the provision

for the prevention or abatement of smoke, soot, fly ash, fumes, noxious gases, mists or vapors, and the provisions for proper ventilation.

(g) The Combustion Engineer shall not issue any permit for the installation of any new high pressure boiler of a load capacity in excess of 12 H. P. or any low pressure boiler of a load capacity in excess of 1,200 square feet of steam radiation capacity or its equivalent or any warm air furnaces of heat output in excess of 288,000 B. T. U. unless said boiler or furnace or other device of combustion is equipped with an approved mechanical fuel-burning device. A mechanical fuel-burning device is defined as any device by means of which fresh fuel is mechanically fired from outside the furnace into the zone of combustion, the same being actuated by automatic controls.

(h) EXCEPTIONS: Stoves and space heaters not connected to any structure by any piping or duct work but connected to a chimney shall be exempt from the provisions of this Section.

(i) The fees for the inspection of plans, issuing of permits and for the inspection of furnaces or other fuel-burning apparatus or devices and for issuing of certificates of approval shall be \$2.00 as follows: For permits for the erection, installation, reconstruction or alteration of any stove or space heater of any capacity not connected to any structure by any piping or duct work except a chimney connection, for each unit; any furnace or fuel-burning apparatus the capacity of which does not exceed 600 square feet of steam radiation or 144,000 B. T. U. load capacity or an equivalent capacity or a refuse burning device, for each unit; any furnace or fuel-burning apparatus exceeding 600 square feet of steam radiation or 244,000 B. T. U. load capacity or its equivalent but less than 2,500 square feet of steam radiation or 600,000 B. T. U. load capacity or its equivalent, per unit; any furnace or fuel burning apparatus exceeding 2,500 square feet of steam radiation or 600,000 B. T. U. load capacity or its equivalent but less than 20,000 square feet of steam radiation or 4,800,000 B. T. U. load capacity or its equivalent, per unit; any furnace or fuel-burning apparatus exceeding 20,000 square feet of steam radiation or 4,800,000 B. T. U. load capacity or its equivalent, per unit.

(j) Any person, firm or corporation who shall violate any provision of this Section shall be subject to the fines and penalties as hereinafter provided, and each day's work of installation, erection,

reconstruction or maintenance in violation of the provisions of this Section shall constitute a separate offense for each and every day on which such violation shall occur, provided that nothing in this Section shall be construed so as to prohibit the making of emergency installations, reconstructions, alterations to any fuel-burning equipment where the necessity for such work arises outside of the business hours of the offices of the Combustion Engineer, providing further that the owner, contractor or other person permitting or making such installation shall report the same to the office of the Combustion Engineer for a permit therefor on the first business day following the performing of the emergency work. If such plans and specifications as described above are not submitted to the Combustion Engineer for approval previous to the installation of any new fuel-burning plant or the reconstruction of any existing fuel-burning plant for producing power, heat or either of them, or refuse burning plant or any chimney connected with such fuel or refuse burning plant, the Combustion Engineer shall be authorized to seal immediately such equipment until the owner, contractor, installer or other person has complied with the provisions of this Section. The sealing of the equipment shall be in addition to the fines previously set forth.

(k) If the construction, installation or alteration covered by a permit shall not have been started within one year of the date of such issuance then it shall become null and void.

Section 7. INSTALLER, PERMITS, EXAMINATIONS, FEES AND REVOCATIONS: No person, partnership, firm or corporation or any combination or association of persons shall construct, install or alter any power plant, stationary boiler, warm air furnace, oil burning equipment, stoker, or other apparatus of combustion, without first having registered as hereinafter provided as an installer of combustion equipment.

EXCEPTIONS: (1) Nothing in this section shall be so construed as to require registration of an individual or corporation as a prerequisite to his installation of apparatus of combustion in property used by that individual or corporation as his residence or place of business. (2) Nothing in this section shall be construed so as to require the bona fide employee of a duly registered or of an excepted person, partnership, firm or corporation to be himself registered under this section during such time as he is performing duties for his duly registered or excepted employer.

(a) The Combustion Engineer shall not issue any permit for

the erection, installation or reconstruction of such combustion devices except to duly registered installers of combustion apparatus, or under circumstances previously set out wherein the individual or corporation is not required to be registered.

(b) From and after ninety days after this ordinance goes into effect it shall be unlawful for any person, firm or corporation to install or to represent himself to be an installer of such equipment unless such person, firm or corporation has been duly registered under the provisions of this section. At any time within ninety days after this ordinance goes into effect every person, firm or corporation now engaged in the trade, business or calling of installing apparatus of combustion in the City of Indianapolis and who has been engaged for a period of three years or more in said business or trade, and who submits a statement showing his name, place of business, post office address and length of time said person or persons shall have served as installers of combustion apparatus, and upon payment to the City Controller of the sum of Fifteen (\$15.00) Dollars, shall be entitled to receive from the Combustion Engineer a certificate stating that said applicant is duly registered under this ordinance.

Section 8. MANNER OF REGISTRATION. (a) All installers of Combustion apparatus shall be registered with the Combustion Engineer. Registration certificate should be issued upon the applicants giving his name, address, address of his business, and upon his signing a statement, stating his familiarity with the ordinance and installation requirements of the portion of the ordinance pertaining to the type of combustion equipment to be installed. The issuance of this certificate of registration shall be fifteen (\$15.00) Dollars for the first year, renewable within thirty (30) days of its expiration date for one (\$1.00) Dollar per year. Beyond the thirty (30) days grace period, a new registration must be issued.

(b) The Board of Safety shall have the power to suspend or revoke any registration or renewal thereof for any fraud or deceit in obtaining a certificate of registration, or for any gross misrepresentation in making application for a permit to install a combustion apparatus or for gross negligence, or incompetence in his practice as installer of such apparatus, for violation of any section of the ordinances and regulations dealing with the installation of combustion apparatus.

(c) The Board of Safety must make such charges and a time

and place of hearing of such charges shall be fixed by the Board, a copy of the charges, together with a notice of the time and place of hearing, shall be legally served on the accused at least thirty days before the date fixed for the hearing. No registration can be revoked or suspended without hearing. At the said hearing, the accused will have the right to appear personally and by counsel and to cross examine witnesses against him and produce evidence and witnesses in his defense. If, after said hearing, members of the Board vote in favor of finding accused guilty of such fraud, deceit, misrepresentation, negligence or incompetence, the Board shall suspend or revoke the certificate of the accused. The Board may reissue a certificate to any person whose certificate has been suspended or revoked.

(d) No certificate or renewal thereof granted under the provisions of this section shall be assignable or transferrable and every such registration or renewal of the same shall specify the name of the person, firm or corporation to whom it is issued.

(e) Any person or persons, firm or corporation who shall install or offer to install any devices or apparatus of combustion or who shall represent himself to be an installer of combustion apparatus without being registered as required in this section, shall be fined as hereinafter set out in the penalty clause of this ordinance and each day on which a violation shall occur or shall be continued shall constitute a separate violation.

(f) In adopting this Section the City Council states its intent that wherever doubt exists as to the necessity of denying or cancelling a registration as provided herein, the Combustion Engineer, the Board of Safety or any reviewing court shall resolve that doubt in favor of the applicant for registration or the holder of such registration.

Section 9. Retailers of fuel-burning equipment shall keep sales records for two calendar years preceding any given year which shall be made available to the Combustion Engineer or his assistants after reasonable notice.

Section 10. Certificate of approval for Fuel Burning Equipment:
1. No person, firm or corporation shall use or permit to be used any new, reconstructed or altered fuel burning equipment or any fuel burning equipment duly sealed by the Combustion Engineer under the provisions of this ordinance, until he shall have first procured a certificate of approval from the Combustion Engineer certifying that the plant complies with the requirements of this ordinance and has

been installed in accordance with the plans and specifications on file in his office. The aforesaid certificate of approval shall set out the kind and size of equipment for which it is applicable as well as the load, type of fuel and manner of firing as has been approved by the Combustion Engineer in the permit issued for said fuel burning equipment. Any person or persons who shall violate the provisions of this section either through use of equipment without said certificate of approval or in violation of the conditions of such approval whether by change of load or type of firing device or firing method or by change of fuel, shall be subject to the penalties prescribed in this ordinance and each day's use of such equipment in violation of this section shall constitute a separate offense for each and every day that the equipment is used. The meaning of the phrase "conditions of approval" as used in this paragraph shall be so construed as to be applicable only where the Combustion Engineer has specifically issued a permit or certificate of approval subject to the stipulation of the installer or the purchaser that said equipment is to be used within certain specified limits of load or with certain specified fuel and wherein the submission of said representations constituted the basis upon which the permit and certificate of approval were originally issued.

2. All persons participating in any such violations shall severally be liable therefor and subject to the penalties provided by this ordinance.

3. The issuance and delivery by the Combustion Engineer of a permit or certificate of approval shall not be held to exempt any person, firm or corporation to whom any such permit or approval has been issued or delivered or who is in possession of any such permit or approval from prosecution on account of the emission or issuance of smoke in violation of the density scale for the period or periods of time as herein provided.

Section 11. TESTS OF APPARATUS OF COMBUSTION. 1. The Combustion Engineer may require tests to be made of any equipment of combustion as a prerequisite of his issuance of an installation permit or a certificate of approval. Such tests shall be made under the direction of the Combustion Engineer or he may accept authorized tests of any recognized testing laboratory acceptable to him and the person applying for a permit to install said equipment of combustion. The expense of such tests shall be borne

by the applicant for a permit to install said equipment, or by the user of such equipment.

2. If such tests are made upon equipment of combustion and the results are not in accordance with requirements or will not produce an installation which will conform to the provisions of this ordinance when operated under practical conditions, the Combustion Engineer shall refuse a permit or a certificate of approval.

Section 12. CAPACITY OF CHIMNEYS. The Building Commissioner shall not issue a permit for the erection, construction, reconstruction or alteration of any building or structure wherein the plans for such building or structure show any chimney or smoke stack in connection with such building or structure, until such plans have been submitted to the Combustion Engineer and the dimensions of such chimney or chimneys approved by him as having sufficient capacity and suitable for the type of equipment and fuel to be used in accordance with the provisions of the State Administrative building code which by reference is incorporated herein.

Section 13. PENALTIES. Any person, partnership, firm or corporation or any combination or association of persons who shall violate any of the provisions of this Part I shall upon conviction be fined not less than Five (\$5.00) Dollars nor more than Three Hundred (\$300.00) Dollars. Each violation shall constitute a separate offense. All persons participating in any such violation, either as owners, proprietors, lessees, agents, tenants, managers, superintendents, engineers, firemen, janitors or otherwise shall severally be liable therefor and subject to the penalties provided.

PART TWO

NUISANCES

Section 14. DENSITY SCALE: For the purpose of determining the density of smoke, the Ringelmann Chart as now published by the U. S. Bureau of Mines and used in accordance with the recommendations of the American Society of Mechanical Engineers as set forth in the latest revisions of their Power Test Codes supplement on Instruments and Apparatus, Part 20 Smoke Density Determination shall be the standard.

Section 15. SMOKE WHEN A NUISANCE. 1. The production, emission, or other escape of dense smoke as heretofore defined within

the City of Indianapolis, from any fire or fires, whether same be active or burning or banked or in a state of rest, or whether said smoke be suffered or permitted to escape through a stack, flue or chimney or from an open space—is hereby declared to be a nuisance and may be summarily abated by the Combustion Engineer or by anyone whom he may duly authorize for such purpose. Such abatement may be in addition to the fine hereinafter provided.

- (a) A period or periods of grace in any one hour of which not more than nine minutes involves emission of smoke of a shade or density equal to No. 2 of the Ringelmann Chart and six minutes involves emission of smoke of a shade or density equal to or greater than No. 2 of the Ringelmann Chart are herewith granted during which time the firebox or fireboxes are being cleaned out and new fire or fires built therein, or unavoidable operational conditions exist.
- (b) A period of grace aggregating one minute in any fifteen minutes is herewith granted vehicles including railroad locomotives when said vehicles are in service or ready for service.

2. Any person, firm or corporation who shall suffer or permit the production, emission or escape of dense smoke within the City of Indianapolis, from any fire or fires, whether same be active or burning or banked or in a state of rest, or whether said smoke be suffered or permitted to escape through a stack, flue or chimney or from an open space—shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined as hereinafter provided for each offense, and each emission of smoke in violation of the provisions of this section shall constitute a separate offense for each and every day on which such violation shall continue. Any smoke coming from without the boundaries of the City of Indianapolis and into said city shall also constitute a violation.

EXCEPTIONS: (a) A period or periods of grace not to exceed nine minutes in the aggregate in any one hour of which not more than six minutes in the aggregate in any one hour involves emission of smoke of a shade or density equal to or greater than No. 3 of the Ringelmann Chart is herewith granted during which time the firebox or fire-boxes are being cleaned out and a new fire or fires built therein. This excep-

tion shall apply to vehicles as previously defined, including rail locomotives, only during such times as fires are being cleaned or new fires are being built in cold vehicles or locomotives at roundhouses or terminals.

- (b) A period of grace aggregating one minute in any fifteen minutes is herewith granted vehicles including railroad locomotives when said vehicles are in service or ready for service.

3. All persons participating in any violations of the preceding sections either as owners, proprietors, lessees, agents, tenants, managers, superintendents, engineers, firemen or janitors shall severally be liable therefor and subject to the penalties provided in this ordinance.

Section 16. In the event of any violation of the provisions set out in Section 15 resulting in a conviction, with penalties assessed as provided by the ordinance, the Combustion Engineer shall require any violator, using hand fired equipment, to install an approved smokeless stove, smokeless furnace or mechanical fuel building device or to use only coke or anthracite as a solid fuel.

Section 17. No person or persons, firm or corporation shall suffer or permit the discharge from any stack, chimney or premises, combustion gases bearing solid material in excess of 400 grains of such solids per 1,000 cubic feet of gas at/or corrected to 500° F.

The aforesaid conditions are to be met by the discharge from apparatus of combustion, when the carbon dioxide content of the gases is, or is corrected to, 12% by volume of the total gaseous matter. The amount of solids in the gases shall be determined according to the test code of dust separating apparatus of the American Society of Mechanical Engineers, revised and amended to date, which is hereby made a part of this ordinance by reference, a copy of which is and shall remain on file in the office of the Combustion Engineer.

On all changes of existing combustion apparatus where an installation permit is required and on all new installations of combustion apparatus, the above specifications shall have been deemed to fully comply with above requirements when installations have been made in accordance with the following conditions:

1. All new stokers over 500 pounds per hour and less than 2,000 pounds per hour, must employ traps, except as indicated hereinafter:

A. No trap shall be required of stokers up to 2,000 pounds per hour capacity, in so far as the boiler-stoker installation cannot exceed normal boiler ratings, and must not exceed a burning rate of 30 pounds per square foot of grate area. Normal boiler ratings shall be expressed as 10 square feet of heating surface and shall be equivalent to 1 boiler horsepower.

2. Spreader and forced draft chain grate stokers, 500 pounds per hour to 2,000 pounds per hour, when installed in firebox type boilers, must employ dust traps.

3. STOKERS OVER 2,000 pounds per hour—

A. All stokers over 2,000 pounds per hour must incorporate a fly ash trap.

B. Such traps must be capable of 65% total efficiency and must not be installed without sufficient recognized proof of trap efficiency.

C. All powered fuel burners and all stokers over 5,000 pounds per hour must employ ash traps capable of 85% efficiency and sufficient proof of trap efficiency must be recognized.

4. FLY ASH TRAPS—

A. Fly ash traps must be of standard accepted design and sufficient proof of efficiency curves, with qualifying dust analysis of various types of traps must be established with the office of Combustion Engineer prior to the installation thereof.

B. The Manufacturer of a standard accepted design of fly ash traps, shall be required to prove, at his expense, the emission from the stack on the first installation thereof. The purpose of such test is to prove to the City Combustion Engineer that the trap so specified is capable of meeting the requirements of the ordinance.

C. Stokers of 2,000 pounds per hour and smaller, and down to 500 pounds per hour, where the burning rate is in excess of 30 pounds per square foot of grate area, or where the load is in excess of normal boiler rating—

- (1) Settling type traps may be used where the gas velocity has been dropped to a maximum of 300 feet per minute with suitable baffle and a minimum of 180° turn of the gases. Such trap shall provide for a continuous discharge into a collecting hopper. A suitable gate shall be provided to close this trap during the time of cleaning the hopper. The above described 300 feet per minute shall be calculated or corrected to a gas volume of 300 feet per minute and 12% carbon dioxide and 550° blue gas temperature.
- (2) Reinjection of fly ash from settling type of trap into furnace shall not be permitted.
- (3) Any other type trap may be used, where the efficiency of the trap is 55% or greater.

5. DAMPER CONTROL—On all stokers 75 pounds per hour and larger, an automatic draft control shall be installed, capable of maintaining an over-fire draft of .1 of an inch water column or less.

6. EXCEPTIONS—Foundries, metallurgical industries and railroad locomotives shall be exempt from the aforesaid requirements, but shall be expected to contribute such research on this problem to the combustion engineer as to enable him to determine what accomplishments have occurred from time to time in the reduction of fly ash in these respective industries.

Any person or persons, firm or corporation violating the provisions of this section shall upon conviction be fined as hereinafter provided; and each violation of the Section shall constitute a separate offense for each and every day on which violation shall continue.

Section 18. ASHES, DUST, SOOT, ETC. 1. No person, partnership, firm or corporation or any combination or association of persons shall cause or allow to escape into the open air of such quantities of ash, dust, soot, cinders, acid, vapor, mist, or other fumes, dirt or other material, or obnoxious gases, in such place or manner as

to cause injury, detriment, nuisance to any person or to the public, or to endanger the health or safety of any such person or the public, or in such manner as to cause injury or damage to person, business or property.

2. Any person or persons, firm or corporation violating the provisions of this Section shall upon conviction be fined as hereinafter provided; and each violation of this Section shall constitute a separate offense for each and every day on which such violation shall continue.

Section 19. NOTICE OF VIOLATION, HEARING, SEALING EQUIPMENT. After any owner, agent, occupant, manager or lessee of any premises has been previously notified of three or more violations of this ordinance within any consecutive twelve months period in respect to the emission of smoke, dust, fumes, mists or vapors, said owner or agent of said premises shall be notified to show cause before the Combustion Engineer on a day certain, not less than ten days from the date of notice, why the equipment causing such violations should not be sealed. The notice herein provided for may be given by mail directed to the last known address of the person to be notified, or if the person or his whereabouts is unknown, then by posting a notice on or near the premises at which the violation shall have occurred. Upon this date the persons may appear and be heard. Upon such hearing if the Combustion Engineer finds that adequate corrective means and methods have not been employed to correct the cause of such condition, then he may seal said equipment until such time as a permit and certificate of approval as hereinafter provided have been applied for and issued for said plant. The owner or agent may within ten days of said hearing appeal the decision of the Combustion Engineer to the Board of Public Safety and said appeal shall stay the sealing pending the decision of the Board. It shall be unlawful for any person to break a seal of any boiler or combustion apparatus that has been duly sealed by the Combustion Engineer unless authorized by him in writing. Each day's use of equipment in violation of the seal of the Combustion Engineer shall constitute a separate offense and shall be penalized as hereinafter set out.

Section 20. PENALTIES. Any person, partnership, firm or corporation or any combination or association of persons who shall violate any of the provisions of this Part 2 of said Ordinance shall upon conviction be fined not less than Five (\$5.00) Dollars nor more than Three Hundred (\$300.00) Dollars. Each violation shall consti-

tute a separate offense. All persons participating in any such violation, either as owner, proprietors, lessees, agents, tenants, managers, superintendents, engineers, firemen or janitors shall severally be liable therefor and subject to the penalties provided.

Section 21. TRANSFER OF PERSONNEL AND FUNDS: All personnel, records, funds, balances and equipment available to the Existing Board of Air Pollution Control for the calendar years 1948 and 1949 as provided for in the annual budget ordinances for the City of Indianapolis, are hereby made available and transferred to the Department of Public Safety, Division of Air pollution Control, and the same shall continue available to said NEWLY created Division of Air Pollution Control, upon the effective date of this ordinance.

Section 22. General Ordinance 100, of 1945, is hereby repealed, and the Board of Air Pollution Control created thereunder is abolished.

Section 23. This ordinance shall be deemed supplemental to all other ordinances of the City of Indianapolis, and in matters of air pollution and atmosphere control shall supersede all ordinances in conflict therewith.

Section 24. Any person, firm or corporation may appeal from any ruling of the Combustion Engineer to the Board of Public Safety of the City of Indianapolis.

Section 25. The Mayor may appoint an Air Pollution Control Advisory Board, consisting of five persons, at least a majority of whom shall be trained in chemical, combustion, or mechanical engineering who shall advise with the Mayor and the Combustion Engineer concerning the enforcement of this ordinance. No member of such Board shall have any interest personally or by virtue of his connection with any firm or business which may be adversely affected by the enforcement of this ordinance.

Section 26. In the event any section, sub-section, paragraph, sentence, clause, phrase or word of this ordinance shall be declared to be unreasonable, invalid, illegal, or unconstitutional by any court of competent jurisdiction such action shall not affect the validity of the remainder of this ordinance.

Section 27. This ordinance shall be in full force and effect, from

and after its passage, approval by the Mayor, and publication as by law required.

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

ORDINANCES ON SECOND READING

Mr. Wicker called for Appropriation Ordinance No. 28, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ross, Appropriation Ordinance No. 28, 1948 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 28, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 29, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ross, Appropriation Ordinance No. 29, 1948 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 29, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 30, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Ehlers, Appropriation Ordinance No. 30, 1948 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 30, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Wicker called for Appropriation Ordinance No. 31, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, Appropriation Ordinance No. 31, 1948 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 31, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross moved that General Ordinance No. 78, 1948 be stricken from the files. Which was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross moved that General Ordinance No. 82, 1948 be stricken from the files. Which was seconded by Mr. Bright and carried by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Ross called for General Ordinance No. 98, 1948 for second reading. It was read a second time.

Mr. Ross presented the following motion to amend General Ordinance No. 98, 1948:

Indianapolis, Ind., November 15, 1948.

Mr. President:

I move that General Ordinance No. 98, 1948, be amended by striking out 50 feet where shown and inserting in lieu thereof the following: 25 feet.

GUY O. ROSS,
Councilman.

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

Ayes 8, viz: Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

On motion of Mr. Ross, seconded by Mr. Ehlers, General Ordinance No. 98, 1948, As Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 98, 1948, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Bright.

MISCELLANEOUS BUSINESS

The Council reverted to the previous order of business.

Mr. Wicker moved that the rules be suspended for further consideration and passage of General Ordinance No. 100, 1948.

The motion was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The rules were suspended.

COMMITTEE REPORT

Indianapolis, Ind., November 15, 1948.

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

Gentlemen:

We, your Committee on Finance, to whom was referred General Ordinance No. 100, 1948, entitled

AN ORDINANCE authorizing the additional purchase price for the two motorized pick-up sweepers for the Street Commissioner allowed under G. O. 37, 1948,

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

JOSEPH A. WICKER, Chairman
GUY O. ROSS
JOSEPH C. WALLACE
J. PORTER SEIDENSTICKER
MARY C. CONNOR

Mr. Wicker called for General Ordinance No. 100, 1948 for second reading. It was read a second time.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 100, 1948 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 100, 1948 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Miss Connor, Mr. Ehlers, Mr. Jameson, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Seidensticker, seconded by Mr. Ehlers, the Common Council adjourned at 9:05 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 15th day of November, 1948, 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.

Christian E. Eubank

President.

ATTEST:

Richard L. Stewart

City Clerk.

(SEAL)

November 15, 1948]

City of Indianapolis, Ind.

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