

REGULAR MEETING

Monday, May 18, 1931.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, May 18th, 1931, at 7:30 p. m., in regular session. President Ernest C. Ropkey took the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey, President, and six members, viz: Fred C. Gardner, George A. Henry, James A. Houck, Charles C. Morgan, Leo F. Welch, Clarence I. Wheatley.

Absent: C. A. Hildebrand, Maurice E. Tennant.

On motion of Mr. Welch, seconded by Mr. Houck, the reading of the Journal for the previous meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR

May 11, 1931

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

Gentlemen:

I have this day approved with my signature, and delivered to Henry O. Goett, City Clerk, the following ordinances:

GENERAL ORDINANCE NO. 32, 1931

AN ORDINANCE to amend Section D-124 of section 865 of General Ordinance No. 121, 1925, otherwise known as the Municipal Code of the City of Indianapolis of 1925, and section F-117 of said section 865 of said ordinance, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 37, 1931

AN ORDINANCE providing for and authorizing the City Controller, for and on behalf of the City of Indianapolis, to borrow the sum of One Hundred Thousand Dollars (\$100,000.00), and for the sale of one hundred (100) bonds of One Thousand Dollars (\$1,000.00) each of said city, payable from the general revenues and funds of said city, or as may be required by law, for the purpose of procuring money to be used for the widening and resurfacing of East New York Street from a point west of Gale Street to Emerson Avenue, and for the resurfacing of other streets in said city, and providing for the time and manner of advertising the sale of said bonds and the receiving of bids for the same, together with the mode and terms of sale, appropriating the money received from said sale to the Board of Public Works of the City of Indianapolis, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 38, 1931

AN ORDINANCE providing for and authorizing the City Controller for and on behalf of the City of Indianapolis to borrow the sum of Forty-five Thousand Dollars (\$45,000.00), payable from the general revenues and funds of said city or from the sinking fund of said city, or as may be required by law for the purpose of procuring money to be used for the purchase of equipment by the Board of Public Works of said city for use in oiling unimproved streets, flushing improved streets and cleaning sewers of said city of Indianapolis, providing for the time and

manner of advertising the sale of said bonds and the receiving of bids for the same, together with the mode and terms of sale, appropriating the proceeds derived from the sale of said bonds to the Department of Public Works, and fixing a time when this ordinance shall take effect.

GENERAL ORDINANCE NO. 39, 1931

AN ORDINANCE transferring moneys from certain funds and reappropriating the same to other numbered funds, and fixing a time when the same shall take effect.

SPECIAL ORDINANCE NO. 4, 1931

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

Yours very truly,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

May 18, 1931,

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 12, 1931, appropriating the sum of Twelve Thousand Five Hundred (\$12,500.00) Dollars now in Department of Public Parks unappropriated cash balance, to Department of Public Parks Fund No. 12, Salaries and Wages, Temporary.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

May 14, 1931.

Mr. Wm. L. Elder, City Controller, City of Indianapolis:

Dear Sir:

Attached please find copies of proposed ordinance authorizing the appropriation of certain funds from the unexpended cash balance of the General Fund of the Department of Public Parks to Fund No. 12, Salaries and Wages, Temporary, in accordance with resolution of the Board of Park Commissioners passed at a regular meeting, May 7, 1931.

Yours very truly,

DEPARTMENT OF PUBLIC PARKS.

MARY E. GRIFFIN,
Secretary.

May 18, 1931,

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

Gentlemen:

Attached please find copies of General Ordinance No. 46, 1931, transferring the sum of One Hundred and Fifty (\$150.00) Dollars from Department of Public Safety, Administration Fund No. 11, Salaries and Wages, Regular—Assistant Police Surgeon, and reappro-

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priating the same to Department of Public Safety, Administration Fund No. 24, Printing and Advertising.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,
City Controller.

May 13, 1931.

Mr. Wm. L. Elder, City Controller, City of Indianapolis:

Dear Sir:

The Board of Public Safety is finding it necessary to have quite a little advertising done and our budget does not include a fund for that purpose. Therefore, we are respectfully requesting you to prepare an ordinance to present to the Common Council asking for the appropriation of One Hundred Fifty (\$150.00) Dollars to the Board of Public Safety Budget—Fund No. 24—Printing and Advertising.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

/s/ WALTER O. LEWIS,
Executive Secretary.

May 18, 1931.

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

Gentlemen:

Attached please find copies of General Ordinance No. 47, 1931,

giving the definition of Junk Dealers and the license required for such dealers in the City of Indianapolis.

Yours very truly,

WM. L. ELDER,
City Controller.

May 18, 1931,

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

Gentlemen:

Attached please find copies of General Ordinance No. 48, 1931, regulating Public Eating Places in the City of Indianapolis.

I have been requested to present this ordinance to the Common Council and I am herewith submitting same for due consideration.

Yours very truly,

F. C. GARDNER,
Councilman.

May 1, 1931.

Mr. Henry O. Goett, City Clerk, Indianapolis, Indiana:

Dear Sir:

Attached hereto please find fourteen (14) copies of Special Ordinance which the Board of Park Commissioners desire that you present to the City Council.

This Ordinance covers the sale of two (2) certain tracts of real estate which is no longer needed for park purposes.

Kindly present this Ordinance to the Common Council with the recommendation of the Board of Park Commissioners that the same be passed.

BOARD OF PARK COMMISSIONERS,

By Mary E. Griffin,
Secretary.

Mr. Wheatley asked for a recess. The motion was made and seconded by Mr. Houck, and the Council recessed at 7:40 p. m.

The Council reconvened from its recess at 7:55 p. m., with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., May 18, 1931.

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. 42, 1931, entitled Transfer of Funds—Department of Public Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

J. A. HOUCK, Chairman.
LEO F. WELCH.
FRED C. GARDNER.

Indianapolis, Ind., May 18, 1931.

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. 43, 1931, entitled Bond Issue—Funding bonds for unpaid bills of 1928-29-30, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

J. A. HOUCK, Chairman.
LEO F. WELCH.
F. C. GARDNER.

Indianapolis, Ind., May 18, 1931.

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. 44, 1931, entitled Transfer of Funds—Department of Public Safety, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
FRED C. GARDNER.

Indianapolis, Ind., May 18, 1931.

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. 45, 1931, entitled Authorization to purchase coal—City Hospital, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
F. C. GARDNER.

Indianapolis, Ind., May 18, 1931.

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. 11, 1931, entitled Appropriating \$900 to Municipal Airport Fund No. 32—No. 51, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

J. A. HOUCK, Chairman.
LEO F. WELCH.
FRED C. GARDNER.

INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

APPROPRIATION ORDINANCE NO. 12, 1931

AN ORDINANCE transferring and appropriating certain funds of the Department of Public Parks from the unappropriated balance from the sale of real estate to certain other numbered funds and fixing a time when the same shall take effect.

WHEREAS, there is now in the funds of the Department of Public Parks an unappropriated balance of \$29,655.50 from the sale of real estate, and

WHEREAS, an emergency has arisen making it necessary, in the building of the Coffin Golf Course, for the Board of Park Commissioners to transfer and appropriate the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00) from the unappropriated balance from the sale of real estate now in the funds of the Department of Public Parks to certain other numbered funds as hereinafter set out, NOW THEREFORE:

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

Section 1. That there be and there is hereby transferred and appropriated, the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00), now in Department of Public Parks unappropriated cash balance from the sale of real estate to Department of Public Parks Fund No. 12, Salaries and Wages, Temporary.

Sec. 2. This ordinance shall take 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 Finance.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

By City Controller:

GENERAL ORDINANCE NO. 46, 1931

AN ORDINANCE transferring a certain sum of money from one fund and reappropriating the same to another numbered fund, 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 there be and is hereby transferred from Department of Public Safety, Administration Fund No. 11, Salaries and Wages, Regular, Assistant Police Surgeon, the sum of One Hundred and Fifty (\$150.00) Dollars, and the same is now hereby reappropriated to Department of Public Safety, Administration Fund No. 24, Printing and Advertising.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication according to law.

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

By Legal Department:

GENERAL ORDINANCE NO. 47, 1931

AN ORDINANCE amending Section 455 of General Ordinance No. 121, 1925, 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 455 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows:

“SEC. 455. LICENSE. DEFINITION OF JUNK DEALER. No person, firm or corporation shall conduct, maintain, or engage in, or hold himself or itself out, by advertising or any other means, to be conducting, maintaining or engaging in the business of junk dealer, unless such person, firm or corporation shall have first paid a license fee to the city controller, and procured a license so to do, as hereinafter provided in this ordi-

nance. A junk dealer, within the meaning of this ordinance, shall be deemed to mean any person, firm or corporation who shall engage in the business of buying from any junk peddler licensed under the terms of this ordinance, selling to or storing for any person or persons, firm or corporation, and any junk peddler or other junk dealer licensed under the terms of this ordinance, any waste, used, old or second-hand iron, brass, copper, tin, zinc, or any other metal, or rags, rubber, bottles, paper, or any other like waste material or by-product of any person, firm, or corporation, or junk or waste of any kind whatsoever. No junk dealer shall buy any such waste, used, old or second-hand iron, brass, copper, tin, zinc, or any other metal, or rags, rubber, bottles, paper or any other like waste material or by-product of any person, firm or corporation, or junk or waste of any kind whatsoever, of any junk peddler not licensed under the terms of this ordinance."

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

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

By Mr. Gardner:

GENERAL ORDINANCE NO. 48, 1931

AN ORDINANCE for the protection of public health and the prevention of fraud and deception and the prevention of the sale or offer for sale of impure or unwholesome food products in public eating places in the City of Indianapolis, preventing the transportation thereof, making provision for the administration of this ordinance, providing for the payment of fees and providing penalties for the violation hereof.

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

ARTICLE I.

DEFINITIONS.

Section 1. A public eating place, as defined in this ordinance, shall mean any place where food is sold, served and consumed on the premises and shall include every restaurant, lunch room, lunch stand, luncheonette, cafeteria, department store, lunch wagon, dining car, garage, cigar stand, tea room, soda fountain, buffet, drug store, lunch counter, dining room of hotel, or coffee shop, where food is sold, served and consumed on the premises, and all kitchens, commissaries and other rooms appurtenant thereto or used in connection therewith.

Sec. 2. The term "owner" or "owners" as defined in this ordinance shall mean those persons, partnerships or corporations which are financially interested in the operation of a public eating place as defined in Section 1 of Article I. of this ordinance.

Sec. 3. The term "employee" as defined in this ordinance shall mean any person actively engaged in the preparation of or dispensing of, or in assisting to dispense, food.

Sec. 4. The term "Board of Health" as defined in this ordinance shall mean the Board of Health of the City of Indianapolis.

Sec. 5. The term "food" as defined in this ordinance shall mean any article of food, confection, condiment or drink used for human consumption, and all ingredients entering into food.

ARTICLE II.

ADMINISTRATION OF ORDINANCE

Section 1. The Board of Health of the City of Indianapolis and its secretary and inspectors as herein provided are hereby authorized

and directed to administer and enforce this ordinance, and said Board of Health shall prescribe rules and regulations and shall issue orders for the administration of this ordinance.

ARTICLE III.

APPLICATION AND PERMITS.

Section 1. The owner or owners of any public eating place as defined in this ordinance who are doing business at the time this ordinance becomes effective shall within ten days next following and annually thereafter, present to the Board of Health at its office a sworn application upon a form to be furnished and approved by the Board of Health of Indianapolis, which application shall contain the name of the owner or owners who operate said public eating place, their residence and business address (or the names and addresses of the officers and directors if it be owned by a corporation), and location of the public eating place, the time they have been engaged in the business of operating a public eating place, whether or not they have been convicted for violating any of the health laws of the City of Indianapolis or the State of Indiana, or elsewhere, and such other information as the Board of Health may require. The Board of Health shall thereupon through its inspectors make an investigation of said applicants, which investigation shall include an examination of the premises, building and equipment and shall within ten days either grant or refuse a permit to operate a public eating place. Refusal shall be based upon the condition of the premises, building or equipment as being insanitary or potentially or actually detrimental to public health, or for the violation of the laws or ordinances concerning public health or of the violation of the rules of the Board of Health. If, after refusal of permit based on insanitary condition of premises, the owner removes the conditions objected to, to the satisfaction of the Board of Health, a permit shall be issued. Owners having paid a license fee for 1931 shall not be required to pay any additional fees for such year.

Sec. 2. Any person, partnership or corporation not operating a

public eating place at the time this ordinance becomes effective and who intends to open and operate a public eating place in the City of Indianapolis, shall, before opening or operating said public eating place, submit an application on the form as provided in Section 1 of Article III. of this ordinance, and the Board of Health by its inspectors shall make an investigation and examination as provided for in Section 1 of Article III. of this ordinance, and shall either issue or refuse to issue a permit under the same terms as provided in Section 1 of Article III. of this ordinance.

Sec. 3. The Board of Health shall not issue any permits until the fees required by this ordinance shall have been paid to the City Controller.

Sec. 4. Any person desiring to be an employe as defined in this ordinance shall, within ten days after this ordinance becomes effective, and thereafter within three days after being employed in a public eating place and semi-annually thereafter, file with the Board of Health a sworn application at its office and upon a form to be furnished and approved by the Board of Health, setting forth his or her name, residence, address, the location of the public eating place where the applicant is or is to be employed, whether the applicant has ever been convicted for violating any of the laws of the city, county, state or federal government governing public health, and whether said applicant is suffering from any contagious, infectious or communicable disease, and shall submit to a thorough medical examination by an Indianapolis physician in good standing and shall provide with said application a certificate signed by said physician showing freedom from any contagious, infectious or communicable disease and if the Board of Health, from the information contained in said application or obtained otherwise, has reason to believe that such person if employed in a public eating place would be a hazard to or endanger public health said Board shall refuse to issue an employe's permit to such applicant. The Board of Health may for cause disapprove examination by any physician who has been engaged in illegal or unethical practices or who does not make thorough examinations of such applicants.

Sec. 5. An owner or owners shall at all times keep their permits in the public eating place which they operate at public view and an employe shall at all times have his permit on file with his employer, and the members of the Board of Health, its secretary, or its inspectors may require said permits of owners or employes to be exhibited at any time.

Sec. 6. An owner of a public eating place or an employe thereof who is employed therein, without holding permit as herein provided shall be subject to punishment as provided in Section 1 of Article VII of this ordinance.

ARTICLE IV.

FEES AND ADMINISTRATION.

Section 1. Every applicant for an owner's permit between the first day of January and the thirtieth day of June of any year shall pay to the City Controller at his office a fee of Fifteen Dollars (\$15.00) in cash or its equivalent, annually, which shall be paid to the City Controller and by him paid into the general fund of the City of Indianapolis. Every applicant for an owner's permit between the first day of July and the thirty-first day of December of any year shall pay to the City Controller at his office a fee of Seven Dollars and Fifty Cents (\$7.50) in cash or its equivalent, which shall be paid into the general treasury of the City of Indianapolis.

ARTICLE V.

INSPECTORS.

Section 1. The Board of Health shall appoint a restaurant inspector or inspectors as the funds collected under this ordinance permit and as may in the judgment of the Board of Health be required. Such inspectors may be of either sex and shall be persons of high moral character, of good standing in the community, who have never been convicted of a felony, who are of good health and shall be

appointed free from any political influence. The health inspector or inspectors and all persons appointed under this ordinance shall hold office at the pleasure of the City Board of Health. The Board of Health may provide examinations for qualification for the appointment of said health inspectors, such examinations to be prepared by the Board of Health. Such health inspectors shall work directly under the Board of Health of the City of Indianapolis and its secretary, and may be discharged by the Board of Health at its discretion with or without hearing or cause. The Board of Health may appoint a chief inspector and an assistant inspector and such additional inspectors as are required to properly and efficiently administer this ordinance. All of said inspectors shall be qualified in public health matters. If complaint is made to the Board of Health of the City of Indianapolis that any inspector has not in any instance performed his duty, the Secretary of the Board of Health shall make a personal investigation and report upon such complaint to the Board of Health which shall take such action as in its judgment the facts may justify. The salaries of all inspectors shall be fixed and determined by the Board of Health.

ARTICLE VI. GENERAL PROVISIONS.

Section 1. The inspectors as provided for in this ordinance, and the members of the Board of Health and its secretary, are hereby authorized to enter upon the premises of a public eating place any time during business hours, and to inspect the food therein and the equipment and fixtures and the surroundings, and may direct the owners thereof to destroy any poisonous, tainted or unwholesome food products and to clean said premises to promote the best interests of the public health.

Sec. 2. All public eating places shall be screened in such manner and during such time of the year as the Board of Health may direct.

Sec. 3. All dishes, glassware and silverware, used in any public eating house, as defined in this ordinance, shall after each use be thoroughly washed and cleaned in water containing soap or some

other effective cleansing agent in such a way as to remove all visible foreign matter, as directed by the Board of Health; and after each washing shall be rinsed and sterilized in clean, running water not less than 180° Fahrenheit or Chlorine or some other effective sterilizing unit, as the Board of Health may direct.

Sec. 4. All kitchen utensils and other instruments used in the serving of food at any public eating place as defined in this ordinance shall be kept thoroughly clean at all times.

Sec. 5. All premises and counters, fixtures, tables, chairs, ceilings, floors, walls, windows and doors and adjoining rooms shall be kept thoroughly clean, and the Board of Health, its secretary or its inspectors may require such cleansing when in their judgment it is necessary to the interest of public health.

Sec. 6. The floors of any public eating place, and all kitchens thereof, shall be mopped or scrubbed after each meal and the adjacent sidewalks shall be swept at least once every twenty-four hours.

Sec. 7. It shall be unlawful for any person, firm or corporation to store or keep for the purpose of selling, or to expose or offer for sale, or to transport, convey or carry from one place to another, any food for human consumption or any food sold or procured for the purpose of selling, offering or exposing the same for sale in the city, unless such food is fully protected from dust, dirt, flies, vermin, rats, mice, dogs, cats, promiscuous handling and other contamination.

The protection for food kept in rooms of buildings which are free from flies shall be an enclosure consisting of a front and a top covering extending not less than 8 inches back from such front, unless the food is covered by a top less than 8 inches and said front may have an opening not more than 4 inches high; which front and top shall be made of glass, wood, sheet metal or material of a similar character which is impervious to dust, and sides of impervious material. Full protection shall be provided where food is exposed in show windows or upon show stands.

By "front" as used in this section is meant that side of a case or container facing towards that part of the store or place to which the general public has access. The protection which shall be considered adequate for food kept on sidewalks, in doorways, open windows, on street stands, push carts or other places in the open air, or in rooms of buildings which are not free from flies, shall be a complete enclosure of a fixed or permanent character, consisting of glass, wood or sheet metal, or material of a similar character which is impermeable so as to protect against flies, dust and promiscuous handling; provided, however, that in case of fruits, bakery goods or other foods subject to sweating when completely enclosed, opening shall not exceed 10 percent of the area of such side, and which openings shall be completely covered with 20-mesh screen or material of a similar character.

The original box, crate or container and the usual cover for such containers, left in place and intact, shall be considered adequate protection for food sold or offered for sale in such original containers. A complete enclosure in a box, carton, wrapper, or package of a similar character shall be considered adequate protection for all food required to be protected. Nothing in this section shall be construed to prohibit the necessary exposure of food during the immediate process of preparation, assortment or packing, in a building or place screened and free from flies.

Sec. 8. There shall be adequate light and ventilation in every dining room or eating room and the walls, ceilings, and floors shall be in good repair and clean; tables, counters, shelves, and other furniture shall have clean surfaces, and be kept clean. All utensils, including urns and containers for milk, cream, coffee and water shall be made of materials that can be easily cleaned and sterilized.

Sec. 9. Every kitchen shall have adequate light and ventilation and the air flow shall always be from the dining room through the kitchen. Adequate provision shall be made to completely change the air of every kitchen and dining room at least once every five (5) minutes during which said eating place is actually opened for busi-

ness. The discharge from kitchen fans shall be through a duct to a point above the roof line to protect the occupants of the building in which the restaurant is located from nuisance. Ranges, refrigerators, and other bulky equipment shall be so arranged as not to obstruct the light and ventilation, and tables for clean and soiled dishes and food shall be so arranged that the soiled dishes will be as far removed from the food rack and clean dishes as may be possible. Ranges shall be hooded so that the cooking odors may be effectually carried off by a stack or an exhaust fan or a skylight immediately above. The walls and ceilings of kitchen shall be kept in good repairs and capable of being readily cleaned. The floor shall be of such construction that it may be kept clean at all times. The floors and walls shall be reasonably proof against rats and vermin. Ranges, steam tables, shelves, racks, blocks, tables, or other machinery or furniture used in mixing, cutting, grinding, cooking, or otherwise preparing the foods for service shall be of such material and construction that they may be kept scrupulously clean at all times.

Sec. 10. There shall be adequate water closet facilities easily accessible to the employes, and where more than five (5) of each sex are employed separate water closet accommodations plainly marked shall be provided for each sex. Water closet compartments shall be clean, dry, well lighted and ventilated, and located as far as possible from the food racks and places where food is prepared. Adequate facilities for employes for washing, and soap and towels shall be provided.

Sec. 11. Refrigerators shall be lined with impervious material and adequately drained by indirect or broken connection with the sewer. The interior of the box must be so arranged that the ice or equipment for electrical refrigeration shall not come into direct contact with food. Scrupulous cleanliness shall be in and about said refrigerator at all times and refrigerators shall be so ventilated that no objectionable odors shall exist.

Sec. 12. There shall be adequate plumbing facilities so that there is a sufficient supply of running water for all washing purposes, and

all fixtures such as sinks, wash sinks, etc., shall be adequately trapped, vented and revented, and properly connected to the sewer. All sinks in which pots or dishes are washed shall be connected to a catch basin or be equipped with a water-jacketed grease trap. Dish washers, steam tables, coffee urns, and bain-maries may discharge into the floor gutter or over a floor drain, and if connected solidly to the waste pipes or plumbing system shall have traps and vents the same as other plumbing fixtures.

Sec. 13. All employes shall be clean in person and in clothing, and no person afflicted with any contagious or infectious disease, or with any communicable skin disease, shall be employed in or about the preparing, handling, cooking, serving of food stuffs, or in the washing of the dishes or other utensils.

Sec. 14. All store rooms or other rooms directly connected with the establishment shall be clean, dry and kept in such a condition as not to affect unfavorably the foodstuffs used or the health of the employes or of the public. Yards, cellars, or other areas directly connected with, or in close proximity to, public eating places must be kept clean.

Sec. 15. Foodstuffs shall not be stored in a location that will render them unwholesome and shall be elevated from the floor. The owner of a public eating place shall make reasonable examination of all meats, canned goods and other food materials to determine their purity and wholesomeness, and any foodstuffs which are unwholesome shall be destroyed.

Sec. 16. All containers in which milk is delivered to the establishment or in which milk is kept in the establishment shall be kept scrupulously clean. All milk served to the public shall be served from original bottles as bottled by the milk distributors by appliances approved by the Board of Health of the City of Indianapolis. Milk urns and pumps shall be kept thoroughly cleaned and all milk shall be kept cold and wholesome.

Sec. 17. Adequate metal receptacles tightly covered shall be provided for the storage of garbage and refuse, and all garbage and refuse shall be kept in such manner and at such places that they will not become a nuisance to the public. The use of wooden boxes or barrels for the storage of garbage or refuse shall not be permitted, except that wooden barrels which are washed regularly may be used for the storage of grease for soap stock. Garbage receptacles shall be kept clean at all times.

ARTICLE VIII.

VALIDITY.

Section 1. If any section or sub-section, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this ordinance, but the same shall continue in full force and effect.

ARTICLE IX.

PENALTIES.

Section 1. Any person, firm, association or corporation who shall violate the provisions of this ordinance shall be deemed guilty of a misdemeanor, every violation for each separate day constituting a separate offense, and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment for not less than thirty days nor more than six months, or by both such fine and imprisonment at the discretion of the court.

ARTICLE X.

EFFECTIVE DATE.

Section 1. The City Clerk of Indianapolis is hereby authorized and directed to publish this ordinance or cause the same to be pub-

lished, in pamphlet form, with a proper index thereto, and to distribute the same free of any charge to the members of the Indianapolis Police Department and to any other persons requesting a copy thereof, not inconsistent with the law of the State of Indiana as contained in Section 10283 Burns Annotated Indiana Statutes of 1926. It is further declared and ordered that this ordinance shall be in full force and effect two (2) weeks following the date of publication of the same in pamphlet form, following its passage and approval by the Mayor.

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

By Park Board:

SPECIAL ORDINANCE NO. 5, 1931

AN ORDINANCE authorizing the sale, alienation and conveyance of certain real estate by the Board of Park Commissioners of the City of Indianapolis, and fixing the time when the same shall take effect.

WHEREAS, the Board of Park Commissioners by resolution duly adopted and spread of record at its meeting of Thursday, April 30, 1931, determined that certain park lands hereinafter described are no longer necessary for park purposes nor for the public use and that it would be to the best interests of the City of Indianapolis to dispose of said lands by sale,

NOW, THEREFORE,

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

Section 1. That the Board of Park Commissioners is hereby authorized to sell, alienate and convey for cash, at public or private sale, for not less than the appraised value, which value is to be here-

after determined by appraisers appointed by the Judge of the Circuit Court of Marion County, Indiana, as required by law, the following described real estate in Indianapolis, Marion County, Indiana, to-wit:

A parcel of ground in the South East Quarter of Section numbered Twelve, in Township Sixteen North, Range Three East of the Second Principal Meridian, such parcel being more particularly described as follows: Beginning at a point distant 360 feet North of the South line and distant 208.75 feet East of the West line, of the South East Quarter of said Section Twelve aforesaid, and running thence East, parallel with the South line of said Quarter Section aforesaid, 208.75 feet, to a point; thence South, parallel with the West line of said Quarter Section, 180 feet, to a point; thence West, parallel with the South line of said Quarter Section, 208.75 feet, to a point; thence North, parallel with the West line of said Quarter Section, 180 feet, to the place of beginning.

Lot 42, in Burton and Campbell's Park Place Addition to the City of Indianapolis, reference being made to the plat thereof, as recorded in Plat Book 3, page 196, in the Recorder's Office of Marion County, except 123 feet off the East end thereof. Also a strip of land 30 feet in width off of the East side of Capitol Avenue, theretofore vacated immediately adjoining said Lot 42 on entire West side.

That said real estate shall be sold at public or private sale upon such notice or notices as the Board of Park Commissioners may determine.

Sec. 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 Parks.

ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 42, 1931, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend General Ordinance No. 42, 1931:

Indianapolis, Ind., May 18, 1931.

Mr. President:

I move that General Ordinance No. 42, 1931, be amended by striking out Section two.

J. A. HOUCK,
Councilman.

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

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Houck, seconded by Mr. Morgan, General Ordinance No. 42, 1931, as Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 42, 1931, As Amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 43, 1931, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend General Ordinance No. 43, 1931:

AMENDMENT.

Mr. President:

I move that General Ordinance No. 43, 1931, be amended by striking out the following words in the 114th paragraph of said ordinance, to-wit:

ET AL.

and inserting in lieu thereof, the following words, to-wit:

In amount of Sixteen Dollars and Sixty-four Cents (\$16.64), the Autocall Company, in amount of Two Dollars and Ninety-six Cents (\$2.96), Bessire & Company, Inc., in amount of Nine Dollars and Thirty-five Cents (\$9.35), Schlosser Brothers, Inc., in amount of Twenty-two Dollars (\$22.00), Arthur O. Wagner, doing business as General Welding Products Co., in amount of Eighteen Dollars and Fifty Cents (\$18.50), the Coleman & Bell Company, Inc., in amount of Three Dollars and Thirty-two Cents (\$3.32), Randolph O. Beane, in amount of Twenty-one Dollars and Fifty Cents (\$21.50), Home Elevator Company, in amount of Seventeen Dollars (\$17.00), Peerless Electric Supply Co., in amount of Thirty-one Dollars and Seventeen Cents (\$31.17), Railway Express Agency, Inc., in amount of Twenty Dollars and Thirty-eight Cents (\$20.38),

and by striking out the following words in the 115th paragraph of said ordinance, to-wit:

ET AL.

and inserting in lieu thereof, the following words, to-wit:

In the amount of Five Dollars and Fifty-six Cents (\$5.56), Wright Electrotype Company, in the amount of Thirty-two Dollars (\$32.00), D. Van Nostrand Company, Inc., in the amount of Two Dollars and Twenty-five Cents (\$2.25), Schiefeelin & Company, in the amount of Twelve Dollars and Fifty Cents (\$12.50), Singer Sewing Machine Company, in the amount of Five Dollars and Eighty-five Cents (\$5.85), Western Machine Works, in the amount of Ten Dollars and Fifty Cents (\$10.50), Peoples Coal & Cement Company, in the amount of Eight Dollars and Fifty Cents (\$8.50), Central Supply Company, in the amount of Eight Dollars and Twenty-four Cents (\$8.24), Oscar V. Rouse doing business as Pearl Roller Mills, in the amount of Eighteen Dollars and Thirty Cents (\$18.30), Stow Manufacturing Company, Inc., in the amount of Twenty-three Dollars and Six Cents (\$23.06), Monument Ink Company, Inc., in the amount of Eight Dollars and Forty-five Cents (\$8.45), Bertha Markowitz in the amount of Six Dollars and Twenty-five Cents (\$6.25), Equipment Service Company, in the amount of Seven Dollars and Thirty Cents (\$7.30), The American Multigraph Sales Company, in the amount of Eleven Dollars and Ninety-two Cents (\$11.92),

and by striking out the following words in the 116th paragraph of said ordinance, to-wit:

ET AL.

and inserting in lieu thereof, the following words, to-wit:

In amount of Twelve Dollars and Fifteen Cents (\$12.15), A. B. Dick Company in amount of Twenty Dollars (\$20.00), Parke, Davis & Company in amount of Twenty-two Dollars and Ten Cents (\$22.10), Digestive Ferments Company in amount of Twenty Dollars and Twenty-three Cents (\$20.23), William

A. Doeppers in amount of Sixteen Dollars and Eighty Cents (\$16.80),

and by striking out the following words in the 117th paragraph of said ordinance, to-wit:

ET AL.

and inserting in lieu thereof, the following words, to-wit:

In amount of Fifteen Dollars and Forty Cents (\$15.40), R. B. Davis Sales Company in amount of Twenty Dollars and Sixty-five Cents (\$20.65), Aquos Products Company in amount of Eighteen Dollars and Seventy-five Cents (\$18.75), Hynson, Wescott & Dunning, Inc., in amount of Eighteen Dollars (\$18.00), Century Biscuit Company in amount of Thirteen Dollars and Ninety Cents (\$13.90), Sears, Roebuck Company in amount of Sixteen Dollars and Three Cents (\$16.03), The Kauffman-Lattimer Company in amount of Six Dollars and Seventy Cents (\$6.70), Firestone Services Stores, Inc., in amount of Two Dollars and Thirty Cents (\$2.30), Service Transfer and Storage Company in amount of Twenty-two Dollars and Sixty-six Cents (\$22.66), The Sanborn Electric Company in amount of Ten Dollars and Twenty-four Cents (\$10.24).

JAMES A. HOUCK,
Councilman.

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

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Houck, seconded by Mr. Wheatley, General Ordinance No. 43, 1931, as Amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 43, 1931, as amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 44, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No. 44, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 44, 1941, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 45, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, General Ordinance No. 45, 1931, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 45, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 11, 1931, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Wheatley, Appropriation Ordinance No. 11, 1931, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 11, 1931, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Gardner, Mr. Henry, Mr. Houck, Mr. Morgan, Mr. Welch, Mr. Wheatley, President Ropkey.

MISCELLANEOUS BUSINESS

The Council extended to Mrs. Marguerite Koenig, Deputy City Clerk, their best wishes on her recent marriage to Edw. W. Koenig.

On motion of Mr. Wheatley, seconded by Mr. Henry, the Common Council adjourned at 8:10 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 18th day of May, 1931, at 7:30 p. m.

May 18, 1931]

CITY OF INDIANAPOLIS, IND.

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In witness whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.

Ernest C Ropkey

President.

Attest:

Henry O Goett

City Clerk.

(SEAL.)