

REGULAR MEETING

Monday, August 18, 1952  
6:30 P. M. CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, August 18, 1952, at 6:30 P.M. CST in regular session. President Bright in the chair.

The Clerk called the roll.

Present: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Absent: Mr. Schumacher.

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

COMMUNICATIONS FROM THE MAYOR

August 5, 1952

TO THE MEMBERS OF THE COMMON COUNCIL  
OF THE CITY OF INDIANAPOLIS

Gentlemen:

I have this day approved with my signature and delivered to the City Clerk, Mrs. Grace M. Tanner, the following ordinances:

## APPROPRIATION ORDINANCE NO. 15, 1952

An ordinance appropriating, transferring, and reappropriating and reallocating a certain sum (tax levy money) to certain designated items and funds in the Department of Public Health and Hospitals as appropriated under the 1952 Budget, General Ordinance No. 100, 1951, as amended, declaring an emergency, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 16, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain sum, Tax Levy Money, from certain designated items and funds of the Personnel Consultant, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to a certain other designated item and fund therein, declaring an emergency, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 17, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain sum, Tax Levy Money, from a certain designated item and fund in the Department of Public Safety, Administrative Fund, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to a certain other designated item and fund in the Office of the City Clerk, declaring an emergency, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 18, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain sum, Tax Levy Money, from certain designated items and funds in the Office of Civil Defense, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended) to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

## APPROPRIATION ORDINANCE NO. 19, 1952

An ordinance appropriating and transferring the sum of Twelve

Thousand Five Hundred (\$12,500.00) Dollars from the anticipated, estimated and unappropriated 1952 balance of the City of Indianapolis, Department of Aviation General Fund to certain other designated items and funds of the City of Indianapolis, Department of Aviation, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 70, 1952

An ordinance to amend Section 11-103 (a) of Title 11, Chapter 1, of the Municipal Code of Indianapolis, 1951, said Title 11, Chapter 1, being commonly known as the Zoning Code of the City of Indianapolis, Indiana, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 72, 1952

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; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 73, 1952

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; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 74, 1952

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; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 77, 1952

An ordinance to amend Section 11-203 of Title 11, Chapter 2, of the Municipal Code of Indianapolis, 1951, and fixing a time when the same shall be in effect.

Respectfully,

ALEX M. CLARK,  
Mayor

## COMMUNICATIONS FROM CITY OFFICIALS

August 18, 1952

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

Gentlemen:

In Re: Appropriation Ordinances Nos. 20, 21 and 22, 1952

Pursuant to the laws of the State of Indiana, I caused "Notice to Taxpayers" to be inserted in the following newspapers, to wit:

A.O. Nos. 20, 21 and 22, 1952—Friday, August 8 and 15, 1952—  
The Indianapolis Star and The Indianapolis Commercial

that taxpayers would have the right to be heard on the above ordinances at the meeting of the Common Council to be held at 6:30 P. M. CST, August 18, 1952 and by posting copies of said notice in the City Hall, Court House and Police Station in the City of Indianapolis, which notices remained posted for ten days or more prior to date of hearing.

Very truly yours,

GRACE M. TANNER,  
City Clerk

August 18, 1952

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

Gentlemen:

In Re: General Ordinances Nos. 70 and 77, 1952

Pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers:

G.O. Nos. 70 and 77, 1952—Friday, August 8 and 15, 1952—The Indianapolis Star and The Indianapolis Commercial

and that said ordinances are in full force and effect from and after the last date of publication and compliance with any laws pertaining thereto.

Very truly yours,

GRACE M. TANNER,  
City Clerk

August 18, 1952

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

In Re: General Ordinances Nos. 83 and 84, 1952

Pursuant to the laws of the State of Indiana, I caused to be published on Friday, August 8, 1952 in The Indianapolis Star and The Indianapolis Commercial "Notice to Interested Citizens" and that General Ordinances Nos. 83 and 84, 1952 (Zoning Ordinances) were set for hearing before the Council on August 18, 1952.

Very truly yours,

GRACE M. TANNER,  
City Clerk

August 18, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of Appropriation Ordinance No. 23, 1952 transferring certain specified sums from

within one fund to another in the Department of Public Safety, Commissioner of Buildings.

Very truly yours,

CHARLES P. EHLERS,  
Councilman

August 18, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 85, 1952, regulating the transportation of explosives within, from within, and through the City of Indianapolis.

Very truly yours,

GLENN W. RADEL,  
Councilman

August 14, 1952

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

Gentlemen:

Submitted herewith and attached hereto, are 24 copies of proposed General Ordinance No. 86, 1952.

This Ordinance is recommended by the Board of Public Health and Hospitals of the City of Indianapolis in accordance with resolution adopted by said Board.

The proposed Ordinance is presented for the purpose of amending General Ordinance No. 74, 1943, commonly known as the "Restaurant Ordinance", removing the exemption of soda fountains from provi-

sions of such Ordinance and providing for a health educational program for food handling employees and requiring that such employees carry cards showing that they have had tuberculosis chest X-rays, which show them to be free from infection.

Respectfully submitted,

GLENN W. RADEL,  
Councilman

August 18, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 87, 1952, to amend the Municipal Code of Indianapolis, 1951, more particularly Title 11, Chapter 1, Section 11-122 thereof, by creating a new Board of Zoning Appeals for the City of Indianapolis.

Very truly yours,

CHARLES P. EHLERS,  
Councilman

August 18, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 88, 1952, to establish a passenger and/or loading zone on the north side of Walnut Street at Illinois Street for the use of Hoosier Radio and Supply Company, 701 North Illinois Street, Indi-

anapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended.

Very truly yours,

GLENN W. RADEL,  
Councilman

August 18, 1952

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

Gentlemen:

Transmitted herewith are twenty-four (24) copies of General Ordinance No. 89, 1952, to establish a passenger and/or loading zone at 1413 East Washington Street, Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended.

Very truly yours,

GLENN W. RADEL,  
Councilman

Mr. Ehlers asked for recess. The motion was seconded by Mr. Radel, and the Council recessed at 7:00 P.M. CST.

At this time those present were given an opportunity to be heard on Appropriation Ordinances Nos. 20, 21, 22, 1952, General Ordinances Nos. 61, 68, 71, 76, 78, 79, 81, 82, 83, 84, 1952 and Special Ordinances Nos. 11 and 12, 1952.

The Council reconvened at 7:20 P.M. CST, with the same members present as before.



## COMMITTEE REPORTS

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 20, 1952, entitled

AN ORDINANCE transferring \$11,000—Board of Public Safety to Fund 26, \$1,000.00, Administration, and from Fund 11 to Funds 25 and 32, Fire Department

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CHARLES P. EHLERS, Chairman  
CARTER W. ELTZROTH  
J. WESLEY BROWN  
GLENN W. RADEL

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 21, 1952, entitled

AN ORDINANCE appropriating \$2,000 from anticipated 1952 balance to Fund 12, Blvd. Crew, Park Department,

beg leave to report that we have had said ordinance under considera-

tion, and recommend that the same be passed.

CHARLES P. EHLERS, Chairman  
CARTER W. ELTZROTH  
J. WESLEY BROWN  
GLENN W. RADEL

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Finance to whom was referred Appropriation Ordinance No. 22, 1952, entitled

AN ORDINANCE transferring \$150.00 from Fund 11 to Fund 33  
—Public Health General and \$1,500.00 from Fund 11 to Fund  
36, School Health

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CHARLES P. EHLERS, Chairman  
CARTER W. ELTZROTH  
J. WESLEY BROWN  
GLENN W. RADEL

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 61, 1952, entitled

AN ORDINANCE amending the Zoning Code, so as to limit  
residences AA, A1, A2, to single family residences

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

J. WESLEY BROWN, Chairman  
GLENN W. RADEL  
CARTER W. ELTZROTH  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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. 68, 1952, entitled

AN ORDINANCE prohibiting parking on Capitol Ave. and  
Pennsylvania St.,

beg leave to report that we have had said ordinance under consideration, and recommend that the same be stricken from the files.

GLENN W. RADEL, Chairman  
J. WESLEY BROWN  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Public Works to whom was referred General Ordinance No. 71, 1952, entitled

AN ORDINANCE increasing assessment for cutting of weeds from \$3.00 to \$50.00

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

CARTER W. ELTZROTH, Chairman  
CHARLES P. EHLERS  
CHRISTIAN J. EMHARDT  
GUY O. ROSS

Indianapolis, Ind., August 18, 1952

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. 76, 1952, entitled

AN ORDINANCE establishing a loading zone (additional 25' to the existing loading zone) Ideal Furniture Co., 200 South Meridian St.,

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

GLENN W. RADEL, Chairman  
J. WESLEY BROWN  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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. 78, 1952, entitled

AN ORDINANCE prohibiting parking on the southwest side of Southeastern Ave. from Washington St. to English Ave.

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

GLENN W. RADEL, Chairman  
J. WESLEY BROWN  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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. 79, 1952, entitled

AN ORDINANCE prohibiting parking on the northeast side of Southeastern Ave. from State to Washington Sts.,

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

GLENN W. RADEL, Chairman  
J. WESLEY BROWN  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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. 81, 1952, entitled

AN ORDINANCE prohibiting trucks over 10,000 lbs on Woodlawn Ave. from S. East to Virginia Ave. and Delaware St. from Palmer to Adler Sts.,

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

GLENN W. RADEL, Chairman  
JOHN A. SCHUMACHER  
J. WESLEY BROWN  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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. 82, 1952, entitled

AN ORDINANCE amending G. O. No. 114, 1946, entitled Employees' Retirement Fund

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

CHARLES P. EHLERS, Chairman  
CARTER W. ELTZROTH  
J. WESLEY BROWN  
GLENN W. RADEL

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 83, 1952, entitled

AN ORDINANCE amending the zoning code on Gent Ave. from 16th to 17th Sts.,

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

J. WESLEY BROWN, Chairman  
GLENN W. RADEL  
CARTER W. ELTZROTH  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Parks to whom was referred General Ordinance No. 84, 1952, entitled

AN ORDINANCE amending the zoning code—east of West St., 10th to 16th Sts., Missouri St. and Northwestern Ave.,

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

J. WESLEY BROWN, Chairman  
GLENN W. RADEL  
CARTER W. ELTZROTH  
CHRISTIAN J. EMHARDT  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We, your Committee on Public Health to whom was referred  
Special Ordinance No. 11, 1952, entitled

AN ORDINANCE annexing territory—E. 38th St. to 46th St.,  
42nd and Arlington and Emerson Ave.,

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

JOHN A. SCHUMACHER, Chairman  
CHARLES P. EHLERS  
J. WESLEY BROWN  
GUY O. ROSS  
JOSEPH C. WALLACE

Indianapolis, Ind., August 18, 1952

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

Gentlemen:

We your Committee on Public Health to whom was referred  
Special Ordinance No. 12, 1952, entitled

AN ORDINANCE annexing territory in area of E. 10th St.,  
Graham Ave., 11th St., Arlington Ave.—10th to 13th Sts. and  
Graham Ave.,

beg leave to report that we have had said ordinance under considera-  
tion, and recommend that the same be held for further consideration.

JOHN A. SCHUMACHER, Chairman  
CHARLES P. EHLERS  
J. WESLEY BROWN  
GUY O. ROSS  
JOSEPH C. WALLACE



INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Ehlers:

APPROPRIATION ORDINANCE NO. 23, 1952

AN ORDINANCE appropriating, transferring, reappropriating and reallocating a certain designated sum, Tax Levy Money, from a certain designated item and fund of the Department of Public Safety, Commissioner of Buildings, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to certain other designated items and funds therein, declaring an emergency, and fixing a time when the same shall take effect.

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

Section 1. That the sum total of Two Thousand (\$2,000.00) Dollars, now held in the following items and funds of the Department of Public Safety, Commissioner of Buildings, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to-wit:

DEPARTMENT OF PUBLIC SAFETY  
COMMISSIONER OF BUILDINGS

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular-----\$2,000.00

be and the same is hereby reduced and transferred therefrom, re-appropriated and reallocated in the following designated funds in the amounts specified:

2. SERVICES—CONTRACTUAL

21. Communication and Transportation-----\$1,000.00

3. SUPPLIES

36. Office Supplies ----- \$1,000.00

Section 2. The above transfer and appropriation is necessary because of an existing emergency. There are sufficient funds by virtue of the above reduction in said budget to meet this appropriation, and said appropriation will not result in any increase in the original budget.

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 Finance.

## INTRODUCTION OF GENERAL ORDINANCES

By Councilman Radel:

### GENERAL ORINANCE NO. 85, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly to repeal Section 5-907, Chapter 9, Title 5, relating to permit to transport explosives and to designate time and route and to substitute for said section and to amend said Code by the adoption of new regulations concerning permit to transport explosives and designation of time and route, and to assign to said substituted section and amendment to said Code the reference "Title 5, Chapter 9, Section 5-907," 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 Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, be and the same is hereby amended by the repeal of Section 5-907, Chapter 9, Title 5, that said Code be further amended, and that there be enacted for and in the stead of said section and under the reference "Title 5, Chapter 9, Section 5-907," the following, to-wit:

5-907. Permit to transport explosives—designation of time and route. No explosives shall be transported within, from within or through the City of Indianapolis except upon permit issued by the Chief of the Indianapolis Police Department or such of his subordinates as he may designate.

The Chief of Police or his designated subordinate shall exercise their discretion in determining whether permit shall or shall not issue.

No permit shall issue until and unless applicant therefor shall have submitted his application upon such form and detailing such information as the Chief of Police may require.

Such permit shall not issue until and unless such applicant for permit shall have filed a bond in such form, amount and penalty as may be deemed adequate by said Chief of Police or his designated subordinates, which bond shall become available in payment of any damage arising from violation of any of the provisions of the ordinances of the City of Indianapolis relating to the transportation or handling of explosives or arising from neglect of the contractor, carrier or their agents and/or employees of either of them.

Such permit shall designate the route whereon and the time when such explosives may be transported and any departure from such route or time schedule so designated shall be a violation of this Code and subject to the general penalties therein provided.

Applicant for permit, deeming himself aggrieved by failure for the issuance of such permit, may appeal from the ruling of such Chief of Police or his designated subordinates to the Board of Public Safety, which said Board shall hear and determine such appeal at its first meeting subsequent to the filing thereof.

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 for the first time and referred to the Committee on City Welfare.

By Councilman Radel:

GENERAL ORDINANCE NO. 86, 1952

AN ORDINANCE amending sub-Section (b) of Section 1 and Item 16 of Section 5 of General Ordinance No. 74, 1943, commonly known as the "Restaurant Ordinance," removing the exemption of soda fountains from provisions of the Restaurant Ordinance and providing that food handling employees attend Health Educational programs and carry cards showing that they have had tuberculosis chest X-Rays, and fixing a time when the same shall take effect.

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

Section 1. That Section 1, sub-Paragraph (b), of General Ordinance No. 74, 1943, be, and the same is, hereby amended to read as follows, to-wit:

"Section 1. Definitions:

(b) Food. The term 'food' as used herein shall include all articles used for food, drink, confectionary or condiment, whether simple, mixed or compound, and all substances and ingredients used in the preparation."

Section 2. That Section 5, Item 16, the first paragraph thereof, be, and the same is, hereby amended to read as follows, to-wit:

Section 5. SANITATION REQUIREMENTS FOR RESTAURANTS.

Item 16. HEALTH, EDUCATION, AND CLEANLINESS OF EMPLOYEES. All employees engaged in handling food, drink, utensils or equipment shall be required to attend a food handlers educational program at a time and place designated by the Health Officer.

All such employees shall be required to submit to such physical examination as the Health Officer may require for the purpose of determining freedom from infection. Each employee shall carry a

card stating that he, or she, has had a chest X-Ray within the past year and that this X-Ray was examined by a licensed Radiologist and did not show signs of active tuberculosis. Such X-Ray service shall be provided by the Board of Public Health and Hospitals. Said cards shall bear the seal of the Indianapolis Board of Public Health and Hospitals. Such cards shall be renewed yearly. All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment, and shall, while engaged in the preparation or serving of food, wear a suitable head covering to protect the food from contamination from human hair. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared."

Section 3. That 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 Public Safety.

By Councilman Ehlers:

GENERAL ORDINANCE NO. 87, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 11, Chapter 1, Section 11-122 thereof, by creating a new Board of Zoning Appeals for the City of Indianapolis, repealing all ordinances in conflict therewith, and fixing a time when the same shall take effect.

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

Section 1. That section 11-122, sub-Sections (a), (b), (c), and (d) of Title 11, Chapter 1, be and the same are hereby amended to read as follows:

11-122. Board of zoning appeals and enforcement.—(a) There is hereby created a board of zoning appeals for the City of Indianapolis consisting of five (5) members to be appointed by the Mayor.

Said members so appointed shall have the following qualifications: all members shall be residents of the City of Indianapolis, two (2) of the members so appointed shall be members of the city plan commission, and none of the members shall hold other elective or appointive office in the city government. Upon the creation of a board of zoning appeals, the members shall be appointed for the following terms: one for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. The terms shall expire on the first day of January of the first, second, third or fourth year, respectively, following their appointment; thereafter, as their terms expire each new appointment shall be for a term of four years. In case of a vacancy among the members of the board of zoning appeals, the Mayor shall appoint a member for the unexpired term. At the first meeting each year, the board of zoning appeals shall elect a chairman and vice-chairman from its members. The vice-chairman shall have the authority to act as chairman during the absence or disability of the chairman. A majority of the members of the board shall constitute a quorum and no action of the board shall be official, unless authorized by a majority of the board. The executive secretary of the city plan commission shall be the executive secretary of the board of zoning appeals, such other employees as are now employed or will hereafter be employed by the city plan commission shall be available to the board of zoning appeals in order to effectuate the purposes of said board of zoning appeals. The city council shall provide suitable quarters for the holding of hearings and the preservation of records, documents and accounts. The city council may appropriate funds to carry out the duties of the board of zoning appeals and said board is authorized to expend said sums under regular city procedure. The members of said board of zoning appeals shall serve without salary. The board of zoning appeals shall adopt such rules concerning the filing of appeals, giving of notice and the conduct of hearings as shall be necessary to carry out their duties. The board shall keep minutes of its proceedings, keep records of all its official actions, prepare findings and record its vote on all actions taken. All minutes and records shall be filed in the office of the board and shall be a public record.

(b) Such board of zoning appeals is charged with the enforcement of all provisions of the statutes and of all provisions of this chapter and code; and for such purposes, this chapter and the provisions thereof shall be enforced by the executive secretary of said board, under their rules and regulations.

(c) Such secretary, in the performance of his duties as provided in sub-section (b) hereof, or in any other instances, is empowered to call upon any employee of said board, the city building commissioner, the police and firemen and other city officials, to act for and aid him in any inspections and also in the enforcement of any phases of his duties aforesaid, which also involve their respective duties and powers as officials of this city. Those so acting shall report their acts and recommendations thereon to said secretary, and he shall thereupon make and enter on his records such decision and order therein as he determines the facts so disclosed and the law applicable thereto requires. No building permit shall be issued contrary to any such order of said secretary, unless authorized by said board, after a hearing thereon, as herein provided.

(d) Any decision and order of said secretary, so made and entered, may be appealed to the board of zoning appeals by any person or persons claiming to be adversely affected thereby, for a hearing thereon, as authorized by the statutes and by this chapter, or by any other ordinance.

Section 2. All of the books, records and plans of the present board of zoning appeals are hereby transferred to the newly created board of zoning appeals, upon the effective date of this ordinance.

Section 3. All rights of appeal or causes of action accrued and existing at the time of the taking effect of said new Section 11-122, of Chapter 1. Title 11, or any rights, liabilities, orders or decisions of the commissioner of buildings, the board of zoning appeals or its executive secretary as now constituted, which will be in effect at the time this ordinance shall be effective, shall not be abrogated, affected, or impaired in any way.

Section 4. This ordinance shall be in full force and effect from and after ten days after its passage and approval by the Mayor, and publication according to law.

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

By Councilman Radel:

GENERAL ORDINANCE NO. 88, 1952

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, and fixing a time when the same shall take effect.

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

Section 1. That for the purpose of providing the owners or occupants of certain premises fronting 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, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to wit:

A loading zone to extend twenty-five (25) feet east of the east property line of North Illinois Street on the north side of West Walnut Street, for the use and occupancy of Hoosier Radio Supply Company, 701 North Illinois Street.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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 Election.



By Councilman Radel:

GENERAL ORDINANCE NO. 89, 1952

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, and fixing a time when the same shall take effect:

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

Section 1. That for the purpose of providing the owners or occupants of certain premises fronting 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, and the Board of Public Safety, after due investigation, having recommended the establishment of the same, the following passenger and/or loading zone be and the same is hereby established in the City of Indianapolis, to wit:

A loading zone to extend the width of the property line (21 feet) and four (4) feet west of the west property line of 1409 East Washington Street, for the use and occupancy of the Oriental Launderette, 1413 East Washington Street.

Section 2. That said loading zone is hereby declared to be subject to all existing traffic and parking regulations and to any later ordinances and regulations as may be applicable.

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 Public Safety.

## ORDINANCES ON SECOND READING

Mr. Ehlers called for Appropriation Ordinance No. 20, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 20, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 20, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 21, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Appropriation Ordinance No. 21, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 21, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Ehlers called for Appropriation Ordinance No. 22, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, Ap-

appropriation Ordinance No. 22, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 22, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Radel made a motion that General Ordinance No. 68, 1952 be stricken from the files.

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

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Radel called for General Ordinance No. 76, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ehlers, General Ordinance No. 76, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 76, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 5, viz: Mr. Brown, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace.

Noes 3, viz: Mr. Ehlers, Mr. Eltzroth, President Bright.

Mr. Radel called for General Ordinance No. 78, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Emhardt, General Ordinance No. 78, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 78, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Radel called for General Ordinance No. 79, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Emhardt, General Ordinance No. 79, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 79, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Radel called for General Ordinance No. 81, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Emhardt, General Ordinance No. 81, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 81, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

Mr. Ehlers called for General Ordinance No. 82, 1952 for second reading. It was read a second time.

On motion of Mr. Ehlers, seconded by Mr. Radel, General Ordinance No. 82, 1952 was ordered engrossed, read a third time and placed upon its passage.

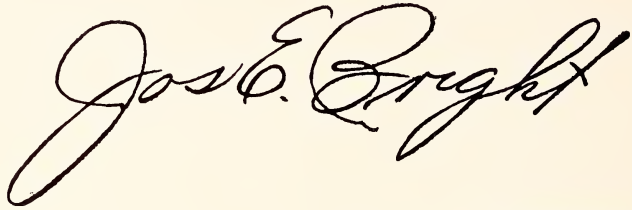
General Ordinance No. 82, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Brown, Mr. Ehlers, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Wallace, President Bright.

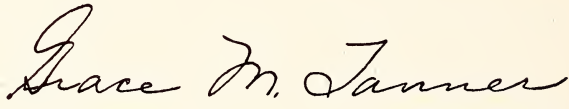
On motion of Mr. Ehlers, seconded by Mr. Radel, the Common Council adjourned at 7:40 P.M. CST.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 18th day of August, 1952, at 6:30 P.M. CST.

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

A large, elegant handwritten signature in cursive script, reading "Jos. E. Bright".

ATTEST:

*President*A handwritten signature in cursive script, reading "Grace M. Tanner".

(SEAL)

*City Clerk.*

August 18, 1952]

City of Indianapolis, Ind.

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