

## REGULAR MEETING

Monday, March 7, 1932.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at City Hall, Monday, March 7, 1932, at 7:30 p. m., in regular session. President Ernest C. Ropkey in the chair.

The Clerk called the roll.

Present: Ernest C. Ropkey and four members, viz: George A. Henry, James A. Houck, Maurice E. Tennant, Leo F. Welch.

Absent: Fred C. Gardner, C. A. Hildebrand, Chas. A. Morgan, Clarence I. Wheatley.

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

February 23, 1932.

*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. 8, 1932

## AMENDED.

AN ORDINANCE providing for and authorizing the City Controller for and in behalf of the City of Indianapolis to borrow the sum of Eighty-seven Thousand Three Hundred Eighty-eight Dollars and Forty Cents (\$87,388.40), and for the sale of eighty-eight bonds of said city, and fixing a time when this ordinance shall take effect.

## GENERAL ORDINANCE NO. 9, 1932

AN ORDINANCE transferring certain sums of money from certain numbered funds of the Department of Public Health and Charities, and reappropriating the same to other numbered funds of said department; and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 12, 1932

## AMENDED.

AN ORDINANCE amending Fund Sub-section 12-6 Department of Public Works—Street Commissioner, and Fund Sub-section 26 Department of Finance, Office of City Controller of Section 2 of Appropriation Ordinance No. 18, 1931, and amending Section 4 of said Ordinance, and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 14, 1932

AN ORDINANCE to amend Division E—Part Six of Section 865 of General Ordinance No. 121, 1925, by amending Sections E-603, E-604, E-605, E-606, E-610, E-611, E-612, E-613, E-614, E-615 and E-616; repealing all ordinances in conflict therewith and fixing a time when the same shall take effect.

## GENERAL ORDINANCE NO. 17, 1932

AN ORDINANCE to amend Division E—Part Five of Section 865 of General Ordinance No. 121, 1925, by amending Sec. E-502, repealing all ordinances in conflict therewith and fixing a time when same shall take effect.

## SPECIAL ORDINANCE NO. 1, 1932

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

## SPECIAL ORDINANCE NO. 2, 1932

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

## APPROPRIATION ORDINANCE NO. 2, 1932

AN ORDINANCE appropriating certain moneys to certain numbered funds and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 3, 1932

AN ORDINANCE appropriating the sum of Twenty-five Hundred Dollars (\$2500.00) from the estimated anticipated, unexpended

and unappropriated balance of the General Fund for the year 1932, in the amounts and to the funds of the Municipal Airport set out herein, and fixing a time when the same shall take effect.

Yours very truly,

R. H. SULLIVAN,  
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

March 7, 1932.

*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. 5, 1932, appropriating the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) from the estimated unappropriated and unexpended balance of the General Fund for the year 1932 to the Department of Public Works, Administration Fund No. 26—Other Contractual.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

March 2, 1932.

*Hon. President and Members of the  
Common Council,  
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance, regulating the sale and use of fireworks and explosives in the City of Indianapolis, and respectfully recommend the passage of same.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
WALTER O. LEWIS,  
Executive Secretary.

March 2, 1932.

*Hon. President and Members of the  
Common Council,  
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance, making Shelby Street from English Avenue to Madison Avenue a preferential street, and respectfully recommend the passage of same.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
WALTER O. LEWIS,  
Executive Secretary.

March 2, 1932.

*Hon. President and Members of the  
Common Council,  
City of Indianapolis.*

Gentlemen:

We are submitting herewith an ordinance, establishing a "Loading Zone" and/or "Passenger Zone" of 18 feet at 124 N. Pennsylvania Street, and respectfully recommend the passage of same.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,  
WALTER O. LEWIS,  
Executive Secretary.

February 29, 1932.

*Mr. Henry Goett,  
City Clerk.*

Dear Sir:

I am enclosing copies of a proposed ordinance, General Ordinance No. 23, 1932, regulating the traffic on East New York Street by prohibiting therefrom all trucks over one ton, not including passenger

cars or buses, which I request that you present to the Common Council at the next meeting with the recommendation of the Board of Public Works that the same be passed.

Yours very truly,

ERNEST F. FRICK,  
Secretary, Board of Public Works.

March 7, 1932.

*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. 24, 1932, regulating the retail sale and distribution of coal and coke in the City of Indianapolis; providing for the licensing of dealers in such fuel products; providing for delivery tickets giving the weight and description of fuel thereon; providing for truthfully describing such fuel products in advertising and selling; providing for the distribution of revenue so derived from the license fees obtained; prescribing a penalty for its violation and repealing all ordinances in conflict herewith.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

March 7, 1932.

*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. 25, 1932, amending section 122 of General Ordinance No. 121, 1925, commonly known as the General Code of 1925, as amended by General Ordinance No. 78, 1931, as amended by General Ordinance No. 85, 1931, as amended by General Ordinance No. 103, 1931.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

March 7, 1932.

*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. 26, 1932, transferring moneys from certain numbered funds and reappropriating and reappportioning the same to other numbered funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

March 7, 1932.

*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. 27, 1932, transferring certain sums of money from certain numbered funds in the Department of Public Health and Charities and reappropriating the same to other numbered funds of said department.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WM. L. ELDER,  
City Controller.

February 29, 1932.

*Hon. William L. Elder,  
City Controller,  
City Hall,*

*Indianapolis, Indiana.*

Dear Sir:

Acting under instructions of the Board of Health, I am transmitting to you herewith Fifteen (15) copies of a General Ordinance

providing for the transfer of certain sums of money from certain numbered funds in the Department of Public Health and Charities and reappropriating the same to other numbered funds of said department.

The Board of Health respectfully asks that you present this ordinance to the Common Council at its next meeting, with recommendation that the same be passed.

Very truly yours,

H. G. MORGAN,  
Secretary, Board of Health.

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

The Council reconvened from its recess at 7:50 p. m., with the same members present as before. At this time Mr. Hildebrand, and Mr. Wheatley entered the Council Chamber and were counted present.

#### COMMITTEE REPORTS

Indianapolis, Ind., March 7, 1932.

*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. 18, 1932, entitled Bond Issue \$100,000—Track Elevation, 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.  
MAURICE E. TENNANT.

Indianapolis, Ind., March 7, 1932.

*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. 19, 1932, entitled Transferring \$10.00—Fire Depart-

ment Fund No. 52, 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.  
MAURICE E. TENNANT.

Indianapolis, Ind., March 7, 1932.

*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. 4, 1932, entitled \$40,000 Gasoline Tax Fund—Street Commissioner's Department, 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.  
MAURICE E. TENNANT.

#### INTRODUCTION OF APPROPRIATION ORDINANCES

By City Controller:

#### APPROPRIATION ORDINANCE NO. 5, 1932

AN ORDINANCE appropriating the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) from the estimated unappropriated and unexpended balance of the General Fund for the year 1932 to the Department of Public Works, Administration Fund No. 26—Other Contractual, 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 the same is hereby appropriated out of the estimated unappropriated and unexpended balance of the General Fund for the year 1932 the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00), and said sum appropriated and transferred to the Department of Public Works, Administration Fund No. 26—other Contractual.

Section 2. 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 the first time and referred to the Committee on Finance.

## INTRODUCTION OF GENERAL ORDINANCES

By Board of Safety:

### GENERAL ORDINANCE NO. 20, 1932

AN ORDINANCE amending Sections 393 and 394 of General Ordinance No. 121, 1925, entitled "An Ordinance concerning the Government of the City of Indianapolis, providing penalties for its violation and, with stated exceptions, repealing all former ordinances," Sec. 395 of said General Ordinance No. 121, 1925, as the same was amended by General Ordinance No. 85, 1927, and Sections 397 and 398 of said 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 393 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows, to wit:

"Sec. 393. PERMIT. No person shall discharge fireworks or explosives of any nature or description at any time within the limits of the City of Indianapolis without a special written permit from the Board of Public Safety. Provided, however, that the terms of this ordinance providing for the issuance of special permits shall not apply to the discharge of fireworks permitted by this ordinance in the celebration of Independence Day on July 4th, or the day legally set aside for said celebration. Provided further, that the discharge of fireworks shall be confined between the hours of 4 o'clock a. m. and 10 o'clock p. m. of July 4th, or the day legally set aside for the celebration of Independence Day. Provided further, that wholesale dealers in fireworks shall not deliver to retail dealers or consumers, any fireworks or explosives of any character prior to June 22nd of any current year, and retail dealers in fireworks shall not sell or deliver fireworks or explosives of any character to any person prior to July 2nd of any current year."

Section 2. That Section 394 of said General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows, to wit:

"Sec. 394. APPLICATION FOR PERMIT. Any person desiring the special permit referred to in the last preceding section, shall make a written application therefor to the Board of Public Safety, stating therein the person desiring to use the fireworks or explosives, the time and place to be used, the character and amount of fireworks or explosives to be used and the purpose of the same, together with the written approval of the Chief of the Fire Department."

Section 3. That Sec. 395 of General Ordinance No. 121, 1925, as the same was amended by General Ordinance No. 85, 1927, be and the same is hereby amended to read as follows, to wit:

"Sec. 395. EXPLOSIVES. No person shall discharge, set off, or have in his possession for such purpose any firearm, blank cartridge, piston, cannon, or other mechanical device, or cartridge containing black gun powder or other more powerful explosive; or any firecracker or device for producing sound effects, exceeding three inches in length and one-half inch in diameter, or containing an explosive more powerful than black gun powder; or any device or instrument which rises or is projected above the surface of the earth, or which causes any missile or object to be thrown or projected above the surface of the earth, that weighs more than six ounces gross weight; or any toy balloon or other object or missile which rises or is projected above the surface of the earth which contains any burning or oxidizing substance or destructive gases or substances of any nature; or any spit devil or other device or substance or compound which gives off lethal gases, or which when taken internally by a human being causes death. Fireworks or explosives shall not be sold, bartered or given away on the streets, sidewalks, alleys or other public property. Fireworks or explosives shall not be discharged in or near gasoline filling stations, motor vehicles, railroad trains, buildings of or containing inflammable materials or in or near schools, hospitals, theaters, hotels, churches, assembly halls or public meeting places. No person shall sell, barter or give any fireworks or explosives of any character to any person under ten years of age, or to any person of unsound mind, or under the influence of intoxicating liquor or narcotic drugs."

Section 4. That Section 397 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows, to wit:

"Sec. 397. SALE OF FIREWORKS AND EXPLOSIVES. LICENSE FOR. No person shall sell, barter or give away or have in his possession for the purpose of sale, barter or gift, at any time any article, fireworks or explosive, the use or possession of which is prohibited by the provisions of this ordinance. No person shall sell, barter, transport or give away or have in his custody or possession for the purpose of sale, barter, gift or transportation any fireworks or explosives permitted under the laws and regulations of the State of Indiana, or of the ordinances and regulations of the City of Indianapolis, except and unless a license therefor is obtained in the following manner from the city controller of the City of Indianapolis, which license shall be kept on display in a conspicuous place.

A written application shall be filed stating the name and address of the applicant, the location and character of the building or premises where such fireworks or explosives are to be kept, sold or disposed of, the kind and character of fire resisting and fire extinguishing equipment installed; the kind or character and amount of fireworks or explosives to be kept or handled during the time covered by the license, together with the written approval of the application by the chief of the Indianapolis Fire Department, and shall be filed with the city controller, accompanied with a license fee of Ten Dollars (\$10.00), in case of a wholesale dealer, and a license fee of Two Dollars (\$2.00), in case of a retail dealer. The city controller shall issue a license to said applicant to extend not longer than the close of the current calendar year. Such license may be revoked by the Mayor of the city for any false statement in the application or for any violation of the terms of this ordinance."

Section 5. That Section 398 of General Ordinance No. 121, 1925, be and the same is hereby amended to read as follows, to wit:

"Sec. 398. Any person violating any of the provisions of Sections 393 and 394 of General Ordinance No. 121, 1925, Section 395 of said General Ordinance No. 121, 1925, as amended by General Ordinance No. 85, 1927, and Section 397 of said General Ordinance No. 121, 1925, as all of said sections are amended by this ordinance, and Section 396 of said General Ordinance No. 121, 1925, shall, on conviction, be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each offense."

Section 6. 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 the first time and referred to the Committee on Public Safety.

By Board of Safety:

GENERAL ORDINANCE NO. 21, 1932

AN ORDINANCE amending Section 44 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, and General Ordinance No. 81, 1931, and fixing a time when the same shall take effect.

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

Section 1. That Section 44 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, and General Ordinance No. 81, 1931, be and the same is hereby amended to read as follows, to-wit:

“Section 44. VEHICLES MUST STOP BEFORE ENTERING ‘THRU’ STREET: The following streets and parts of streets are hereby declared to constitute ‘THRU’ streets for the purpose of this section:

(1) Any boulevard which is now or which may be hereafter established by the Common Council or the Board of Park Commissioners of this city.

(2) Any street or highway which is now or may be hereafter designated as the route for a state or national highway through the City of Indianapolis.

(3) Alabama Street at Market Street.

(4) Burdsal Parkway from Northwestern Avenue to East Riverside Drive.

(5) Capitol Avenue, from Washington Street to Westfield Boulevard.

(6) Central Avenue, from the north line of Fall Creek Boulevard to city limits.

(7) Clifton Street, from Roach Street to Thirty-sixth Street.

(8) North Delaware Street, from Washington Street north to Thirty-second Street.

- (9) North Harding Street, from Eighteenth Street to Twenty-ninth Street.
- (10) North Illinois Street, from the south intersection of Westfield Boulevard to Kessler Boulevard.
- (11) Indiana Avenue, from Ohio Street to Sixteenth Street.
- (12) Kentucky Avenue, from Washington Street to city limits.
- (13) Madison Avenue, from South Street to city limits.
- (14) East Market Street, from the east curb line of North Alabama Street to the west curb line of Arsenal Avenue.
- (15) Marlowe Avenue, from Dorman Street to Randolph Street.
- (16) Massachusetts Avenue, from Ohio Street to the city limits.
- (17) Meridian Street, from Southern Avenue to the Canal.
- (18) East Michigan Street, from Big Four Railroad tracks to Emerson Avenue.
- (19) West Michigan Street, from White River west to city limits.
- (20) Morris Street, from the west curb line of Madison Avenue west to the city limits.
- (21) East New York Street, from Delaware Street to Dorman Street, and from Randolph Street to Emerson Avenue.
- (22) Northwestern Avenue, from Fifteenth Street north to city limits.
- (23) Oliver Avenue, from White River, west to city limits.
- (24) Prospect Street, from Madison Avenue, east, to city limits.
- (25) Shelby Street, from English Avenue to Madison Avenue.
- (26) Sixteenth Street, from Sugar Grove Avenue to White River Parkway, and from White River west to city limits.
- (27) State Street, from Michigan Street to Naomi Street.

(28) Tenth Street, east from Big Four Railroad tracks to Emerson Avenue and Tenth Street west from west curb line of Capitol Avenue to the east curb line of Indiana Avenue.

(29) Thirtieth Street, from city limits west, to city limits east.

(30) Thirty-fourth Street, from Meridian Street to Crown Hill Cemetery, between the hours of 8:00 A. M. to 6:00 P. M.

(31) Twenty-fifth Street, from the east curb line of Meridian Street, east to the west curb line of Sherman Drive.

(32) Twenty-ninth Street, from Capitol Avenue, west to East Riverside Drive.

(33) Virginia Avenue, from Washington Street to Prospect Street.

(34) Washington Street, from city limits west to city limits east.

(35) Washington Boulevard, from Fall Creek to Westfield Boulevard.

(36) Westfield Boulevard, from the west curb line of Capitol Avenue, east to the east curb line of College Avenue.

(37) All traffic on Harding Street at the intersection of Morris Street shall come to a full stop before entering into or crossing Morris Street. The above named streets, avenues, boulevards and highways are hereby declared to be 'THRU' or preferential streets for the purpose of regulating traffic upon or crossing the same and every operator of a vehicle, street car or other conveyance traveling upon any street or roadway intersecting any 'THRU' street above designated, shall bring the same to a full, complete stop at the place where such street meets the prolongation of the nearest property line of such 'THRU' street, subject, however, to the direction of any official traffic control sign or signal or the directions of any police officer at such intersection.

The operator of any vehicle who has come to a full stop as required above, upon entering the 'THRU' street, as well as operators of vehicles on such 'THRU' street, shall be subject to the usual right-of-way rule prescribed by state law governing the meeting of vehicles at street or highway intersections.

The Board of Public Safety is hereby authorized and required to place and maintain or cause to be placed and maintained on each and every street intersecting a "THRU" street as designated above, and at or near the property line of a 'THRU' street, appropriate signs upon the street and/or may place and maintain any appropriate devices or marks in the roadway, such signs, devices or marks to bear the word 'STOP,' or the legend 'STOP,' 'THRU STREET,' and to be located in such position and to be provided with letters of a size to be legible at least one hundred (100) feet along the street intersecting the 'THRU' street."

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

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

By Board of Safety:

GENERAL ORDINANCE NO. 22, 1932

AN ORDINANCE establishing certain passenger zones and/or loading zones in the City of Indianapolis pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, and fixing a time when the same shall take effect.

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 upon certain public streets of the City of Indianapolis, Indiana, with ingress and egress for passengers and freight coming to or going from such premises, such owners or occupants having complied with the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931, by making written application and request to the Board of Public Safety for the establishment of such loading and/or passenger zone as hereinafter set out, said Board having caused an investigation to be made thereof, and said Board having recommended the establishment of such loading and/or passenger zone, and pursuant to the terms of

said Section 26 of said General Ordinance No. 96, 1928, as amended by said General Ordinance No. 31, 1931, as amended by General Ordinance No. 59, 1931, to-wit:

1. In front of 124 N. Pennsylvania Street, to extend eighteen (18) feet; requested by James Angelo.

Section 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 Public Safety.

By Board of Safety:

#### GENERAL ORDINANCE NO. 23, 1932

AN ORDINANCE regulating traffic upon a certain street in the City of Indianapolis, providing a penalty for 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 the use of the following named street or streets of the City of Indianapolis is hereby prohibited for all automobiles weighing over one ton, excepting passenger cars or motor buses devoted to the carriage of passengers for hire, to-wit:

1. East New York Street from State Street east to Emerson Avenue.

Section 2. Any person found guilty of operating an automobile weighing over one ton, not including passenger cars or buses carrying passengers for hire on the streets named in the above section shall, upon conviction, be fined in any sum not exceeding Fifty Dollars (\$50.00) to which may be added imprisonment not to exceed ten (10) days.

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

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

By City Controller:

## GENERAL ORDINANCE NO. 24, 1932

AN ORDINANCE regulating the retail sale and distribution of coal and coke in the City of Indianapolis; providing for the licensing of dealers in such fuel products; providing for delivery tickets giving the weight and description of fuel thereon; providing for truthfully describing such fuel products in advertising and selling; providing for the distribution of revenue so derived from the license fees obtained; prescribing a penalty for its violation; repealing all ordinances in conflict herewith, 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 no person, firm, corporation, association or organization of any kind, whether for profit or non-profit, shall engage in the sale or distribution, or offer for sale or distribution, or attempt to distribute within the City of Indianapolis any coal or coke (such persons, firm, corporation, association or organization shall be known as a fuel merchant), without having first secured a license as herein provided.

Section 2. APPLICATION FOR A LICENSE. Any person, firm, corporation or association desiring to conduct or engage in the business of selling coal or coke, at retail, in the City of Indianapolis shall make application in writing to the city controller for a license so to do, on blanks which shall be supplied for that purpose, specifying and giving the following information: The name under which such business is to be operated; the address of the principal office from which such business will be conducted; whether the applicant is a person, firm, corporation, or organization; the name of the owner or officers of such firm, corporation or organization; the location or address of all storage or delivery yards owned or controlled by such applicant; the location of scales used and their capacity; number of railroad switches and the names of the railroads serving same; that applicant is familiar with the terms of this ordinance regulating the sale and distribution of fuel; that applicant possesses, or owns and actually maintains a coal yard with an office, railroad switch and scales of at least five (5) ton capacity, and reasonable storage facilities within the City of Indianapolis, and that the weighing facilities have been sealed by the Inspector of Weights and Measures of the City of Indianapolis.

Section 3. The license fee for a fuel merchant's license, as contemplated by this ordinance, shall be One Hundred Dollars (\$100.00). Such license shall entitle the licensee to operate one company or individual business, consisting of one uptown office, one yard, one or more at some joint railroad switch, scales and equipment as deemed necessary, within the City of Indianapolis. For each and every additional branch yard operated under the name of the company or individual business by any licensee, as hereinbefore set forth, he or it shall pay an additional sum of Five Dollars (\$5.00) per branch yard. Each truck or delivery vehicle owned and operated in the company or individual business by any licensee, he or it shall have each truck or delivery vehicle registered for identification purposes and pay a registration fee of One Dollar (1.00) per vehicle and shall receive a registration plate for each vehicle.

Section 4. SERIAL NUMBER, FORM, TRANSFER AND TERM OF LICENSE. Each fuel merchant's license shall have a serial number as affixed and given by the city controller, which serial number may be retained by the licensee from year to year, provided the license of said fuel merchant shall authorize such person, firm, corporation or association to engage in the business of a fuel merchant as hereinbefore set out and defined, for a period of one year, ending on the 31st day of December of each year. No license shall be granted for a period of less than one year and the full year license fee shall be paid in each case. No license granted under the terms hereof shall be renewed, but for every license issued an application as herein prescribed shall be executed. No license shall be transferred from one licensee to another. The registration plates for delivery vehicles issued hereunder may be transferred from one delivery vehicle to another only when owned and used by the same licensee.

Section 5. DISPLAYING LICENSE. Each licensee operating under this ordinance shall place and maintain conspicuously upon the left-hand side of every vehicle used, the registration plate and also the name of the said individual, firm, corporation or association, in letters and figures no less than three (3) inches in height, and shall upon request of enforcement officers show due proof that said operating vehicle is owned by licensee.

Section 6. DELIVERY TICKETS AND DUTIES. It shall be unlawful for any person, firm, corporation or association to sell or deliver, or attempt to sell or deliver within the City of Indianapolis any coal or coke without providing the driver of the wagon or other conveyance containing any such fuel, with duplicate delivery tickets for each lot of fuel contained therein, and without each of the said

duplicate tickets bearing thereon clearly, plainly and legibly each of the following items pertaining to the lot of fuel in said wagon or conveyance to which said tickets shall relate:

- (a) The date of delivery.
- (b) The name and address of the person, firm, corporation or association selling and delivering or attempting to sell or deliver such fuel.
- (c) The name or identifying initials of the party who weighed said fuel.
- (d) The total weight of the conveyance or wagon, and its contained fuel and driver.
- (e) The net weight of the conveyance or wagon and driver.
- (f) The net weight of said fuel.
- (g) The name and address of the person, firm, corporation or association to whom such fuel is to be delivered.
- (h) The true, usual and customary name of such fuel, the name of the state from which it comes together with the name or number of the district, mine or seam from which it was mined.
- (i) A description which will clearly indicate the size of its preparation and the character of its preparation (that is, whether six-inch lump, four-inch lump, egg, nut, pea, mine run, shoveled lump, slack, or screenings, etc.).

Section 7. Upon demand or upon request of any enforcement officer or of the Inspector of Weights and Measures, or his deputies, or any police officer of the City of Indianapolis it is hereby made the duty of said driver and of said seller to promptly convey said loaded wagon or conveyance to a scale that may then be agreed upon by the parties present in interest, or, in the absence of such agreement, to a scale selected by any such officer or his representative where said driver shall deliver, to any such officer, one of said duplicate delivery tickets, and where the total weight of said wagon or conveyance and its contained fuel shall be ascertained, and thereupon deliver said fuel to the place where its delivery is to be made, and to thereupon return to said same scale and permit the weight of the wagon or said conveyance to be ascertained and the verification of said weights shown by said delivery ticket completed. This section shall be cumulative with all other ordinances of this city and of the laws of the state in such respects, and nothing herein shall be construed to prevent the Inspector of Weights and Measures or his deputies from making inspection in their regular manner and demanding a verification at any time.

Section 8. DESCRIBING AND ADVERTISING FUEL. It is hereby declared unlawful for any person, firm, corporation or association to sell, offer for sale, deliver or attempt to deliver, or to advertise in any newspaper, circular, letter, handbill, or to advertise in any way any coal or coke by any name which is not the true name of such coal or coke and the name of the state from which it comes, together with the name or number of the district, mine or seam from which it was mined, and also a description which will indicate the size of its preparation, (that is, whether six-inch lump, four-inch lump, egg, nut, pea, mine-run, shoveled lump, slack or screenings, etc.) And such advertising must conform exactly with the same regulations, governing the information on the delivery ticket of such fuel as heretofore set forth under Section 6 of this ordinance.

Section 9. ENFORCEMENT. In order to properly enforce this ordinance, the office of Fuel Inspector is hereby created at a salary of Five Hundred Dollars (\$500.00) per year. It is further provided that the office of the Fuel Inspector be consolidated with the office of Inspector of Weights and Measures and that the office be known as Inspector of Fuel, Weights and Measures, and that the combined salaries shall be Twenty-five Hundred Dollars (\$2500.00) per year. And further, to take care of the necessary details of such additional duties, a stenographer be provided for the office of the Inspector of Weights and Measures at a salary of Twelve Hundred Dollars (\$1200.00) per year, and one (1) additional deputy inspector at a salary of Fifteen Hundred Dollars (\$1500.00) per year.

Section 10. PENALTIES PRESCRIBED. Any individual, firm, corporation or association who shall violate any provisions of this ordinance, shall, upon conviction for the first offense, be subject to a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and for the second or any subsequent offense, be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00), and said license may be revoked. Each individual sale or transaction of any quantity shall constitute a separate offense.

Section 11. REPEALING ORDINANCES WHICH CONFLICT. All ordinances, or parts of ordinances, which may be in conflict with this ordinance, are, in so far as they conflict, hereby repealed.

Section 12. CONSTITUTIONAL PROVISION. If any section or part of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then the remainder shall not be affected thereby and as to such other provisions, shall continue in full force and effect.

Section 13. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication as required by law.

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

By City Controller:

GENERAL ORDINANCE NO. 25, 1932

AN ORDINANCE amending section 122 of General Ordinance No. 121, 1925, commonly known as the General Code of 1925, as amended by General Ordinance No. 78, 1931, as amended by General Ordinance No. 85, 1931, as amended by General Ordinance No. 103, 1931, 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 122 of General Ordinance No. 121, 1925, commonly known as the General Code of 1925, as amended by General Ordinance No. 78, 1931, as amended by General Ordinance No. 85, 1931, as amended by General Ordinance No. 103, 1931, be and the same is hereby amended to read as follows, to wit:

“Section 122. CITY OFFICIALS AND EMPLOYEES. Each of the elective and appointive officers, heads of departments, assistants and other employees of the city, hereinafter named, shall execute a bond payable to the city, conditioned upon the faithful performance of the duties of his respective office, and for the payment and transfer to the proper persons of all moneys and property received by him as such officer, head of department, assistant or employee. Such bonds shall be in the several sums hereinafter stated respectively as follows:

ELECTIVE OFFICERS AND DEPUTIES

City Clerk .....	\$ 5,000.00
Deputy or Deputies to City Clerk.....	1,000.00

DEPARTMENT OF FINANCE

City Controller .....	\$25,000.00
Members of Sinking Fund Commission, each.....	5,000.00
Deputy City Controller.....	5,000.00

Clerk of Sinking Fund Commission.....	5,000.00
Chief Clerk .....	2,000.00
License Clerks, each .....	2,000.00
Chief Bookkeeper .....	1,000.00
Assistant Bookkeeper .....	1,000.00
Assistant Clerk .....	1,000.00
Custodian of Special Funds.....	2,000.00
Custodian of Bonds .. .....	100,000.00
Chief Clerk, Barrett Law Department.....	5,000.00
Clerk, Barrett Law Department.....	2,000.00
Barrett Law Bookkeeper .....	1,000.00
County Treasurer, as ex-officio City Treasurer, ex-officio Custodian of City and Barrett Law Funds ..	100,000.00

## DEPARTMENT OF LAW

Corporation Counsel .....	\$ 5,000.00
City Attorney .....	1,000.00
Assistants to City Attorney, each.....	1,000.00

## DEPARTMENT OF PUBLIC PURCHASE

Purchasing Agent .....	\$10,000.00
Assistant Purchasing Agent.....	5,000.00
Chief Clerk, Purchasing Department.....	1,000.00
Inspector and Storekeeper .....	1,000.00
Clerk, Purchasing Department.....	1,000.00
Stenographer, Purchasing Department.....	1,000.00

## DEPARTMENT OF PUBLIC SAFETY

Members of Board of Public Safety, each.....	\$ 3,000.00
Chief Clerk of Board.....	5,000.00
Chief of Fire Force.....	2,000.00
Chief of Police .....	2,000.00
Chief of Detectives.....	1,000.00
Major of Police .....	1,000.00
Captains of Police, each.....	1,000.00
Lieutenants of Police, each.....	1,000.00
Captains of Detectives, each.....	1,000.00
Sergeants of Police, each.....	1,000.00
Bailiffs of City Court, each.....	1,000.00
Turnkeys, each .....	1,000.00
Electrical Engineer, Gamewell Division.....	5,000.00
Market Master .....	3,000.00
Assistant Market Master.....	1,000.00

Inspector of Scales, Weights and Measures.....	2,000.00
Assistant Inspectors of Weights and Measures.....	1,000.00
Poundkeeper .....	1,000.00
Building Commissioner .....	5,000.00
Assistant Building Commissioner.....	3,000.00
Combustion Engineer .....	3,000.00
Sign Inspector .....	2,000.00
Structural Engineer .....	3,000.00
Elevator Inspectors, each.....	2,000.00
Building Inspectors, each.....	2,000.00
Chief Clerk .....	1,000.00
Zoning Clerk, Building Department.....	1,000.00
Bookkeeper and Statistician .....	1,000.00
Secretary to Electrical Board.....	1,000.00
Stenographer .....	1,000.00

DEPARTMENT OF PUBLIC WORKS

Members of Board of Public Works, each.....	\$ 5,000.00
Chief Clerk of Board.....	1,000.00
City Civil Engineer .....	3,000.00
Chief Clerk to City Civil Engineer.....	1,000.00
Street Commissioner .....	2,000.00

DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

Members of Board of Public Health, each.....	\$ 2,000.00
City Sanitarian .....	3,000.00
Chief Clerk .....	1,000.00
Superintendent of City Hospital.....	3,000.00
Superintendent of City Dispensary.....	2,000.00

DEPARTMENT OF PUBLIC PARKS

Members of Board of Park Commissioners, each.....	\$ 1,000.00
Superintendent of Parks and Recreation.....	3,000.00
Clerk of Board .....	1,000.00

DEPARTMENT OF SANITARY DISTRICT

Members of Sanitary Commission, each.....	\$ 5,000.00
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Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

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

By City Controller:

## GENERAL ORDINANCE NO. 26, 1932

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

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

Section 1. That the sum of Twenty-five Thousand Five Hundred Seventy Dollars (\$25,570.00) now in the following funds of the Department of Public Sanitation Sewage Disposal Plant, in the amounts set out hereafter, to wit:

Fund No. VI-12—3 Laborers .....	\$2640.00
1 Blacksmith .....	1440.00
1 Carpenter .....	1380.00
1 Painter .....	1380.00
1 Truck Driver .....	1200.00
1 Labor Foreman .....	2100.00
1 Machinist Helper .....	1500.00
1 Mechanic .....	1620.00
1 Ash and Coal Handler.....	1500.00
1 Asst. Power Plant Foreman....	1740.00

Fund No. VI-11—1 Shovel Operator .....	1560.00
1 Shovel Helper .....	1200.00
1 Janitor .....	1080.00
1 Janitor .....	1080.00
2 Sewer Men .....	2880.00
1 Night Watchman .....	1270.00

be and the same is hereby transferred therefrom and reappropriated in the total sum of Twenty-five Thousand Five Hundred Seventy Dollars (\$25,570.00) and reapportioned to the following funds in the Sewage Disposal Plant of the Department of Public Sanitation, in the amounts set out hereafter, to wit:

Fund No. VI-11—2 Asst. Oper. at Power Plant.....	\$ 360.00
1 First Asst. Chemist.....	240.00
1 Asst. Chemist .....	180.00
1 Chief Attd. Clarification.....	180.00
3 Clarif. Attendants .....	540.00
3 Activ. Sludge Attendants.....	540.00
1 Foreman .....	600.00
1 Blacksmith .....	1440.00
1 Carpenter .....	1380.00

	1 Painter .....	1380.00
	1 Truck Driver .....	1200.00
	1 Labor Foreman .....	2100.00
	1 Machinist Helper .....	1500.00
	1 Mechanic .....	1620.00
	1 Ash and Coal Handler.....	1500.00
	1 Asst. Power Plant Foreman.....	1740.00
Fund No. VI-12—	1 Shovel Operator .....	1560.00
	1 Shovel Helper .....	1200.00
	1 Janitor .....	1080.00
	1 Janitor .....	1080.00
	2 Sewer Men .....	2880.00
	1 Night Watchman .....	1270.00

Section 2. That the sum of One Hundred Dollars (\$100.00) now in the Department of Public Safety, Gamewell Division, Fund No. 38—General Supplies—be and the same is hereby transferred therefrom and reappropriated to Fund No. 36—Office Supplies in the Gamewell Division of the Department of Public Safety.

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

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

By City Controller:

GENERAL ORDINANCE NO. 27, 1932

AN ORDINANCE transferring certain sums of money from certain numbered funds in the Department of Public Health and Charities and reappropriating the same to other numbered funds of said department; and fixing a time when the same shall take effect.

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

Section 1. That the following transfers of Tuberculosis Prevention funds of the Department of Public Health and Charities be and the same are hereby made:

- \$250 from T. B. Fund 11 (Salaries) to T. B. Fund 774, Equipment
- \$175 from T. B. Fund 331 (Gas) to T. B. Fund 774, Equipment
- \$ 75 from T. B. Fund 332 (Oil) to T. B. Fund 774, Equipment
- \$ 75 from T. B. Fund 333 (Tires) to T. B. Fund 774, Equipment

Section 2. That the sum of \$5.00 now in Board of Health Fund 52 (licenses) be and the same is hereby transferred and reappropriated to Board of Health Fund 54 (Rents)

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

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

### ORDINANCES ON SECOND READING

Mr. Houck called for General Ordinance No. 18, 1932, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No 18, 1932, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 18, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for General Ordinance No. 19, 1932, for second reading. It was read a second time.

On motion of Mr. Houck, seconded by Mr. Welch, General Ordinance No. 19, 1932, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 19, 1932, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

Mr. Houck called for Appropriation Ordinance No. 4, 1932, for second reading. It was read a second time.

Mr. Houck presented the following written motion to amend Appropriation Ordinance No. 4, 1932.

Indianapolis, Ind., March 8, 1932.

Mr. President:

I move that Appropriation Ordinance No. 4, 1932, be amended by striking out the words and figures

“Fund No. 12-7 Street Maintenance .....	\$20,000.00
Fund No. 12-8 Street Repairs .....	\$20,000.00”

in lines 9 and 10 of Section One of said ordinance and inserting in lieu thereof the following:

“Gasoline Tax—Labor .....	\$20,000.00
Gasoline Tax—Materials .....	\$20,000.00”

J. A. HOUCK,  
Councilman.

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

Ayes, 7, viz: Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

On motion of Mr. Houck, seconded by Mr. Welch, Appropriation Ordinance No. 4, 1932, as amended, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 4, 1932, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 7, viz: Mr. Henry, Mr. Hildebrand, Mr. Houck, Mr. Tennant, Mr. Welch, Mr. Wheatley, President Ropkey.

MISCELLANEOUS BUSINESS

Mr. Tennant announced that the Committee on Public Safety was not ready to report on General Ordinances Nos. 15 and 16, 1932, and asked for further time for consideration of said ordinances, which was granted.

On motion of Mr. Wheatley, seconded by Mr. Henry, the Common Council adjourned at 8:00 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council at the City of Indianapolis, held on the 7th day of March 7, 1932, 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.

*Ernest C Ropkey*

President.

Attest:

*Henry O Goett*

City Clerk.

(SEAL)