

REGULAR MEETING

Monday, October 20, 1952
7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, October 20, 1952, at 7:30 P. M. in regular session. President Bright in the chair.

The Clerk called the roll.

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

Absent: Mr. Ehlers, Mr. Wallace.

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

COMMUNICATIONS FROM THE MAYOR

October 8, 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. 28, 1952

An ordinance amending General Ordinance No. 100, 1951, as amended, to create Account No. 53, Refunds, Awards and In-

demnities of Dairy Division Administration of Department of Public Health and Hospitals and appropriating, transferring, reappropriating and reallocating a certain sum to certain designated items and funds in the Department of Public Health and Hospitals, Public Health General, and Dairy Division Administration, as appropriated under General Ordinance No. 100, 1951, as amended (1952 Budget), and fixing a time when the same shall take effect.

APPROPRIATION ORDINANCE NO. 29, 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 Redevelopment, 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. 30, 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 Parks, 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. 31, 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, Bureau of Air Pollution Prevention, 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. 32, 1952

An ordinance appropriating, transferring, reappropriating and reallocating a certain designated sum, Gas Tax Fund, from a certain designated item and fund of the Department of Public Parks, 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. 33, 1952

An ordinance appropriating and allocating the sum of Sixty-five Thousand (\$65,000.00) Dollars from the anticipated, unexpended and unappropriated 1952 balance of the Gas Tax Fund of the City of Indianapolis, now in the hands of the City Controller, to certain designated funds and items in the Department of Public Works, declaring an emergency, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 86, 1952, AS AMENDED

An ordinance amending Sub-Section (b) of Section 1 and Item 16 of Section 5 of General Ordinance No. 74, 1943, as amended, commonly known as the "Restaurant Ordinance," removing the exemption of soda fountains from provisions of the Restaurant Ordinance and providing the food handling employees attending 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.

GENERAL ORDINANCE NO. 106, 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. 107, 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. 108, 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. 109, 1952, AS AMENDED

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. 110, 1952

An ordinance to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 13, Section 4-1303, Paragraph 2 thereof, prohibiting all motor vehicles of the kind included in this section and any other trucks having a gross weight, with load, in excess of ten thousand (10,000) pounds from the use of South Emerson Avenue between certain designated points in the City of Indianapolis, subject to the penalties provided and fixing a time when the said amendment shall take effect.

GENERAL ORDINANCE NO. 111, 1952

An ordinance to mend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-812 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Davidson Street at all times between certain designated points, subject to the penalties provided and fixing a time when the said amendment shall take effect.

Respectfully,

ALEX. M. CLARK,
Mayor

COMMUNICATIONS FROM CITY OFFICIALS

October 20, 1952

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

Gentlemen:

In Re: Appropriation Ordinance No. 34, 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. No. 34, 1952—Friday, October 10 and 17, 1952—
Indianapolis Star and The Indianapolis Commercial

that taxpayers would have the right to be heard on the above ordinance at the meeting of the Common Council to be held at 7:30 P. M., October 20, 1952 and by posting copies of said notices 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

October 20, 1952

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

Gentlemen:

In Re: General Ordinances Nos. 86, As Amended, 110, 111, 1952

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

G. O. Nos. 86, As Amended, 110, 111, 1952—Monday,
October 13 and 20, 1952—The Indianapolis Star and The
Indianapolis Commercial

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

Very truly yours,

GRACE M. TANNER,
City Clerk

October 20, 1952

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

Gentlemen:

In Re: General Ordinances Nos. 113 and 114, 1952 (Zoning)

Pursuant to the laws of the State of Indiana, I caused to be published on Friday, October 10, 1952 in the Indianapolis Commercial and Indianapolis Star "Notice to Interested Citizens" and that General Ordinances Nos. 113 and 114, 1952 (Zoning Ordinances) were set for hearing before the Council on October 20, 1952.

Very truly yours,

GRACE M. TANNER,
City Clerk

October 20, 1952]

City of Indianapolis, Ind.

887

October 20, 1952

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

Gentlemen:

In Re: Special Ordinance No. 11, 1952

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

S. O. No. 11, 1952—The Indianapolis Star and The Indianapolis Times—Friday, October 10 and 17, 1952.

and that said ordinance is in full force and effect thirty days after the last date of publication and compliance with any laws pertaining thereto.

Very truly yours,

GRACE M. TANNER,
City Clerk

October 20, 1952

To the President and Members of the Common Council

Gentlemen:

In Re: General Ordinance No. 61, 1952

At our meeting on October 14, 1952, the subject ordinance was under discussion, and Mr. Brown advised the Commission that this ordinance had not met with favor since it did not provide sufficient protection of property values in dwelling house districts. It was the belief of the Commission that General Ordinance No. 61, 1952, should be stricken, and that another ordinance should be considered, containing minimum floor area requirements for dwelling houses.

NOBLE P. HOLLISTER

Executive Secretary
City Plan Commission

October 16, 1952

To the President and Members of the Common Council

In Re: General Ordinance No. 112, 1952

The City Plan Commission, at its meeting October 14, 1952, approved and recommended passage of General Ordinance No. 112, 1952.

The petitioner for this zoning change appeared with his attorney and, in course of the public hearing, agreed to restrict use of the area involved to offstreet parking, with the possible exception of fifteen (15) feet off the east end of the parcel; and further agreed to erect a substantial fence or chain to bar entrance to this parking area between the hours of 9:30 P. M. and 9:30 A. M.

NOBLE P. HOLLISTER
Executive Secretary
City Plan Commission

October 20, 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. 35, 1952, transferring a certain designated sum from within one fund to another in the Department of Public Safety, Police and Fire Radio Division.

Very truly yours,

CARTER W. ELTZROTH
Councilman

October 20, 1952]

City of Indianapolis, Ind.

889

October 20, 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. 36, 1952, transferring certain specified sums from one fund to certain other designated items and funds within the Department of Public Purchase.

Very truly yours,

CARTER W. ELZROTH
Councilman

October 20, 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. 116, 1952, to amend Section 4-812 of Chapter 8 of Title 4 of the Municipal Code of Indianapolis, 1951, by the addition of sub-sections 237, 238, 239 and 240 thereto.

Very truly yours,

GLENN W. RADEL
Councilman

October 20, 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. 117, 1952, to amend Section 4-602 of Chapter 6 of Section 4 of the Municipal Code of Indianapolis, 1951, by making Vermont Street a one-way street from Alabama Street to East Street.

Very truly yours,

GLENN W. RADEL
Councilman

October 20, 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. 118, 1952, to amend Section 4-903 of Chapter 9 of Title 4 of the Municipal Code of Indianapolis, 1951, by the addition of subsection (73) thereto.

Very truly yours,

GLENN W. RADEL
Councilman

October 20, 1952]

City of Indianapolis, Ind.

891

October 20, 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. 119, 1952, to amend Section 11-123 of Chapter 1 of Title 11 of the Municipal Code of Indianapolis, 1951, by changing the powers and duties of the Board of Zoning Appeals for the City of Indianapolis.

Very truly yours,

GLENN W. RADEL
Councilman

October 20, 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. 120, 1952, to amend Section 4-903 of Chapter 9 of Title 4 of the Municipal Code of Indianapolis, 1951, to authorize one-hour parking meters along both sides of Twenty-second Street from Meridian Street to Delaware Street, and along both sides of Talbot Street from the south side of Twenty-second Street to a point 150 feet south thereof.

Very truly yours,

CARTER W. ELTZROTH
Councilman

October 20, 1952

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

Gentlemen:

Submitted herewith are 28 copies of Special Ordinance No. 14, 1952, annexing approximately 2 acres on the north side of E. 38th St., North Drive, east of Emerson Avenue.

Very truly yours,

J. WESLEY BROWN
Councilman

* * * * *

Mr. Eltzroth asked that the Council stand for one moment of silent prayer for the speedy recovery of their good friend and fellow Councilman, Mr. Ehlers.

* * * * *

Mr. Radel asked for recess. The motion was seconded by Mr. Ross, and the Council recessed at 8:00 P.M.

At this time those present were given an opportunity to be heard on Appropriation Ordinance No. 34, 1952, General Ordinances Nos. 61, 85, 87, 105, 112, 113, 114, 115, 1952 and Special Ordinance No. 13, 1952.

The Council reconvened at 8:15 P.M., with the same members present as before.

MISCELLANEOUS BUSINESS

Mr. Schumacher made a motion that the City Clerk be instructed to write a letter to the State Board of Accounts requesting that their two representatives in the City Hall (a Democrat and a Republican) make a complete audit of the Indianapolis Public Housing Authority showing every expenditure by check and number and a record of all money received from the Federal Government, and give the Council a complete report of the audit.

Which was seconded by Mr. Brown and carried by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

COMMITTEE REPORTS

Indianapolis, Ind., October 20, 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. 34, 1952, entitled

AN ORDINANCE reinstating salaries of one Supervising Dairy Sanitarian and 7 Dairy Farm Inspectors in the Dairy Division, Adm., in the 1953 Budget,

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

CARTER W. ELTZROTH
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 20, 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. 87, 1952, entitled

AN ORDINANCE creating a Board of Zoning Appeals

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
J. WESLEY BROWN
GLENN W. RADEL
JOHN A. SCHUMACHER

Indianapolis, Ind., October 20, 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. 105, 1952, entitled

AN ORDINANCE defining certain areas as "school zones," providing for the posting thereof,

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

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

October 20, 1952]

City of Indianapolis, Ind.

895

Indianapolis, Ind., October 20, 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. 115, 1952, entitled

AN ORDINANCE renaming "Bureau of Air Pollution Control"
to "Air Pollution Control" and designating and defining addi-
tional violations,

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

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

Indianapolis, Ind., October 20, 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 considera-
tion, and recommend that the same be stricken from the files.

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

Indianapolis, Ind., October 20, 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. 112, 1952, entitled

AN ORDINANCE amending the zoning code to permit off-street parking for owners at 3361 N. Penn. St. and 109-11 East 34th St.

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

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

Indianapolis, Ind., October 20, 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. 113, 1952, entitled

AN ORDINANCE amending the Zoning Code—(j) Restrictions of Floor Areas in Dwelling Houses,

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., October 20, 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. 114, 1952, entitled

AN ORDINANCE amending the Zoning Code the first alley east of Winfield Avenue in Boulevard Plaza

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., October 20, 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. 13, 1952, entitled

AN ORDINANCE annexing territory in the area of 13th St. and Graham Ave., 10th St. & Ritter Ave., and Lesley Ave.,

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

JOHN A. SCHUMACHER, chairman
J. WESLEY BROWN
GUY O. ROSS

Indianapolis, Ind., October 20, 1952

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

Gentlemen:

We, your Committee on City Welfare to whom was referred
General Ordinance No. 85, 1952, entitled

AN ORDINANCE requiring permit to transport explosives and
designation of time and route,

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

CHRISTIAN J. EMHARDT, Chairman
GUY O. ROSS
J. WESLEY BROWN
GLENN W. RADEL
CARTER W. ELTZROTH

INTRODUCTION OF APPROPRIATION ORDINANCES

By Councilman Eltzroth:

APPROPRIATION ORDINANCE NO. 35, 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, Police and Fire Radio Division, 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 Nine Hundred (\$900.00) Dollars,
now held in the following item and fund of the Department of Pub-

lic Safety, Police and Fire Radio Division, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended), to-wit:

DEPARTMENT OF PUBLIC SAFETY
POLICE AND FIRE RADIO DIVISION

1. SERVICES—PERSONAL

11. Salaries and Wages, Regular -----\$900.00

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

DEPARTMENT OF PUBLIC SAFETY
POLICE AND FIRE RADIO DIVISION

2. SERVICES—CONTRACTUAL

26. Other Contractual -----\$400.00

7. PROPERTIES

72. New Equipment -----\$500.00

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.

By Councilman Eltzroth:

APPROPRIATION ORDINANCE NO. 36, 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 Purchase, 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 Nine Hundred (\$900.00) Dollars, now held in the following item and fund of the Department of Public Purchase, as appropriated under the 1952 Budget (General Ordinance No. 100, 1951, as amended) to-wit:

DEPARTMENT OF PUBLIC PURCHASE

1. SERVICES—PERSONAL

11. Salaries and Wages ----- \$900.00

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

DEPARTMENT OF PUBLIC PURCHASE

2. SERVICES—CONTRACTUAL

24. Printing and Advertising ----- \$500.00

3. SUPPLIES

33. Garage and Motor ----- \$100.00

7. PROPERTIES

72. Equipment ----- \$300.00

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 ORDINANCE NO. 116, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 8, Section 4-812 thereof, prohibiting the owner, driver or operator of any vehicle from parking, stopping or standing on Michigan Street and on Sixteenth Street at all times between certain designated points, subject to the penalties provided and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 8, Section 4-812, be amended as follows, to-wit:

By the addition of sub-sections 237, 238, 239 and 240, as follows, to-wit:

	Street	Side of Street	From	To
237.	Michigan St.	South	Noble St.	New Jersey St.
238.	Sixteenth St.	Both	Capitol Ave.	Illinois St.
239.	Sixteenth St.	Both	Pennsylvania St.	Talbot St.
240.	Sixteenth St.	South	Delaware St.	Hudson St.

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

Section 2. 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 Radel:

GENERAL ORDINANCE NO. 117, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 6, Section 4-602, by making Vermont Street a one-way street from Alabama Street to East Street, and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 6, Section 4-602, be and hereby is amended as follows, to-wit:

By the addition of sub-section (62) as follows:

Street	From	To	Direction Traffic shall move
(62) Vermont St.	Alabama St.	East St.	East

all subject to the penalties as provided in Title 4, Chapter 8, Section 4-831 of the Municipal Code of Indianapolis, 1951.

Section 2. 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 Radel:

GENERAL ORDINANCE NO. 118, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 9, Section 4-903 thereof, to authorize one-hour parking meters on both sides of Ritter Avenue for a distance of two hundred and sixty-three feet, more or less, north of the north side of East Washington Street, and for a distance of two hundred and thirty (230) feet, more or less, south of the south side of said East Washington Street, and fixing a time when said amendment shall take effect.

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

Section 1. That Title 4, Chapter 9, Section 4-903, be hereby amended by the addition of the following to appear immediately after sub-section (72) thereof, to-wit:

- (73) Both side of Ritter Avenue from two hundred sixty-three (263) feet, more or less, north of the north side of East Washington Street to two hundred and thirty (230) feet, more or less, south of the south side of East Washington Street.

Section 2. 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 Radel:

GENERAL ORDINANCE NO. 119, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 11, Section 11-123 thereof, by changing the powers and duties of the Board of Zoning Appeals for the City of Indianapolis, 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 11-123, sub-sections (a), (b), (c) and (d) of Title 11, Chapter 1, be and the same are hereby amended to read as follows:

11-123. Authority and procedure of board of zoning appeals to determine variances and exceptions and grant permissions. — (a) Authority of the Board. The board of zoning appeals shall have the power and authority in specific cases, after due public notice and hearing and subject to such conditions and safeguards as the board may prescribe, to protect the appropriate use of neighboring property and to serve the public convenience and welfare, as follows:

- (1) To vary any provisions of this chapter in harmony with its general purpose and intent so that the public health, safety and general welfare may be secured and substantial justice done, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this chapter; but not to grant any variance from a Use District except as set out in sub-section (2) hereof.
- (2) To permit the extension of a building or use into a more restricted district immediately adjacent thereto, but not more than seventy-five feet beyond the boundary line of the district in which such building or use is authorized.
- (3) To permit the extension of a non-conforming use or building upon the lot occupied by such use or building at the time it came into non-conforming status by reason of the provisions of this chapter.
- (4) To grant in undeveloped sections of the city temporary and conditional permits for not more than two year periods for buildings, structures or uses that do not conform to the regulations herein described for the district in which they are to be located.
- (5) To permit the location in any use district of a telephone exchange, electric substation or similar public utility, or any use of a building for public convenience, safety, or welfare, or of a class U7 use.

- (6) To permit the erection of a two story accessory building covering not to exceed forty percent of the rear yard area.
- (7) In U1 or U2 districts, in cases where a one story, unenclosed front porch extends beyond a building line established by the provisions of this chapter, exclusive of a building line established in a lawfully recorded plat, permit the enclosure of such porch, if such enclosure serves to protect the health and welfare of the occupants of the building and does not impair the value and the appropriate use of closely neighboring property, and said board may also permit a two story unenclosed porch or the enclosure of such a porch under the same considerations; Provided, That the installation only of open screens of fine woven wire, plastic or similar durable material shall not be deemed to be enclosure for the purpose of this section.
- (8) In such cases in U1 or U2 districts where the building line established by the provisions of this chapter appears to create unnecessary hardship or practical difficulties in the way of conforming with such building line, to permit the erection of a building nearer to the front lot line; Provided, That such location will not be nearer to the front lot line than any building line established by recorded plat, deed or covenant on the lot on which such building is located, will not be adverse to the public interest and will not substantially injure the appropriate use of neighboring property.
- (9) To permit the extension of any use enumerated in subdivision (5) only of class U6 uses, if located in a U5 or second industrial district and establish as such a non-conforming use.
- (10) To permit in U1 or U2 districts any of the uses enumerated in section 11-105 sub-section (b).
- (11) To permit in U3 districts any of the uses enumerated in section 11-112, sub-section (b).
- (12) To permit in U5 districts any of the uses enumerated in section 11-115, sub-section (b).

- (13) To permit the erection of a building or portion of a building, covering not more than 25 percent of the area of a lot, to a height in excess of the limits prescribed in the preceding section.
- (14) To permit the erection of an addition to an existing building to the same height as such existing building where such addition is essential to the completion of the existing building as originally planned.
- (15) To permit the extension of a building existing at the time of the passage of this chapter, as here restated, by the construction of additional stories above the height limit herein provided; Provided, That such building was actually designed and constructed to carry such additional stories.
- (16) To permit in a first or second industrial district the erection of a grain elevator, gas holder or other industrial building to a height in excess of the limitations prescribed in the preceding section; Provided, That in the judgment of the said board such additional height is essential to the normal operation of such industry.

(b) Public Notice. For the purposes of this chapter, public notice of a hearing by the board of zoning appeals shall be taken to mean one insertion of a notice of the time and place of a hearing or proceeding printed in a newspaper of general circulation in the City of Indianapolis at least seven days prior to the time fixed for said hearing.

(c) Additional Notices to Interested Parties. In addition to the public notice above defined, due notice of a hearing by the board of zoning appeals shall be given additionally to interested parties in accordance with regulations adopted by said board.

(d) Fee for Filing Appeal. Any person, firm or corporation filing an appeal from any ruling of the secretary of said plan commission and board upon any application for a variance, as herein provided for, shall first pay to the city controller a filing fee of three dollars and fifty cents for the purpose of paying the cost of giving notice and any other expense incident to the hearing on said appeal or application. The amount of such fee may be increased by the board to cover the actual cost of such notices and expenses.

Section 2. 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 Parks.

By Councilman Eltzroth:

GENERAL ORDINANCE NO. 120, 1952

AN ORDINANCE to amend the Municipal Code of Indianapolis, 1951, as adopted by General Ordinance No. 140, 1951, and more particularly Title 4, Chapter 9, Section 4-903 thereof, to authorize one-hour parking meters along both sides of Twenty-second Street from Meridian Street to Delaware Street, and along both sides of Talbot Street from the south side of Twenty-second Street to a point one hundred fifty (150) feet south thereof, and fixing a time when the said amendment shall take effect.

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

Section 1. That Title 4, Chapter 9, Section 4-903, be hereby amended by the addition of the following to appear immediately after sub-section (73) thereof, to-wit:

- (74) Both sides of Twenty-second Street from the east side of Meridian Street to the west side of Delaware Street.
- (75) Both sides of Talbot Street from the south side of Twenty-second Street to a point one hundred and fifty (150) feet south thereof.

Section 2. 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.

INTRODUCTION OF SPECIAL ORDINANCES

By Councilman Brown:

SPECIAL ORDINANCE NO. 14, 1952

AN ORDINANCE annexing certain contiguous territory to the City of Indianapolis 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 City of Indianapolis, Indiana, be and the same is hereby extended so as to include the following described territory, which is hereby annexed to and made a part of the territory constituting the City of Indianapolis, Indiana, and described as follows, to-wit:

Part of the Southwest Quarter of Section 15, Township 16 North, Range 4 East of the Second Principal Meridian, Marion County, Indiana, described as follows:

Beginning at a point 66½ feet North of the South line and 25 feet East of the West line of the Southwest quarter of Section 15, Township 16 North, Range 4 East of the Second Principal Meridian, said point being on the East line of North Emerson Avenue and at the Southwest corner of lot 1 in Maple Hill, Corrected, an Addition to the City of Indianapolis, the plat of which is recorded in Plat Book 17, page 112, in the office of the Recorder of Marion County, Indiana; running thence North along the East line of North Emerson Avenue 102.57 feet to the Northwest corner of Lot 2 in said Maple Hill, Corrected; thence East along the North line of said Lot 2 and a straight extension thereof 225 feet to a point on the West line of Lot 90 in the same addition; thence North along said West line 100 feet to the Northwest corner of said lot; thence east in a straight line 200 feet to the Northeast corner of Lot 87 in the same addition; thence south along the East line of said Lot 87 a distance of 200 feet to the Southeast corner thereof; thence West 425 feet to the place of beginning.

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 Public Health.

ORDINANCES ON SECOND READING

Mr. Eltzroth called for Appropriation Ordinance No. 34, 1952 for second reading. It was read a second time.

On motion of Mr. Eltzroth, seconded by Mr. Radel, Appropriation Ordinance No. 34, 1952 was ordered engrossed, read a third time and placed upon its passage.

Appropriation Ordinance No. 34, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

Mr. Brown made a motion that General Ordinance No. 61, 1952 be stricken from the files.

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

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

Mr. Radel made a motion that General Ordinance No. 105, 1952 be stricken from the files.

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

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

Mr. Brown called for General Ordinance No. 112, 1952 for second reading. It was read a second time.

On motion of Mr. Brown, seconded by Mr. Eltzroth, General Ordinance No. 112, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 112, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

Mr. Radel called for General Ordinance No. 115, 1952 for second reading. It was read a second time.

On motion of Mr. Radel, seconded by Mr. Ross, General Ordinance No. 115, 1952 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 115, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

Mr. Schumacher called for Special Ordinance No. 13, 1952 for second reading. It was read a second time.

On motion of Mr. Schumacher, seconded by Mr. Eltzroth, Special Ordinance No. 13, 1952 was ordered engrossed, read a third time and placed upon its passage.

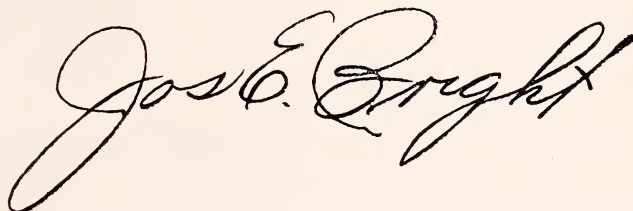
Special Ordinance No. 13, 1952 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 7, viz: Mr. Brown, Mr. Eltzroth, Mr. Emhardt, Mr. Radel, Mr. Ross, Mr. Schumacher, President Bright.

On motion of Mr. Schumacher, seconded by Mr. Radel, the Common Council adjourned at 8:45 P.M.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Common Council of the City of Indianapolis held on the 20th day of October, 1952, at 7:30 P.M.

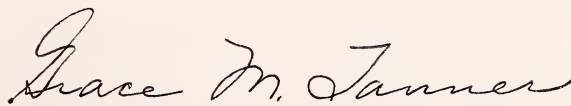
In Witness Whereof, we have hereunto subscribed our signatures and caused the seal of the City of Indianapolis to be affixed.



ATTEST:

President

(SEAL)



City Clerk.

