

of the above mentioned properties and the payment of the cost of publication hereof.

Passed May 12, 1941.

WYATT L. MILLIKIN,  
President pro tem. of Council.

Approved May 12, 1941.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

**AN ORDINANCE No. 309-41**—To vacate a portion of Seventh avenue herein described.

Whereas, a petition, signed by the owner of all lots and lands abutting upon Seventh avenue, extending from the west line of Grandview avenue to the east line of the first alley west of Grandview avenue and from the west line of said first alley west of Grandview to the east line of a two-foot reserve owned by Wm. T. Shaw, was duly presented to this council, praying and consenting that said street, between the limits named, be vacated, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for and that it will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That Seventh avenue, extending from the west line of Grandview avenue to the east line of the first alley west of Grandview avenue and from the west line of said first alley west of Grandview avenue to the east line of a two-foot reserve owned by Wm. T. Shaw, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and other public utilities owned by said city and that the right is reserved to operate any and all other public utilities, if any, now existing on or in said street to be vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law upon the acceptance, in writing, of each and all of the terms and provisions of this ordinance by the owner of the above mentioned property and depositing with the city engineer's office a sum of money sufficient to cover the cost of removing the pavement and curbing at the west side of the intersection of Seventh avenue with Grandview avenue, rebuilding the catchbasins and replacing the straight curbing and sidewalk, and the payment of the cost of publication hereof.

Passed May 12, 1941.

WYATT L. MILLIKIN,  
President pro tem. of Council.

Approved May 12, 1941.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

**AN ORDINANCE No. 310-41**—To vacate the alley west of Ohlen avenue extending from the alley north of Fifth avenue to Yoeman street.

Whereas, a petition, signed by the owner of all lots and lands abutting upon the alley west of Ohlen avenue extending from the alley north of Fifth avenue to Yoeman street, was duly presented to this council, praying and consenting that said alley, between the limits named, be vacated, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for and that it will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the alley west of Ohlen avenue extending from the alley north of Fifth avenue to Yoeman street, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and other public utilities owned by

to operate and maintain any and all other public utilities, if any, now existing on or in said alley to be vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law upon the acceptance, in writing, of each and all of the terms and provisions of this ordinance by the owner of the above mentioned property and the payment of the cost of publication hereof.

Passed May 12, 1941.

WYATT L. MILLIKIN,  
President pro tem. of Council.

Approved May 12, 1941.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

**AN ORDINANCE No. 311-41**—To grant permission to Edward E. Smotkin to cause the improvement of Joyce avenue from Hudson street to a point north of the north line of Arlington avenue.

Whereas, Edward E. Smotkin is contemplating the construction of dwellings abutting on Joyce avenue as a part of the national defense housing program, and

Whereas, an emergency exists in that the construction of such dwellings cannot proceed until such time as improvements are made to said Joyce avenue; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That, subject to the terms and conditions hereinafter stipulated, the right and privilege be and it is hereby granted to Edward E. Smotkin, 61 Goodale street, to cause the improvement of Joyce avenue, from Hudson street to a point north of the north line of Arlington avenue, by grading, constructing storm sewers, together with the necessary drainage facilities, laying water main and water services, installing fire hydrants, constructing a 6 inch compacted waterbound macadam base course, together with a 2 inch bituminous concrete wearing surface, and by constructing concrete curbs and gutters, all in accordance with the plans and specifications marked drawer D-1175, on file in the office of the director of public service, which are hereby approved.

Said Edward E. Smotkin shall pay the entire cost of such improvement, shall save the city of Columbus free and harmless from any and all claims for damages arising or growing out of said improvement and shall defend at his own cost any and all suits which may be brought against the said city because of such improvement.

The cost of repaving over trenches in the existing roadway shall be borne by said Edward E. Smotkin and such repaving shall be done to the entire satisfaction of the chief engineer of said city.

Said Edward E. Smotkin shall execute a written agreement with the division of water of the city of Columbus, Ohio, covering the cost of purchasing and laying water mains and water services and shall deposit with the city treasurer, to the credit of the maintenance and repair No. 65—Joyce avenue, Hudson street to a point north of the north line of Arlington avenue fund, the sum of \$500 to cover the cost of inspection and incidental expense, and in addition thereto shall deposit a sum of money sufficient to cover the cost of purchasing materials necessary and labor performed in installing fire hydrants, and shall at his own expense purchase the necessary fire hydrants in accordance with specifications approved by the division of fire of said city.

Sec. 2. That the grade of said street shall be established as of record on plan marked drawer D-1175, on file in the office of the chief engineer.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and

ever, that said Edward E. Smotkin shall agree, in writing, to the terms and conditions of this ordinance immediately upon passage and shall pay the cost of publication thereof, otherwise said ordinance shall be without force and effect.

Passed May 12, 1941.

WYATT L. MILLIKIN,  
President pro tem. of Council.

Approved May 12, 1941.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

**AN ORDINANCE No. 312-41**—To amend section 772 of chapter XII—board of purchase—of the Columbus Code of 1930 and to repeal said original section 772.

Be it ordained by the council of the city of Columbus:

Section 1. That section 772 of chapter XII—board of purchase—of the Columbus Code of 1930, be amended to read as follows:

"Sec. 772. Emergencies. In case of any emergency the board of purchase may buy or contract without compliance with the above provisions, but in such instance a report reciting the emergency shall appear on the face of the requisition showing the quantity, kind, quality and price of the article or work purchased or contracted for and from whom.

In the event a breakdown or damages occur to any piece of machinery, equipment or motor vehicle, belonging to or operated by the city of Columbus, in the night time or at a time when it is impracticable to contact the board of purchase with reference thereto, and it is immediately necessary to repair the same for the preservation of public property or the continuance of essential services, the superintendent, or his assistant, in charge of any department or division in which such repairs are being made, may purchase in the name of the city any necessary parts or supplies therefor not to exceed two hundred fifty dollars. If any parts or supplies are so purchased, the superintendent, or his assistant, making same shall, on the next succeeding working day, report such purchase to the secretary of the board of purchase who shall check the same and, if found correct, approve the bill therefor which shall then be vouchered and paid in the usual way."

Sec. 2. That original section 772 of chapter XII—board of purchase—of the Columbus Code of 1930, be and the same is hereby repealed.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 12, 1941.

WYATT L. MILLIKIN,  
President pro tem. of Council.

Approved May 12, 1941.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

**AN ORDINANCE No. 313-41**—To amend section 971 of subdivision 20—vehicles—of the Columbus Code of 1930 as amended by ordinance No. 489-38, passed October 10, 1938.

Be it ordained by the council of the city of Columbus:

Section 1. That section 971 of subdivision 20—vehicles—of the Columbus Code of 1930, as amended by ordinance No. 489-38, passed October 10, 1938, be and the same is hereby amended to read as follows:

Sec. 971. VIOLATIONS. That the owner of any vehicle who uses the same, or permits the same to be used, upon the streets of said city of Columbus, Ohio, without having obtained a license therefor in accordance with the provisions of this subdivision, or without having displayed upon such vehicle the license tag or plate of identification in the manner prescribed, shall be guilty of an offense and upon conviction thereof shall be punished as hereinafter provided.