

EXECUTIVE MEETING
M. MAYOR AND COUNCIL
October 16, 1950

The meeting was called to order at 8:10 P. M. Those present: Mayor Beville, Councilmen Eccleston, McClenon, Nies, Perring. Councilman Oosterhous and Councilman Parkhill reported late. Absent: Councilman Klink.

In regard to the laying of sidewalk on Lincoln Avenue between Carroll and Jackson Avenues, Councilman Nies moved that the contract for the laying of the sidewalk be award to the F. O. Day Co and the Public Works Department put in the retaining walls and move the hedge.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

After a continued discussion on the above same matter the the above motion was withdrawn and the following motion made:

Councilman Nies moved that the sum of \$350.00 be appropriated for the purpose of excavating and grading for the additional sidewalk on Lincoln Avenue, the installation of which to be at the rate of \$3.60 per sq. yard.

Councilman Oosterhouse seconded the motion.

Upon being put to question the motion was carried.

Councilman Nies read communication from Mrs. Robertson of the Takoma Park Library Association in which she asked the City to hard surface the driveway located on the Library grounds.

Councilman McClenon moved that the Council authorize the Public Works Department to do the resurfacing, at such time that would not interfere with any urgent matter of theirs, provided the Library furnish the material.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

Councilman Nies presented Bids for the purchase of three heaters and the installation of same for the gymnasium at the Fire House. Following a discussion on this problem Councilman Nies moved the adoption of the following ordinance for the purchase of three (3) heaters:

ORDINANCE NO. 1020

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT the Bid from the Trane Company, 3121 South St., N.W. Washington, D.C. in which they agree to furnish two (2) Trans #G2 unit heaters with louver fin difusses and one (1) Trane G5L gas unit heater as per specifications, in the amount of \$633.65 for installation in the gymnasium located in the Fire House in the City of Takoma Park is accepted and they are hereby authorized to proceed to furnish these heaters.

Councilman Eccleston seconded the motion.

The motion was carried with a roll call vote recorded as follows: Councilmen Eccleston, McClenon, Nies, Oosterhous, Perring and Parkhill. Nays: none Absent: Councilman Klinck.

Councilman Nies moved the adoption of the following ordinance for the installation of the heaters in the gymnasium at the Fire House:

ORDINANCE NO. 1021

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT the Bid of the Stewart Bainum Company, 6980 Maple Street, N.W. Washington, D.C. in the amount of \$980.00 for the hanging of three (3) gas fired unit heaters, placing gas fired steam radiator, furnish and install gas piping, wiring motors and thermostats for three unit heaters and furnish and install flue vents of an approved type, in connection with the renovation of the gymnasium located in the Fire House in the City of Takoma Park in accordance with the plans and specifications of our Public Work Department is accepted and they are hereby authorized to proceed to furnish this work and material.

Section 2. AND FURTHER, that the Stewart Bainum Company be required to furnish the necessary Performance Bond to insure that this work shall be performed in a workmanship-like manner and the materials ne furnished in accordance with the specifications.

Councilman Eccleston seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilman Eccleston, McClenon, Nies, Oosterhous, Perring and Parkhill. Nays: none Absent: Councilman Klinck

Councilman Nies moved that the City purchase the flags, amounting to \$30.00 which were purchased by the Takoma Park Independence Day Committee for the 4th of July Celebration.

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

Councilman Nies, chairman of the Finance Committee presented a report of the first quarters expenditures in comparison with the amount allowed for one quarter of the Budget, which in most cases showed a deficit. After quite a lengthy discussion of this report Mayor Beville stated that according to the report we have expended approximately 35%, but in view of the fact that this is made up of capital expenditures which were expended during the first quarter and will not recur, the City is in good financial standing.

CIVIC IMPROVEMENT COMMITTEE: Councilman Oosterhous read communication from Attorney R. Edwin Brown, who is representing Mr. Earl Wilson, 120 Albany Avenue, in regard to the petition for permission to continue to operate this dwelling as a nurshing home.

After a discussion on this matter Councilman Oosterhous moved that a letter be written to Attorney Brown in answer to his communication.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

LAW AND ORDINANCE: Councilman McClenon mentioned items to be considered for amendment in the City Charter at a later date.

Councilman McClenon moved that we recommend the amendment to the section 1193 (H) and 1198 (G) of the charter in regard to wherever "a vote of the taxpayers" appears to be changed to "the registered voters of the City".

Councilman Oosterhous seconded the motion.

Upon being put to question the motion was carried.

PARKS AND PLAYGROUNDS: Upon submitting a modified plan of Spring Park, which was briefly discussed, Councilman Eccleston moved that Public Works Department be authorized to draw up specifications which can be furnished to prospective bidders in relation to the renovation of Spring Park.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

PUBLIC SAFETY: In regard to petition referred to Public Safety Committee regarding the reduction of speed on Maple Avenue, Councilman Perring requested that letter be written to Mrs. Brooke advising that this matter was still under study and that a definite decision would be reached in the near future.

Councilman Perring brought up the question for the recommendation of making Hopewell Avenue one-way, North, from Kentland to Larch Avenues and Larch Avenue from Hopewell to New Hampshire Avenue and moved the adoption of the following Ordinance:

ORDINANCE NO. 1022

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT Hopewell Avenue North from Kentland to Larch Avenues and Larch Avenue from Hopewell to New Hampshire Avenue be made on-way.

Section 2. AND that the Public Works Department is hereby authorized to proceed with the erection of necessary signs.

Section 3. AND FURTHER, that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Nies seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Nies, Perring, Oosterhous, and Parkhill. Councilman McClenon abstained. Absent: Councilman Klinck

In regard to the Mutual Aid Plan for Fire Departments as explained in a communication from Chief McBride, Councilman Perring moved the adoption of the following resolution.

RESOLUTION

WHEREAS, The Commissioners for the District of Columbia by an Act of Congress are authorized to enter into a Metropolitan Area Mutual Aid Plan for Fire Departments, and

WHEREAS, the Mayor and City Council of the City of Takoma Park desire to enter into such Mutual Aid Plan with the District of Columbia, believing it to be in the public interest to make such arrangement, which will give to the citizens of the City of Takoma Park the maximum fire protection; now, therefore,

BE IT RESOLVED, that the Chief of the Fire Service of the City of Takoma Park be, and he is hereby, authorized to enter into an agreement with the Commissioners of the District of Columbia on behalf of the City of Takoma Park, covering Mutual Aid between the District of Columbia Fire Department and the City of Takoma Park Fire Department, provided said agreement authorized shall be in accordance with the rules and regulations covering the Fire Service of the City of Takoma Park.

Councilman Nies seconded the motion.

Upon being put to question the motion was carried.

✓ Councilman Perring reported attending a Civil Defense Meeting and briefly outlined the Civil Defense program as set forth for this area. He also informed the Council that there would be a similar meeting for the District on Tuesday, October 17, 1950 at 2:00 P. M. and extended an invitation to the Mayor, Chief of Police and Chief of Fire Department and Mr. John Coffman to attend this meeting.

PUBLIC WELFARE: Councilman Parkhill asked Mr. Hilliard to read the communication from Mr. Harold J. Seeley, regarding the injury of his daughter Barbara while playing on the North Takoma Playground and asked that the City reimburse him for the doctor bills, amounting to \$20.00. This was referred to Corporation Counsel for consideration.

Councilman Parkhill requested that the Council authorize the City Clerk to write a letter of thanks and appreciation to the Volunteer Fire Board for the use of their recreation room in the Fire House for the buffet supper given the Montgomery Junior College on October 12, 1950.

No further business to come before the Council upon motion properly seconded and carried, the meeting adjourned at 10:30 P.M.

Handwritten signature: Harold J. Seeley - Mayor

Handwritten signature: Harold J. Hilliard

REGULAR MEETING
MAYOR AND COUNCIL
October 23, 1950

The meeting was called to order at 8:10 P. M. Those present: Mayor Beville, Councilmen Eccleston, Klinck, McClenon, Nies, Parkhill and Perring. Councilman Oosterhous reported late. Absent: none

Councilman Eccleston moved that we dispense with the reading of the minutes of September 25, 1950 and October 16, 1950 and moved that they be accepted with exception of corrections as presented by Councilmen Eccleston and McClenon.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

The Clerk and Treasurer presented the Financial Statement for the month of September as follows:

FINANCIAL STATEMENT

8/31/50 Cash on hand:
Citizens Bank
Sub. Nat'l. "

104,277.16
11,755.44
116,032.60

Receipts to
Sep. 30, 1950

Estimated
Budget to
6/30/51

REVENUES

General Taxes	17,410.38			
Less Disc.	<u>130.95</u>	17,279.43	169,906.14	93,573.86
Licenses & Permit		669.29	10,757.59	9,407.41
Fines & Forfeitures		12.00	24.00	1,176.00
Use of Money & Property		0.00	0.00	210.00
Revenues from other sources		10,301.84	11,045.46	4,559.54
Service charges for current services		<u>0.00</u>	<u>28,262.56</u>	<u>229.50</u>
			144,295.16	191,962.69
				109,847.31

		<u>Receipts to Sep. 30, 1950</u>	<u>Estimated Budget to 6/30/51</u>
<u>DISBURSEMENTS</u>			
General Government	4,475.01	9,107.51	18,865.49
Police Department	3,922.65	14,404.91	32,616.09
Fire Department	3,259.30	13,386.84	20,893.16
Street Department	6,306.18	21,225.52	45,319.48
Sanitation Department	14,909.12	26,195.88	52,334.12
Recreation	6,752.12	9,995.92	8,334.08
Miscellaneous	<u>2,236.31</u>	<u>4,186.69</u>	<u>5,265.81</u>
9/30/50 Cash on Hand		102,434.47	99,582.39
9/30/50 Balance Citizens Bank	90,094.57		
9/30/50 " Sub. Nat'l. "	<u>12,339.90</u>		
9/30/50 " Both banks		102,434.47	

COMMUNICATIONS: Mr. Hilliard stated that there had been no further notification as to the approval or disapproval of a care home at 120 Albany Avenues, but reported that he had received notification that the Care Homes at 11 Philadelphia Ave. and 404 Holly Ave. had been approved. He also presented four new petitions for the renewal to continue to operate nursing homes at the following places;

- Case #490 Mrs. Miriam E. Roth, 45 Poplar Ave.
- Case #972 Mrs. Lillian I. Ralls, 260 Maple Ave.
- Case #973 Mrs. Lillian I. Ralls, 100 Baltimore Ave.
- Case #978 Mrs. Gladys Scott Wakefield, 716 Hudson Ave.

He further stated that a hearing on these new petitions would be held by the Board of Zoning Appeals at the County Building, Bethesda, Md. on October 26, 1950.

Letter from Milton Kramer, President of Hampshire Greens Community Association regarding police services in Prince George's County outside the limits of Takoma Park that are furnished by the Takoma Park Police Department. Referred to Public Safety Committee.

Letter from Thomas F. Hicks, President, Sligo Park Terrace Citizens Association in which he asked for traffic signs in order to furnish better protection to the "Children at Play". Referred to Public Safety Committee.

Letter from Mrs. Dorothy F. Moffett, Secretary, East Takoma Citizens Association, in which she stated that the association had passed a motion recommending that the City Council take action to induce the unincorporated areas adjacent to the City where fire protection is regularly rendered to pay a fire tax for the benefit of the Takoma Park Fire Department. Referred to Public Safety Committee.

Letter from Luke J. Bennett, Jr., President Community League asking that a public hearing on the renumbering and renaming of streets be held. It was announced that this had already been taken care of.

Petition with 36 signatures requesting that signs be placed on Philadelphia Avenue in the vicinity of Birch and Holly Avenues warning motorists of a school zone. Referred to Public Safety Committee.

Mayor Beville stressed the importance of everyone attending the hearing on the renumbering of the streets in Takoma Park to be held on November 16, 1950 at 8:00 P. M. at the Takoma Park Junior High School.

OPEN MEETING: Mr. James Arrowsmith, 414 Lincoln Avenue addressed the Council asking that the damage to the street within his vicinity be repaired.

Mrs. Newton Brooke, 119 Maple Avenue, addressed the Council thanking them for the prompt attention they took in considering the matter of speed on Maple Avenue and asked if any definite decision had been made. Councilman Perring answered by stating that this matter was under careful consideration.

Mt. T. F. Hicks, 7211 Central Avenue, addressed the Council, requesting that proper signs be erected to protect the children at play, in order to ward off a tragedy. Councilman Perring answered by stating that it has been our experience in the past that such signs do not accomplish what we are after.

Mr. Lester Rubin, 7206 Garland Avenue, addressed the Council in regard to the speed on Garland Avenue from Sligo Parkway and suggested that warning signs be placed at the bridge.

Mr. Rupert Dunn, 616 Albermarle Avenue addressed the Council in regard to the various requests for signs to be placed throughout the City as warning to motorists regarding children at play and stated that it was his experience in the County that such signs had no effect whatsoever on a citizen's driving, but he did advocate placing speed signs throughout the City.

Mrs. Dorothy Cole, 7115 Garland Avenue addressed the Council also requesting that proper signs be placed to insure safety to children at play inasmuch as there are no playgrounds within the area of Garland Avenue and Sligo Parkway, and therefore, the children are compelled to play in the streets.

Mr. T. F. Hicks, 7211 Central Avenue addressed the Council asking if it would be permissible for the Citizens Associations to erect their own signs. Mayor Beville answered by saying if the Council had no objections this might be permitted but at any rate this would be brought up more fully at the Executive Meeting and invited him to remain for this session if he so desired.

EXECUTIVE MEETING:

PUBLIC SAFETY COMMITTEE: Councilman Perring recommended that the proper signs be erected on Philadelphia Avenue in the vicinity of Holly and Birch Avenues indicating safety within a school zone, as requested in petition submitted to the council and signed by 36 citizens.

Councilman Perring moved the adoption of the following Ordinance in connection with erecting stop signs on all three corners at Poplar and Columbia Avenues:

ORDINANCE NO. 1025

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT Stop signs are to be erected on each of the three (3) corners at Poplar and Columbia Avenues.

Section 2. AND that the Public Works Department is hereby authorized to proceed with the erection of the necessary signs.

Section 3. AND FURTHER, that the penalties for the violation of this Ordinance shall be the same as prescribed by Ordinance governing traffic regulations in the City of Takoma Park.

Councilman Eccleston seconded the motion.

The motion was carried with a roll call vote recorded as follows:
Yeas: Councilmen Eccleston, McClenon, Oosterhous, Perring, Klinck, and Parkhill. Nays: Councilman Nies

Councilman Oosterhous moved that the City Council permit recognized Citizen Associations of Takoma Park to erect a limited number of signs at strategic points in the particular area that they serve.

John Pietz
270-1188
270-4000

ORDINANCE NO. 1025

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT Stop signs are to be erected
on each of the three (3) corners at Poplar and
Columbia Avenues.

Section 2. AND that the Public Works Depart-
ment is hereby authorized to proceed with the
erection of the necessary signs.

Section 3. AND FURTHER, that the penalties
for the violation of this Ordinance shall be
the same as prescribed by Ordinance governing
traffic regulations in the City of Takoma Park.

Adopted by
Mayor and
Council
10/23/50

Councilman Eccleston seconded the motion.

Upon being put to a vote the motion failed with a vote recorded as follows: In favor - Councilmen Eccleston and Oosterhous. Opposed - Councilmen McClenon, Nies, Klinck, Perring and Parkhill.

Councilman Perring reported on the meeting attended by himself, Chief Thomas and Chief McBride in connection with Civil Defense program held at the District Building, on Tuesday, October 17, 1950 and moved that the Statement of Common Policies for the Civil Defense of the Washington Metropolitan Area presented at this meeting be adopted and it to be signed by the Mayor and witnessed by the Secretary.

Councilman Klinck seconded the motion .

Upon being put to question the motion was carried.

STATEMENT OF COMMON POLICIES FOR THE
CIVIL DEFENSE
OF THE
WASHINGTON METROPOLITAN AREA

We the undersigned are agreed on the following statement of basic policies which should be adopted in our respective communities in the field of Civil Defense, insofar as is consistent with overriding local needs, legal or budgetary limitations, et cetera; to the end of achieving maximum cooperation in this field, within the Washington Metropolitan Area of which our communities are component parts.

(1) Local and Integrated Civil Defense Plans.

We recognize the vital importance and urgency of establishing sound and comprehensive local Civil Defense plans within our respective communities. We also recognize the interdependence of the entire Metropolitan Area in this field, and the resultant need of integrating all such plans on an effective working basis, in conformity with our common needs and with the policies of NSRB Document 128/1 of September 30, 1950.

(2) Uniformity of Planning.

The varying governmental, social and economic conditions in different parts of the Area will necessitate some variations in the details of local Civil Defense plans and organizations. However, in the interest of effective integration and of mutual support in a crisis, these variations should be kept to a minimum.

(3) Mutual Support

A large-scale enemy attack on the Metropolitan Area might result in damage to any portion of that Area which would necessitate immediate assistance from other undamaged portions. Therefore, the plans developed by each community should envisage (a) the possibility that it will be damaged, and must call for assistance on the full resources of the Area as a whole, and (b) alternatively, the possibility that it will be undamaged or not materially damaged, and must be prepared to give aid to damaged areas elsewhere to the full extent of its own resources.

(4) Obstacles to Mutual Support.

We will give consideration to the elimination of any needless legal or material barriers to the fullest practicable cooperation among the communities of the Metropolitan Area in time of crisis: for example, in such fields as the Area-wide utilization of equipment and personnel in a critical emergency for fire-fighting, police protection, rescue, first-aid, medical care, the feeding and housing of homeless persons, the reestablishment of transportation, communications and public utility services, and the like.

(5) Local Directors.

has

Each of us/designated, or will designate, a Director or Acting Director of Civil Defense or Coordinator charged with the prompt preparation and progressive implementation of local Civil Defense plans under the direction of the local governing agency.

(6) Meetings of Directors.

In the interest of obtaining maximum uniformity in local Civil Defense plans and Civil Defense organizations, and a maximum degree of cooperation and mutual aid, we will instruct our respective Directors of Civil Defense to meet with the other Directors of the Metropolitan Area. The first such meeting shall be called by the Acting Director of Civil Defense of the District of Columbia. The group will then be asked to elect a permanent chairman and determine its order of business, methods of procedure and dates of future meetings. Reports of these meetings, and of the decisions and recommendations arrived at, will be made to us by our respective Directors.

(7) Jurisdictions not Represented.

Those governing agencies whose territorial limits include other political jurisdictions not here represented, will give early consideration to the means by which the local plans of such jurisdictions can be aided and encouraged, and can be integrated into a workable Area plan.

(8) Coordination with State Plans.

The communities within the States of Maryland and Virginia have a concurrent need of adapting their local Civil Defense plans to the plans of their respective Governors and States. Not only must there be

interdependence and mutual assistance within the Metropolitan Area, but the Area may have to call for assistance on the States of Maryland and Virginia, or, alternatively, may need to extend assistance to communities, or to Mutual Air Areas, in either or both States. For these reasons and to attain these ends, we jointly express the hope that the Governors of the Two States will instruct their own Civil Defense organizations to work with the Metropolitan Area Authorities; and we express our intention of shaping our own plans so as to achieve the maximum practicable cooperation on a State-wide basis. In this connection, we hope that the respective Governors will find it possible to have representatives present at all meetings of the Civil Defense Directors of the Metropolitan Area.

9. This statement is not legally binding upon any community or agency and nothing herein shall be construed as committing any community or agency to any action inconsistent with state or local laws, ordinances, etc., or to any specific expenditures.

ATTEST:

Harold J. Williams, Jr. Clerk James P. Deville Mayor

CIVIC IMPROVEMENT: Councilman Oosterhous announced that a public hearing on the street renumbering in the City of Takoma Park was scheduled to be held on November 16, 1950 at 8:00 P. M. at the Takoma Park Junior High School.

Councilman Oosterhous moved the adoption of the following Ordinance accepting the dedication of the plat as indicated by Gorin Brothers:

ORDINANCE NO. 1023
BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT the Plat of the subdivision of the part of the lands conveyed by Gorin and Horining, Inc., a District of Columbia corporation to Gussie Gorin, Theresa E. Horning, Harry E. Gorin and Louis Gorin, by deed dated April 16, 1942 into Block 19 and 20 to be known as New Hampshire Gardens in the City of Takoma Park, Montgomery County, Maryland,

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as presented by Gussie Gorin and husband, Max Gorin, Theresa E. Horning and husband, Joseph F. Horning, Harry E. Gorin and wife, Selma Gorin, Louis Gorin and wife, Esther Gorin, be and the same is hereby approved subject to conditions as set forth in Ordinance No. 920, adopted by the Mayor and Council at a Special Meeting January 5, 1949.

Councilman Parkhill seconded the motion

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Klinck, Eccleston, McClenon, Nies, Oosterhous and Parkhill and Perring. Nays None

Councilman Oosterhous moved the adoption of the following Ordinance accepting the dedication of the plat as indicated by William D. Goldstein and Mildred S. Goldstein:

ORDINANCE NO. 1024

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT the Plat of the resub-division of part of Lot 2 Block 67 conveyed by William D. Goldstein and Mildred S. Goldstein, is hereby approved subject to conditions as set forth in Ordinance No. 920 adopted by the Mayor and Council at a Special Meeting on January 5, 1949.

Councilman Eccleston seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Klinck, Eccleston, McClenon, Nies, Oosterhous, Parkhill and Perring.

Councilman Oosterhous asked that the Chief of Police enforce the violation of burning of leaves on the streets and also asked that Mr. Coffman put a notation to this effect in the Journal.

In regard to above mentioned subject of the violation of burning of leaves in the streets, Councilman Perring suggested that the police give warnings against those so doing and then if they did not heed to this warning, to take proper action to enforce the violation.

Mayor Beville spoke on the fact that he felt some sort of schedule should be worked out for the collecting of leaves as is done with trash and garbage.

Councilman Perring moved that the question of the experimental signs for erection by the Sligo Park Terrace Citizen Association be referred to the Public Safety Committee for further consideration.

Councilman Nies seconded the motion.

Upon being put to vote the motion failed with a vote recorded as follows: In favor - Councilmen Perring and Nies. Opposed- Councilmen Klinck, McClenon, Oosterhous, Eccleston and Parkhill.

Councilman Oosterhous moved that the City Council permit the Sligo Park Terrace Citizens Association to erect several signs at the entrances to the area they represent under the supervision of the Chief of Police, calling motorists' attention that they are entering a residential area and asking that they drive with care. It shall be the purpose of this action to try the use of signs of this sort for a trial period of six months as an experiment in this area before permitting them city-wide.

Councilman Eccleston seconded the motion.

Upon being put to vote the motion was carried with a vote recorded as follows: in favor - Councilmen Eccleston, Klinck, McClenon, Oosterhous and Parkhill. Opposed- Councilman Nies and Perring.

Chief Thomas stated that he did not want the public to think he was opposed to the erection of signs but he felt that erection of "Children at Play" signs had a tendency to encourage the children to play in the streets and would allow them false protection and then too there is an Ordinance against children playing in the streets within the City.

PARKS & PLAYGROUNDS: In respect to the Spring Park renovation Councilman Eccleston, upon the suggestion of Mayor Beville, called a meeting of the committee and the superintendent and assistant superintendent of Public Works for the purpose of drawing up specifications that might be submitted to bidders for this project;

PUBLIC WORKS COMMITTEE: Councilman Klinck moved that the curb and gutter on Carroll Avenue service drive, upon recommendation of the Superintendent of Public Works, be accepted for City maintenance in accordance with provisions of Ordinance No. 920.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

In connection with the laying of sidewalk on southerly side of Lee Avenue to Carroll Avenue, Councilman Klinck moved the adoption of the following Ordinance:

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ORDINANCE NO. 1026

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. In accordance with the provisions of Section 1198 of the City Charter, the Mayor and Council have under consideration the installation of concrete sidewalks on Lee Avenue, Carroll's Subdivision, Block 3, abutting Lots 12, 15 and 16.

Section 2. The estimated cost of this improvement is approximately Five Hundred Dollars (\$500.00) to be assessed in the usual manner.

Section 3. The Mayor and Council at a regular meeting on November 27, 1950, convening at 7:30 P. M. at 8 Columbia Avenue, Takoma Park, Maryland, will hear all property owners desiring to be heard in regard to the improvements herein proposed.

Councilman Eccleston seconded the motion.

The motion was carried with a roll call vote recorded as follows:
Yeas: Councilman Eccleston, Klinck, McClenon, Nies, Oosterhous, Parkhill and Perring. Nays: None

In connection with the laying of sidewalk on North side of Lincoln Avenue from Jackson to Carroll Avenues, Councilman Klinck moved the adoption of the following Ordinance:

ORDINANCE NO. 1027

BE IT ORDAINED BY THE MAYOR AND COUNCIL
OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. THAT in connection with the laying of sidewalk on the North side of Lincoln Avenue from Jackson to Carroll Avenues, that an additional amount of \$915.00 be appropriated to cover the following items:

1. Replacing sidewalk
2. Replacing retaining walls on Smith and Sikorra properties
3. Excavating and grading for sidewalk and removal of existing walls on Smith & Sikorra properties
4. Replacing cement steps on Morse property
5. Removing and replacing hedge on Smith property.

Councilman Parkhill seconded the motion.

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, Klinck, Nies, Oosterhous, Parkhill and Perring. Nays: Councilman McClenon

Councilman Eccleston moved that the plan as presented by Councilman Klinck for the widening of Carroll Avenue from Denwood to Lee Avenue, be approved, including the excavating, and removing of 5 ft. of sidewalk on North side of Carroll Avenue from Grant to Lee Avenues and this area to be repaved.

Councilman Parkhill seconded the motion

Upon being put to question the motion was carried.

LAW AND ORDINANCE COMMITTEE: Councilman McClenon announced that the Veterans Council were conducting a ceremony at 11:00 A. M. on November 1, 1950 in celebration of Armistice Day.

Councilman McClenon presented the amendments to the Peddler's Ordinance and moved that these amendments be accepted.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

Councilman McClenon moved the adoption of the following Ordinance on the Peddler's License:

(see next page)

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ORDINANCE NO. 1028

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

Section 1. License required. It shall be unlawful for any peddler, canvasser or transient merchant, as defined in section 2, to engage in any such business within the City of Takoma Park, without first obtaining a license therefor in compliance with the provisions of this ordinance.

Section 2. Definitions. When used in this ordinance, the following terms shall have the following meanings:

(a) "Peddler" shall include any person, whether or not a resident of the City of Takoma Park, who goes from house to house, from place to place, or from street to street, offering or exposing goods, wares or merchandise for sale, or making sales and delivering articles to purchasers; but shall not include vendors of milk, bakery products, groceries or ice, who distribute their products to regular customers on established routes.

(b) "canvasser" shall include any person, whether or not a resident of the City of Takoma Park, who goes from house to house, from place to place, or from street to street, soliciting or taking or attempting to take orders for sale of goods, wares or merchandise, including magazines, books, periodicals or personal property of any nature whatever for future delivery, or for service to be performed in the future, whether or not such person has, carries or exposes for sale a sample of the subject of such order, or whether or not he collects advance payments on such orders. The term shall also include any person who, for himself or for another person, firm or corporation, hires, leases, uses or occupies any building, motor vehicle, trailer, structure, tent, railroad box car, boat, hotel room lodging house, apartment, shop or other place within the City for the primary purpose of exhibiting samples and taking orders for future delivery.

(c) "Transient merchant" shall include any person, firm, or corporation, whether as owner, agent, consignee, or employee, whether or not a resident of the City of Takoma Park, who engages in a temporary business of selling and delivering goods, wares and merchandise within the said City, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent, railroad box car, boat, hotel room, lodging house, apartment, shop, street, alley or other place within the City for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction.

Section 3. Exemptions. The terms of this ordinance shall not be held to include the sale of personal property at wholesale to dealers in such articles, nor to apply to newsboys, nor to the acts of merchants or their employees in delivering goods in the regular course of business, nor to any farmer or truck gardener who shall vend, sell, or dispose of, or offer to vend, sell or dispose of the products of the farm or garden occupied and cultivated by him. Nothing in this ordinance shall be held to prohibit any sale required by statute or by order of any court, nor to prevent any person from conducting a bona fide auction sale pursuant to law.

Section 4. Application. Applicants for a license under this ordinance must file with the City Clerk a sworn application in writing on a form to be furnished by the City Clerk, which shall give the following information:

- (a) Name and physical description of applicant;
- (b) Complete permanent home and local address of applicant and, in the case of transient merchants, the local address from which proposed sales will be made.
- (c) A brief description of the nature of the business and the goods to be sold;
- (d) If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship;
- (e) The length of time for which the right to do business is desired;
- (f) The source of supply of the goods or property proposed to be sold, or orders taken for the sale thereof, where such goods or products are located at the time said application is filed, and the proposed method of delivery;
- (g) A recent photograph of the applicant, approximately 2" by 2", showing the head and shoulders of the applicant in a clear and distinguishing manner;
- (h) The names of at least two property owners of Montgomery and/or Prince George's County, who will certify as to the applicant's good character and business responsibility, or, in lieu of the names of references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility;
- (i) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, other than traffic violations, the nature of the offense, and the punishment or penalty imposed therefor;
- (j) The last cities or villages, not exceeding three, where the applicant carried on business immediately preceding the date of application, and the addresses from which such business was conducted therein.

At the time of filing the application, a fee of \$2 shall be paid to the City Clerk to cover the cost of investigation of the facts stated therein.

Section 5. Exemption of religious, charitable, etc., organizations. Any organization, society, association or corporation desiring to solicit or have solicited in its name money or property or financial assistance of any kind, or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization upon the streets, in office or business buildings, by house to house canvass, or in public places for a religious, charitable, philanthropic, patriotic or other noncommercial and nonsubversive purpose shall be exempt from the provisions of sections 4, 6 and 8, provided there is filed with the City Clerk a sworn application in writing, on a form to be furnished by the City Clerk, which shall give the following information:

- (a) Name and purpose of the cause for which the permit is sought;
- (b) Names and addresses of the officers and directors of the organization;
- (c) Period during which solicitation is to be carried on;
- (d) Whether or not any commission, fee wages or emoluments are to be expended in connection with such solicitation, and the amount thereof. Upon being satisfied that such organization, society, association or corporation is a religious, charitable philanthropic, fraternal, patriotic or other nonprofit and nonsubversive organization, the City Clerk shall issue a permit without charge to such organization, society, association, or corporation to solicit in the City of Takoma Park.

Any person shall be entitle to permit to sell or distribute religious tracts or other bona fide religious publications, on the same basis as representatives of religious organizations. No permit or license shall be required for the solicitation, in behalf of any lawful and nonsubversive organization, of persons whom the solicitor has reason to believe are members or adherents of such organization.

Section 6. Investigation and issuance.

(a) Upon receipt of each application for a license, it shall be referred to the Chief of Police, who shall immediately institute such investigation of the applicant's business and moral character as he deems necessary for the protection of the public good, and shall endorse the application in the manner prescribed in this section, within 72 hours after it has been filed by the applicant with the City Clerk.

(b) If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his disapproval and the reasons therefor, and return the application to the City Clerk.

(c) If as a result of the investigation the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his approval, and return the application to the City Clerk.

(d) The City Clerk shall determine, subject to review by the City Council as provided in section 7, whether or not the application shall be approved. If the application is approved, the City Clerk shall, upon payment of the prescribed license fee, deliver a license to the applicant. The license shall contain the signature of the

issuing officer and shall show the name, address and photograph of the licensee, the class of license issued and the kind of goods sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in the licensed business. Each peddler, canvasser or transient merchant must secure a personal license; but no license shall be required of a bona fide employee of a licensee, if such employee does not solicit sales but is engaged only in assisting the licensee in making deliveries. No license shall be used at any time by any person other than the one to whom it is addressed, except by another employee of the person, firm or corporation by whom the licensee is employed to perform the work covered by the license. The City Clerk shall keep a permanent record of all licenses issued.

(e) If an application for a license under this section or for a permit under section 5 is disapproved, the City Clerk shall promptly notify the applicant in writing to that effect.

Section 7. Appeal.

(a) Any person aggrieved by the action of the City Clerk in the denial of a permit as provided in section 5 or of a license as provided in section 6 (d) shall have the right to appeal to the City Council. Such appeal shall be taken by filing with the City Clerk, within 14 days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The Mayor shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in writing by the City Clerk.

(b) The Mayor or any Councilman who is of opinion that a license or permit has been improperly issued may within ten days after its issuance so notify the City Clerk. In such case the Mayor shall set a time and place for a hearing, and the City Clerk shall in writing notify the licensee of such time and place.

(c) After the hearing the City Council shall determine whether the license shall be issued, refused, ratified, or revoked.

Section 8. Fees. Every applicant for a license under this ordinance shall pay a license fee of \$25 a year, or \$15 for a half year. The annual fee shall be assessed on a calendar year basis; the half-year fee, for the period from January 1st through June 30th or from July 1st through December 31st.

Section 9. Use of streets. No licensee shall have any exclusive right to any location in the public streets, nor be permitted a stationary location thereon, nor be permitted to operate in a congested area where such operation might impede or inconvenience this public use of such streets. For the purpose of this ordinance, the judgment

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of a police officer, exercised in good faith, shall be deemed conclusive as to whether or not an area is so congested as to impede or in convenience the public.

Section 10. Exhibition of license. Every licensee is required to exhibit his license certificate at the request of any citizen.

Section 11. Duty of police to enforce. It shall be the duty of the police of the City of Takoma Park to require a ny person seen peddling, soliciting or canvassing, who is not known by such officer to be duly licensed, to produce his license; and to enforce the provisions of this ordinance against any person found to be violating the same.

Section 12. Records. The Chief of Police shall report to the City Clerk all convictions for violation of this ordinance. The City Clerk shall maintain a record for each license issued, and record the reports of violations therein.

Section 13. Revocation of license.

(a) Licenses issued under the provisions of this ordinance may be revoked by the City Council for any of the following causes:

- (1) Fraud, misrepresentation, or incorrect statement contained in the application for license;
- (2) Fraud, misrepresentation or incorrect statement made in the course of carrying on his business as peddler, canvasser or transient merchant;
- (3) Any violation of this ordinance;
- (4) Conviction of any crime or misdemeanor;
- (5) Conducting the business of peddler, canvasser or transient merchant, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

(b) Whenever the City Clerk has reason to believe that any license should be revoked, he may, with the approval of the Mayor, so notify the licensee by registered letter addressed to his last-known address. Either the Mayor or the City Council may direct the City Clerk to take such action. If within ten days the City Clerk does not receive from the licensee a written request for a hearing as to the revocation of the license, he shall declare the license revoked. If a hearing is requested, the Mayor shall set the date for the hearing, and the City Clerk shall notify the licensee in writing. After the hearing the City Council shall determine whether the license shall be revoked or continued in force.

Section 14. No licensee whose license has been revoked under the provisions of section 13 shall make further application for a license within six months thereafter.

Section 15. Expiration of license. All annual licenses issued under the provisions of this ordinance shall expire at midnight on the 31st day of December. Other licenses shall expire at midnight on the 30th day of June or the 31st day of December, as the case may be.

Section 16. Penalty. Any person who shall violate any provision of this ordinance shall forfeit not more than one hundred dollars (\$100) and the costs of prosecution, and in default of payment of the fine and costs of prosecution shall be imprisoned in the county jail until said fine and costs of prosecution shall be paid, but not longer than twenty days. Each day's violation of any provision of this ordinance shall constitute a separate offense.

Section 17. Separability Clause. If any provision of this ordinance, or the application thereof to any person or circumstance, shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the remainder of the ordinance, or the application of such provision to other persons or circumstances, it being the legislative intent that the provisions of the ordinance shall be completely severable so that the ordinance in general shall stand notwithstanding the invalidity of any part.

Section 18. Effective date. This ordinance shall take effect January 1, 1951.

Adopted by Mayor and Council
October 23, 1950

HAROLD J. HILLIARD, SR.
EXECUTIVE SECRETARY
Mayor and Council

Councilman Nies seconded the motion

The motion was carried with a roll call vote recorded as follows: Yeas: Councilmen Eccleston, McClenon, Klinck, Nies, Parkhill and Perring. Councilman Oosterhous not voting.

Councilman McClenon moved that the City Manager Bill be rerun with the proper amendments and a hearing set for November 14, 1950 at 8:00 P. M. to be held at the Takoma Community Center.

Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.

FINANCE COMMITTEE: Councilman Nies stated that he had checked over the invoices, totaling \$8247.21, for the month of October and recommended that they be approved for payment.

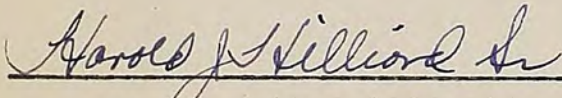
Councilman Parkhill seconded the motion.

Upon being put to question the motion was carried.


Councilman Parkhill reported on the progress of the completion of the renovation of the gymnasium at the Fire House and that it would be known as the Takoma Community Center.

Councilman Parkhill asked that there be a proclamation for the Halloween street party and dance, which was granted by Mayor Beville.

There being no further business to come before the Council upon motion properly seconded and carried, the meeting adjourned at 11:45 P. M.



 Clerk & Treasurer



 Mayor