

REGULAR MEETING

Monday, January 6, 1936.

7:30 P. M.

The meeting was called to order by Mr. Daniel J. O'Neill, Jr., Clerk of the Council.

The Clerk called the roll.

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

Mr. O'Neill announced that the first order of business would be the election of officers for the year 1936, and asked for nominations for the office of president of the Council.

Mr. Carr nominated Mr. Edward B. Raub and the nomination was seconded by Mr. Oren. Nominations were closed and Mr. Raub was elected president by the unanimous vote of the Council.

On invitation of the Clerk, Mr. Raub took the chair.

Mr. Raub asked for nominations for the office of vice-president.

Mr. Wallace nominated Mr. Silas J. Carr. The nomination was seconded by Mr. Oren and passed by the unanimous vote of the Council.

Following their election Mr. Raub and Mr. Carr addressed the Council.

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

## COMMUNICATIONS FROM THE MAYOR

December 18, 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:

### APPROPRIATION ORDINANCE NO. 32, 1935

AN ORDINANCE appropriating to the Department of Public Works the sum of Twenty Thousand Dollars (\$20,000) out of the unexpended and unappropriated balance of the general fund for the year 1934, and fixing a time when the same shall take effect.

### GENERAL ORDINANCE NO. 95, 1935

AN ORDINANCE transferring moneys from certain funds in the Department of the City Civil Engineer and re-appropriating the same to other designated funds in said department and fixing a time when the same shall take effect.

### GENERAL ORDINANCE NO. 96, 1935

AN ORDINANCE creating and establishing Fund 13—Other Compensations, under Item 1—Services, Personal, in the X-Ray Department of the City Hospital, Department of Public Health and

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

GENERAL ORDINANCE NO. 97, 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. 98, 1935, As Amended

AN ORDINANCE amending Section 6 of General Ordinance No. 84, 1932, pertaining to the City Market, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 99, 1935

AN ORDINANCE amending sub-section (b) of Section 30 of General Ordinance No. 96, 1928, in order to add a certain area in front of Crispus Attucks Public High School to the list of places set out in the traffic code of the city as places where parking is prohibited at all times, and fixing a time for the taking effect of the same.

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.

Respectfully yours,

JOHN W. KERN,  
Mayor.

January 6, 1936.

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

Gentlemen:

I transmit to you herewith a proposed ordinance drawn at my request, the principal purpose of which is to prohibit dumping in

waterways in or near the City of Indianapolis, and wish to recommend its passage.

My action in this matter has been impelled by the serious condition which exists in certain parts of Fall Creek, and perhaps certain other streams within the City. Both the Board of Park Commissioners and the Board of Public Health are interested in the result at which this proposed ordinance aims, and I think there is no doubt that it would be extremely beneficial to the city as a whole.

Respectfully yours,

JOHN W. KERN,  
Mayor.

## COMMUNICATIONS FROM CITY OFFICIALS

January 6, 1936.

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. 1, 1936, appropriating and allocating the sum of Ninety-four Thousand Five Hundred Forty-three Dollars and Sixty-four Cents (\$94,543.64) received from the State of Indiana as revenue under the Gasoline Tax on January 4, 1936.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

January 6, 1936

City of Indianapolis, Ind.

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January 6, 1936.

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. 2, 1936, appropriating moneys out of the anticipated unexpended and unappropriated balance of the General Fund for the year 1936 to certain designated funds.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

January 2, 1936.

Mr. Walter Boetcher,  
City Controller.

Dear Sir:

The Board of Public Works and Sanitation respectfully requests that you cause to be prepared an ordinance appropriating the sum of \$1,000.00 out of the anticipated, unappropriated and unexpended balance of the General Fund, 1936, to Board of Public Works, Administration No. 26. This appropriation is requested to pay the cost of the installation of a pneumatic tube system from the Building Department, Board of Health and City Engineer's Office, to the office of the City Controller; Mr. Walter C. Boetcher, City Controller; Mr. Wm. F. Hurd, Commissioner of Buildings; Dr. H. G. Morgan, Secretary of the Board of Health and Mr. H. B. Steeg, City Civil Engineer, have all requested this installation in the interest of increasing efficiency.

Will you kindly submit the same to the Common Council at its next meeting with the recommendation from the Board that the same be passed?

Very truly yours,

BOARD OF PUBLIC WORKS AND SANITATION,

By: ERNEST F. FRICK,  
Secretary.

January 6, 1936.

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

Gentlemen:

We are submitting herewith an ordinance establishing a "passenger zone" and/or "loading zone" for the Chopped Steak Shop at 140 N. Illinois Street. We respectfully recommend the passage of this ordinance.

Respectfully submitted,

BOARD OF PUBLIC SAFETY,

BLYTHE Q. HENDRICKS,  
Executive Secretary.

January 6, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 4, 1936, authorizing the City Controller to make a temporary loan, or loans, in

January 6, 1936] City of Indianapolis, Ind.

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the sum of Five Hundred Thousand (\$500,000.00) Dollars for the benefit of the General Fund of said City of Indianapolis.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

January 6, 1936.

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

Gentlemen:

Attached please find copies of General Ordinance No. 5, 1936, amending General Ordinance No. 1, 1935.

I respectfully recommend the passage of this ordinance.

Yours very truly,

WALTER C. BOETCHER,  
City Controller.

Indianapolis, Ind., January 3, 1936.

Mr. Daniel J. O'Neill,  
City Clerk,  
35 South Alabama St.,  
Indianapolis, Indiana.

Dear Sir:

I am enclosing herewith fourteen (14) copies of General Ordinance No. 1, 1936, entitled:

AN ORDINANCE concerning the salaries, wages, and compensation of officers and members of the Indianapolis Police Department

and members of the Indianapolis Fire Department, Indianapolis, Indiana, supplementing, suspending and repealing any and all general, special and appropriation ordinances heretofore enacted and in conflict herewith; also of any ordinance of the City of Indianapolis, Indiana, or any executive order heretofore made by any Board, Commission, Department or governing body of any department or official of said City; and fixing a time when the same shall take effect.

I am informed on reliable authority that in all cities and towns in the State of Indiana where reductions in salaries of Police and Firemen have been made, that such salaries have been fully restored. Indianapolis is the single outstanding exception.

The meritorious conduct and efficient work of the Indianapolis Police Department entitles them to recognition with an increase in pay. The splendid work of the Indianapolis Fire Department in reducing the amount of fire losses which will ultimately reduce the amount of premiums paid by our citizens for fire insurance also deserves recognition with an increase in pay.

I believe it is time that the City of Indianapolis recognized the splendid work of our Police and Fire Departments and restored their pay to its original level in the same manner as the other cities and towns have done throughout the entire State of Indiana.

Yours very truly,

EDWARD R. KEALING,  
City Councilman.

## OTHER COMMUNICATIONS

January 4, 1936.

The Honorable Members of the Common Council,  
City of Indianapolis.

Gentlemen:

As a citizen and taxpayer of Indianapolis the following matter of revenue to the City is presented for the consideration of the Common Council.



For many years, according to the records, the Indiana Bell Telephone Co. has paid to the City of Indianapolis the sum of \$6,000.00 per annum. It is claimed that this amount is due and payable for the use and occupation of the city streets and alleys, as provided by a franchise granted by the City in 1896, known as General Ordinance No. 44, 1896. This franchise was granted to the Central Union Telephone Co., an Illinois corporation, under which franchise the Indiana Bell Telephone Co. claims to operate with respect to the City of Indianapolis. The claim is made that this is a perpetual or indeterminate franchise. The language in part used in said ordinances is:

"This agreement, made and entered into this 20th day of July, 1896, by and between the City of Indianapolis, Marion County, in the State of Indiana, hereinafter called the City, by and through its Board of Public Works, party of the first part, and the Central Union Telephone Company, a corporation organized and incorporated under and by virtue of the laws of the State of Illinois, hereinafter called the Company, party of the second part. Witnesseth, That the city, . . . does hereby authorize, empower and grant to said company, party of the second part, its *successors* and *assigns*" (here follow certain rights granted to the company). The duration or life of the franchise was left open and the Bell company is a successor of the Central Union Company.

The authority for the payment to the City of \$6,000.00 per annum probably is claimed from the following language of said ordinance or franchise:

"The company, the party of the second part, agrees and binds itself to pay to the City Controller of the City of Indianapolis, Indiana, six thousand dollars (\$6,000.00) per annum, in full payment for the use of the streets of the city, and in lieu of all service now furnished to the city free or at reduced rates, except as herein provided; . . ."

An examination of the ordinance discloses that no rate schedule for services to the public was adopted as was adopted in subsequent franchises by the City to various other telephone companies; hence the Bell company has its rates fixed by the Public Service Commission of Indiana and charges the City government the same rates for services as it charges the public at large. At the same time, the Bell company claims rights to the use and occupation of City streets and alleys at \$6,000.00 per annum by virtue of the ordinance of 1896.

It is suggested that this annual payment of \$6,000.00 to the City be revised in the interest of the taxpayers. Prior to the merger of the two companies, each company paid \$6,000.00 to the City, or \$12,000.00 annually. Since the merger of these properties the amount has been but \$6,000.00.

It is fair to assume that this amount fixed in 1896 was a fair compensation to the City for the use and occupation of its streets and alleys then existent. In forty years growth, the limits of the City have been extended greatly and yet the Bell company pays no more for the use and occupation of streets and alleys in this extended territory.

The City has paid the increased service rates during this period of time, but has not had an adjustment of the \$6,000.00 per annum compensation for the use of city streets and property. It would appear that such an adjustment is difficult so long as the City recognizes and submits to the claim of the company under the franchise granted by General Ordinance No. 44 of 1896.

It is suggested, therefore, that the City, by proper ordinance, disclaim and repudiate the further existence of any indeterminate or perpetual franchise as claimed by the Bell company and thereby take steps to place the City in a position to contract with the telephone company for an adjusted compensation for the use and occupation of City property.

Yours very respectfully,

WALTER O. LEWIS.

January 6, 1936.

To the Members of the  
Indianapolis City Council,  
City Hall,  
Indianapolis, Indiana.

Greetings:

The undersigned, State Representative of the Brotherhood of Railroad Trainmen, respectfully requests the support of each of you

in the favorable consideration of General Ordinance No. 57, introduced by Councilman Fritz.

The Indianapolis members of the Brotherhood of Railroad Trainmen are of the opinion that the anti-picket ordinance of the City of Indianapolis is an abridgment of the rights of the workers of the city, who may become involved in strikes and that it is contrary to the public policy expressed in Chapter 12, Indiana Acts, 1933.

Your favorable consideration of the above named ordinance will be greatly appreciated.

Respectfully yours,

MARTIN H. MILLER,

State Representative,

BROTHERHOOD OF RAILROAD TRAINMEN,

Hotel English.

Indianapolis, Ind., January 6, 1936.

City Clerk, Dan O'Neil:

By unanimous action the Central Labor Union requests the repeal of the anti-picket ordinance. Please read this at the Council meeting tonight, December 6.

JOHN E. SMITH,

President Central Labor Union.

Mr. Raub reappointed the standing committees of 1935 to serve during 1936, and called for nominations for a representative of the Council to serve on the City Plan Commission for the year.

Mr. Wallace nominated Mr. William A. Oren. The nomination was seconded by Mr. Carr and passed by the unanimous vote of the Council.

Mr. Jacob Weiss, State Senator, spoke on behalf of the Labor Union for the repeal of the picketing ordinance.

A motion for recess was made by Mrs. Dowd, seconded by Mr. Cable, and the Council recessed at 8:10 p. m.

The Council reconvened at 8:35 p. m. with all members present.

## COMMITTEE REPORTS

Indianapolis, Ind., January 6, 1936.

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. 103, 1935, entitled Recodification of all City Ordinances, 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., January 6, 1936.

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 Picketing repealed, 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., January 6, 1936.

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, etc., 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., January 6, 1936.

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

Gentlemen:

We, your Committee on Public Safety, to whom was referred Appropriation Ordinance No. 33, 1935, entitled Appropriating \$43.23,

Board of Safety, 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., January 6, 1936.

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. 102, 1935, entitled Taxicab stand—Barton Hotel, 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., January 6, 1936.

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. 104, 1936, entitled Amending G. O. 96, 1928—traffic, beg leave to report that we have had said ordinance under con-

sideration, 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., January 6, 1936.

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 name 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.  
EDWARD KEALING.  
ROSS H. WALLACE.  
THEODORE CABLE.  
ADOLPH J. FRITZ.

Indianapolis, Ind., January 6, 1936.

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, 1936, entitled Relocating dog pound, beg leave to

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

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

Indianapolis, Ind., January 6, 1936.

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 Appropriation Ordinance No. 34, 1935, entitled Appropriating \$700.00 to Board of Health, beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., January 6, 1936.

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. 101, 1935, entitled Transfer—City



Hospital, 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.  
WM. A. OREN.  
EDWARD KEALING.

## INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

### APPROPRIATION ORDINANCE NO. 1, 1936

AN ORDINANCE appropriating and allocating the sum of Ninety-four Thousand Five Hundred Forty-three Dollars and Sixty-four Cents (\$94,543.64), received on January 4, 1936, from the State of Indiana as revenue under the Gasoline Tax, to the following departments of the City of Indianapolis, in the amounts specified, in accordance with the provisions of Section 3A of General Ordinance No. 70, 1935, 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 total sum of Ninety-four Thousand Five Hundred Forty-three Dollars and Sixty-four Cents (\$94,543.64), received on January 4, 1936, from the State of Indiana as revenue under the Gasoline Tax, be and the same is hereby appropriated, allocated and distributed to the following departments of the City of Indianapolis, in the amounts specified, in accordance with the provisions of Section 3A of General Ordinance No. 70, 1935:

Board of Public Works and Sanitation—Administration

21.28%—\$20,118.90

Board of Public Works and Sanitation—City Civil Engineer

4.76%—\$4,500.28

Board of Public Works and Sanitation—Street Commissioner

63.76%—\$60,281.03

Park Department-----10.20%—\$9,643.45

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 Works.

By the City Controller:

#### APPROPRIATION ORDINANCE NO. 2, 1936

AN ORDINANCE appropriating moneys out of the anticipated unexpended and unappropriated balance of the General Fund for the year 1936 to certain designated 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 there be and there is hereby appropriated out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1936 the sum of One Thousand Dollars (\$1,000) to the Board of Public Works and Sanitation Administration Item 2—Services, Contractual, Fund 26—Other Contractual.

Section 2. That there be and there is hereby appropriated out of the anticipated unappropriated and unexpended balance of the General Fund for the year 1936 the sum of Fifty Dollars (\$50.00) to the Department of Finance, City Controller's Office Administration Item 5—Current Charges, Fund 51—Insurance and Premiums.

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 Works.

## INTRODUCTION OF GENERAL ORDINANCES

By Mr. Kealing:

### GENERAL ORDINANCE NO. 1, 1936

AN ORDINANCE concerning the salaries, wages, and compensation of officers and members of the Indianapolis Police Department and members of the Indianapolis Fire Department, Indianapolis, Indiana, supplementing, suspending and repealing any and all general, special and appropriation ordinances heretofore enacted and in conflict herewith; also of any ordinance of the City of Indianapolis, Indiana, or any executive order heretofore made by any Board, Commission, Department or governing body of any department or official of said City; and fixing a time when the same shall take effect.

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

Section 1. Beginning on July 1st, 1936, all salaries, wages and compensation of the officers, members and employees of the Police Department of the City of Indianapolis, Indiana, and the Fire Department of the City of Indianapolis, Indiana, shall be increased to the sum hereinafter set out and specified, and such increased sums as so specified herein shall be paid by the City of Indianapolis to said officers, members and employees of said Police Department of the City of Indianapolis and said Fire Department of the City of Indianapolis, to-wit:

## POLICE DEPARTMENT

Chief of Police at .....	\$4,800.00 per year
Chief of Detectives at .....	3,600.00 per year
Inspector of Police at .....	3,400.00 per year
Traffic Captain at .....	3,300.00 per year
Radio Captain at .....	2,800.00 per year
Captains of Police at .....	2,692.50 per year, each
Secretary to Chief at .....	2,692.50 per year
Lieutenants at .....	2,492.50 per year, each
Sergeants at .....	2,292.50 per year, each
Humane Sergeants at .....	2,292.50 per year, each
Detective Sergeants at .....	2,292.50 per year, each
Patrolmen First Grade at .....	2,092.50 per year, each
Patrolmen Second Grade at .....	2,026.25 per year, each
Patrolmen Third Grade at .....	1,549.92 per year, each
Patrolmen Fourth Grade at .....	1,320.00 per year, each
Patrolmen Fifth Grade at .....	1,200.00 per year, each
Traffic Repairmen at .....	1,430.00 per year, each
Mechanic Helper at .....	1,310.00 per year
Auto Mechanics at .....	1,800.00 per year, each
Janitors at .....	1,190.00 per year, each
Steno-Clerks at .....	1,310.00 per year, each
Court Bailiffs at .....	2,292.50 per year, each
Car Washer at .....	1,003.00 per year

## FIRE DEPARTMENT

Chief at .....	\$4,800.00 per year
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First Assistant Chiefs at .....	3,400.00 per year, each
Second Assistant Chief at .....	3,062.50 per year
Master Mechanic at .....	3,000.00 per year
Battalion Chiefs at .....	2,692.50 per year, each
Clerk at .....	1,567.50 per year
Captains at .....	2,492.50 per year, each
Lieutenants at .....	2,292.50 per year, each
Chauffeurs at .....	2,092.50 per year, each
First Grade Privates at .....	2,026.25 per year, each
First Grade Substitutes at .....	2,026.25 per year, each
Second Grade Substitutes at .....	1,567.50 per year, each

Section 2. All ordinances, general, special, or appropriation ordinances and any and all resolutions, executive orders of any Board, Commission, Department, or governing body of any department, or official of said City heretofore enacted, promulgated, or issued, which are in conflict herewith, are hereby repealed.

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 Safety.

By Mayor Kern:

#### GENERAL ORDINANCE NO. 2, 1936

AN ORDINANCE to prohibit dumping and depositing of substances and materials in waterways and water courses located in the City of Indianapolis and within ten (10) miles thereof, and prohibiting dumping and depositing of materials and substances without first having obtained permits from certain boards; providing a penalty for the violation thereof; repealing all ordinances and parts of ordinances in conflict therewith; specifically repealing Section 721, 722 and 723 of General Ordinance No. 121, 1925,

known as Municipal Code of Indianapolis, 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. It shall be unlawful for any person, firm or corporation to directly or indirectly throw, cast, deposit, place, pour or dump any earth, stone, impure liquids, waste, trash, rubbish, garbage, refuse, filth, offal vegetable matter, straw, paper, scraps or coils of wire or iron, boards or pieces of lumber, metal hoops, tin, tin cans, cloth, rags, tacks, nails, glass, or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank, or other receptacle of fecal or refuse matter, or any other substance, articles, matter or materials, into any stream, creek, river, lake, canal, reservoir, or other waterway or watercourse, or on the banks thereof, located in whole or in part within the corporate limits of the City of Indianapolis. The provisions of this section shall not apply to any instance in which any of the substances herein named is directly deposited in or permitted to enter any waterway or watercourse, having first been caused to enter any public sewer.

Section 2. It shall be unlawful for any person, firm or corporation to, at a place or point within ten (10) miles of the corporate limits of the City of Indianapolis, directly or indirectly throw, cast, deposit, place, pour or dump any earth, stone, impure liquids, waste, trash, rubbish, garbage, refuse, filth, offal, vegetable matter, straw, paper, scraps or coils of wire or iron, boards or pieces of lumber, metal hoops, tin, tin cans, cloth, rags, tacks, nails, glass, or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank, or other receptacle of fecal or refuse matter, or any other substance, articles, matter or materials, into any stream, creek, river, lake, canal, reservoir, or other waterway or watercourse, or on the banks thereof, located in whole or in part within the corporate limits of the City of Indianapolis or located in whole or in part within ten (10) miles of the City of Indianapolis. The provisions of this section shall not apply to any instance in which any of the substances herein named is indirectly deposited in or permitted to enter any waterway or watercourse, having first been caused to enter any public sewer.

Section 3. It shall be unlawful for any person, firm or corpora-

tion to directly or indirectly throw, cast, deposit, place, pour or dump, at any place within five hundred (500) feet of the bank of any stream, creek, river, lake, canal, reservoir, or other waterway or watercourse located in the City of Indianapolis, any earth, stone, impure liquids, waste, trash, rubbish, garbage, refuse, filth, offal, vegetable matter, straw, paper scraps or coils of wire or iron, boards, or pieces of lumber, metal hoops, tin, tin cans, cloth, rags, tacks, nails, glass, or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank, or other receptacle of fecal or refuse matter, or any other substance, articles, matter or materials, without first having obtained from the Board of Health of said city a permit so to do. If the matter proposed to be dumped, placed or deposited is, in the judgment of said Board of Health, offensive to the sense of smell or injurious to the public health, or is reasonably calculated to become so, said Board of Health shall refuse such permit.

Section 4. It shall be unlawful for any person, firm or corporation to directly or indirectly throw, cast, deposit, place, pour or dump, at any place within five hundred (500) feet of the bank of any stream, creek, river, lake, canal, reservoir, or other waterway or watercourse located within ten (10) miles of the corporate limits of the City of Indianapolis, any earth, stone, impure liquids, waste, trash, rubbish, garbage, refuse, filth, offal, vegetable matter, straw, paper, scraps or coils of wire or iron, boards or pieces of lumber, metal hoops, tin, tin cans, cloth, rags, tacks, nails, glass or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank, or other receptacle of fecal or refuse matter, or any other substance, articles, matter, or materials, without first having obtained from the Board of Park Commissioners of said city a permit so to do. If the matter sought to be dumped, placed or deposited is, in the judgment of such Board of Park Commissioners, unsightly or obnoxious or reasonably calculated to become so, said Board of Park Commissioners shall refuse such permit.

Section 6. It shall be unlawful for any person, firm, or corporation to directly or indirectly throw, cast, deposit, place, pour or dump, at any place within five hundred (500) feet of any park, parkway or boulevard located within ten (10) miles of the corporate limits of the City of Indianapolis, any earth, stone, impure liquids, waste, trash, rubbish, garbage, refuse, filth, offal, vegetable matter, straw, paper, scraps or coils of wire or iron, boards or pieces of lumber, metal hoops, tin, tin cans, cloth, rags, tacks, nails, glass or any mixture or combination thereof, or the contents of any vault, privy, cesspool, septic tank, or other receptacle of fecal or refuse matter, or any other sub-

stance, articles, matter or materials, without first having obtained from the Board of Park Commissioners of said city a permit so to do. If the matter sought to be dumped, placed or deposited is, in the judgment of such Board of Park Commissioners, unsightly or obnoxious or reasonably calculated to become so, said Board of Park Commissioners shall refuse such permit.

Section 7. Any person, firm, or corporation violating any provisions of any section of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding One Hundred Dollars (\$100.00), to which may be added imprisonment for any period not exceeding six (6) months for each separate offense.

Section 8. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 9. Section 721 and Section 722 and Section 723 of General Ordinance No. 121, 1925, known as Municipal Code of Indianapolis, 1925, are specifically hereby repealed.

Section 10. 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 City Welfare.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 3, 1936

AN ORDINANCE establishing a certain passenger and/or loading zone 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 oc-



occupants of certain premises fronting on certain public streets in the City of Indianapolis with ingress and egress for passengers, materials and merchandise coming to or going from such premises, 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, relative to the establishment of passenger and/or loading zones, at the place hereinafter set out, and the board of public safety having caused investigation to be made thereof and having recommended the establishment pursuant to the terms of the aforesaid ordinances, the following passenger and/or loading zone be and the same is hereby established, to-wit:

18 feet in front of the Chopped Steak Shop located at 140 North Illinois Street.

Section 2. This ordinance shall be in full force and effect from and after its passage, approved 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 City Controller:

GENERAL ORDINANCE NO. 4, 1936

AN ORDINANCE authorizing the City Controller of the City of Indianapolis to make a temporary loan, or loans, in the sum of Five Hundred Thousand Dollars (\$500,000.00) in anticipation of current revenues of said city actually levied and in the course of collection for the fiscal year in which such loan, or loans, are made payable out of the current revenues of said city for such year, authorizing the rate of interest to be charged therefor, providing for legal notice, and fixing a time when the same shall take effect.

WHEREAS, the City of Indianapolis is now and will continue to be until the 15th day of May, 1936, without sufficient funds to meet current expenses for municipal purposes; and

WHEREAS, the first semi-annual installment of taxes for the year 1936, collectible on or before the 15th day of May, 1936, will

amount to more than Five Hundred Thousand Dollars (\$500,000.00); NOW, THEREFORE,

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

Section 1. The city controller is hereby authorized and empowered to negotiate a temporary loan, or loans, in anticipation of the current revenues of said city actually levied and in the course of collection for the fiscal year 1936, not to exceed the total sum of Five Hundred Thousand Dollars (\$500,000.00), for a period not to exceed the time fixed in this ordinance, at a rate of interest not to exceed six per cent (6%) per annum. The city controller is further authorized to negotiate such loan, or loans, as follows:

Two Hundred Fifty Thousand Dollars (\$250,000) on February 28, 1936, to run for a period not to exceed seventy-seven (77) days, at a rate of interest not to exceed six per cent (6%) per annum; Two Hundred Fifty Thousand Dollars (\$250,000) on March 16, 1936, to run for a period not to exceed sixty (60) days, at a rate of interest not to exceed six per cent (6%) per annum. The sale date of said bonds or other evidence of indebtedness shall not be later than February 26, 1936, and after the publication of notice of determination thereof to issue bonds, warrants or other evidence of indebtedness for such temporary loan as provided by law and this ordinance, said loan shall be let to the lowest and best bidder after the determination to issue the same has been published by at least one (1) publication in two (2) newspapers in the City of Indianapolis. The mayor and the city controller are hereby authorized and directed to execute the proper obligations of the City of Indianapolis for the above mentioned amounts, and to the payment of such obligations the faith of said city is hereby irrevocably pledged.

Section 2. The aforesaid sum of Five Hundred Thousand Dollars (\$500,000), when received from the temporary loan herein provided for, is hereby appropriated to the city controller's Fund No. 63—Payment of Temporary Loans, for the repayment of this loan, and the payment of the interest thereon shall be made from the city controller's Fund 612—Interest on Temporary Loans.

Section 3. This ordinance shall be in full force and effect from and after its passage.

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

By the City Controller:

GENERAL ORDINANCE NO. 5, 1936

AN ORDINANCE amending Section 1 of General Ordinance No. 1, 1935, an ordinance amending Section 122 of General Ordinance No. 121, 1925, commonly known as the Municipal Code of 1925, as amended by General Ordinances Nos. 78, 85 and 103 of 1931, No. 25 of 1932 and No. 51 of 1933, repealing General Ordinance No. 2, 1927, and naming an effective date.

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

Section 1. That Section 1 of General Ordinance No. 1, 1935, be and the same is hereby amended to read as follows:

“Section 1. That Section 122 of General Ordinance No. 121, 1925, commonly known as the Municipal 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, as amended by General Ordinance No. 25, 1932, as amended by General Ordinance No. 51, 1933, as amended by General Ordinance No. 1, 1935, be and the same is hereby amended to read as follows:

“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, except as otherwise herein provided, 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
Deputy City Controller .....	5,000.00
Members of Sinking Fund Commission, each .....	5,000.00

Clerk of Sinking Fund Commission .....	3,000.00
Assistant Clerk of Sinking Fund Commission .....	2,000.00
Chief Clerk .....	2,000.00
License Clerks, each .....	5,000.00
Chief Bookkeeper .....	3,000.00
Stenographer .....	1,000.00
Custodian of Bonds and Special Funds .....	100,000.00
Bond Clerk, Barrett Law Department .....	5,000.00
Clerks and Stenographers, Barrett Law Department, each .....	2,000.00
Barrett Law Bookkeeper .....	3,000.00

## CITY TREASURER

County Treasurer, ex officio Treasurer of the City of Indianapolis, ex officio Custodian of City and Barrett Law Funds .....	100,000.00
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Which bond shall be executed payable to the State of Indiana.

## DEPARTMENT OF LAW

Corporation Counsel .....	5,000.00
City Attorney .....	1,000.00

## DEPARTMENT OF PUBLIC PURCHASE

Purchasing Agent .....	10,000.00
Assistant Purchasing Agent .....	5,000.00
Chief Clerk .....	1,000.00
Clerk .....	1,000.00
Inspector and Bookkeeper .....	1,000.00
Stenographer .....	1,000.00
Clerk—Storekeeper .....	1,000.00

## DEPARTMENT OF PUBLIC SAFETY

Members of Board of Public Safety, each .....	3,000.00
Chief Clerk of Board .....	5,000.00
Bookkeeper—Clerk .....	1,000.00
Chief of Fire Force .....	2,000.00
Chief of Police .....	2,000.00
Chief of Detectives .....	1,000.00

Inspector of Police .....	1,000.00
Secretary to Chief 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, each .....	1,000.00
Foundkeeper .....	1,000.00
Assistant 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

#### BOARD OF PUBLIC WORKS AND SANITATION

Members of Board, each .....	5,000.00
Chief Clerk of Board .....	1,000.00

#### DEPARTMENT OF PUBLIC WORKS

City Civil Engineer .....	3,000.00
Chief Clerk to City Civil Engineer .....	1,000.00
Street Commissioner .....	2,000.00

#### DEPARTMENT OF SANITATION

Bookkeeper .....	1,000.00
Superintendent of Sewage Disposal .....	1,000.00

## DEPARTMENT OF PUBLIC HEALTH AND CHARITIES

Members of Board of Public Health, each.....	2,000.00
Financial Secretary .....	3,000.00
Billing Clerk and Bookkeeper .....	1,000.00
City Sanitarian .....	3,000.00
Chief Clerk .....	1,000.00
Superintendent of City Hospital .....	3,000.00
Superintendent of City Dispensary.....	2,000.00
Business Manager of City Hospital .....	1,000.00

## 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

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.

## ORDINANCES ON SECOND READING

Mr. Wallace called for General Ordinance No. 103, 1935, for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Carr, General Ordinance No. 103, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 103, 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. 102, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Kealing, General Ordinance No. 102, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 102, 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 Appropriation Ordinance No. 33, 1935, for second reading. It was read a second time.

On motion of Mr. Carr, seconded by Mr. Cable, Appropriation Ordinance No. 33, 1935, was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 33, 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. Fritz called for General Ordinance No. 101, 1935, for second reading. It was read a second time.

On motion of Mr. Fritz, seconded by Mr. Carr, General Ordinance No. 101, 1935, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 101, 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. Fritz called for Appropriation Ordinance No. 34, 1935, for second reading. It was read a second time.

Mr. Fritz made a motion to strike Appropriation Ordinance No. 34, 1935, from the files. The motion was seconded by Mr. Carr 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.

### MISCELLANEOUS BUSINESS

Mr. Fritz stated that he wished to go on record as desiring a vote on General Ordinance No. 57, 1935, at this meeting and was very much against holding it for further consideration.

There being no further business, the meeting was adjourned at the request of the President and with the unanimous consent of the members of the Council, at 8:45 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 6th day of January, 1936, 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.

  
President.

Attest:

  
City Clerk.

(SEAL)