

REGULAR MEETING

Monday, December 16, 1935.
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, December 16, 1935, at 7:30 p. m., in regular session. President Edward B. Raub in the chair.

The Clerk called the roll.

Present: Edward B. Raub, President, and eight members, viz: Theodore Cable, Silas J. Carr, Nannette Dowd, Adolph J. Fritz, Edward R. Kealing, William A. Oren, John A. Schumacher, Ross H. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

December 3, 1935.

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

Gentlemen:

I have today approved with my signature and delivered to Mr. Daniel J. O'Neill, Jr., City Clerk, the following ordinances:

SPECIAL ORDINANCE NO. 10, 1935

AN ORDINANCE authorizing the alienation and conveyance to HESSIE F. GERSTLEY, MARY E. FOWLER, and DAVID R. JOHNSON by Quit Claim deed of all the right, title, claim and interest of the

City of Indianapolis in and to certain real estate heretofore deeded by Henry F. Gerstley, Mary E. Fowler, and David R. Johnson by Warranty Deed to the City of Indianapolis for park and boulevard purposes.

SPECIAL ORDINANCE NO. 11, 1935

AN ORDINANCE authorizing the alienation and conveyance to Silas H. Johnson by Quit Claim deed of all the right, title, claim and interest of the City of Indianapolis in and to certain real estate heretofore deeded by Silas H. Johnson by Warranty Deed to the City of Indianapolis for park and boulevard purposes.

APPROPRIATION ORDINANCE NO. 31, 1935

AN ORDINANCE appropriating moneys from the unappropriated and unexpended 1934 cash balance of the Gasoline Tax fund to the City Civil Engineer's Gasoline Tax Fund, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 89, 1935

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

GENERAL ORDINANCE NO. 90, 1935

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

GENERAL ORDINANCE NO. 91, 1935

AN ORDINANCE transferring moneys from the cash balance in the Board of Public Works Gasoline Tax Fund and reappropriating the same to other designated funds, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 92, 1935

AN ORDINANCE authorizing the Board of Public Works and Sanitation (Department of Public Works Division) of the City of

Indianapolis to purchase, through its duly authorized purchasing agent, cement and fabricated steel wire reinforcement bars and supplies to be used in the resurfacing of West Michigan Street from Indiana Avenue west to White River out of the gasoline tax fund for Government Project No. 6020, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 93, 1935

AN ORDINANCE authorizing the Board of Public Works and Sanitation of the City of Indianapolis (Department of Public Works Division) through its duly authorized purchasing agent to purchase sand and gravel to be used in resurfacing West Michigan Street from Indiana Avenue west to White River, out of the gasoline tax fund for Government W. P. A. Project No. 6020, and fixing an effective date.

GENERAL ORDINANCE NO. 94, 1935

AN ORDINANCE ratifying and approving a certain contract by and between the City of Indianapolis, by and through its Board of Public Safety and its Mayor, and the Town of Woodruff Place, by and through its Board of Trustees, and fixing a time when the same shall take effect.

Respectfully,

JOHN W. KERN,
Mayor.

December 16, 1935.

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

Gentlemen:

There will be transmitted to you at your meeting this evening an ordinance providing for a recodification of the ordinances of the City of Indianapolis. Our municipal ordinances have been codified in 1895, 1904, 1910, 1917, 1925, so that for a period since 1895 we have had codifications not less frequently than every nine years. Eleven years have passed since the last Code was adopted, and after

conversations with department heads and members of the Boards, I am convinced that a new codification is absolutely necessary at this time, and therefore recommend the passage of this ordinance. This I do especially since I am advised by the Corporation Counsel that a majority of the sections in the present Code have been amended, and many of them are obsolete, so that the present Code is practically worthless. He therefore trusts that the Common Council will appreciate the absolute necessity of codifying the city ordinances now.

There will also be presented to you an ordinance amending the traffic ordinances and providing, first, for the imposition of prima facie liability upon owners of cars for a violation of city ordinances governing the parking of such cars, and, second, providing that the Police Department be authorized to remove from the streets as traffic hazards and nuisances cars parked in violation of traffic ordinances in front of or near fire plugs, in alleys, in safety zones, and/or double parked, such removal to be made by cars owned and operated by the Police Department, and to be stored in premises owned by the City, all under the direction of the Board of Safety, and without any additional charge to be made to the owners of such cars. This amendatory ordinance providing these two changes in the traffic laws were drafted after a conference held in my office, attended by Mr. Herbert Spencer, Marion County Prosecutor, and Mr. Louis Adams, from his office, the Honorable Charles Karabell and the Honorable Dewey Myers, Judges of the Municipal Court, Mr. Albert Thayer, City Prosecutor, Mr. Daniel J. O'Neill, City Clerk, and Chief Michael F. Morrissey and Captain Louis Johnson of the Police Department, and also the members and the Secretary of the Board of Public Safety. The matters set out in this ordinance are recommended and approved by these gentlemen, who are familiar with the traffic situation in Indianapolis, and I am therefore recommending to you on their behalf the adoption of this ordinance.

Respectfully yours,

JOHN W. KERN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

December 16, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 33, 1935, appropriating the sum of Forty-three Dollars and Twenty-three Cents (\$43.23) from the anticipated unappropriated and unexpended balance of the General Fund for the year 1935 to Board of Public Safety Office Administration budget Item 1—Services, Personal, Fund 11—Salaries and Wages, Regular—Commissioners.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

December 12, 1935.

Walter C. Boetcher,
City Controller,
City of Indianapolis.

Dear Sir:

Due to the transfer of funds from the Board of Safety budget—Fund No. 11—Salaries and Wages Regular, to set up a fund for the payment of the Merit Board for their services during the Fire Department training school, and the appointment of the third member of the Board of Safety, effective from November 11, 1935, our salary fund is short in the amount of Forty-three Dollars and Twenty-three Cents (\$43.23) for commissioners.

We, therefore, ask that you cause to be prepared an ordinance transferring the sum of Forty-three Dollars and Twenty-three Cents (\$43.23) from the unexpended and unappropriated balance of the

general fund of 1935, and appropriate this amount to the Board of Public Safety budget—Fund No. 11—Salaries and Wages, Regular—Commissioners, and present same to the Common Council for passage.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
By: THEO. H. DAMMEYER,
President.

December 16, 1935.

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

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 34, 1935, appropriating Seven Hundred (\$700.00) Dollars from the anticipated and unexpended balance of the Department of Public Health and Charities General Fund for the year 1935 to Fund No. 11—Salaries and Wages, Regular, Dental Clinicians—Child Hygiene Division of said department.

I respectfully recommend the passage of this ordinance.

Yours very truly,
WALTER C. BOETCHER,
City Controller.

December 4, 1935.

Mr. Walter C. Boetcher, Controller,
City of Indianapolis, Indiana.

Dear Mr. Boetcher:

Acting under instructions from the Department of Public Health and Charities, I am directed to request that you submit to the City Council a bill for an ordinance authorizing an appropriation for \$700.00 out of the unexpended balance of 1935, Board of Health Gen-

eral to the Child Hygiene Division Fund No. 11, Salaries and Wages Regular, Dental Clinicians, the money to be used to defray expenses of the Child Hygiene Division for the remainder of the year 1935.

Respectfully yours,

/s/ H. G. MORGAN.

December 16, 1935.

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

Gentlemen:

Attached please find copies of General Ordinance No. 101., 1935, amending General Ordinance No. 70, 1935.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,
City Controller.

November 29, 1935.

Mr. Walter C. Boetcher,
City Controller,
City Hall,
City.

Dear Mr. Boetcher:

Further regarding the mistake in City Hospital fund numbers of the 1936 budget, I wish to call your attention to page 538 of the Council Proceedings of September 2, the first paragraph.

You will note that line three reads "by striking out 343 and inserting therein 342, etc.,".

I do not understand why this change was made by the Council, as Fund 342 according to the budget classification reads "Laundry and Cleaning." If this error required councilmanic action to effect its change, will you please let us know so that we can take the necessary steps to have it done.

Very truly yours,

/s/ E. C. WOLF,
Business Manager.

December 16, 1935.

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

In re: G. O. 102, 1935.

Gentlemen:

We are submitting herewith an ordinance establishing a two car taxicab stand on the east side of Delaware Street, in front of the Barton Hotel, starting at a point 25 feet north of the Michigan Street curb line and extending north for a distance of 36 feet. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,
BLYTHE Q. HENDRICKS,
Executive Secretary.

A public hearing was held regarding the junk yard in the 2100 block on South Meridian Street and also on General Ordinance No. 100, 1935, which pertains to marathons.

COMMITTEE REPORTS

Indianapolis, Ind., December 16, 1935.

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. 32, 1935, entitled \$20,000.00—Board of Public Works, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., December 16, 1935.

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. 95, 1935, entitled Transfers—Engineer's Department, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., December 16, 1935.

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. 96, 1935, entitled Transfers—City Hospital, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., December 16, 1935.

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. 97, 1935, entitled Transfers—City Departments, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

ROSS H. WALLACE, Chairman.
THEODORE CABLE.
SILAS J. CARR.
ADOLPH J. FRITZ.
NANNETTE DOWD.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 21, 1935, entitled Concerning storage of gasoline, etc., beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WILLIAM A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 57, 1935, entitled Repealing picketing ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WILLIAM A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 87, 1935, entitled Concerning Taxicabs, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 98, 1935, entitled Market Stand Leases, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
R. H. WALLACE.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 99, 1935, entitled Prohibited Parking—Crispus Attucks, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

SILAS J. CARR, Chairman.
NANNETTE DOWD.
ROSS H. WALLACE.
WM. A. OREN.
JOHN A. SCHUMACHER.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your committee on Public Health and Charities, to whom was referred General Ordinance No. 68, 1935, entitled Regulating barbering sanitation, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed as amended.

ADOLPH J. FRITZ, Chairman.
THEODORE CABLE.
NANNETTE DOWD.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Public Parks, to whom was referred Appropriation Ordinance No. 25, 1935, entitled \$40,000.00 Brookside Pool, beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

NANNETTE DOWD, Chairman.
WM. A. OREN.
EDWARD R. KEALING.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred Special Ordinance No. 9, 1935, entitled Changing names of Nelson Street to Holliday Street, beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

WM. A. OREN, Chairman.
ROSS H. WALLACE.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on Law and Judiciary, to whom was referred General Ordinance No. 100, 1935, entitled Amending Endurance Contest Ordinance, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

WM. A. OREN, Chairman.
ROSS H. WALLACE.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your Committee on City Welfare, to whom was referred Resolution No. 2, 1935, entitled Relocating dog pound, beg leave to report that we have had said resolution under consideration, and recommend that the same be held for further consideration.

JOHN A. SCHUMACHER, Chairman.
EDWARD R. KEALING.
THEODORE CABLE.
ADOLPH J. FRITZ.
ROSS H. WALLACE.

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE NO. 33, 1935

AN ORDINANCE appropriating moneys out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1935 to the Department of Public Safety budget, 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 there is hereby appropriated out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1935 the sum of Forty-three Dollars and Twenty-three Cents (\$43.23) to Board of Public Safety Office Administration budget Item 1—Services, Personal, Fund 11—Salaries and Wages, Regular—Commissioners.

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 the City Controller:

APPROPRIATION ORDINANCE NO. 34, 1935

AN ORDINANCE appropriating Seven Hundred Dollars (\$700.00) from the anticipated unappropriated and unexpended balance of the Department of Public Health and Charities General Fund for the year 1935 to the Child Hygiene division 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 there be and there is hereby appropriated from the anticipated unappropriated and unexpended balance of the De-

partment of Public Health and Charities General Fund for the year 1935, the sum of Seven Hundred Dollars (\$700.00) to Fund 11—Salaries and Wages, Regular—Dental Clinicians, in Item 1—Services, Personal, in the Child Hygiene division of said department.

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 Health and Charities.

INTRODUCTION OF GENERAL ORDINANCES

By the City Controller:

GENERAL ORDINANCE NO. 101, 1935

AN ORDINANCE amending General Ordinance No. 70, 1935, and fixing a time when the same shall take effect.

WHEREAS, the Common Council in amending General Ordinance No. 70, 1935, did unintentionally, through inadvertence, change the numbers of certain funds in the City Hospital budget so that the numbers of such funds are now incorrect, but the designations and amounts appropriated thereto are correct; and

WHEREAS, no added appropriation is ordained hereby, nor is any transfer of funds contemplated, but the members of the Common Council intend the budget of the City Hospital for the year 1936 to speak the truth, NOW, THEREFORE,

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

Section 1. That Item 34 of the City Hospital 1936 budget, as the same appears at page 589 of the Proceedings of the Common Council, and which said item is at present constituted as follows:

34. Institutional and Medical	
341 Clothing and Household.....	\$ 20,000.00
342 Medical	30,000.00
343 Surgical	27,000.00
344 Rabies	2,500.00
	<hr/>
	\$ 79,500.00

be and said item is hereby corrected to read as follows:

34. Institutional and Medical	
341 Clothing and Household	\$20,000.00
343-a Medical	30,000.00
343-b Surgical	27,000.00
343-c Rabies	2,500.00

Section 2. That Item 31 of the City Hospital 1936 budget, as the same appears at page 589 of the Proceedings of the Common Council, and which said item is at present constituted as follows:

31. Food	
311 Baking Products	\$ 5,750.00
312 Butter, Eggs and Cheese.....	7,960.00
313 Canned Goods	14,573.69
314 Fruits and Vegetables.....	12,957.00
315 Meats, Poultry and Fresh Fish.....	29,850.00
316 Milk, Cream and Ice Cream.....	19,447.62
317 Other Food Supplies.....	10,127.26
	<hr/>
Total Item 32.....	\$100,665.57

be and said item is hereby corrected to read as follows:

31. Food	
311 Baking Products	\$ 5,750.00
312 Butter, Eggs and Cheese.....	7,960.00
313 Canned Goods	14,573.69
314 Fruits and Vegetables.....	12,957.00
315 Meats, Poultry and Fresh Fish.....	29,850.00
316 Milk, Cream and Ice Cream.....	19,447.62
317 Other Food Supplies.....	10,127.26
	<hr/>
Total Item 31.....	100,665.57

Section 3. 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 Health and Charities.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 102, 1935

AN ORDINANCE approving the order of the Board of Public Safety designating a taxicab stand location, and fixing a time when the same shall take effect.

WHEREAS, the Board of Public Safety has adopted an order designating a taxicab stand location, in conformance to Section 2 of General Ordinance No. 96, 1933, and has submitted the same for approval to the Common Council, NOW THEREFORE,

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

Section 1. That the order of the Board of Public Safety, dated December 3, 1935, designating the following taxicab stand location, be and the same is hereby in all things ratified, to-wit:

A two (2) car taxicab stand on the east side of Delaware Street, in front of the Barton Hotel, starting at a point twenty-five (25) feet north of the Michigan Street curb line and extending north for a distance of thirty-six (36) feet.

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 Public Safety.

By the Mayor:

GENERAL ORDINANCE NO. 103, 1935

AN ORDINANCE providing for the revision, codification and publication of all ordinances of the City of Indianapolis, Indiana,

and for the appointment of three (3) lawyers to prepare and index the same, appropriating money to defray the expense 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 Mayor of the City of Indianapolis, with the approval of the corporation counsel of said city, be and he is hereby authorized, empowered and directed to employ, at the expense of said city, three (3) lawyers to prepare a compilation, revision and codification of all ordinances of the City of Indianapolis, Indiana, now in force, and to suggest such amendments and alterations in any of said ordinances and to prepare such additional ordinances as they may deem proper, with a view to the adoption and enactment by the Common Council of the City of Indianapolis of a full and complete code of the city ordinances, well indexed and with marginal notes or sub-headings. Said lawyers shall do their work under the direction of the corporation counsel of the City of Indianapolis.

Upon completion of their work they shall make a complete report thereof to the Common Council of the City of Indianapolis, and if the codification proposed is adopted and ordered printed by the Common Council, they shall supervise the printing, and read and approve all proof of their work as printed. Such revision, codification and publication shall constitute and be known as the Municipal Code of Indianapolis—1935.

Section 2. That the amount of compensation to be paid to each of said lawyers shall not exceed Seven Hundred Fifty Dollars (\$750.00), to be paid on vouchers of the department of law, at a rate not exceeding Fifty Dollars (\$50.00) per week for each lawyer during the conduct of their work. The said compensation shall be in full for all of said work, including all stenographic work.

Section 3. That the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250) be and the same is hereby appropriated out of the anticipated unappropriated and unexpended balance of the general fund for the year 1935 and transferred therefrom to Department of Law Item 1—Services, Personal, Fund 13—Other Compensations, Codification Fund, for the payment of said lawyers.

Section 4. 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.

By the Mayor:

GENERAL ORDINANCE NO. 104, 1935

AN ORDINANCE repealing certain sections of the City Traffic Code, and amending General Ordinance No. 96, 1928, by adding thereto two new and supplemental sections, Sections 36½ and 68½, making owners of vehicles prima facie responsible for the parking of said vehicles, and providing for the towing in of vehicles by the police department for certain traffic violations, and naming an effective date.

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

Section 1. That General Ordinances Numbered 51 and 95, of 1931, and Sections fifteen (15) of General Ordinance No. 31, 1931, and four (4) of General Ordinance No. 68, 1931, be, and the same hereby are, repealed.

Section 2. That General Ordinance No. 96, 1928, be, and the same hereby is amended by adding thereto a new and supplemental section, Section 36½, which shall read as follows:

SECTION 36½. OWNER PRIMA FACIE RESPONSIBLE FOR ILLEGAL PARKING

If any vehicle be found upon a street, highway, alley or other public way, in violation of any of the provisions of this code, or of any of the ordinances of Indianapolis regulating the stopping, standing, or parking of vehicles, and the identity of the operator cannot be determined, the owner, or person in whose name such vehicle is registered, shall be held prima facie responsible for such violation.

Section 3. That General Ordinance No. 96, 1928, be, and the same hereby is amended by adding thereto a new and supplemental section, Section 68½, which shall read as follows:

SECTION 68½. IMPOUNDING OF CERTAIN ILLEGALLY
PARKED VEHICLES

(a) When any vehicle is parked or left standing in the City of Indianapolis, on any street, alley or roadway, as follows:

(1) Within any alley in the Central Traffic District, as said district is defined in this code, or on any narrow street in said Central Traffic District where the width is thirty feet or less from curb to curb, and on which narrow streets or alleys appropriate signs have been placed by the Board of Safety prohibiting parking thereon.

(2) Within fifteen (15) feet of any fire hydrant.

(3) Double parked, or parked outside another vehicle already parked next to the curb line of any street or roadway, or that is parked more than seventy-two (72) inches from the curb line of any street or roadway.

(4) Between a safety zone and the adjacent curb, or within twenty (20) feet of points on the curb immediately opposite the ends of a safety zone, or for such different length as is designated by proper signs erected by authority of the Board of Public Safety.

said vehicle is hereby declared to be an obstruction in said street, roadway, or alley, a hazard to the public safety, and a public nuisance, and any police officer, upon discovering any such vehicle parked or standing in violation of this section, shall remove or cause the same to be removed to the City Vehicle Impounding Station, where it shall be kept and detained until the owner of such vehicle, his representative or agent obtains an order from the chief of police, or a police officer designated by the chief of police and the Board of Public Safety, authorizing the surrender of such vehicle.

(b) The regulations of the ordinances of Indianapolis governing parking, and the signs prohibiting parking at such

places shall constitute sufficient notice to the owner or operator of any such vehicle, and no other notice of any kind shall be deemed necessary before removing and impounding any such vehicle, and such removal and impounding shall be at the risk of the owner of such vehicle.

(c) No police officer shall remove any such vehicle that is double parked, or parked in any area opposite a safety zone, or in any narrow street or alley in the Central Traffic District while freight or passengers are actually being loaded or unloaded from such vehicle, nor shall any police officer remove or tow away any vehicle wrongfully parked under the provisions of this section if the owner or operator thereof shall appear and remove the same at the direction of such police officer.

(d) The Board of Safety is hereby empowered and authorized to establish a City Vehicle Impounding Station for the retention of all vehicles towed in or impounded under this section.

(e) The owner of any vehicle impounded under the provisions of this section, or his duly authorized representative or agent shall, upon making satisfactory proof of ownership to the Chief of Police, or such other police officer as is designated by the Chief of Police and the Board of Public Safety, be issued an order directed to the keeper of the City Vehicle Impounding Station, authorizing the surrender of such vehicle to the bearer of such order, and upon presentation of such order, the keeper of the City Vehicle Impounding Station shall turn over the possession of such impounded vehicle to the bearer of such order.

(f) The removal of any vehicle pursuant hereto, and the impounding of the same, shall in no way relieve or prevent prosecution for violation of any of the provisions of the ordinances of this city.

Section 4. 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 Councilman Fritz:

GENERAL ORDINANCE NO. 105, 1935

AN ORDINANCE amending Section 455 of General Ordinance No. 121, 1925, by adding thereto a new and supplemental section numbered Section 455½, defining the term "junk dealer," and naming an effective date.

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 by adding thereto a new and supplemental section numbered 455½ to read as follows:

Section 455½. Definition. A junk dealer, within the meaning of this ordinance, shall be deemed to mean any person who shall engage in the business of buying, selling, collecting, exchanging, retaining or disposing of waste, used, old, or second hand iron, pipe, brass, copper, tin, zinc, or any other metal, in any form whatever, or rags, rubber, bottles, paper, or any other like material or by-product of any person, or junk of any kind whatsoever from any source whatsoever.

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 Public Health and Charities.

ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 95, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, General Ordinance No. 95, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 95, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for General Ordinance No. 96, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Fritz, General Ordinance No. 96, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 96, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for General Ordinance No. 97, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Kealing, General Ordinance No. 97, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 97, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Wallace called for Appropriation Ordinance No. 32, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Cable, Appro-

priation Ordinance No. 32, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 32, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 21, 1935, for second reading. It was read a second time.

Mr. Carr made a motion to strike General Ordinance No. 21, 1935, from the files. It was seconded by Mr. Kealing and passed by the viva voce vote of the Council.

Mr. Carr called for General Ordinance No. 68, 1935, for second reading. It was read a second time.

Mr. Fritz presented the following written motion to amend General Ordinance No. 68, 1935:

TO THE COMMON COUNCIL
OF THE CITY OF INDIANAPOLIS,
INDIANA.

I move to amend General Ordinance No. 68, 1935, by striking out all of section five thereof and inserting in lieu thereof the following:

SECTION FIVE—To cover the cost and expense of necessary inspections, investigations and records, each and every person, firm, or corporation, owning, operating, or managing a barber shop, barber school, or barber college, within the City of Indianapolis, shall pay to the City Controller for each calendar year or part thereof for each barber shop, barber school or barber college, the sum of Five (\$5.00) Dollars, and in addition thereto for each work chair in excess of one in such shop, school, or college, the

sum of Two (\$2.00) Dollars. Such fees shall be due and payable by each owner, operator, or manager upon completion of the first inspection of such barber shop, barber school, or barber college made in any calendar year.

And by adding to Section 6 thereof the following:

"All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed."

(signed) ADOLPH J. FRITZ,
Councilman.

The motion was seconded by Mrs. Dowd, and passed by the following roll call vote:

Ayes, 5, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Wallace.

Noes, 4, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Kealing presented the following written motion to amend General Ordinance No. 68, 1935:

Indianapolis, Ind., December 2, 1935.

Mr. President:

I move that General Ordinance No. 68, 1935, be amended by striking out that part in Section 4 of said Ordinance, the language reading as follows: "and shall appoint not less than two qualified inspectors for such purpose whose salaries shall be fixed by the Common Council. Such inspectors shall have been residents of the City of Indianapolis and shall have had not less than five years practical experience in the barbering business prior to appointment of such inspectors. Such inspectors shall devote their full time to this office, and shall have no financial interest directly or indirectly in the barbering business," such amended Section 4 is then to read as follows: "Section 4. The Department of Public Health shall have authority to and shall make necessary inspections and investigations for the purpose of carrying out the provisions of this ordinance."

EDWARD R. KEALING,
Councilman.

The motion was seconded by Mr. Oren, but failed of passage as shown by the following roll call vote:

Ayes, 4, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Noes, 5, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Wallace.

On motion of Mr. Carr, seconded by Mr. Fritz, General Ordinance No. 68, 1935, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 68, 1935, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 5, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Wallace.

Noes, 4, viz: Mr. Kealing, Mr. Oren, Mr. Schumacher, President Raub.

Mr. Carr called for General Ordinance No. 98, 1935, for second reading. It was read a second time.

Mr. Carr introduced the following written motion to amend General Ordinance No. 98, 1935:

Indianapolis, Ind., December 16, 1935.

Mr. President:

I move that General Ordinance No. 98, 1935, be amended by striking out the words "No other member of the family, firm or company occupying a stand shall be granted permission to rent a stand on the market." in lines 12, 13 and 14 on page 2 of the typewritten ordinance. Also to strike out all of lines 18, 19, 20 and 21 on page 2 of said ordinance and change the figure "3" in line 22 to "1," in line 27 change the figure "4" to "2."

SILAS J. CARR,
Councilman.

The motion was seconded by Mr. Wallace and passed by the unanimous vote of the Council.

On motion of Mr. Carr, seconded by Mr. Schumacher, General Ordinance No. 98, 1935, as amended, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 98, 1935, as amended, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Carr called for General Ordinance No. 99, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Fritz, General Ordinance No. 99, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 99, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

Mr. Oren called for General Ordinance No. 100, 1935, for second reading. It was read a second time.

Mr. Oren made a motion that General Ordinance No. 100, 1935, be stricken from the files. The motion was seconded by Mr. Wallace and passed by the viva voce vote of the Council.

Mrs. Dowd called for Appropriation Ordinance No. 25, 1935, for second reading. It was read a second time.

On motion of Mrs. Dowd, seconded by Mr. Kealing, Appropriation Ordinance No. 25, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 25, 1935, was read a third time by the Clerk, but failed of passage as shown by the following roll call vote:

Ayes, 4, viz: Mrs. Dowd, Mr. Kealing, Mr. Oren, Mr. Schumacher.

Noes, 5, viz: Mr. Cable, Mr. Carr, Mr. Fritz, Mr. Wallace, President Raub.

Mr. Fritz asked for suspension of the rules for further consideration and passage of General Ordinance No. 105, 1935. The motion was seconded by Mrs. Dowd and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

The rules were suspended and the Council reverted to a previous order of business.

COMMITTEE REPORT

Indianapolis, Ind., December 16, 1935.

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

Gentlemen:

We, your committee on Public Health and Charities, to whom was referred General Ordinance No. 105, 1935, entitled An Ordinance amending Section 455 of General Ordinance No. 121, 1925, defining the term 'junk dealer,' beg leave to report that we have had said

ordinance under consideration, and recommend that the same be passed.

ADOLPH J. FRITZ, Chairman,
THEODORE CABLE.
NANNETTE DOWD.
WILLIAM A. OREN.
EDWARD R. KEALING.

ORDINANCES ON SECOND READING

Mr. Fritz called for General Ordinance No. 105, 1935, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Schumacher, General Ordinance No. 105, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 105, 1935, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Cable, Mr. Carr, Mrs. Dowd, Mr. Fritz, Mr. Kealing, Mr. Oren, Mr. Schumacher, Mr. Wallace, President Raub.

On motion of Mr. Wallace, seconded by Mr. Carr, the Common Council adjourned at 9:00 p. m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis, held on the 16th day of December, 1935, at 7:30 p. m.

ORDINANCES PUBLISHED

October 1, 1935, to December 16, 1935

- G. O. 76, 1935, East Side Journal and Indianapolis News—October 11-18
- G. O. 78, 1935, East Side Journal and Indianapolis News—October 11-18
- G. O. 79, 1935, East Side Journal and Indianapolis News—October 11-18

- G. O. 85, 1935, Indianapolis Star and Indianapolis Times—
November 13-18
- G. O. 88, 1935, East Side Journal and Indianapolis News—
November 22-29

NOTICES TO TAXPAYERS

- G. O. 80 and 81, 1935, Indianapolis Star and Indianapolis
Commercial—October 11, 1935
- A. O. 28 and 30, 1935, East Side Journal and Indianapolis
News—October 25, 1935
- G. O. 83, 1935, East Side Journal and Indianapolis News—
October 25, 1935
- G. O. 89 and 90, 1935, Indianapolis Star and Indianapolis
Commercial—November 12, 1935
- G. O. 91, 1935, East Side Journal and Indianapolis News—
November 22, 1935
- A. O. 31, 1935, East Side Journal and Indianapolis News—
November 22, 1935
- A. O. 32, 1935, Indianapolis Star and West Side Messenger—
December 6, 1935
- G. O. 95, 96, 97, 1935, Indianapolis Star and West Side
Messenger—December 6, 1935

In Witness Whereof we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.


President.

Attest:


City Clerk.

(SEAL)