

REGULAR MEETING

Monday, May 15, 1950
6:30 P. M., CST

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, May 15, 1950, at 6:30 P. M., CST, in regular session. President Emhardt in the chair.

The Clerk called the roll.

Present: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

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

Mr. Wicker moved that the thirteenth line of Sec. 1 of General Ordinance No. 23, 1950 as shown on page 193 of the Journal of Proceedings for April 17, 1950, following the words "its inhabitants by" and preceding the word "talking" be corrected to read:

"loud"

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

COMMUNICATIONS FROM THE MAYOR

May 3, 1950

TO THE HONORABLE PRESIDENT AND 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, Mr. Richard G. Stewart, the following ordinances:

GENERAL ORDINANCE NO. 19, 1950

An ordinance authorizing the Board of Public Works and Board of Public Safety to purchase, through their duly authorized Purchasing Agent, certain equipment to be paid for out of funds heretofore appropriated; and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 20, 1950

An ordinance to amend General Ordinance No. 9, 1925 (as amended), known as the Official Thoroughfare Plan of the City of Indianapolis, and fixing a time when the same shall take effect.

GENERAL ORDINANCE NO. 21, 1950

An ordinance to amend Section 44 of General Ordinance No. 96-1928, as amended, to establish certain parts of certain streets as preferential streets in the City of Indianapolis.

GENERAL ORDINANCE NO. 23, 1950

An ordinance to amend Section 576 of General Ordinance No. 121, 1925, as amended; and providing a time when the same shall take effect.

Respectfully yours,
AL FEENEY, Mayor

COMMUNICATIONS FROM CITY OFFICIALS

May 13, 1950

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

Gentlemen:

In Re: General Ordinance No. 25, 1950

I hereby report that pursuant to the laws of the State of Indiana, I caused to be published on May 5, 1950 in The Indianapolis Commercial and The Marion County Messenger "Notice to Interested Citizens" that G. O. No. 25, 1950 (zoning ordinance) was set for hearing before the Common Council on May 15, 1950.

Sincerely yours,

RICHARD G. STEWART
City Clerk

May 13, 1950

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

Gentlemen:

In Re: General Ordinances Nos. 20, 21, 23, 1950

I hereby report that pursuant to the laws of the State of Indiana, I caused publication to be inserted in the following newspapers, to-wit:

G. O. Nos. 20, 21, 23, 1950—Friday, May 5 and 12, 1950—
The Indianapolis Commercial and The Marion County
Messenger

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

Sincerely yours,

RICHARD G. STEWART
City Clerk

May 12, 1950

Mr. Noble P. Hollister
Executive Secretary
City Plan Commission
Indianapolis, Indiana

Dear Mr. Hollister:

Pursuant to Chapter 216 of the Acts of the General Assembly 1949, there was filed with the Council on May 12, 1950 a petition for the annexation of certain contiguous territory to the City of Indianapolis.

Attached is a copy of said petition covering the territory described, and copies of plats and surveys for the use of your commission and other city departments.

Pursuant to agreement between city departments and the Council, it is requested that your department coordinate the discussion and submission of recommendations on this proposed annexation as a guide to Council action.

Sincerely yours,

RICHARD G. STEWART
City Clerk and
Clerk of the Common Council

May 15, 1950]

City of Indianapolis, Ind.

217

May 11, 1950

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

Gentlemen:

We are herewith transmitting for your consideration Appropriation Ordinance No. 7.

This ordinance reallocates certain funds appropriated in the 1950 budget and is necessary to provide payment for appraisal services and witness fees.

Respectfully submitted,

Indianapolis Redevelopment Commission

RICHARD H. OBERREICH
Executive Secretary

May 15, 1950

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

Gentlemen:

Transmitted herewith are 21 copies of Appropriation Ordinance No. 8, 1950, transferring, reappropriating and reallocating certain sums (Tax Levy) from a certain designated item and Fund in the Fire Pension Fund of the City of Indianapolis, as appropriated under the 1950 Budget, (G. O. No. 54, 1949) as amended, to a certain other item in the Fire Pension Fund.

I recommend the passage of this ordinance.

PHILLIP L. BAYT, City Controller.

May 3, 1950

Mr. Richard G. Stewart, City Clerk
City Hall
Indianapolis, Indiana

Dear Mr. Stewart:

Accompanying this letter are 22 copies of a proposed Ordinance which I would be pleased to have you present to the Council at the next meeting on behalf of the Department of Public Health and Hospitals. A resolution passed by the said Department of Public Health and Hospitals favoring the adoption of said Ordinance is, also, enclosed.

Thank you for your consideration.

Yours very truly,

HARRY T. LATHAM, JR.
Attorney for Department of Public
Health and Hospitals of the City of
Indianapolis

DEPARTMENT OF PUBLIC HEALTH AND HOSPITALS
RESOLUTION NO. 4, 1950

WHEREAS, the Department of Public Health and Hospitals of the City of Indianapolis, by virtue of the 1945 and 1947 Acts of the General Assembly, State of Indiana, is successor to all the rights, privileges and duties of the Board of Health of the City of Indianapolis and in the management and control of the General Hospital (formerly known as City Hospital), in said City, and

WHEREAS, it is the province of said Department to protect the mental health, as well as the physical health of the Health and Hospitals District under said Department's jurisdiction, and

WHEREAS, the Health Department, in performance of its duties relative to the protection and guarding of the mental health of said District, has discovered that there is now being sold in certain places of business by means of coin-operated vending machines

certain contraceptive devices in the nature of prophylactic rubber goods, and

WHEREAS, many of said places of business, particularly those places of business commonly known as filling stations, are open to the general public, minors as well as adults, and,

WHEREAS, it is the considered opinion of the Department of Public Health and Hospitals, acting by and through its Board of Directors, that the presence of said vending machines for the sale of said devices in said places of business open to the public, minors as well as adults, has a bad effect upon the mental health of the public, particularly minors and adolescents.

NOW, THEREFORE, BE IT RESOLVED by the Department of Public Health and Hospitals, acting by and through its duly authorized and constituted Board of Directors, that a penal ordinance be prepared for submission to and passage by the Common Council of the City of Indianapolis making it unlawful:

1. To sell by means of vending machines any contraceptive devices in the nature of prophylactic rubber goods or any other article for the prevention of venereal disease.
2. To make it unlawful for any person, firm, corporation, partnership or association, other than under the supervision of registered pharmacists or licensed physicians and in their regular places of business, to sell, offer for sale or give away in any manner, any contraceptive devices or prophylactic rubber goods.
3. To make it unlawful for any person, firm, corporation, partnership or association to sell to or permit the sale of any of said described articles by any minor under the age of 21 years.
4. To make it unlawful for any person, firm, corporation, partnership or association to display or expose for sale any of said articles or any containers or packages containing said articles or advertising said articles or advertising the sale thereof in any manner whatsoever.

BE IT FURTHER RESOLVED that a copy of this resolution, along with a copy of the proposed ordinance, be forwarded to the neces-

sary councilmanic authorities, and the Secretary of the Board is authorized and directed to take all steps and do all things necessary in accordance with this resolution.

Adopted this 7 day of April, 1950.

Department of Public Health and Hospitals
of the City of Indianapolis

FRANK G. LAIRD
KENNETH K. WOOLLING
FRANK M. GASTINEAU
SUMNER A. FURNISS
ROBERTA W. NICHOLSON

ATTEST:

Secretary

This is to certify that the above and foregoing resolution was duly adopted by the Department of Public Health and Hospitals of the City of Indianapolis, acting by and through its duly authorized and constituted Board of Directors, at its meeting held April-----, 1950, at the Indianapolis General Hospital.

CHAS. W. MYERS
Secretary

May 9, 1950

Honorable President and
Members of the Common Council
City of Indianapolis

Gentlemen:

We submit herewith General Ordinance No. 27, 1950.

This Ordinance establishes a Loading Zone at 130 East New York Street for loading and unloading merchandise. This should eliminate double parking and traffic congestion at this point, and provide an

May 15, 1950]

City of Indianapolis, Ind.

221

opportunity for the unloading of semitrailers, delivering merchandise twice each week.

Passage of this Ordinance is respectfully requested.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

May 9, 1950

Honorable President and
Members of the Common Council
City of Indianapolis

Gentlemen:

We submit herewith General Ordinance No. 28, 1950.

This Ordinance establishes time limit parking on both sides of South LaSalle Street from East Washington Street to Moore Avenue, excepting Sundays and holidays, between the hours of 7 a.m. and 6 p.m. Passage of this Ordinance is respectfully requested.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

May 10, 1950

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

Gentlemen:

Attached hereto are copies of General Ordinance No. 29, 1950, an ordinance to amend General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance.

The City Plan Commission, at its regular meeting May 8, 1950, after due public notice and public hearing, approved and recommended passage of this ordinance.

Respectfully submitted,

NOBLE P. HOLLISTER
Executive Secretary

May 11, 1950

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

Gentlemen:

In Re: General Ordinance No. 30, 1950

There is herewith transmitted for entry on your journal, copy of Parking Facility Resolution No. 3 duly adopted by the City Plan Commission, on May 8, 1950, and approved by the Board of Public Works on May 11, 1950. This resolution contains certain recommendations of said Plan Commission with respect to the purchase and permanent installation of parking meters on certain of the streets in the City of Indianapolis, Indiana.

There is also submitted herewith a suggested form of ordinance, incorporating by reference, said Parking Facility Resolution No. 3, which ordinance is recommended for passage by you.

Respectfully submitted,

ATTEST:

CITY PLAN COMMISSION

NOBLE P. HOLLISTER,
Secretary

By JACK B. KAMMINS
President

ATTEST:

BOARD OF PUBLIC WORKS

HENRY MUELLER
Executive Secretary

By EDWARD A. GARDNER
President

PARKING FACILITY RESOLUTION NO. 3

WHEREAS, the City Plan Commission of the City of Indianapolis has heretofore duly adopted, by its Parking Facility Resolution No. 1, as approved by the Board of Public Works & Sanitation on August 3, 1945, a certain master plan for the use of vehicle parking meters on certain designated streets of said City, with times and rates for such vehicle parking privilege therein set out, which resolution was in all things duly approved and adopted by the Common Council of said City by G. O. No.79, 1945, except as to the time limits of parking on certain streets, which time limits were changed in part, and,

WHEREAS, thereafter, said City Plan Commission temporarily modified, altered and amended, or repealed in part its prior Master Plan as established under Parking Facility Resolution No. 2 on May 23, 1949, approved by the Board of Public Works of said City on June 8, 1949, and approved and adopted by the Common Council of said City by G. O. No. 46, 1949, and,

WHEREAS, thereafter and pursuant to proper authority vested in the Board of Public Works of said City, said Board entered into a contract for the temporary trial installation and use of parking meters upon certain of the streets of said City as described in said Parking Facility Resolution No. 2, and,

WHEREAS, pursuant to said contract said parking meters were so installed, and have been in continuous use and operation since the 22nd day of September, 1949, and during such time opportunity has been had to study the effectiveness thereof in the regulation of the parking of vehicles on streets where said meters have been installed, and,

WHEREAS, it is the consensus of opinion of this Board that Parking Meters effectively promote and encourage the free flow of traffic in certain congested areas of the City by increasing available parking space and parking space turnover, and are therefore desirable and in the best interests of the City of Indianapolis and its citizens, **NOW THEREFORE BE IT RESOLVED** by the City Plan Commission of the City of Indianapolis as follows:

1. That it does hereby recommend to the Board of Public Works and the Common Council of said City, that parking meters of either

the manually operated or automatic types, or of both thereof, be purchased, as provided by law, and be installed permanently for the regulation of parking along the following described streets in the City of Indianapolis, Indiana, and for the following described manner of parking and limits of time and for the following rates of charges:

On both the east and west sides of Illinois Street between Vermont and Ohio Streets, and between Maryland Street and Jackson Place, North Drive; on the east side of Illinois Street between Pearl Street and Maryland Street, and on the west side of Illinois Street between Mobile and Louisiana Streets; on both the east and west sides of Meridian Street between Vermont and New York Streets; on the west side of Meridian Street between New York Street and Miami Street and between Maryland Street and Georgia Street, and on the east side of Meridian Street between Chesapeake Street and Georgia Street; on both the east and west sides of Pennsylvania Street between Vermont Street and New York Street; on the west side of Pennsylvania Street between Washington Street and Maryland Street, and on the east side of Pennsylvania Street between New York Street and Massachusetts Avenue; on both the east and west sides of Delaware Street between New York Street and Ohio Street and between Washington Street and Maryland Street; on the west side of Delaware Street between Ohio Street and Market Street, and on the east side of Delaware Street between Market Street and Washington Street; on both the north and south sides of Vermont Street between Meridian Street and Pennsylvania Street, and on the north side of Vermont Street between Illinois Street and Meridian Street; on both the north and south sides of New York Street between Illinois Street and Meridian Street and on the north side of New York Street between Meridian Street and Pennsylvania Street; on both the north and south sides of Maryland Street between Illinois Street and Delaware Street; on both the north and south sides of Georgia Street between Illinois Street and Meridian Street; and on both the north and south sides of Jackson Place North Drive between McCrea Street and Meridian Street, for a maximum time limit of one hour of parking.

On both the north and south sides of Ohio Street between Illinois Street and Delaware Street; on both the north and south sides of Jackson Place North Drive and on the north side of Jackson Place South Drive between Illinois Street and McCrea Street; on the east side of McCrea Street between Jackson Place North Drive and Louisiana Street; and on both the north and south sides of Louis-

iana Street between McCrea Street and Meridian Street, for a maximum time limit of thirty-six (36) minutes of parking.

On the east side of Pennsylvania Street between Virginia Avenue and Maryland Street, and both the southwest and northeast sides of Virginia Avenue between Washington Street and Maryland Street, on both the north and south sides of Market Street between Pennsylvania Street and Delaware Street, and on the east side of Delaware Street between Ohio Street and Market Street, for a maximum time limit of twenty four (24) minutes of parking.

On the west side of Pennsylvania Street between New York Street and Ohio Street, for a maximum time limit of twelve (12) minutes of parking.

2. That the actual location of parking meters within the above described areas shall be determined by the Board of Public Safety and Traffic Engineer with due allowance for proper clearance of alley and street intersections, fire hydrants, reserved loading zones and other necessary prohibitions and restrictions to parking, and that parallel to the curb parking is recommended throughout the described area with a minimum of twenty two (22) feet provided for each interior parking space and eighteen (18) feet for each end parking space.

3. That the recommended rates of charges shall be uniform and shall be at the rate of one (1) cent for each twelve (12) minutes of parking use provided, with appropriate limits prescribed in various locations, as determined by prevailing conditions.

4. That the actual number and the type and kind of meters to be purchased as herein recommended shall be determined and fixed by the Board of Public Works after proper investigation and survey.

5. That the master plan established under Parking Facility Resolution No. 1 and G. O. No. 79, 1945, as amended by Parking Facility Resolution No. 2 and G. O. No. 46, 1949, be further amended as herein provided.

BE IT FURTHER RESOLVED that a copy of this resolution, duly certified by the Secretary, be transmitted to the Board of Public Works of the City of Indianapolis, for its review and action, and that

it be then so certified and delivered to the Common Council to be spread upon its records.

City Plan Commission

By /S/ JACK B. KAMMINS
As Its President

Attest

/S/ NOBLE P. HOLLISTER
As Its Secretary

I hereby certify that the foregoing text of Parking Facility Resolution No. 3 is a true copy of the said resolution as approved and adopted unanimously by the City Plan Commission of the City of Indianapolis at its regular meeting May 8, 1950.

NOBLE P. HOLLISTER
Executive Secretary
City Plan Commission

Approved and adopted this 11th day of May, 1950.

/S/ EDWARD GARDNER
/S/ MARTIN McDERMOTT
/S/ CARL N. ANGST
/S/ STANLEY S. FEEZLE

BOARD OF PUBLIC WORKS

May 15, 1950

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

Gentlemen:

We submit herewith General Ordinance No. 31, 1950.

May 15, 1950]

City of Indianapolis, Ind.

227

This Ordinance establishes a Loading Zone, fifty (50) feet long at 107 South Capitol Avenue.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

May 15, 1950

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

Gentlemen:

We submit herewith General Ordinance No. 32, 1950.

This Ordinance reduces the present 4-cab taxicab stand to a 2-cab taxicab stand at 320-326 Indiana Avenue.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

May 15, 1950

Honorable President & Members
Common Council of the
City of Indianapolis

Gentlemen:

We submit herewith General Ordinance No. 33, 1950.

This Ordinance prohibits parking on the south side of Vermont Street

from the ECL of North West Street to the WCL of North East Street between the hours of 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m.

We respectfully request its passage.

Yours very truly,

BOARD OF PUBLIC SAFETY
L. J. Keach, President

May 12, 1950

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

Attached hereto are twenty-two (22) copies of Resolution No. 8, 1950, approving, confirming and ratifying a certain permit heretofore granted on May 8, 1950, by the Board of Public Works to Indianapolis Railways, Incorporated authorizing the use of certain streets in said City by Indianapolis Railways, Incorporated, for the operation of its trackless trolleys.

It is recommended that this Resolution be passed.

Respectfully submitted,

BOARD OF PUBLIC WORKS
By Henry Mueller
Executive Secretary

At this time those present were given an opportunity to be heard on General Ordinances Nos. 22, 24, 25, 1950.

Mr. Ross asked for recess. The motion was seconded by Mr. Ehlers, and the Council recessed at 6:45 P. M., CST.

The Council reconvened at 7:15 P. M., CST, with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., May 15, 1950

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. 22, 1950, entitled

AN ORDINANCE approving and authorizing the issuance, sale and delivery by the Housing Authority of any bonds, notes, interim certificates, debentures, or other obligations pursuant to Chapter 207, Acts of 1937, as Amended, in order to finance the corporate purposes of said Authority

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

JOSEPH A. WICKER, Chairman
JOSEPH C. WALLACE
GUY O. ROSS
J. PORTER SEIDENSTICKER
GEORGE S. LUPEAR

Indianapolis, Ind., May 15, 1950

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 General Ordinance No. 25, 1950, entitled

AN ORDINANCE to amend Sec. 1 of General Ordinance No. 117, 1946, amending General Ordinance No. 114, 1922 (as

amended), commonly known as the Zoning Ordinance (23rd and Warman Ave. on Cold Spring Rd.)

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

J. PORTER SEIDENSTICKER
 GEORGE S. LUPEAR
 JOS. A. WICKER
 CHAS. P. EHLERS
 DONALD B. JAMESON

Indianapolis, Ind., May 15, 1950

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

Gentlemen:

We, your Committee on Public Parks to whom was referred General Ordinance No. 24, 1950, entitled

AN ORDINANCE authorizing the Department of Public Parks to sell certain real estate belonging to the City (area bounded by Watson Road, Carrollton, 37th St. and Monon RR)

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

GEORGE S. LUPEAR, Chairman
 GUY O. ROSS
 JOSEPH C. WALLACE
 JOS. E. BRIGHT
 DONALD B. JAMESON

INTRODUCTION OF APPROPRIATION ORDINANCES

By the Redevelopment Commission:

APPROPRIATION ORDINANCE NO. 7, 1950

AN ORDINANCE appropriating, transferring and reappropriating and reallocating a certain sum (tax levy money) to a certain des-

ignated item and fund in the Department of Redevelopment as appropriated under the 1950 Budget (G. O. 54, 1949, as amended) and fixing a time when the same shall take effect.

WHEREAS, there is an extraordinary emergency existing for the appropriating, transferring, reappropriating and reallocating of certain funds in the Department of Redevelopment,

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

Section 1. That the following item and fund of the Department of Redevelopment, according to the 1950 Budget (G. O. 54, 1949, as amended) Classification be reduced in the total sum of Three Thousand and Five Hundred Dollars (\$3,500.00), to-wit:

REDUCE

DEPARTMENT OF REDEVELOPMENT

7. Properties	Tax Levy
73. Land and Improvements -----	\$3,500.00

And appropriate the sum of Three Thousand Five Hundred Dollars (\$3,500.00) from the anticipated, estimated and unappropriated 1950 balance of the Department of Redevelopment, thus created, and the same is hereby appropriated, transferred, reappropriated and reallocated in the amount hereinafter indicated. Said appropriation, transfer, reappropriation and reallocation being an emergency; there being sufficient funds by virtue of this reduction in said budget to meet this appropriation, and

APPROPRIATE TO:

SERVICES CONTRACTUAL

26. Services, Other Contractual	
26-4. Appraisals—Witness Fees -----	\$3,500.00

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 Finance.

By the City Controller:

APPROPRIATION ORDINANCE NO. 8, 1950

AN ORDINANCE appropriating, transferring, reappropriating and reallocating certain sums (Tax Levy) from a certain designated item and fund in the Fire Pension Fund of the City of Indianapolis, as appropriated under the 1950 Budget (G. O. 54, 1949, as amended) to a certain other item in the Fire Pension Fund.

WHEREAS, there is an extraordinary emergency existing for the transferring, appropriating, reappropriating and reallocating of certain funds from a certain budget item in the Fire Pension Fund to a certain other item in that fund.

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

Section 1. That the total sum of Two Hundred Twenty-Five Dollars, (\$225.00) now held in the following item and fund of the Fire Pension Fund according to the 1950 Budget, G. O. 54, 1949, as amended, classification to-wit:

FIRE PENSION FUND

3. SUPPLIES	TAX LEVY
36. Office Supplies -----	\$225.00

be and the same is hereby reduced and transferred therefrom, reappropriated and reallocated to the following designated item:

FIRE PENSION FUND

7. PROPERTIES	TAX LEVY
72. Equipment -----	\$225.00

Section 2. The above transfer and reappropriation 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 total 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 the Board of Public Health and Hospitals:

GENERAL ORDINANCE NO. 26, 1950

AN ORDINANCE prohibiting the sale of contraceptive devices in the nature of prophylactic rubber goods by means of vending machines; prohibiting the advertising or display of such goods; regulating the sale of said goods through professional channels and providing a penalty for violation.

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

Section 1. That it shall be unlawful for any person, firm, corporation, co-partnership or association to sell, offer for sale or give away through the medium of vending machines, contraceptive devices in the nature of prophylactic rubber goods or any other articles for the prevention of venereal disease.

Section 2. It shall be unlawful for any person, firm, corporation, co-partnership or association, other than a duly registered pharmacist, licensed physician or under the supervision of a registered pharmacist or licensed physician, and to be sold in their respective places

of business, to sell, offer for sale or give away in any manner, any sex inciting device or contrivance, contraceptive devices, prophylactic rubber goods or any other article for the prevention of venereal disease in the City of Indianapolis, except that the foregoing provision shall not apply to wholesale druggists or manufacturers who sell to retail drug stores or physicians only.

Section 3. That it shall be unlawful for any person, firm, corporation, co-partnership or association to sell any of said described articles to or permit the sale by any person under the age of 21 years.

Section 4. It shall be unlawful for any person, firm, corporation, co-partnership or association to display or expose for sale any of the above described articles or any containers or packages containing or advertising the same. It shall be unlawful to advertise the sale of said articles on any placards, billboards, handbills, newspapers, periodicals, signs or any other printed matter.

Section 5. Any person, firm, corporation, co-partnership or association violating any of the provisions of this Ordinance shall be fined not to exceed Three Hundred Dollars (\$300.00).

Section 6. This Ordinance is hereby declared to be necessary for the preservation of the public peace, morals, health and safety.

Section 7. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication as by law required.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 27, 1950

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) A loading zone beginning at the west building line of 130 East New York Street and extending 25 feet east on the north side of East New York Street, for the use and occupancy of the Lowe Bros. Company, 130 East New York Street.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 28, 1950

AN ORDINANCE regulating parking of vehicles on certain parts of a certain street in the City of Indianapolis, Indiana, and providing a penalty for the violation thereof, and fixing a time when the same shall take effect.

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

Section 1. It shall be unlawful for the operator of any vehicle to park the same or suffer, permit or allow the same to be parked for a longer period than one and one-half (1½) hours, between the hours hereinafter designated, upon a certain part of a certain street in the City of Indianapolis, Indiana, described as follows:

- (a) Both sides of South LaSalle Street from the South curb line of East Washington Street to the north curb line of Moore Avenue, between the hours of 7:00 o'clock A.M. and 6:00 o'clock P.M., excepting Sundays and holidays.

Section 2. Any person violating the provisions of this ordinance shall upon conviction, be fined in any sum not exceeding \$300.00 to which may be added imprisonment not exceeding 180 days.

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

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

By the City Plan Commission:

GENERAL ORDINANCE NO. 29, 1950

AN ORDINANCE to amend General Ordinance No. 114, 1922 (as amended) commonly known as the Zoning Ordinance of the City of Indianapolis, Indiana, 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 General Ordinance No. 114, 1922 (as amended), commonly known as the Zoning Ordinance of the City of Indianapolis,

Indiana, be and the same is hereby amended, supplemented and extended as to the U1 or Dwelling House District, A2 or 4800 Square Feet Area District, and H1 or 50 Feet Height District, so as to include the following described territory, to-wit:

Beginning at a point, said point being the intersection of the west property line of Hinesley Avenue and the north property line of the first alley north of West 52nd Street; thence south on and along the west property line of Hinesley Avenue to the present north property line of West 52nd Street; thence west on and along the north property line of West 52nd Street to the east line of Lot No. 944 in A. B. Carter's Amended Ninth Addition, an addition to the City of Indianapolis, as recorded in Plat Book 17, Page 78, in the office of the Recorder of Marion County, Indiana; thence south on and along said east line of Lot No. 944 extended southward, a distance of one hundred fifty-five (155) feet; thence west and parallel to the north property line of West 52nd Street to the corporation line of the City of Indianapolis on the east bank of the canal; thence northeasterly on and along said corporation line to a point fifty-five (55) feet south of the north property line of West 52nd Street extended westward; thence east to the east property line of Sunset Avenue extended southward; thence north on and along said extended east property line of Sunset Avenue to the north property line of West 52nd Street; thence east on and along the north property line of West 52nd Street to the east line of Lot No. 944; thence north on and along the east line of Lot No. 944 and said line extended northward to the north property line of the first alley north of West 52nd Street; thence east on and along the north property line of said alley to the place of beginning.

Section 2. This ordinance shall be in full force and effect upon and after its passage, approval by the Mayor and publication as required by law.

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

By the City Plan Commission and Board of Public Works:

GENERAL ORDINANCE NO. 30, 1950

AN ORDINANCE approving and adopting the City Plan Commission's Parking Facility Resolution No. 3, as concurred in by the Board of Public Works and submitted to this Common Council on May 15, 1950; authorizing, directing and empowering the Board of Public Works to proceed with the purchase and permanent installation of Parking Meters on certain of the streets in the City of Indianapolis, Indiana; providing for the operation, regulation, maintenance and repair of the same; establishing, defining and regulating the use of Parking Meter zones, rate charges, collection and disposition of fees; providing a penalty for violation hereof; repealing General Ordinance No. 79, 1945, as amended, General Ordinance No. 46, 1949, and all ordinances or parts of ordinances in conflict herewith; and providing a time when the same shall take effect.

WHEREAS, because of traffic conditions that have existed in certain sections of the City of Indianapolis, Indiana, the free movement of traffic therein has, for a long period of time, been congested and impeded; and

WHEREAS, efforts to regulate the traffic and parking in the aforesaid sections have been materially aided by the recent temporary installation of parking meters in said sections on a temporary and trial basis, pursuant to the terms and provisions of General Ordinances No. 79, 1945, as amended, and General Ordinance No. 46, 1949; and

WHEREAS, the City of Indianapolis, pursuant to the decision of the Supreme Court and under various statutes of the State of Indiana, is vested with the power and authority to regulate the standing or parking of vehicles upon its streets, by means of mechanical parking devices; and

WHEREAS, the City Plan Commission of the City of Indianapolis, having caused traffic surveys and studies to be made of the need, extent and locations required for parking meters in the City of Indianapolis, has recommended the purchase and permanent installation of parking meters of either the manually operated or automatic types, or of both thereof, upon certain designated streets and highways in said City, under its Parking Facility Resolution No. 3, which Resolution has been duly concurred in and approved

by the Board of Public Works of said City, and certified to the Common Council on May 15, 1950.

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

Section 1. That, as used in this ordinance, the following words, when the context does not otherwise indicate, shall have the meaning to-wit: The words "Parking Meter" shall mean and include any mechanical device or meter, not inconsistent with the provisions of this ordinance, which is placed or erected for the regulation of parking upon the public streets of the city by authority of this ordinance.

The word "vehicle" shall mean any conveyance upon or by which any person or property is designed to be transported upon a street or highway, except on rails or fixed tracks.

The word "person" shall include any individual, firm or corporation; and the masculine gender shall include the feminine and neuter genders; and the singular number shall include the plural number; in all instances when the context does not otherwise expressly indicate.

The words "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

The phrase "parking space" shall mean the space or the section of the street adjacent to the curb, painted and indicated by lines painted, or otherwise durably marked on the surface of the street adjacent or adjoining the parking meters.

Section 2. That the aforesaid preamble is incorporated herein by this reference thereto; and the City Plan Commission's Parking Facility Resolution No. 3, including plans and recommendations, all heretofore duly approved by the Board of Public Works, and certified to this Common Council on May 15, 1950, (as spread of record in its Journal of Proceedings for that date), should be and the same are hereby approved and adopted, and are incorporated herein by this reference thereto, and the parking meter zones as set forth in said Parking Facility Resolution No. 3, and the respective time limits as

thercin prescribed are hereby established and created, as follows, to-wit:

On both the east and west sides of Illinois street between Vermont and Ohio Streets, and between Maryland Street and Jackson Place, North Drive; on the east side of Illinois Street between Pearl Street and Maryland Street, and on the west side of Illinois Street between Mobile and Louisiana Streets; on both the east and west sides of Meridian Street between Vermont and New York Streets; on the west side of Meridian Street between New York Street and Miami Street and between Maryland Street and Georgia Street, and on the east side of Meridian Street between Chesapeake Street and Georgia Street; on both the east and west sides of Pennsylvania Street between Vermont Street and New York Street; on the west side of Pennsylvania Street between Washington Street and Maryland Street, and on the east side of Pennsylvania Street between New York Street and Massachusetts Avenue; on both the east and west sides of Delaware Street between New York Street and Ohio Street and between Washington Street and Maryland Street; on the west side of Delaware Street between Ohio Street and Market Street, and on the east side of Delaware Street between Market Street and Washington Street; on both the north and south sides of Vermont Street between Meridian Street and Pennsylvania Street, and on the north side of Vermont Street between Illinois Street and Meridian Street; on both the north and south sides of New York Street between Illinois Street and Meridian Street and on the north side of New York Street between Meridian Street and Pennsylvania Street; on both the north and south sides of Maryland Street between Illinois Street and Delaware Street; on both the north and south sides of Georgia Street between Illinois Street and Meridian Street; and on both the north and south sides of Jackson Place North Drive between McCrea Street and Meridian Street, for a maximum limit of one hour of parking.

On both the north and south sides of Ohio Street between Illinois Street and Delaware Street; on both the north and south sides of Jackson Place North Drive and on the north side of Jackson Place South Drive between Illinois Street and McCrea Street; on the east side of McCrea Street between Jackson Place North Drive and Louisiana Street; and on both the north and south sides of Louisiana Street between McCrea Street and

Meridian Street, for a maximum time limit of thirty-six (36) minutes of parking.

On the east side of Pennsylvania Street between Virginia Avenue and Maryland Street, and both the southwest and north-east sides of Virginia Avenue between Washington Street and Maryland Street, on both the north and south sides of Market Street between Pennsylvania Street and Delaware Street; and on the east side of Delaware Street between Ohio Street and Market Street, for a maximum time limit of twenty-four (24) minutes of parking.

On the west side of Pennsylvania Street between New York Street and Ohio Street, for a maximum time limit of twelve (12) minutes of parking.

Section 3. (a) That the actual location of parking meters within the above described limits shall be determined by the Board of Public Safety and the Traffic Engineer, with due allowance for clearance of alley and street intersections and of fire hydrants, reserved loading zones and other necessary prohibitions and restrictions to parking at various places.

(b) That parallel-to-curb parking shall be had throughout the entire parking meter areas, with a minimum of 22 feet provided for each interior parking space, and 18 feet for each end parking space.

(c) That the rate of charges for parking as fixed in each location, shall be in effect, wherever meters are installed, between the hours 8:00 o'clock A. M. and 6:00 o'clock P. M., C.S.T. daily, except Sundays and officially designated holidays.

(d) That the actual number of meters required and the location thereof in the various parking zones, with different time limits, shall be determined and recommended to the Board of Public Works, after due investigation, by the City Traffic Engineer and the Board of Public Safety.

(e) That the letting of any contract by the Board of Public Works, upon competitive bids, as required by law, for the permanent installation and purchase of any and all parking meters of either the

manually operated or automatic types, or of both such types, shall be approved by the Common Council, as required by law.

Section 4. That when parking spaces are indicated by painted, or otherwise durably marked lines upon the surface of the streets, and when parking meters are installed adjacent to and adjoining said respective parking spaces, no vehicle shall remain parked in the same space, after depositing the required amount, for a period longer than is designated on said adjacent parking meter; or shall be permitted to remain in such space after such initial time period has expired.

Section 5. That such parking meters shall be placed upon the curb, alongside of or adjoining or adjacent to and near the front end of the individual parking places to be designated as herein provided, and each said parking meter shall be so placed on the curb as to show or display a signal thereon indicating that such parking space is or is not then in use.

That each said parking meter shall be so adjusted and operated as to display a signal thereon indicating the period of time permitted for legal parking within the adjacent parking space, upon the deposit of either a five-cent, or a one-cent coin of the United States of America in said meter according as such particular period of time appears on the face of said meter, or as it may be hereafter prescribed and so indicated by any ordinance of the City of Indianapolis, Indiana;

That each meter, of whatever type, shall clearly indicate, at the time of depositing such coin, the specified limit in minutes of the parking time period thereby allowed and shall register the allotted time on its dial, or otherwise, and shall continue operation until the expiration of the time fixed by said schedules and ordinances relating to such particular parking space in the street adjacent to said meter, whereupon it shall clearly indicate by the mechanical operation of its dial, or otherwise, that the lawful parking period as so allotted has expired.

Section 6. That when any vehicle, during the time provided herein, shall be parked in any parking space so controlled by a parking meter, the driver or other occupant of such vehicle, or someone for him, upon entering the said parking space shall immediately deposit

a five-cent coin, or a one-cent coin of the United States of America, as may be there specified, in the parking meter alongside of or adjacent to said parking spaces and shall do such other things as the operation of the parking meter may require, and the said parking space may then be used by such vehicle for not exceeding the period of time designated on the face of the meter adjacent to that part of the street in which said parking space is located, and the using of such parking space by any vehicle after the expiration of such time limit, without depositing the required coin in said parking meter shall be a violation of this ordinance and be punishable as provided in Section 7 of this ordinance.

That, if any vehicle shall remain parked within said parking space for a continuous period beyond the parking time limit fixed by this ordinance for such parking space, and so paid for initially, the parking meter shall display a sign indicating "expired" or "illegal" parking, and then in that event, such vehicle shall be considered as parking overtime and beyond the time fixed now or hereafter by ordinance for such parking space, and the parking of any vehicle beyond such specified period of time, as now or hereafter fixed by ordinance, in any such portion of the street so controlled by a parking meter shall be construed as a violation of this ordinance and be punishable as hereinafter set out in Section 7 of this ordinance.

Section 7. That whenever a member of the Police Department of the City of Indianapolis, or other persons charged with the enforcement of this ordinance, shall find that any provision of this ordinance is being or has been violated by the owner or operator of any vehicle, such officer or person shall notify in writing such owner or operator thereof of such violation; such notice shall be made in triplicate and shall be serially numbered and show the specific violation charged, the state license number of such vehicle and the owner's name, or the name of such person operating the vehicle, if possible to obtain the same, and shall be signed by such officer or person, stating thereon his badge number; that one copy of such notice shall be presented to the owner or operator of such vehicle, if present, and in case such owner or such operator shall not be found in possession, or in charge of such vehicle, the posting of a copy of such notice or the attachment thereof in a conspicuous place on such vehicle shall be deemed sufficient notice of such violation.

That it shall be the duty of such officer or other person serving such notice to file one of the triplicate copies thereof in the office of the City Police Traffic Bureau at the close of the day's work, and he shall retain the third copy.

That the owner or operator of such vehicle who has been so notified of a violation of any provision of this ordinance, as herein provided, may within seventy-two hours after having been so notified, answer at the office of the Police Headquarters Traffic Department of the City of Indianapolis, Indiana, and may plead guilty in writing to the charge of such violation and pay the penalty or fine prescribed in this section; and the acceptance of such plea and fine shall be deemed complete satisfaction for the violation and the violator shall be given a receipt which so states.

That if said owner or operator of such vehicle shall so admit and plead guilty in writing to have violated any provision of this ordinance, he shall thereupon pay to the Traffic Department Clerk at Police-Headquarters, the sum of Two Dollars (\$2.00), or such other sum as may be hereafter prescribed by ordinance.

That whenever any person has been issued a notice, as provided in this section, for the violation of any provisions of this ordinance and shall fail or refuse to appear within seventy-two hours after service of such notice, at the office of the Traffic Department at Police Headquarters, or having appeared shall fail or refuse to plead guilty to such charge and pay the penalty or fine prescribed therefor, then it shall be the duty of the officer or other authorized person issuing such notice to file or cause to be filed in the municipal court an affidavit charging such person with the violation or violations specified in such notice, whereupon a summons shall be caused to issue to and be served upon such person to appear in said municipal court at a certain day and hour to answer said charge and stand trial for the same, and it shall further be the duty of such officer or other authorized person serving such notice to be present and assist in the prosecution of such charge, and upon conviction in said municipal court, or in any court of competent jurisdiction, such person shall be assessed with a penalty in any sum not exceeding one hundred dollars (\$100.00), to which may be added imprisonment in jail for not to exceed thirty days, for each offense with which he may be so charged.

That all penalties, fines or forfeitures collected upon conviction, or pleas of guilty, or upon forfeiture of bail, from or for any person

charged with a violation of any provisions of this ordinance, shall be paid to and accounted for by the City of Indianapolis, as are now or may be hereafter provided by law.

That in case the owner or operator of any such vehicle, upon receiving notice of any violation as herein provided, appears at the office of the Traffic Department at Police Headquarters within seventy-two hours, after the date and time set out in said notice and pleads guilty and pays said penalty of two dollars (\$2.00), then and in that case, the name of such owner or operator shall not be added to the records of traffic violators, or so reported, unless otherwise required by law.

Section 8. That any vehicle parked in any parking meter zone shall be parked with the hood or front of such vehicle closest to the parking meter adjacent to such parking space, and shall be parked within the lines marked on the street for such parking space as provided herein.

Section 9. (a). That the duties of and the responsibility for the operation, maintenance, upkeep and repair of all parking meters and equipment, including the collecting of the sealed coin cylinders or boxes, or other such devices, from the parking meters and the delivery of the same (with seals unbroken) to the City Controller, or to his duly authorized agent, shall be and the same are hereby vested in the Board of Public Works, which Board shall take all reasonable precautions for the safe handling of said monies so collected and transported under its direction and control, including the adequate bonding of such personnel as shall be engaged in such handling of said monies, if so deemed necessary or desirable by said Board.

(b) That the duties of and the responsibility for the enforcement of the provisions of this ordinance pertaining to such parking of vehicles shall be vested in the Board of Public Safety.

(c) That upon receipt of such sealed parking meter coin cylinders or boxes, or other such devices, the City Controller, or his duly authorized agent, shall break the seals, count the funds, and deposit the monies with the City Treasurer, to be credited to a special fund to be known as the "Parking Fund;" which fund shall be continuous and any balance therein shall not revert to the general fund of the city at the close of any calendar year, or other fiscal year fixed by

law. Expenditures from the "Parking Fund" shall be made in accordance with the provisions of Section 5, Chapter 237 of the Acts of the General Assembly of 1945, or as may be otherwise provided by law.

(d) The Board of Public Works is hereby authorized, if it deems it to be in the best interest of the public, to contract for the services of any reliable bonded express or messenger agency of established reputation to collect the sealed coin cylinders or boxes, or other such devices, from the parking meters and to open same and and count the coins contained therein, and to deliver all the coins so contained and counted to the City Controller for deposit by him in the "Parking Fund," or to perform any parts of such services.

Section 10. That it shall be unlawful for any person, not so authorized by the city, to deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking meter installed under the terms of this ordinance.

Section 11. That it shall be unlawful for any person to deposit, or cause to be deposited, in any parking meter any slug, device, or substitute for a genuine five-cent coin, or one-cent coin of the United States.

Section 12. That any person, firm or corporation, who shall violate any of the provisions of this ordinance, for which no specific penalty is herein otherwise provided, upon conviction therefor, and for each such offense, shall be assessed a penalty, or fine, in a sum not exceeding Three Hundred (\$300.00) Dollars, or by imprisonment in jail for not more than ninety (90) days, or by both such fine and imprisonment.

Section 13. That whenever a person is arrested for the violation of any section of this ordinance, for which no specific penalty is provided for such section, and such person is not immediately taken before the municipal court, the arresting officer shall prepare in triplicate a written notice for such person to appear in court, containing the name and address of such person, the license number of his vehicle, if any, the offense charged, and the time when such person shall appear in said court, which time so specified in such notice shall not be more than three days after such arrest.

That if the arrested person gives his written promise to appear in said court by signing in triplicate the written notice prepared by such arresting officer, he shall be temporarily released from custody and the original of said notice shall be retained by said officer and a copy thereof delivered to the person arrested, and the third copy shall be delivered to the clerk of the municipal court for such further proceedings as provided by law.

Section 14. That if any section, or provision, or parts thereof, of this ordinance shall be adjudged invalid or unconstitutional, and if the portions remaining shall be capable of enforcement, such invalidity or unconstitutionality shall not effect the validity of this ordinance as a whole, or of any other section or provision or part thereof.

Section 15. That General Ordinance No. 79, 1945, as amended, and General Ordinance No. 46, 1949, and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed, such repeal to be effective on August 1, 1950, EXCEPTING, however, all ordinances which regulate traffic on streets where parking is prohibited entirely, or except streets where parking in all or portions of any street is prohibited between certain hours of the day.

Section 16. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor; except those parts hereof providing for a penalty for any violations of this ordinance, which parts shall be in full force and effect only after the publication of this ordinance as required by law, and upon the effective date to-wit August 1, 1950, of the repeal of said ordinances set forth in Section 15 of this ordinance.

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 31, 1950

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Sec-

tion 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) A loading zone beginning at a point 25 feet south of the north building line of 107 South Capitol Avenue and extending 50 feet south on the east side of South Capitol Avenue, for the use and occupancy of the Liberty Building, 107 South Capitol Avenue.

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

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

By the Board of Public Safety:

GENERAL ORDINANCE NO. 32, 1950

AN ORDINANCE to amend Section 1, G. O. 57, 1946 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 of G. O. No. 57, 1946, be and is hereby amended and changed to read as follows:

“Begin at 135 feet Northwest of the northwest curb line of Indiana Avenue and New York Street and extend a distance of 36 feet on the Southwest side of Indiana Avenue—2 cab stand”.

Section 2. This Ordinance shall be in full force and effect upon 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 Safety.

By the Board of Public Safety:

GENERAL ORDINANCE NO. 33, 1950

AN ORDINANCE prohibiting and regulating parking on a certain part of a certain street in the City of Indianapolis, providing a penalty for the violation thereof; and fixing a time when the same shall take effect.

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

Section 1. That is shall be unlawful for the operator of a motor vehicle to park the same or suffer, permit or allow the same to be parked at any time upon a certain part of a certain street in the city of Indianapolis, described as follows:

South side of Vermont Street from the East curb line of North West Street to the West curb line of North East Street, between the hours of 7 A.M. to 9 A.M. and from 4 P.M. to 6 P.M. except Sundays and holidays.

Section 2. Any person violating the provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars, (\$300.00) to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval by the mayor and publication according to law.

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

INTRODUCTION OF RESOLUTIONS

By the Board of Public Works:

RESOLUTION NO. 8, 1950

A RESOLUTION, approving, confirming, and ratifying a certain permit granted by the Board of Public Works of the City of Indianapolis by its written order on May 8, 1950, to Indianapolis Railways, Incorporated, under and pursuant to the provisions of the agreement entered into by the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as amended and approved by General Ordinance No. 40, 1936:

WHEREAS, in the agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, amended and approved by General Ordinance No. 40, 1936, said city granted to Indianapolis Railways, Incorporated, subject to the terms and conditions therein set forth, the right to erect and maintain poles, feeder lines, trolley wires and other structures necessary to the operation of trackless trolley cars on certain streets and parts of streets named and designated in said agreement, together with such other streets and parts of streets as may from time to time by the Board of Public Works by its written orders be permitted to be used by Indianapolis Railways, Incorporated, for the operation of trackless trolley cars, subject to approval of such permits by the Common Council, and to use such streets and parts of streets for transportation of passengers by means of trackless trolley cars; and

WHEREAS, pursuant to said provisions contained in said agreement, as amended and approved by said General Ordinance No. 40, 1936, for the use of additional streets and parts of streets by Indianapolis Railways, Incorporated, for said trackless trolley operation, under the terms and conditions of said agreement, the Board of Pub-

lic Works did on May 8, 1950, subject to approval by the Common Council, by written order grant to Indianapolis Railways, Incorporated, the following permit contained in the following order, to-wit:

ORDER BY THE BOARD OF PUBLIC WORKS
OF THE CITY OF INDIANAPOLIS

Entered May 8, 1950

BE IT REMEMBERED That on May 8, 1950, the Board of Public Works of the City of Indianapolis, Indiana, considered the petition of Indianapolis Railways, Incorporated, for an order of the Board authorizing petitioner to use for the operation of trackless trolley cars the following streets and parts of streets in the City of Indianapolis, Indiana.

East Washington Street from Alabama Street to Elizabeth Street, and Elizabeth Street from Washington Street to a point approximately 131 feet north thereof.

under and pursuant to the terms of the agreement dated May 25, 1936 between the City of Indianapolis, by and through this Board, and Indianapolis Railways, Incorporated, and approved, with amendments, in General Ordinance No. 40, 1936, in which petition it appears that petitioner desires to discontinue streetcar service on its East Washington Street line and to substitute trackless trolley service thereon in connection with a proposed improvement of East Washington Street by the State Highway Commission of Indiana; and the Board being duly advised in the premises now finds that said discontinuance of street car service and substitution of trackless trolley service on said East Washington Street line will facilitate the flow of traffic on East Washington Street and is in the public interest.

IT IS THEREFORE HEREBY ORDERED That Indianapolis Railways, Incorporated be, and hereby is, authorized and permitted to use for the operation of trackless trolleys the following streets and parts of streets in the City of Indianapolis, Indiana:

East Washington Street from Alabama Street to Elizabeth Street, and Elizabeth Street from Washington Street to a point approximately 131 feet north thereof.

and is further authorized and permitted, for the purpose of such trackless trolley operation, to erect such poles, overhead wires and switches, and other structures on said streets as are necessary or desirable for such operation, said construction and said operation of trackless trolley cars to be made and done under and pursuant to the terms and provisions of said agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, and approved with amendments by General Ordinance No. 40, 1936, of the City of Indianapolis; Provided, however, that no portion of said street shall be used for said construction or for said trackless trolley operation unless and until said use is approved by the Common Council of the City of Indianapolis, as required under the term of said contract.

Dated May 8, 1950.

BOARD OF PUBLIC WORKS OF
THE CITY OF INDIANAPOLIS

By /S/ EDWARD A. GARDNER
/S/ CARL N. ANGST
/S/ MARTIN McDERMOTT
/S/ STANLEY S. FEEZLE

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

That the Common Council does hereby in all things approve, confirm and ratify the permit granted on May 8, 1950, by the Board of Public Works to Indianapolis Railways, Incorporated, as contained in said order; Provided, that the use by Indianapolis Railways, Incorporated of the portion of the street covered by said permit for the aforesaid purpose shall in all things be subject to, and in accordance with, all of the terms, conditions and provisions of the aforesaid agreement between the City of Indianapolis and Indianapolis Railways, Incorporated, dated May 25, 1936, as the same is amended and approved in said General Ordinance No. 40, 1936.

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

ORDINANCES ON SECOND READING

Mr. Wicker called for General Ordinance No. 22, 1950 for second reading. It was read a second time.

Mr. Wicker presented the following motion to amend General Ordinance No. 22, 1950:

Indianapolis, Ind., May 15, 1950

Mr. President:

I move that General Ordinance No. 22, 1950, be amended by striking out

Section 1

and inserting in lieu thereof the following:

“Section 1. That said written application of said Authority, which said application is in the words and figures as follows, to-wit:

(Here insert)

(See letter addressed to the Common Council found on page 126 of the March 20, 1950, Council Proceedings.)

be, and the same is hereby approved and granted and that said Authority shall be and is hereby authorized, to borrow money and to issue, sell and deliver its bonds, notes, interim certificates, debentures or other obligations as security for the money so borrowed. Said bonds, notes, interim certificates, debentures or other obligations issued, sold and delivered by said Authority shall be in the form and in the amounts as shall be determined by resolution of said Authority, providing that said obligations shall not exceed in the aggregate the total sum of \$300,000 as set out in the approved application for preliminary loan, and provided further that no such bonds, notes, interim certificates, debentures or other obliga-

tions so issued hereunder shall be obligations of the City of Indianapolis.

JOS. A. WICKER,
Councilman.

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

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, General Ordinance No. 22, 1950, As Amended was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 22, 1950, As Amended was read a third time by the Clerk and passed by the following roll call vote:

Ayes 8, viz: Mr. Bright, Mr. Ehlers, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Noes 1, viz: Mr. Jameson.

Mr. Seidensticker called for General Ordinance No. 25, 1950 for second reading. It was read a second time.

On motion of Mr. Seidensticker, seconded by Mr. Lupear, General Ordinance No. 25, 1950 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 25, 1950 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

Mr. Lupear called for General Ordinance No. 24, 1950 for second reading. It was read a second time.

On motion of Mr. Lupear, seconded by Mr. Seidensticker, General Ordinance No. 24, 1950 was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 24, 1950 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

MISCELLANEOUS BUSINESS

The Council reverted to the previous order of business.

Mr. Wallace moved that the rules be suspended for further consideration and passage of Resolution No. 8, 1950.

The motion was seconded by Mr. Seidensticker and carried by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

The rules were suspended.

COMMITTEE REPORT

Indianapolis, Ind., May 15, 1950

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 Resolution No. 8, 1950, entitled

A RESOLUTION approving, confirming, and ratifying a permit granted by the Board of Public Works to Indianapolis Railways, Incorporated authorizing the use of Washington Street from Alabama St. to Elizabeth and Elizabeth St. from Washington to a point approximately 131 feet north thereof for the operation of its trackless trolleys

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

JOSEPH C. WALLACE, Chairman
GUY O. ROSS
GEORGE S. LUPEAR
JOS. E. BRIGHT
DONALD B. JAMESON

ORDINANCE ON SECOND READING

Mr. Wallace called for Resolution No. 8, 1950 for second reading. It was read a second time.

On motion of Mr. Wallace, seconded by Mr. Seidensticker, Resolution No. 8, 1950 was ordered engrossed, read a third time and placed upon its passage.

Resolution No. 8, 1950 was read a third time by the Clerk and passed by the following roll call vote:

Ayes 9, viz: Mr. Bright, Mr. Ehlers, Mr. Jameson, Mr. Lupear, Mr. Ross, Mr. Seidensticker, Mr. Wallace, Mr. Wicker, President Emhardt.

On motion of Mr. Wicker, seconded by Mr. Seidensticker, the Common Council adjourned at 7:25 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 15th day of May, 1950, 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.



ATTEST:

President.



(SEAL)

City Clerk.

May 15, 1950

City of Indianapolis, Ind.

259

