

SPECIAL MEETING

Monday, November 30, 1970, 6:30 P.M.

A Special Meeting of the City-County Council of the City of Indianapolis and Marion County convened in the Council Chambers, Room 221 of the City-County Building at 6:30 P.M., on Monday, November 30, 1970.

President Hasbrook in the Chair.

The Clerk read the call of the Special Meeting as follows:

TO THE MEMBERS OF THE CITY-COUNTY COUNCIL OF  
INDIANAPOLIS-MARION COUNTY, INDIANA:

Gentlemen:

You are hereby notified that there will be a SPECIAL MEETING of the City-County Council held in the Council Chamber on November 30, 1970 at 6:30 P.M., the purpose of such SPECIAL MEETING being to receive Communications from the Mayor and other City-County Officials, introduce new ordinances, hold a public hearing on, and consider for passage all ordinances and resolutions enumerated on the attached agenda, which is hereby incorporated in this notice by reference; also, to conduct any and all other business requiring the attention of the Council at this time.

Respectfully,

THOMAS C. HASBROOK, President  
City-County Council

I, Marjorie H. O'Laughlin, Clerk of the City of Indianapolis, Indiana, do hereby certify that I have served the above and foregoing notice to each and every member of the City-County Council prior to the time of such SPECIAL MEETING pursuant to the rules.

In Witness Whereof, I have hereunto affixed my signature and caused the seal of the City of Indianapolis to be affixed.

MARJORIE H. O'LAUGHLIN  
City Clerk

[SEAL]

The Clerk called the roll.

Present: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Absent: Mr. Forestal.

Mr. Gorham moved, seconded by Mr. McPherson, to dispense with the reading of the Journal of the previous meeting, which passed unanimously.

President Hasbrook called for the reading of Communications from the Mayor and other City-County Officials.

#### COMMUNICATIONS FROM THE MAYOR AND OTHER CITY-COUNTY OFFICIALS

November 23, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-  
MARION COUNTY, INDIANA:

Gentlemen:

I have this day approved with my signature and delivered to the

City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County ordinances:

A. O. NO. 60, 1970, transferring \$121,000.00 from certain appropriations of the Division of Flood Control, Dept. of Public Works, to certain other purposes in the same department.

A. O. NO. 68, 1970, transferring \$125,000 from certain appropriations for the expenses of the Division of Sanitation, Department of Public Works, to certain other purposes of the same division.

A. O. NO. 55, 1970, transferring \$1,600.00 from funds of Civil Defense Division, Dept. of Public Safety, to certain other funds of the same division.

A. O. NO. 69, 1970, transferring \$6,470.00 from certain appropriations of the Municipal Dog Pound, Dept. of Public Safety, to certain other purposes of the same division.

A. O. NO. 70, 1970, transferring \$26,000.00 from certain appropriations of the Dept. of Parks and Recreation to certain other purposes of the same department.

A. O. NO. 61, 1970, transferring \$375,001.70 from certain Bridge Projects to the Unappropriated Marion County Cumulative Bridge Fund, and transferring \$797,223.86 from the unexpended Marion County Cumulative Bridge Fund to certain other Bridge Funds.

A. O. NO. 62, 1970, transferring \$1,025.00 from certain appropriations for the expenses of Marion County Auditor to certain other purposes of the same.

A. O. NO. 64, 1970, transferring \$3,000.00 from the County General Fund to purposes of the Criminal Court—Division No. 1.

A. O. NO. 65, 1970, transferring \$400.00 from expenses of the Municipal Court of Marion County to certain other purposes of that Court.

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

November 24, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-  
MARION COUNTY, INDIANA:

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Marjorie H. O'Laughlin, the following City-County ordinances:

GENERAL ORDINANCE NO. 259, 1970, restricting the use of motor vehicles having metal surfaces in contact with the roadway, upon the public thoroughfare of the City:

GENERAL ORDINANCE NO. 264, 1970, to amend the Code, Title 4, Chapter 6, Section 602, ONE-WAY STREETS AND ALLEYS.

GENERAL ORDINANCE NO. 265, 1970, to amend the Code, Title 4, Chapter 10, Section 1001 (6), PASSENGER AND MATERIAL LOADING ZONES.

Respectfully submitted,

RICHARD G. LUGAR  
Mayor

Novemeber 30, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-  
MARION COUNTY:

Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis Commercial and the Indianapolis News on November 18, 1970, and again on November 25, 1970, General Ordinance Nos. 233, 234, 257 and 258, 1970.

Also pursuant to the laws of the State of Indiana, I caused to be

published in the aforementioned papers on November 19, 1970, and again on November 25, 1970, a "Notice To Taxpayers" of a public hearing to be held at 6:30 P.M. on November 30, 1970, in Room 221 of the City-County Building, on Appropriation Ordinance Nos. 72, 73, 74, and 76, 1970.

Respectfully submitted,

MARJORIE H. O'LAUGHLIN  
City Clerk

November 30, 1970

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS-  
MARION COUNTY:

Gentlemen:

Transmitted herewith are 28 copies of the following City-County ordinances:

GENERAL ORDINANCE NO. 294, 1970, an ordinance to amend the Municipal Code of 1951, Title 4, Chapter 6, Section 602, ONE-WAY STREETS AND ALLEYS.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 295, 1970, an ordinance to amend the Municipal Code of 1951, Title 4, Chapter 13, Section 4-1303, Paragraph Two (2) Trucks Weighing Over 10,000 Pounds Prohibited.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 296, 1970, an ordinance to amend the Municipal Code of 1951, Title 4, Chapter 8, Section 812, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

WILLIAM K. BYRUM, Councilman

GENERAL ORDINANCE NO. 297, 1970, an ordinance to amend the Municipal Code of 1951, Title 4, Chapter 7, Section 709 thereof, VE-

HICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS and Section 711, STOPPING AT CERTAIN INTERSECTIONS—4-WAY STOPS.

WILLIAM K. BYRUM, Councilman

CITY-COUNTY GENERAL ORDINANCE NO. 294, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 6, Section 602, ONE-WAY STREETS AND ALLEYS, providing penalties, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That Title 4, Chapter 6, Section 602 thereof, ONE WAY STREETS AND ALLEYS, be, and the same is hereby, amended by the deletion of the following:

Streets and Alleys	From	To	Direction
First Alley North of New York Street	Rural Street	Eastern Street	West

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis, 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

CITY-COUNTY GENERAL ORDINANCE NO. 295, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particular Title 4, Chapter 13, Section 4-1303, Paragraph (2), Trucks Weighing over 10,000 Pounds Prohibited, providing penalties, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That Title 4, Chapter 13, Section 4-1303 (2), Trucks Weighing Over 10,000 Pounds Prohibited, be, and the same is hereby, amended by the addition of the following:

Street	From	To
Singleton Street	Raymond Street	LeGrande Avenue

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis, 1951, as amended.

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

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

CITY-COUNTY GENERAL ORDINANCE NO. 296, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, providing penalties and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That Title 4, Chapter 8, Section 812 thereof, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, be, and the same is hereby, amended by the addition of the following:

Street	Side	From	To
East 42nd St.	South	Flamingo, West Drive	Flamingo, East Drive
Broad Ripple Ave.	North	intersection of College Ave. Broad Ripple Ave., Westfield Blvd.	241 ft. 6 in. east of the intersection

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis, 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

CITY-COUNTY GENERAL ORDINANCE NO. 297, 1970

Introduced by Councilman Byrum:

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as amended, and more particularly Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, and Section 711, STOPPING AT CERTAIN INTERSECTIONS—4 WAY STOPS, providing penalties, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

Section 1. That Title 4, Chapter 7, Section 709 thereof, VEHICLES MUST STOP BEFORE ENTERING PREFERENTIAL STREETS, be, and the same is hereby, amended by the addition of the following:



Preferential	Stop
Beulah Avenue	Kelly Street
Spencer Avenue	Reeder Street

and Section 711, STOPPING AT CERTAIN INTERSECTIONS—4-WAY STOPS, by the addition of the following:

4-Way Stops  
 Eastern Avenue and East 9th Street  
 Lambert Street and Lee Street

Section 2. This amendment shall be subject to the penalties as provided in Title 1, Chapter 6, Section 1-601 of the Municipal Code of Indianapolis, 1951, as amended.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and compliance with all laws pertaining thereto.

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

ORDINANCES ON SECOND READING

President Hasbrook relinquished the Chair to Mr. SerVaas.

Mr. Hasbrook reported that the Committee on Rules and Policy recommended passage of City-County General Ordinance No. 285, 1970, and City-County General Ordinance No. 281, 1970, as amended.

Mr. Boyd requested a recess for 15 minutes, which was granted by unanimous consent of the Council.

The Council recessed at 7:26 P.M., and reconvened at 7:47 P.M.

Mr. Hasbrook called for a second reading of City-County General Ordinance No. 285, 1970.

The Clerk read the ordinance for the second time.

After discussion and on motion of Mr. Hasbrook, seconded by Mr. McPherson, the ordinance passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Mr. Hasbrook called for a second reading of City-County General Ordinance No. 281, 1970.

The Clerk read the ordinance for the second time.

Mr. Hasbrook moved, seconded by Mr. McPherson, to amend City-County General Ordinance No. 281, 1970 as distributed to the Council which reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 281, 1970,  
AS AMENDED

AN ORDINANCE to amend Title 1 Chapter 5 of the Code of Indianapolis and Marion County, 1970, to provide for the description of the twenty-five (25) City-County Councilmanic Electoral Districts pursuant to the authority granted by Chapter 173 of the Acts of 1969 of the Indiana General Assembly and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

**Section 1.** That Title 1, Chapter 5 of the Code of Indianapolis and Marion County, 1970, is hereby amended to read as follows:

## CHAPTER 5

### City-County Councilmanic Districts

1-501. **Councilmanic Districts**—The City of Indianapolis and Marion County, Indiana, are hereby divided into twenty-five (25) single member City-County Council Electoral Districts, each of which is described in the following sections of this Chapter 5.

1-502. **First District**.—The First Councilmanic District shall include and be composed of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tract No. 3201; all of Census Tract No. 3101 excepting therefrom enumeration districts 1843 and that part of enumeration district 812A bounded on the North by the North right-of-way line of 46th Street, on the West by the West right-of-way line of Interstate 465, on the East by the East right-of-way line of High School Road, and on the South by a continuation of a line running parallel to 46th Street thereto from the South right-of-way line of 42nd Street and East right-of-way line of High School Road to Interstate 465 West right-of-way line; all of Census Tract No. 3102; all of Census Tract No. 3103 excepting therefrom enumeration districts 1393, 1399, 1845, 1846, 1847, 1848 and 1849, and that part of enumeration district 813 that is within an area bounded on the West by the West right-of-way line of Lafayette Road, on the South by the South right-of-way line of 38th Street, on the East by the Eastern right-of-way line of the Penn Central Railroad, and on the North by a line 1320 feet North of the South right-of-way line of 38th Street running parallel thereto from the Penn Central Railroad East right-of-way line to the West right-of-way line of Lafayette Road; enumeration district 1447 only of Census Tract No. 3210; all of Census Tract No. 3401 excepting therefrom enumeration district 1926; all of enumeration district 1500 of Census Tract No. 3409; enumeration districts 1538 and 1539B of Census Tract No. 3402.

1-503. **Second District**.—The Second Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3202, No. 3208, No. 3209; enumeration district 1438 only of Census Tract No. 3206; all of Census Tract No.

3210 excepting therefrom enumeration district 1447; all of Census Tract No. 3211 excepting therefrom those parts of enumeration districts 1862 and 1863 that form the interchange right-of-way of White River Parkway, East Drive, and White River Parkway, West Drive, located North of the South right-of-way line of 38th Street and that part of enumeration districts 1862 and 1863 bounded on the West by the center line of the Central Canal, on the South by the South right-of-way line of 38th Street, on the East by the East right-of-way line of Northwestern Avenue running in a Northwesterly direction up Northwestern to the East right-of-way line of Woodstock Drive and running in a Northeasterly direction to the South right-of-way line of 42nd Street, running East to the East right-of-way line of Haughy, North to the North right-of-way line of 42nd Street and West to the center line of the Central Canal.

1-504. **Third District.**—The Third Councilmanic District shall include and be composed of all of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3203, No. 3301, No. 3303, No. 3307; all of Census Tract No. 3302 excepting therefrom enumeration districts 2242 and 2243; all of enumeration districts 806, 1608, 1610 and 1611 of Census Tract No. 3308; enumeration districts 1437 and 1480 of Census Tract No. 3206.

1-505. **Fourth District.**—The Fourth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and enumeration Districts: All of Census Tract No. 3304, No. 3306, No. 3215, and No. 3204; enumeration district 1461 of Census Tract No. 3227; enumeration districts 1599, 1990, 1579, and 1580 of Census Tract No. 3305; enumeration district 1588 of Census Tract No. 3310; all of Census Tract No. 3216 excepting therefrom enumeration districts 1876 and 1877; all of Census Tract No. 3205 excepting therefrom enumeration district 1857; all of Census Tract No. 3214 excepting that part of enumeration district 1453 bounded on the West by the center line of Rural Street, on the North by the center line of 62nd Street, on the East by the center line of Parker Street and on the South by the center line of Kessler Boulevard.

1-506. **Fifth District.**—The Fifth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tract No. 3309; enumeration districts 2244, 2245,

and 2246 of Census Tract No. 3305; enumeration districts 1587, 1586, 2253, 2251, 2252, 2249, 2247, 2248, and 2250 of Census Tract No. 3308; enumeration districts 2283 and 2284 of Census Tract No. 3601; that part of enumeration district 1876 of Census Tract No. 3216 which is located within the area bounded on the South and West by the center line of Emerson Way, on the North by the center line of Fall Creek and on the East by the center line of Emerson Avenue; all of Census Tract No. 3310 excepting therefrom enumeration district 1588.

1-507. **Sixth District.**—The Sixth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3219, No. 3220, No. 3225, No. 3222, No. 3221, and No. 3226; all of enumeration district 2000 and 1999 of Census Tract No. 3504; all of Census Tract No. 3227 excepting therefrom enumeration district 1461; that part of the territory within enumeration districts 1862 and 1863 of Census Tract No. 3211 bounded on the West by the center line of the Central Canal, on the South by the South right-of-way line of 38th Street, on the East by the East right-of-way line of Northwestern Avenue running in a Northwesterly direction to the South right-of-way line of 42nd Street, thence running East to the East right-of-way line of Haughy, thence North to the North right-of-way line of 42nd Street and thence West to the center line of the Central Canal.

1-508. **Seventh District.**—The Seventh Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3207, No. 3213, No. 3212, No. 3218, No. 3223, No. 3217, and No. 3224; enumeration district 1859 of Census Tract No. 3206; enumeration district No. 1857 of Census Tract No. 3205; enumeration districts 1874, 1875, and that part of enumeration district 1453 of Census Tract No. 3214 bounded on the West by the center line of Rural Street, on the North by the center line of 62nd Street, on the East by the center line of Parker Street and on the South by the center line of East Kessler Boulevard; enumeration districts 1876 and 1877 of Census Tract No. 3216 excepting therefrom that part of enumeration district 1876 within the area bounded on the South and West by the center line of Emerson Way, on the North by the center line of Fall Creek and on the East by the center line of Emerson Avenue.

1-509. **Eighth District.**—The Eighth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: Census Tracts No. 3404 and No. 3405; enumeration district 1926 of Census Tract No. 3401; enumeration districts 1928, 1929, and 1931 of Census Tract No. 3402; all of Census Tract No. 3403 excepting therefrom enumeration districts 1543 and 1544; all of Census Tract No. 3407 excepting therefrom enumeration districts 1546 and 1547; enumeration districts 1843 and that part of enumeration district 812A of Census Tract No. 3101 bounded on the North by the North right-of-way line of 46th Street, on the West by the West right-of-way line of Interstate Highway 465, on the East by the East right-of-way line of High School Road, on the South by a line parallel to 46th Street and 2035 feet more or less from the North line of East 38th Street and running from the High School Road East right-of-way line to Interstate 465 West right-of-way line; all of Census Tract No. 3103 excepting therefrom enumeration district 1397 and that part of enumeration district 813 bounded on the West by the West right-of-way line of Lafayette Road, on the South by the South right-of-way line of 38th Street, on the East by the East right-of-way line of the Penn Central Railroad and on the North by a line 1320 feet North of the South right-of-way line of 38th Street, running parallel thereto from the Penn Central Railroad East right-of-way line to the West right-of-way line of Lafayette Road.

1-510. **Ninth District.**—The Ninth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3534, No. 3536, No. 3513, No. 3512, No. 3511, No. 3501, No. 3514, No. 3515, No. 3516, and No. 3502; enumeration districts 2101 and 2103 of Census Tract No. 3535; that part of enumeration districts 1862 and 1863 which form the interchange right-of-way only of White River East Drive and White River West Drive immediately North of the South right-of-way line of West 38th Street.

1-511. **Tenth District.**—The Tenth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3503, No. 3517, No. 3510, No. 3509, and No. 3508; all of Census Tract No. 3505 excepting therefrom enumeration district 2001; enumeration district 2092 of Census Tract No. 3532; enumeration district 2052 of Census Tract No. 3519; enumeration district 1998 of Census Tract No. 3504.

1-512. **Eleventh District.**—The Eleventh Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3529, No. 3518, No. 3520, No. 3506, No. 3528, No. 3521, No. 3522, and No. 3507; enumeration districts 2051 and 2053 of Census Tract No. 3519; all of Census Tract No. 3523 excepting therefrom enumeration district 2064; enumeration district 2001 of Census Tract No. 3505.

1-513. **Twelfth District.**—The Twelfth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tract No 3602 and No. 3603; enumeration districts 2242 and 2243 of Census Tract No. 3302; enumeration districts 2295 and 2296 of Census Tract No. 3604; enumeration districts 2285 and 2286 of Census Tract No. 3601; all of Census Tract No. 3609 excepting thereof enumeration district 2305.

1-514. **Thirteenth District.**—The Thirteenth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3605, No. 3616, No. 3615, and No. 3901; enumeration district 822 of Census Tract No. 3902; enumeration districts 817 and 1633 of Census Tract No. 3604; enumeration districts 1638, 1639, 1640, and 2236 of Census Tract No. 3606 excepting the right-of-way only of East Washington Sereet (U.S. 40) from the West right-of-way line of Interstate Highway 465 to the East right-of-way line of Post Road; all of Census Tract No. 3614 excepting therefrom enumeration district 2317 and that part of enumeration districts 1648 and 1650 in the area bounded on the West by the West right-of-way line of Webster, on the North by the North right-of-way line of English Avenue, on the East by the East right-of-way line of Shortridge Road, and on the South by the South right-of-way line of the Baltimore and Ohio Railroad; enumeration districts 1646 of Census Tract No. 3613 excepting therefrom the area bounded on the East by the East right-of-way line of Shortridge Road, on the South by the North right-of-way line of English Avenue, on the West by the West right-of-way line of Shadeland Avenue (Route No. 100), and on the North by the North right-of-way line of the Penn Central Railroad.

1-515. **Fourteenth District.**—The Fourteenth Councilmanic District shall include and be composed of all of the territory with-

in the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3555, No. 3610, No. 3611, No. 3612, No. 3607, and No. 3608; enumeration districts 2160 and 2159 of Census Tract No. 3553; enumeration district 2305 of Census Tract No. 3609; enumeration districts 1643, 1642, 1641, and 2297 of Census Tract No. 3606 and that part of the right-of-way only of East Washington Street (U.S. 40) from the West right-of-way line of Interstate Highway 465 to the East right-of-way line of Post Road; enumeration districts 2317 and that part of enumeration districts 1648 and 1650 of Census Tract No. 3614 within the area bounded on the West by the West right-of-way line of Webster, on the North by the North right-of-way line of English Avenue, on the East by the East right-of-way line of Shortridge Road, and on the South by the South right-of-way line of the Baltimore and Ohio Railroad; enumeration districts 2316 and that part of enumeration district 1646 of Census Tract No. 3613 within the area bounded on the East by the East right-of-way line of Shortridge Road, on the South by the North right-of-way line of English Avenue, on the West by the West right-of-way line of Shadeland Avenue (Route 100), on the North by the North right-of-way line of the Penn Central Railroad.

1-516. **Fifteenth District.** — The Fifteenth Councilmanic District shall include and be composed of all of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3554, No. 3552, No. 3546, No. 3527, No. 3526, No. 3525, No. 3524, No. 3551; enumeration district No. 2064 of Census Tract No. 3523; all of Census Tract No. 3553 excepting therefrom enumeration districts 2159 and 2160.

1-517. **Sixteenth District.**—The Sixteenth Councilmanic District shall include and be composed of all of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3543, No. 3541, No. 3540, No. 3539, No. 3533, No. 3531, No. 3537, No. 3530; enumeration districts 2102, 2105, 2106, 2104 of Census Tract No. 3535; all of Census Tract No. 3544 excepting therefrom enumeration district 2134; all of Census Tract No. 3542 excepting therefrom enumeration district 2126; all of Census Tract No. 3532 excepting therefrom enumeration district 2092.

1-518. **Seventeenth District.**—The Seventeenth Councilmanic District shall include and be composed of all of the territory with-



in the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3406, No. 3412, No. 3411, No. 3413, No. 3416, No. 3414, No. 3415, and No. 3533 enumeration districts 1966, 1967, and 1968 of Census Tract No. 3417; enumeration district 1982 of Census Tract No. 3426; all of the right-of-way only of Vermont Street from the West right-of-way line of Lynhurst Drive to the East right-of-way line of Auburn of Census Tract No. 3418; all of the right-of-way only of Rockville Road (U.S. 36) from the West right-of-way line of High School Road to the East right-of-way line of Rochester of Census Tracts No. 3417, No. 3418, and No. 3419; all of the right-of-way only of West Washington Street (U.S. 40) from the West right-of-way line of High School Road to the East right-of-way line of Exeter of Census Tracts No. 3425 and No. 3419.

1-519. **Eighteenth District.**—The Eighteenth Councilmanic District shall include and be composed of all of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3408, No. 3410, and No. 3418 excepting therefrom the right-of-way only of Vermont Street from the West right-of-way line of Lynhurst Drive to the East right-of-way line of Auburn and the right-of-way only of Rockville Road (U.S. 36) from the West right-of-way line of High School Road to the East right-of-way line of Roena; all of Census Tract No. 3425 excepting the right-of-way only of West Washington Street from the West right-of-way line of Lynhurst Drive to the East right-of-way line of Exeter; all of Census Tract No. 3419 excepting therefrom the right-of-way only of Rockville Road (U.S. 36) from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive; all of Census Tract No. 3402 excepting therefrom enumeration districts 1928, 1929, 1931, 1538 and 1539B; enumeration districts 1543 and 1544 of Census Tract No. 3403; enumeration districts 1546 and 1547 of Census Tract No. 3407; all of Census Tract No. 3409 excepting therefrom enumeration district 1500; enumeration districts 1552B, 1922, 1988, 1502B of Census Tract No. 3417 excepting therefrom the right-of-way only of Rockville Road (U.S. 36) from the East right-of-way line of Roena to the East right-of-way line of Rochester.

1-520. **Nineteenth District.**—The Nineteenth Councilmanic District shall include and be composed of the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tract No. 3703; all of Census Tract No. 3420 excepting

therefrom enumeration district 1971; enumeration districts 1511 and 1512 of Census Tract No. 3421; all of Census Tract No. 3701 excepting therefrom enumeration districts 1817 and 1806; all of Census Tract No. 3702 excepting therefrom enumeration districts 1311 and that part of enumeration district 831 bounded on the North by the Perry Township and Center Township line, on the East by the East right-of-way line of Harding Street, on the South by a line projected West along the South line of Section 27, Township 15 North, Range 3 East from the East right-of-way line of Harding Street to the Southwest corner of said Section 27 thence north  $146^{\circ}15'$  West a distance of 1700 feet more or less to the South abutment of Lick Creek and the South bank of White River, in Section 28, and bounded on the West by the Southernmost bank of White River at its low watermark; all of Census Tract No. 3422 excepting the right-of-way only of West Washington Street (U.S. 40) from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive and excepting the right-of-way only of the Penn Central Railroad from the West right-of-way line of High School Road to the East right-of-way line of Lyndhurst Drive and excepting the right-of-way and interchanges only of Raymond Street Expressway from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive; all of Census Tract No. 3423 excepting therefrom enumeration districts 1520, 1521, and the right-of-way only of the Raymond Street Expressway from the East right-of-way line of Lynhurst Drive to the West right-of-way line of Interstate Highway 70 West interchange.

1-521. **Twentieth District.**—The Twentieth Councilmanic District shall include and be composed of the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3806, No. 3802, No. 3803, No. 3424, No. 3580; enumeration district 1832 of Census Tract No. 3804; enumeration district 1817 of Census Tract No. 3701; enumeration district 1972 of Census Tract No. 3421; enumeration district 2233 of Census Tract No. 3581; enumeration district 2215 of Census Tract No. 3576; enumeration district 1971 of Census Tract No. 3420; enumeration district 2227 of Census Tract No. 3579; enumeration districts 1355 and all of that part of East Street (U.S. 31) right-of-way only running South from the North right-of-way line of Thompson Road to the South right-of-way line of Powell Street and that area bounded on the South by the South right-of-way line of Powell Street, on the East by the East right-of-way line of East Street (U.S. 31), on the West by the West right-of-way line of Cordes Street, and on the North by a line 660 feet

more or less from the South right-of-way line of Powell Street running parallel to Powell Street from the East right-of-way line of East Street (U.S. 31) to the West right-of-way line of Cordes Street all in Census Tract No. 3807; enumeration districts 1520 and 1521 and the right-of-way only of the Raymond Street Expressway from the East right-of-way line of Lynhurst Drive to the West right-of-way line of Interstate Highway 70 West Interchange all in Census Tract No. 3423; that part of Census Tract No. 3422 within the right-of-way only of West Washington Street (U.S. 40) from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive, and the right-of-way only of the Penn Central Railroad from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive, and the right-of-way of Raymond Street Expressway and all interchanges from the West right-of-way line of High School Road to the East right-of-way line of Lynhurst Drive; that part of enumeration districts 829, 1342, and 831 of Census Tracts No. 3702 and 3801 in the area bounded on the North by the Perry Township and Center Township line, on the East by the East right-of-way line of Harding Street, on the South by a line projected West along the South line of Section 27, Township 15 North, Range 3 East from the East right-of-way line of Harding Street to the Southwest corner of said Section 27, thence North  $146^{\circ}15'$  West a distance of 1700 feet more or less, to the South abutment of Lick Creek and the South bank of White River, in Section 28, and bounded on the West by the Southernmost bank of White River at its lowest watermark; all of Census Tract No. 3805 excepting therefrom enumeration districts 1347 and 1348.

1-522. **Twenty-first District.**—The Twenty-first Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3427, No. 3565, No. 3564, No. 3566, No. 3567, No. 3563, No. 3569, No. 3568, No. 3561, No. 3570, No. 3560, and No. 3562; enumeration district 2200 of Census Tract No. 3571; enumeration district No. 2177 of Census Tract No. 3559; all of Census Tract No. 3426 excepting therefrom enumeration district 1982; all of Census Tract No. 3581 excepting therefrom enumeration district 2233; all of enumeration district 2126 of Census Tract No. 3542.

1-523. **Twenty-second District.**—The Twenty-second Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enu-

meration Districts: All of Census Tracts No. 3556, No. 3557, No. 3558, No. 3550, No. 3549, No. 3548, and 3547; enumeration district 2205 of Census Tract No. 3573; enumeration district 2201 of Census Tract No. 3572; enumeration district 2134 of Census Tract No. 3544; all of Census Tract No. 3559 excepting therefrom enumeration district 2177; all of Census Tract No. 3545.

1-524. **Twenty-third District.**—The Twenty-third Councilmanic District shall include and be composed of all of the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3577, No. 3578, and No. 3574; enumeration district 2214 of Census Tract No. 3575; all of Census Tract No. 3571 excepting therefrom enumeration district 2200; all of Census Tract No. 3572 excepting therefrom enumeration district 2201; all of Census Tract No. 3573 excepting therefrom enumeration district 2205; all of Census Tract No. 3579 excepting therefrom enumeration district 2227; all of Census Tract No. 3576 excepting therefrom enumeration district 2215.

1-525. **Twenty-fourth District.**—The Twenty-fourth Councilmanic District shall include and be composed of all the territory within the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3903, No. 3904, No. 3809, and No. 3808; enumeration district 1393 of Census Tract No. 3810; enumeration districts 1347 and 1348 of Census Tract No. 3805; enumeration district 1321 of Census Tract No. 3902; all of Census Tract No. 3575 excepting therefrom enumeration district 2214; all of Census Tract No. 3804 excepting therefrom enumeration district 1832.

1-526. **Twenty-fifth District.**—The Twenty-fifth Councilmanic District shall include and be composed of the following described 1970 United States Census Tracts and Enumeration Districts: All of Census Tracts No. 3812 and No. 3811; all of Census Tract No. 3810 excepting therefrom enumeration district 1393; all of Census Tract No. 3801 excepting therefrom that part of enumeration districts 829 and 1342 in the area bounded on the North by the Perry Township and Center Township line, on the East by the East right-of-way line of Harding Street, on the South by a line projected West along the South line of Section 27, Township 15 North, Range 3 East from the East right-of-way line of Harding Street to the Southwest corner of said Section 27 thence North 146°15' West a distance of 1700 feet more or less to the South abutment of Lick

Creek and the South bank of White River, in Section 28, and bounded on the West by the Southernmost bank of White River at its lowest watermark; all of Census Tract No. 3807 excepting therefrom enumeration district 1355 and that part of East Street (U.S. 31) right-of-way only from the North right-of-way line of Thompson Road to the South right-of-way line of Powell Street, and that area bounded on the South by the South right-of-way line of Powell Street, on the East by the East right-of-way line of East Street (U.S. 31), on the West by the West right-of-way line of Cordes Street and on the North by a line parallel to Powell Street 660 feet North of the South right-of-way line of Powell Street more or less, connecting the East right-of-way line of East Street (U.S. 31) and the West right-of-way line of Cordes Street.

1-527. **At-Large Districts.**—In addition to the twenty-five (25) single member council electoral districts, State law provides that four (4) members of the Council shall be elected from an electoral district which shall consist of the entire County and all voters of the County participate in the selection of these four (4) at-large members.

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

The amendment passed on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Mr. McPherson moved, seconded by Mr. Egenes, to further amend City-County General Ordinance No. 281, 1970, as follows:

Indianapolis, Ind., November 30, 1970

Mr. President:

I move that General Ordinance No. 281, 1970, as amended be amended by striking out Page 4, Section 1-508, line 12, the words "enumeration district 1874 of Census tract No. 3214."

THOMAS C. HASBROOK, Councilman

The motion to further amend City-County General Ordinance No. 281, 1970 passed unanimously.

After discussion and on motion of Mr. Hasbrook, seconded by Mr. Leak, the ordinance passed, as amended, on the following roll call vote:

Ayes 11, viz: Mr. Boyd, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Broderick.

Mr. Leak reported that the Committee on Public Safety recommended that City-County General Ordinance No. 84, 1970, as amended, be passed.

Mr. Leak called for a second reading of City-County General Ordinance No. 84, 1970.

Mr. Leak moved, seconded by Mr. Egenes, to amend City-County General Ordinance No. 84, 1970 as distributed to the Council, which reads as follows:

Indianapolis, Ind., November 30, 1970

Mr. President:

I move that General Ordinance No. 84, 1970, be amended as per the copy distributed to all Councilmen and that the amended version be spread on the Journal of Council Proceedings:

WILLIAM A. LEAK, Councilman

CITY-COUNTY GENERAL ORDINANCE NO. 84, 1970,  
AS AMENDED

AN ORDINANCE providing for the licensing of dogs, kennels, pet shops and stables; providing for animal exhibition permits and the restraint, impoundment and disposition of animals found at large; establishing standards for the care of animals and the operation of kennels, pet shops, stables and animal exhibition; establishing procedures for rabies control; providing for fees and penalties for violation and repealing all ordinances in conflict therewith.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

ARTICLE I

Title and Definitions

**Section 1. Title.** This ordinance shall be known as the "Animal Control Ordinance of 1970."

**Section 2. Definitions.** As used in this ordinance, the following words and phrases have the following meanings:

- a. **Animal:** Any living, non-human vertebrate creature.
- b. **Animal Exhibition:** Any display of or contest involving animals which contest or display is primarily for the purpose of attracting persons to a commercial establishment to purchase items other than the animals on display or involved in the contest.
- c. **At Large:** An animal is "at large" when not confined without

means of escape in a pen, corral, yard, cage, house, vehicle or other secure enclosure, unless the animal is otherwise under control of a competent human being.

- d. **City:** The Consolidated City of Indianapolis. "Within the City" means within the territorial limits of the Consolidated City, as defined in Acts 1969, ch. 173, s 102 (f).
- e. **Controller:** The Controller of the City.
- f. **Crime Prevention Animal:** An animal trained and used primarily by its owner or keeper for protection of persons or property, or both.
- g. **Department of Public Safety:** The Department of Public Safety of the City.
- h. **Domestic Animals:** Cattle, horses, mules, swine, sheep, goats, dogs, cats and poultry.
- i. **Exotic Animal:** Any animal whose normal native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, furbearing animals commercially bred for the furrier trade and birds defined under federal regulations.
- j. **Exposed to Rabies:** An animal has been exposed to rabies if it has been bitten by or in contact with any animal known or reasonably suspected to have been infected with rabies.
- k. **Kennel:** A facility operated commercially and principally for the purpose of boarding, housing, grooming, breeding or training dogs or cats, or both. A kennel for purposes of this ordinance shall not include a facility in or adjoining a private residence where dogs are kept for the hobby of the householder using them for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the householder's property and occasional sale of puppies by the owner, lessee or other occupant of such property shall not make that property a kennel for the purposes of this ordinance.
- l. **Own:** To keep, harbor or have custody, charge or control of. For the purpose of this ordinance, an "owner" of an animal shall



include any person who owns such animal. Veterinarians and operators of kennels, pet shops and stables temporarily keeping animals owned by or held for sale to other persons shall not be deemed for purposes of this ordinance to own or be owners of such animals, but rather, "keepers" of animals.

- m. **Pet:** An animal obtained or kept by its owner solely for purposes of enjoyment, companionship, safety or other non-commercial purposes.
- n. **Pet Shop:** A facility operated commercially and principally for the purpose of selling animals which in the hands of their immediate purchasers will be pets.
- o. **Person:** Any individual, corporation, partnership or other association or organization, excluding police, the United States or State armed forces and other such governmental agencies and excluding any individual, partnership, corporation, or other association or organization which is registered as a research facility with the United States Secretary of Agriculture pursuant to Public Law 89-544, (7U.S.C., Section 2131 et seq.), commonly known as the Laboratory Animal Welfare Act.
- p. **Safety Board:** The Board of Public Safety of the Department of Public Safety of the City.
- q. **Spayed Female:** A female animal that is, or has been rendered by surgery performed by a veterinarian, physically incapable of conceiving offspring.
- r. **Stable:** A facility operated commercially wholly or partly for the purpose of boarding, housing or training horses or ponies owned by other persons or renting horses or ponies for riding or use by other persons.
- s. **State:** State of Indiana.
- t. **Veterinarian:** A person licensed to practice veterinary medicine in the State.
- u. **Wild Animal:** Any non-domestic animal living in a state of nature and whose native habitat is indigenous to any area of

the continental United States, excluding Alaska, excepting, however, fur bearing animals commercially bred for the furrier trade.

## ARTICLE II

### Licenses and Permits

**Section 3. Privileges Regulated.** It shall be unlawful for any person to:

- a. Own within the City any dog six months of age or older unless a current Dog License issued by the City has been obtained by such person;
- b. Own or operate a kennel, pet shop or stable within the City unless a Kennel, Pet Shop or Stable License, respectively, issued by the City is first obtained and a current license thereafter is maintained; or
- c. Own, operate, sponsor or conduct an animal exhibition within the City unless an Animal Exhibition Permit issued by the City is first obtained for such exhibition.

The provisions of subsection 3 (b) shall not be applicable to kennels operated by a veterinarian as a part of his veterinary medical clinic.

**Section 4. Licenses and Permits Generally.** Each person required to obtain a license or permit, under the provisions of Section 3, shall apply for such license or permit on forms provided by the Controller and pay the applicable fee to the Controller or his agent. All licenses must be renewed, by appropriate application and payment of fees, as set out in this ordinance, to the Controller or his agents prior to the expiration dates of such licenses.

- a. Each Kennel, Pet Shop and Stable License shall expire twelve (12) months from the date of its issuance and require prior to its issuance or renewal payment of a fee in the amount of \$50.00. Each kennel, pet shop and stable shall be required to hold only one license and pay one fee, although it may operate as more than one type of facility.
- b. Animal Exhibition Permits shall be effective only for the period

specified in such permit, not to exceed thirty (30) days. The fee for each such permit shall be \$50.00 for each day of the permitted animal exhibition.

- c. Dog licenses shall be issued upon application and payment of a fee in the amount of \$3.00 subject to adjustment under the provisions of Section 5. Dog licenses shall expire on March 1 of the next calendar year following the issuance of the license,
- d. Any person contracting with the Controller to accept on his behalf applications and fees for dog licenses may add a \$0.50 service charge to the applicable fee for each such license, which \$0.50 charge may be retained by such contractor to help defray the expense of rendering such service. All fees so collected, less the \$0.50 service charge, if any, in the case of dog licenses, shall be promptly emitted to the finance Division of the Department of Administration of the City.
- e. Owners of leader dogs for the blind shall comply with all license requirements contained herein, but shall be exempt from the fee requirements herein set out.

**Section 5. Dog Licenses.** Applications for dog licenses shall state the name and address of owner of the dog, the dog's breed, color, sex and age, and be accompanied by a certificate of rabies vaccination by a veterinarian within the immediately preceding twelve (12) months. Owners of dogs shall apply for dog licenses on or before March 1 of each calendar year, or within thirty (30) days after obtaining such dog or if moving into the City and owning a dog, within (30) days thereafter. A licensee or owner of a licensed dog renewing a license more than thirty (30) days after the expiration of the most recently expired license owned or held by him may obtain a license only upon payment of the full amount of the applicable license fee, without regard to the time remaining prior to the expiration of the license being obtained, plus a "late filing" penalty in the amount of fifty percent (50%) of such fee. The dog license for any owner of a dog licensing such dog within the City for the first time after October 1 of any calendar year, shall be 50% of the applicable fee under Section 4. Upon the issuance of a dog license, a durable license tag shall be issued, which tag shall be with the dog at all times. It shall be unlawful for a person other than the owner of the dog or his agent or the City, its Departments, agents or employees, to remove such tag. The death of a dog within the City shall be reported

by its owner or a person finding such dog to the Department of Public Safety, together with the dog's license tag number, if any. Any person so reporting may request the removal of such dog by the Department which shall promptly comply with such request.

**Section 6. Crime Prevention Animals.** An owner or keeper of a crime prevention animal shall, as a prerequisite to maintaining the animal, have at all times a current Crime Prevention Animal permit issued by the City. Such permits shall expire on December 31 of each year and be renewable upon application. Permits may be applied for at the Department of Public Safety, and application shall set forth the type of dog and such other information as the Department deems appropriate. On the premises where a crime prevention animal is used, signs shall be conspicuously posted at each door of the premises accessible to the animal, containing the following warning: "Warning. A crime prevention animal is guarding this property. For further information call (the telephone number of a person able to control the animal.)" Failure to possess such a current permit or to have such signs posted shall be punishable by a fine of not less than \$25, and no more than \$100.

**Section 7. Animal Exhibition Permits.** Application for Animal Exhibition Permits shall:

- a. Describe the kind and number of animals to be on exhibition or involved in the contest, and the sites and dates of the events; and
- b. Contain such other information as may be required under regulations of the Controller and a sworn statement by the applicant that the provisions of Section 21 will be complied with at all times.

No such permits shall be issued until the applicant completes the required application and pays the applicable fees.

**Section 8. Transfer and Display of Licenses and Permits.** Any unexpired Kennel, Pet Shop or Stable License is transferable upon written notification to the Controller or his agents of the transferee's name and address, the date the license was issued, license number and the payment of a transfer of \$1.00. Animal Exhibition Permits are not transferable. All kennel, Pet Shop and Stable Licenses and all Permits shall at all times be displayed prominently in the business

office of the kennel, pet shop or stable, or at the site of such animal exhibition, as the case may be.

**Section 9. Indianapolis Zoo.** The licensing and permit provisions of this Article shall not apply to the Indianapolis Zoo, located at 3120 East 30th Street, Indianapolis, Indiana.

**Section 10. Administration of Licensing Procedure.** The Controller shall and is authorized to adopt such forms for licenses and permits and applications therefor, and such additional procedures, including the employment of agents, respecting licenses and permits as are consistent herewith and necessary or desirable in effecting an efficient and just administration of the provisions of this Article.

**Section 11. Effective Date.** The effective dates of the licensing and permit provisions of this Article II shall be January 1, 1971. All kennel, pet shop and stable licenses issued prior to that date shall be dated January 1, 1971.

### ARTICLE III

#### Restraint and Impoundment of Animals

**Section 12. Animals at Large, Restraint and Reporting.** Keepers and owners of animals shall not permit any animals which are kept or owned by them, as the case may be, to be at large within the City. All female animals in heat shall be confined in a secure enclosure and in such a manner as not to become a nuisance. All persons taking up any animal at large within the City shall notify the Department of Public Safety or one of its agents within forty-eight (48) hours thereafter. A person whose motor vehicle strikes a domestic animal within the City shall promptly report such occurrence to the Department of Public Safety, together with a description of the animal struck, the location of the striking and an estimate as to the condition of the animal after the striking, along with the license tag number of the animal, if possible. Such person shall not be required to report his name, as the only purpose of this requirement is to aid the stricken animal and notify its owner, if any.

**Section 13. Impoundment and Disposition of Animals.** Animals found at large in violation of Section 12 shall be captured and impounded. Animals so impounded shall, if claimed by their owners, be returned to such owners upon compliance with the provisions of Section 14. If not claimed by their owners, such animals shall be

confined by the impounding authority in a humane manner for a period after capture of not less than six (6) days. Thereafter, animals not so claimed may be kept or otherwise humanely disposed of, in the discretion of the impounding authority, but consistent with such provisions as the Safety Board or Department of Public Safety shall make regarding the capture, impounding, sale and destruction of animals. No animal impounded pursuant to this ordinance shall be used or disposed of for purposes of research or experimentation by use of such animal. The City may contract with a person, or any number of persons, for the disposal of animals impounded and unclaimed for longer than six (6) days, any animals transferred to a person so contracting with the City shall thereafter be the property solely of such contractor. Such contract or contracts may provide for the retention by the contractor of any funds received in payment for animals sold to other persons, in order to help cover such contractor's expenses of rendering its services. No unspayed female dog or cat shall be sold or given away unless the prospective owner shall agree at his expense to have such female spayed. Notwithstanding the foregoing, injured or diseased animals need not be retained six (6) days, but may be disposed of at any time in the discretion of the impounding authority. When the owner of a captured animal is known, such animal need not be impounded, but may be released to its owner upon payment of any applicable fees and fines, under the provisions of this ordinance, and the application for a license, if required. Upon the impounding of any animal, a reasonable attempt to notify and inform the owner of such animal of the requirements for regaining the custody of the animal shall be made. Notwithstanding the foregoing, an animal impounded for being a nuisance shall be returned to its owner only if the impounding authority determines that such owner can and will control such animal in such a way as not to be a nuisance. If the impounding authority concludes that such owner cannot or will not control his animal so as not to be a nuisance, the impounding authority shall dispose of such animal in the same manner as if such animal were unclaimed for six (6) days or more.

**Section 14. Release to Owners of Impounded Animals.** The owner of an impounded dog may obtain the release of such dog upon compliance with the license provisions of Section 5 and such other applicable provisions as the Safety Board may impose, and the payment of the applicable impoundment fee and any other fees and fines as are applicable. Any other impounded animal may be reclaimed by its owner upon the payment of the applicable impoundment fee and any other applicable fees and fines. However, any impounded animal not reclaimed by its owner within six (6) days after its capture may

be disposed of by the impounding authority, pursuant to Section 13.

**Section 15. Impoundment Fees.** Impoundment fees for animals impounded shall be \$3.00 for each dog, plus \$2.00 for each day of impoundment or fraction thereof; \$1.00 for each cat or other small animal, plus \$0.50 for each day of impoundment or fraction thereof; and \$20.00 for any large animal, other than a dog, plus \$2.00 for each day of impoundment or fraction thereof. Impoundment fees shall be collected by and paid to the impounding authority, which shall remit such funds to the Division of Finance of the Department of Administration of the City. However, if the impounding authority in a particular case is a person contracting with the City to render impounding services, such fees may be retained by and as the property of such person as part or all of its charges for rendering such services if the contract so provides.

**Section 16. Impounding Authority.** The impounding authority for purposes of this Article III shall be the Department of Public Safety, its contractors, agents, employees and designees.

#### ARTICLE IV

##### Animal Care

**Section 17. Care and Treatment of Animals Generally.** Every owner of an animal within the City shall see that his animal or animals:

- a. Are kept in a clean, sanitary and healthy manner.
- b. Have proper and adequate food, water, shelter and ventilation, including quarters that are protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move about freely;
- c. Are protected against abuse or mistreatment;
- d. If diseased or injured, receive proper care and, if diseased, are segregated from other animals so as to prevent transmittal of the disease;
- e. Are maintained in compliance with all applicable federal, state and local laws and all regulations respecting animal care and

control as are adopted by the Department of Public Safety and in effect from time to time.

**Section 18. Kennels.** All kennels within the City shall:

- a. Be operated in such a manner as not to constitute a nuisance;
- b. Provide an isolation ward for sick or diseased animals boarded sufficiently removed so as not to endanger health of other animals
- c. Retain the name, address and telephone number of the owner and the license number of each dog boarded;
- d. Retain the name and address of each person selling, trading or giving any animal to the kennel;
- e. Keep all boarded animals caged or under control of the owner or operator of the kennel;
- f. With respect to all animals in the kennel whether or not owned by the kennel, comply with all provisions of Section 17;
- g. Comply with all applicable federal, state and local laws and all regulations respecting kennels as are adopted by the Department of Public Safety and in effect from time to time.

**Section 19. Pet Shops.** All pet shops within the City shall:

- a. Be operated in compliance with Section 18 (a), (b), and (e), the same as if those sections expressly applied to pet shops;
- b. With respect to all animals in the pet shop, comply with all provisions of Section 17;
- c. Not sell animals which are unweaned or so young or weak that their sale would be injurious to them;
- d. Comply with all applicable federal, state and local laws and all regulations respecting pet shops as are adopted by the Department of Public Safety and in effect from time to time.



**Section 20. Stables.** All stables within the City shall:

- a. Be operated in compliance with the provisions of Section 18 (a), (b), and (e), the same as if those sections expressly applied to stables;
- b. With respect to all animals in the stable, comply with all provisions of Section 17;
- c. Comply with all applicable federal, state and local laws and all regulations respecting stables as are adopted by the Department of Public Safety and in effect from time to time.

**Section 21. Animal Exhibitions.** No animal exhibition within the City shall occur in which any animal is exhibited, paraded, or allowed to participate in a contest:

- a. Under conditions which may be injurious to such animal or the public or to public decency;
- b. Unless all applicable federal, state and local laws and all regulations respecting animal exhibitions adopted by the Department of Public Safety and in effect from time to time are complied with fully; and
- c. Unless an Animal Exhibition Permit is first obtained, pursuant to Section 7.

**Section 22. Fights Prohibited.** Fights commonly known as "Cock fights," "Bull Fights," "greased pig fights" and "coon-on-a-log" shall be prohibited within the City. It shall also be unlawful for any person to insite or set any animal to fighting within the City.

## ARTICLE V

### Rabies Control

**Section 23. Precautionary Measures and Individual Animal Quarantine.** A captured animal, other than a crime prevention animal for which a current permit has been issued by the City, known to have bitten a person shall be quarantined for such period as is specified in such cases by the Health and Hospital Corporation of Marion County,

Indiana. In the Sole discretion of the quarantining authority, such quarantine may be on the premises of the owner, at the City animal shelters or those of its contractors, if any, or, at the owner's expense, in a kennel or veterinary hospital. The owner of an animal, which animal is suspected by the quarantining authority of having bitten a person or been exposed to rabies, shall promptly surrender such animal upon demand by said authority for purposes of quarantine and observation at the expense of the owner of the animal.

**Section 24. Finding of Rabies and General Quarantine.** When a quarantined animal which has been found rabid, or is suspected of being rabid by a licensed veterinarian and dies while under observation, the quarantining authority shall take such action as it specified in such cases by the State Board of Health and shall notify the proper public health officials of reports of human contacts made by and the diagnosis made of such animal. When such a rabies report is made, the quarantining authority shall recommend to the Department of Public Safety a quarantine within the city for a period of thirty (30) days. Upon invocation of such quarantine by the Department of Public Safety, any animal found at large within the City may be destroyed without being impounded. During such quarantine period; every animal bitten by an animal adjudged to be rabid shall be confined, at the owner's expense, or destroyed as specified by the State Board of Health.

**Section 25. Disposal of Rabid Animals.** The quarantining authority shall dispose of any animal suspected by it of being infected with rabies in accord with the rules and regulations of the State Board of Health.

**Section 26. Reports by Veterinarians.** Every veterinarian within the City shall report to the Authority, animals suspected by him of being rabid.

**Section 27. Quarantining Authority.** The quarantining authority for purposes of this ordinance shall be the Department of Public Safety, its contractors, agents, employees and designees, acting pursuant to directives and regulations of the Health and Hospital Corporation of Marion County.

## ARTICLE VI

### Penalties, Fines, Enforcement Officers

**Section 28. Failure to Have License.** Any person failing to com-

ply with the licensing provisions of Article II shall be punishable by, in addition to a requirement to obtain the appropriate license or licenses, fines for each unlicensed dog as follows:

a. Failure to have a dog license:

First Offense	Second Offense	Third Offense
\$5	\$20	\$50

All successive offenses thereafter shall be punishable by fines for each unlicensed dog in amounts equal to \$20 times the number of such offenses committed by such person, including the first three offenses.

b. Failure to have Kennel, Pet Shop or Stable License: \$10 times each day of delinquency.

**Section 29. Animals Found at Large.** The owners of animals found at large, in violation of Section 12, shall be punishable by fines with respect to each such animal found at large as follows:

First Offense	Second Offense	Third Offense
\$5	\$20	\$50

All successive offenses thereafter shall be punishable by fines for each animal found at large equal to \$20 times the number of such offenses committed by such person, including the first three offenses.

**Section 30. Rabies Control Violations.** During a rabies quarantine declared by the Department of Public Safety an owner or keeper of an animal resisting the quarantining authority acting under color of Section 23 or who permits an animal owned or kept by him to be at large within the City shall be punishable by a fine not to exceed \$500 and impoundment of the animal suspected of rabies or in violation of the rabies quarantine. An owner of a dog which does not have rabies vaccination more recent than one year shall be punishable by a fine in the following amounts plus the expense to the quarantining authority of procuring for such animal a current rabies vaccination:

First Offense	Second Offense	Third Offense
\$10	\$25	\$50

Fines for all successive offenses thereafter shall be in the amount of \$50 times the number of offenses, including the first three offenses.

**Section 31. Violations of Kennel, Pet Shop, Stables and Animal Exhibition and Care Provisions.** Persons violating any of the provisions of Section 18 through 21 shall be given written notice of the practices or conditions which violate this ordinance. The enforcing authority may suggest remedies where appropriate and allow the persons notified such time as such authority deems reasonable to comply with said provisions. Thereafter, in the event of noncompliance, the license or permit of such noncomplying kennel, pet shop, stable or animal exhibition shall be revoked. Persons not operating a kennel, pet shop or stable, and who violate any of the provisions of Section 17 shall be given written notice of the practices or conditions which violate the ordinance. The enforcing authority may where appropriate suggest remedies. Upon any subsequent failure to comply with Section 17 for reasons specified in the written notice, such persons shall be punishable by a fine of not less than \$25, nor more than \$250.

**Section 32. Animal Exhibition Permits.** In addition to legal restraint obtained in any court having jurisdiction, a person owning, operating or sponsoring an animal exhibition within the City without a current permit shall be punishable by a fine of \$50 for each day of such delinquency.

**Section 33. Enforcing Authority.** The enforcing authority for purposes of this ordinance shall be the Department of Public Safety, its contractors, agents, employees and designees. Persons individually charged with the enforcement of this ordinance shall be designated "Humane Officers" and shall, prior to their performing any act in connection therewith, be deputized as such by the Consolidated City Police Force of the City and Sheriff of Marion County. Such officers shall have full power to enforce all provisions of the ordinance, including the right to proceed upon public and private property within the City in pursuit of animals in violation of this ordinance. Such officers, however, shall not have the right to enter a privately owned enclosure in pursuit of any such animal without the consent of the

owner, lessee or other occupant of the enclosure, or other legal process. Any person interfering with a Humane Officer in the performance of his duties shall be punishable by a fine of not less than \$50, nor more than \$500.00.

**Section 34.** Any person feeding, teasing, tantalizing or provoking any animal without the express consent of the animal's owner, if any, while the animal is on such owner's property or under his control shall be fined not less than \$50 nor more than \$500.

**Section 35. Limitation on Fines.** In no event shall the fines computed under the provisions of this Article exceed a maximum of \$1,000.00 for conviction on any single offense.

## ARTICLE VII

**Section 36. Repeals.** The following City ordinances: Title 3, Sections 3-304 through 3-308; Title 7, Section 7-202 (2), No. 9 as it affects animal exhibitions, and No. 15; Title 10, Sections 10-103, 10-104, 10-109, 10-110, 10-114 and 10-116, as amended; and all other City ordinances, or parts thereof, in conflict herewith are hereby repealed.

**Section 37. Severability.** If any part of this ordinance is held void for any reason, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this ordinance.

## ARTICLE VIII

**Section 38. Municipal Dog Pound Division, Organization and Powers.** The Municipal Dog Pound Division of the Department of Public Safety shall consist of the Director of the Department of Public Safety, who shall be the chief executive and administrative officer of the Division, and such other persons as said Director shall deem necessary and appoint or employ. Whenever under this provision of this ordinance, the Department of Public Safety is directed or authorized to act, it shall be deemed to be acting as its Municipal Dog Pound Division. Said Division shall have power to employ any person to render such services as are necessary and desirable in the operation of the municipal dog pound. Contracts for such services, however, shall be entered into by the City or the Safety Board on behalf of the Municipal Dog Pound Division.

After discussion and on motion of Mr. Leak, seconded by Mr. Egenes, the ordinance passed, as amended on the following roll call vote:

Ayes 9, viz: Mr. Boyd, Mr. Brown, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Broderick, Mr. Cottingham, and Mr. McPherson.

Mr. Byrum called for a second reading of City-County Appropriation Ordinance No. 76, 1970.

The Clerk read the ordinance for the second time.

After discussion and on motion of Mr. Byrum, seconded by Mr. McPherson, the ordinance passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 3, viz: Mr. Boyd, Mr. Broderick, and Mr. Brown.

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 72, 1970.

The Clerk read the ordinance for the second time.

After discussion and on motion of Mr. Cottingham,

seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Boyd, and Mr. Brown.

1 Abstention: Mr. Broderick.

Mr. Cottingham called for a second reading of Appropriation Ordinance No. 73, 1970.

The Clerk read the ordinance for the second time.

After discussion, and on motion of Mr. Cottingham, seconded by Mr. Egenes, the ordinance passed on the following roll call vote:

Ayes 10, viz: Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 1, viz: Mr. Boyd.

1 Abstention: Mr. Broderick.

Mr. Cottingham called for a second reading of City-County Appropriation Ordinance No. 74, 1970.

The Clerk read the ordinance for the second time.

Mr. Cottingham reported that the Committee on County & Townships recommended passage of this ordinance.

After discussion, and on motion of Mr. Cottingham, seconded by Mr. Gorham, the ordinance passed on the following roll call vote:

Ayes 9, viz: Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

Noes 2, viz: Mr. Boyd, and Mr. Brown.

1 Abstention: Mr. Broderick.

Mr. Cottingham called for a second reading of City-County Special Resolution No. 16, 1970.

The Clerk read the Resolution for the second time.

After discussion, and on motion of Mr. Cottingham, seconded by Mr. Byrum, the Resolution passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

#### NEW BUSINESS

Mr. Byrum moved, seconded by Mr. Egenes, for the



adoption of Special Resolution No. 42, 1970, which was read as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 1970

A RESOLUTION supporting efforts to obtain humane treatment of prisoners of war.

WHEREAS, many sons of Indianapolis have been called to serve their country in the war of Southeast Asia; and

WHEREAS, several natives of Marion County are now known or believed to be held as prisoners of war by the government of North Vietnam; and

WHEREAS, North Vietnam has failed to accord its prisoners of war the minimum standards of human decency and self-respect required by the Geneva Conventions and international law; and

WHEREAS, numerous groups in this Community and throughout the nation are presently conducting various projects to bring to bear the pressure of world opinion to compel proper treatment of these prisoners of war; and

WHEREAS, in this season of Christian goodwill and humanitarian idealism, it is deemed proper that the Council support these projects; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Section 1. The City-County Council, on behalf of all the citizens of Marion County, declares its condemnation of the inhuman treatment of prisoners of war by the government of North Vietnam and calls upon that government to accord immediately and henceforth all prisoners of war those standards of humane treatment required by the Geneva Conventions.

Section 2. The City-County Council encourages and requests the citizens of this County to support the current letter writing cam-

paigns directed to the government of North Vietnam calling for proper treatment of prisoners of war.

Section 3. The Clerk of the Council is directed to forward an authenticated copy of this Resolution to the representatives of North Vietnam at the Paris Conference.

Mr. Boyd moved, seconded by Mr. McPherson, to amend Special Resolution No. 42, 1970 as follows:

Indianapolis, Ind., November 30, 1970

Mr. President:

I move that Special Resolution No. 42, 1970, be amended by inserting as Section 3, the following: "That the City-County Council encourage the government of the United States to continue and increase its zeal in insuring the humane treatment of its prisoners of war."

Also, change Section 3 to Section 4.

**ROZELLE BOYD, Councilman**

The motion to amend failed on the following roll call vote:

Ayes 5, viz: Mr. Boyd, Mr. Brown, Mr. McPherson, Rev. Williams, and President Hasbrook.

Noes 7, viz: Mr. Broderick, Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, and Mr. SerVaas.

The Resolution passed on the following roll call vote:

Ayes 12, viz: Mr. Boyd, Mr. Broderick, Mr. Brown,

Mr. Byrum, Mr. Cottingham, Mr. Egenes, Mr. Gorham, Mr. Leak, Mr. McPherson, Mr. SerVaas, Rev. Williams, and President Hasbrook.

President Hasbrook announced that there would be a Regular Meeting on December 7, 1970, at 6:30 P.M.

On motion of Rev. Williams, seconded by Mr. Gorham, the Council adjourned at 8:40 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the City-County Council of Indianapolis-Marion County held on the 30th day of November, 1970.

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



President

ATTEST:



(SEAL)

City Clerk