

NOT SPECIAL IN CODE

AN ORDINANCE AUTHORIZING THE PURCHASE OF A SANDTRAP FOR THE CITY WATER WORKS AND APPROPRIATING THE MONEY THEREFOR.

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The Council of the City of Modesto do ordain as follows:

Section I.

The purchase of a sandtrap for the Water Department for use in one of the City wells is hereby authorized. The sum of Fifteen Hundred (\$1500.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the Water Department funds not otherwise appropriated for the purchase of said sandtrap.

When this Ordinance goes into effect, the City Engineer shall file with the City Clerk a general specification outlining the city's requirements in the construction and delivery of such sandtrap, and the City Clerk shall thereupon give notice to bidders according to law and the custom of his office asking bidders to furnish complete specifications with their bids.

Section II.

This Ordinance shall go into effect from and after fifteen days after its final passage and adoption.

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

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The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1926, by Councilman Boundey who moved its adoption and passage to print which Motion being duly seconded was carried and the Ordinance ordered printed and published as above, by the following vote:

Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood and Mayor Elias.

Noes: None.

Absent: None.

Attest: H. E. Lutz
City Clerk

1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 27th day of October, 1926, and having been published as re-
4 quired by the Charter, coming on for final adoption this 10th
5 day of November, 1926, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Ustick, Trueblood, Mayor Elias

8 Noes: Councilman Brown

9 Absent: Councilmen None

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11 Approved: Sal Elias
Mayor

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14 Attest: H. E. Gray
City Clerk

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*Amended
by Ord 528-N.S.
Ord. 870-N.S.
1067-N.S.*

AN ORDINANCE REGULATING AND RELATING TO THE CONSTRUCTION, ERECTION, MAINTENANCE AND USE OF BILLBOARDS IN THE CITY OF MODESTO, AND LICENSING AND REGULATING THE OCCUPATION OF MAINTAINING BILLBOARDS AND OUTDOOR ADVERTISING, PROVIDING PENALTIES FOR THE VIOLATION OF THE SAME, AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT THEREWITH.

*Repealed by
Ord. 1113-N.S.
Sec. 3, 4 & 5
Repealed
Effective
June 1, 1957*

The Council of the City of Modesto do ordain as follows:

Section 1: The term "billboard" as used in this Ordinance is hereby defined to be any board, bulletin board, fence, sign or structure, or part thereof, temporary or permanent, erected, maintained, or used primarily for advertising purposes, excepting advertising structures inside buildings, or upon which any advertisement is shown or whereon any poster, bill, printing, painting, device or other advertising matter of any kind whatsoever may be placed, stuck, tacked, posted, printed, painted, pasted or fastened, but this definition shall not be held to include any boards, sign or surface used to display official notices, issued by any court or public office, or posted by any public officers in the performance of a public duty, or used to display announcements of meetings to be held upon premises whereon such billboards or bulletin boards are displayed, or used to advertise the general business conducted on the premises where such bill board or bulletin board is located, nor shall it be held to include a real estate sign, advertising for sale or rent the property upon which it stands.

The term "painted wall sign", as used in this Ordinance shall be deemed to be the designation applied to a definite space on the wall, sides or roof of a building, or on

**REPEALED BY
MUNICIPAL CODE**

1 fences whereon the advertisement is painted in any manner.

2 Section 2: The term "outdoor advertising" as used
3 in this ordinance is hereby defined to be advertising on any
4 billboard, bulletin board, fence or structure, or the placing
5 thereon of any poster, bill, printing, painting, device, or
6 any advertising matter of any kind whatsoever, and the pasting,
7 posting, painting, printing, nailing or tacking or otherwise
8 fastening of any hand-bill, card, banner, sign, poster, adver-
9 tisement or notice of any kind upon any billboard, property or
10 place.
11

12 Section 3: No person, firm, corporation or associa-
13 tion shall engage in or carry on the business or occupation of
14 billposting, outdoor advertising sign painting, or outdoor ad-
15 vertising, or maintain billboards in the City of Modesto with-
16 out paying the license fee provided in this ordinance.
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18 Every person, firm, corporation or association engag-
19 ing in or carrying on the business or occupation of billposting
20 or advertising sign painting or outdoor advertising, or main-
21 taining billboards shall cause the name of such person, firm,
22 corporation or association to be painted plainly in a conspic-
23 uous place on the outside of any wagon or vehicle used in such
24 business or occupation and shall keep the same plain and distinct
25 at all times.
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27 Section 4: The license fee imposed by this ordinance
28 shall be paid quarterly and the amount thereof shall be computed
29 as follows: A flat rate of \$25.00 per quarter, and in addition
30 thereto, the sum of 1 cent for each square yard of surface
31 maintained or under permit. The license tax herein established
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1 shall be due and payable in advance at such time as any previous
2 license may hereafter expire , or at such time as any person,
3 firm, corporation/^{or association} subject to it, shall engage in such bus-
4 iness in the City of Modesto.

5 Section 5: Upon the payment of a license fee in this
6 ordinance provided, the City Clerk of the City of Modesto shall
7 issue to the person, firm, corporation, or association paying
8 the license fee, a license to be known as the "Bill Poster and
9 Outdoor Advertising License" which license shall be numbered
10 and said number shall continue to be the license number of said
11 licensee during the time said licensee shall continue to engage
12 in the business for which the said license was issued in the
13 City of Modesto. Such payment shall entitle the holder of such
14 license to engage in and carry on the business or occupation
15 described in Section 3 of this ordinance for the period for
16 which such payment was made. Said license shall not be loaned
17 or worked under by any other person, firm, corporation, asso-
18 ciation, individual, agent, bill poster, tacker or painter, who
19 is not a recognized employee of the licensee. Each billboard
20 worker or outdoor advertiser must carry conspicuously displayed
21 upon his person so as to be easily recognizable, a metal badge
22 bearing the name of his employer and such employer's license
23 number.
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27 Section 6: No billboard shall hereafter be erected
28 *Amended by 5/5/88* in the City of Modesto which has an advertising surface of more
29 than seven (7) feet from the lower edge thereof to the upper
30 edge thereof. Every application for a permit to erect a bill-
31 board, or to paint a painted wall sign in the City of Modesto
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1 shall be made to and filed with the City Council. Such appli-
2 cation shall be filed only after the applicant shall have no-
3 tified in writing all owners, occupants or agents of all houses
4 and lots on both sides of the street in the block in which such
5 billboard, or painted wall sign, is proposed to be erected,
6 painted, constructed, located or maintained of the proposed
7 application for such permit, and shall contain proof of such
8 notice. Such application shall contain the name of the appli-
9 cant and shall set forth the location upon which it is proposed
10 to erect such billboard, or to paint such painted wall sign,
11 describing the lot and block, or giving such other description
12 by which the location may be readily identified. It shall con-
13 tain the specifications of the proposed billboard or painted
14 wall sign, which specifications must be approved by the City
15 Engineer. Such application shall give the name of the owner or
16 agent in control of the property on which the proposed billboard,
17 or painted wall sign is to be erected, constructed, or painted
18 and shall be accompanied by the written consent of said owner or
19 agent that such billboard or painted wall sign may be erected
20 or painted on the location or property. Such application shall
21 also contain the number of square yards and the number of stand-
22 ard sized sheets of advertising surface or area in the proposed
23 billboard, or painted wall sign. The applicant shall accompany
24 the application for such permit with a permit fee which shall
25 be 15 cents for each standard size sheet or fraction thereof in
26 advertising surface area contained in such proposed billboard,
27 or painted wall sign, but no permit fee shall be less than \$1.00.
28 The term "sheet", as used in this ordinance, shall be held to
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be the standard size sheet in the bill poster trade in size not to exceed 28 inches by 42 inches in size. If the Council finds that the proposed billboard, or painted wall sign may be erected, constructed or painted or maintained on the proposed location without danger to the public health, morals and safety, the Council may in its discretion grant the permit applied for.

Section 7. All billboards hereafter constructed or erected in the City of Modesto shall be so designed, constructed and maintained in such a manner as to withstand the wear and tear of the elements and a thirty (30) pound lateral wind pressure per square foot of exposed surface, and erected at an angle of bracing not greater than sixty (60) degrees from a horizontal plane and the braces shall be securely fastened by an anchor or other secured solid base. All billboards hereafter constructed within the Fire Limits of the City of Modesto as now or hereafter established by ordinance shall be built and constructed entirely of metal or other non-combustible materials in all parts thereof except the posts or standards upon which such structures rest and moulding strips of wood, provided, however, that the advertising surface of such structures shall be of non-combustible material not lighter than twenty eight (28) gauge metal. No billboard hereafter constructed or erected within the City of Modesto but outside of the Fire Limits of the City as now or hereafter established by ordinance, shall be built or constructed of wood or other inflammable materials unless all portions of said structure be at least six (6) feet from any building or other structure built or constructed of wood or other inflammable materials. No billboard shall hereafter be erected or con-

*Amended by
Ord 528-MS
Ord 570-MS*

1 structured upon any public sidewalk, street, alley, or other public
2 place, or upon any lot or premises in such a manner that any
3 portion of such structure be nearer to the line of any public
4 sidewalk, street, alley or other public place than the front
5 line of the nearest house or building in the same block which
6 faces on any such public sidewalk, alley, street, or other public
7 place. There shall be placed and maintained at the top of each
8 billboard and each advertising sign the name, plainly painted,
9 of the person, firm, corporation or association owning, or
10 who is in possession, charge or control of the same for advertis-
11 ing purposes.
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13 An ornamental border, which shall contain no advertis-
14 ing of any nature, not wider than one (1) foot may be added to
15 surround the advertising surface of any billboard or advertising
16 sign. There may be placed at the ends of said billboards app-
17 propriate ornamental columns. There may be placed between the
18 lower edge of the billboard and the ground an ornamental lattice
19 work or baseboard not over twelve (12) inches in height, pro-
20 vided that the lower edge of such lattice work or baseboard shall
21 be at least twenty-four (24) inches from the ground. All bill-
22 boards hereafter erected on the lot or lots between two build-
23 ings abutting the sidewalk must be provided with some means of
24 easy access to that portion of the lot in the rear of such bill-
25 board. All billboards must be erected on lines parallel with
26 the nearest street on which they face, provided that at corners
27 formed by street intersections, such structures may be erected
28 or constructed diagonally. The height of billboards hereafter
29 erected or constructed in Modesto shall not exceed eleven and
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1 one half (1½) feet from the surface of the ground.

2 Section 8. It shall be unlawful for any person, firm,
3 corporation or association to erect, construct or cause or per-
4 mit to be erected or constructed any billboard or to make any
5 alteration on such billboard or to remove from one location and
6 re-erect in another any such billboard without having secured
7 a permit from the City Council so to do in conformity with the
8 provisions of this ordinance. The term "alteration" shall not
9 be construed to apply to painting of or changing of any adver-
10 tising matter on any billboard, but where a billboard is re-
11 erected or removed to another location, its construction shall
12 conform to the requirements and provisions of this ordinance.

13 Section 9. Before any permit required by this ord-
14 inance is issued for the construction, erection or removal of a
15 billboard, the City Engineer shall make or cause to be made an
16 inspection of the location of the proposed site of such board
17 and transmit his report thereon to the City Council.

18 Section 10. The City Engineer shall make such inves-
19 tigation or take such other action as, in his judgment, he may
20 deem proper or necessary in the enforcement of the provisions of
21 this ordinance. He shall also investigate or cause to be inves-
22 tigated reported infractions of this ordinance or amendments
23 thereto and shall report all cases of infractions or shall re-
24 quest that a warrant of arrest in the proper court against the
25 person or persons responsible for or causing such infractions.

26 Section 11. If, at any time, it shall appear to the
27 City Council by evidence that a billboard erected or maintained
28 in the City of Modesto has become or is dangerous to the public
29 health, morals or safety, the City Council shall so notify the
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1 person, firm, corporation/owning or in control of such bill-
2 board and such person, firm, corporation/shall make such bill-
3 board safe and not dangerous to public health, morals or safety,
4 or remove the same. In event such person, firm, corporation or
5 association having received such notice shall thereafter, for a
6 period of ten days, fail to comply with the directions therein
7 contained, the City Council may revoke such permit theretofore
8 granted to erect such billboard or require the City Engineer to
9 remove or cause to be removed such billboard, or both.

11 Section 12. No paper, cloth or advertising matter
12 shall be permitted or allowed to hang loose from any billboard
13 but the same shall be securely fastened and glued to the surface
14 of said billboard. All billboards shall have a smooth surface
15 and no nails, tacks, or wires shall protrude therefrom, except
16 that billboards may be illuminated with electricity by means of
17 pressed steel reflectors, (containing lamps of not less than
18 100 watts of current per hour.) Such reflectors shall be placed
19 at not more than ten (10) feet apart and extend not more than
20 five (5) feet from the face of the billboard and to be at least
21 ten (10) feet above the sidewalk, or surface of the ground. Said
22 reflectors shall not protrude beyond the property line and shall
23 be attached to the billboard. For the electrical work done and
24 the electrical appliances installed on such illuminated bill-
25 boards, an inspection by the City Electrician shall be required
26 and such inspection shall be made annually thereafter. A fee
27 of \$1.50 shall be charged for such inspection per meter location.

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30 Section 13. It shall be unlawful for any person,
31 firm, corporation or association, except a public officer or
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1 employee in the performance of a public duty or a private per-
2 son giving a legal notice, to paste, paint, print, nail, tack or
3 otherwise fasten any card, banner, handbill, sign, poster, or
4 advertisement or notice of any kind, or cause the same to be
5 done on any curbstone, lamp-post, pole, hitching-post, watering
6 trough, hydrant, fence, bridge or tree upon any public street
7 or public property, or upon any other property not owned by said
8 person, firm, corporation, or association, within the City of
9 Modesto, except as may be required by the ordinances of the City
10 of Modesto or the laws of the State of California, or of the
11 United States. Any advertisement prohibited by this section
12 may be taken down, moved or destroyed by any person.
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15 Section 14. No person, firm, corporation or associa-
16 tion shall scatter, daub, or leave any paint, paste, glue or
17 other substance used for painting or affixing advertising matter
18 upon any public street or sidewalk or scatter or throw or permit
19 to be scattered or thrown any bills, waste matter, paper or
20 material of any kind whatsoever removed from billboards on any
21 public street or private property.
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23 Section 15. The provisions of this ordinance do not
24 apply to electric signs and transparencies nor signs attached to
25 any building or the side or roof thereof, or painted thereon,
26 including bulletin boards, advertising the general business
27 carried on in such building or offices therein, nor to clocks
28 or other similar advertising devices, advertising the general
29 business conducted in such building, or in offices therein.
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31 Section 16. All wall or fence bill or bulletin boards
32 placed flat against the wall or fence shall be securely fastened

1 to the wall or fence by means of adequate sized screws sufficient
2 in number to hold the same securely under all conditions. The
3 wall or fence bill or bulletin board must not exceed more than
4 four (4) inch^{es} over the property line.

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6 All applications for permits for the erection and con-
7 struction of roof signs or boards shall contain data relative
8 to the size and weight of boards and the construction of the
9 roof whereon such board is to be located, showing girders,
10 joists or rafters to which the supports will be fastened. Every
11 roof board or sign shall be constructed, anchored and supported
12 so as to withstand a lateral wind pressure of thirty (30) pounds
13 per square foot of surface in addition to other live and dead
14 loads, and no roof sign shall be erected upon any building un-
15 less such building is able to safely withstand the additional
16 stresses caused thereby. Only non-combustible materials shall
17 be used in electrical^{ly} equipped roof signs or boards or any other
18 roof sign within the fire limits of the City of Modesto, as now
19 or hereafter established by ordinance, except that purely dec-
20 orative portions of such signs may be painted with fire retardant
21 paint approved by the Chief of the Fire Department. The term
22 "roof sign" is hereby defined to mean any advertising structure
23 attached to a building any portion of which structure extends
24 above the parapet or above the eaves of such building.

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27 Section 17. It shall be unlawful for any person, firm,
28 or association
29 corporation/to exhibit, post or display, or cause to be ex-
30 hibited, posted or displayed, upon any billboard or painted wall
31 sign, any statement, words, or signs of an obscene, indecent or
32 immoral nature, or any picture, illustration or delineation of

1 any human figure in such detail as to offend public morality,
2 or decency, or of any lewd, or lascivious act, or any other
3 matter or thing of an obscene, indecent or immoral nature, or
4 offensive to the moral sense; or any murder, suicide, robbery,
5 hold-up, shooting, stabbing, clubbing, or beating of any human
6 being, wherein any such act is shown in gruesome detail or in
7 revolting manner, or in any manner objectionable to the moral
8 sense.
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10 Section 18. It shall, hereafter, be unlawful for any
11 person, firm, corporation or association to erect or construct
12 any billboard or to paint any painted wall sign in any block on
13 any public street where one-half of the buildings on both sides
14 of the street are used exclusively for residential purposes
15 without first obtaining the consent in writing of the owners or
16 duly authorized agents of said owners of a majority of the front-
17 age of the property on both sides of the street in the block
18 in which such billboard or painted wall sign is to be erected,
19 painted, constructed or located. Such written consents shall
20 be filed with the City Council before a permit shall be issued
21 for the erection, construction, painting or location of such
22 billboard or painted wall sign.
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25 Section 19. If any section, sub-section, clause,
26 word or phrase of this ordinance is for any reason held to be
27 unconstitutional or otherwise invalid, such decision shall not
28 affect the validity of the remainder of this ordinance. The
29 Council of the City of Modesto hereby declares that it would
30 have passed this ordinance and each section, sub-section, sen-
31 tence, clause, word or phrase thereof irrespective of the fact
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*Amended by
Ord 528 n.s.*

1 that any one section, sub-section, sentence, clause, word or
2 phrase be held unconstitutional or otherwise invalid.

3 Section 20. Any person, firm, corporation, or assoc-
4 iation, either as principal, agent or employee, violating any
5 provisions or provision of this ordinance shall be deemed guilty
6 of a misdemeanor and upon conviction thereof, shall be punished
7 by a fine not exceeding \$500.00, or by imprisonment in the
8 County Jail not exceeding 90 days, or by both such fine and im-
9 prisonment. Each such person, firm, corporation or association
10 shall be deemed guilty of a separate offense for each day during
11 any portion of which any violation of any of the provisions of
12 this ordinance is committed and continued or permitted by such
13 person, firm or corporation, and shall be punishable therefor as
14 provided by this ordinance.

15 Section 21. All rights and privileges acquired under
16 the provisions of this ordinance or any amendment thereto, are
17 mere licenses and revocable at any time by the Council.

18 Section 22. All ordinances or parts of ordinance in
19 conflict herewith are hereby repealed . All of Section 7-a of
20 Ordinance No. 267- N. S. is hereby repealed.

21 Section 23. This ordinance shall go into full force
22 and effect from and after fifteen days after its final passage
23 and adoption.

24 Section 24. This Ordinance shall be published at
25 least once at least three days prior to its final passage and
26 adoption in the Modesto News-Herald, the official paper of the
27 City of Modesto.

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The foregoing Ordinance was introduced at an adjourned
regular meeting of the Council of the City of Modesto held on the 1st
day of December, 1926, by Councilman Mayor Elias
who moved its adoption and passage to print, which motion
being duly seconded was carried and the Ordinance ordered
printed and published by the following vote:
Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen: None
Absent: Councilmen None

Attest: H. E. Gray
City Clerk

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1 The foregoing Ordinance, having been introduced
2 and ordered published and printed at an adjourned regular meeting
3 of the Council on the 1st day of December, 1926, and having been
4 published as required by the Charter, coming on for final adoption
5 this 8th day of December, 1926, it was finally adopted by the fol-
6 lowing vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

10 Approved: Sol P Elias
11 Mayor

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13 Attest: H. C. Gray
14 City Clerk

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RESOLUTION NO. 1179-N.S.

A Resolution finally adopting Ordinance No. 302-N.S.

WHEREAS, Ordinance No. 302-N.S. entitled "An Ordinance regulating and relating to the construction, erection, maintenance and use of billboards in the City of Modesto, and licensing and regulating the occupation of maintaining billboards and outdoor advertising, providing, penalties for the violation of the same and repealing all ordinances or parts thereof in conflict therewith, being introduced at a regular meeting of the Council on December 1st, 1926, and

WHEREAS, said ordinance having been published and printed as required by the Charter, coming on for final adoption at this date,

THEREFORE, Be It Resolved, that Ordinance No. 302-N.S. be finally adopted.

The foregoing resolution was regularly introduced this 8th day of December, 1926, by Mayor Elias, and upon being duly seconded was, upon roll call, finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

AN ORDINANCE ADDING A NEW SECTION TO THE BUILDING CODE OF THE CITY OF MODESTO WITH RELATION TO THE STORAGE OF FLAMMABLE OILS FOR HEATING PURPOSES.

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The Council of the City of Modesto do ordain as follows:

Section I.

A new section to be known as Section 171½ is hereby added to Ordinance #267 N. S. of the City of Modesto, which said Section 171½ shall read as follows:

Section 171½. Crude or distilled oil may be kept, stored and used for fuel in any system, plant device or apparatus erected or constructed in accordance with the requirements of this Ordinance for dwellings, as defined by the Building Code of the City of Modesto, outside of the fire limits and in Districts entirely residential in said City, and said system, plant, device or apparatus may be constructed and maintained, as aforesaid, for said purposes in such manner and location as shall be deemed safe for life and property by the Fire Chief of said City, and in accordance with the following specifications, and not otherwise:

Said articles or substances shall be kept or stored and used from a tank not exceeding two hundred (200) gallons in capacity. Said tank shall be made of galvanized steel, not lighter than No. 18 gauge, said tank shall not be placed nearer than ten (10) feet to any building or structure, or any part thereof. The feed pipe from said tank to the burner shall not exceed one-fourth (¼) of an inch in diameter inside and shall be fitted with shut-off valves, independent of the burner, at the tank and on both sides of the building walls through which it

1
2
3 Repealed by
4 Ord 1051-N.S.
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REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 penetrates. Said tank may be installed either above or below
2 ground, with or without a concrete casing; provided, however,
3 that when it is possible to obtain a gravity flow, the tank shall
4 be buried at least two (2) feet underground, in which case a
5 shut-off valve need not be required at the tank. The bottom of
6 said tank shall be at a height not to exceed five (5) feet above
7 the plane of the burning point. Provided, however, that no such
8 crude or distillate oil may be kept stored or used for fuel, as
9 hereinabove provided, until after the system, plant, device or
10 apparatus has been inspected by the Fire Chief of the City of Mo-
11 desto and a permit issued therefor by said Fire Chief.

12 Section II.

13 This Ordinance shall go into full force and effect from
14 and after 15 days after its final passage and adoption.

15 Section III.

16 This Ordinance shall be published at least once at
17 least three days prior to its final adoption in the Modesto News-
18 Herald, the official newspaper of the City of Modesto.

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20 The foregoing Ordinance was introduced at a regular
21 meeting of the Council of the City of Modesto held on the 22nd
22 day of December, 1926, by Councilman Ustick who moved its
23 adoption and passage to print, which Motion being duly seconded,
24 was carried and the Ordinance ordered printed and published as
25 above by the following vote:

26 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

27 Noes: Councilmen None

28 Absent: Councilmen None

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31 Attest: H. E. J. J. J.
City Clerk

1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 22nd day of December, 1926, and having been published as re-
4 quired by the Charter, coming on for final adoption this 12th
5 day of January, 1927, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

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12 Approved: *W. Elias*
13 Mayor

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16 Attest: *H. E. Gagg*
17 City Clerk

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SPECIAL
NOT IN CODE

An Ordinance authorizing the purchase of
Transformers for lighting the City
Streets and appropriating
money therefor.

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The Council of the City of Modesto do ordain as follows:

Section I.

The purchase and acquisition for the Department of
Public Works of

- (1) Three (3) G. E. 20 K. W., 6.6. ampere, 2300 volt, 60 cycle automatic station type R. F. constant current Transformers;
- (2) Three (3) G. E. 3 K. W., 6.6. ampere, 2300 volt, 60 cycle subway type S. L. constant current Transformers.

is hereby authorized.

The sum of Three Thousand Two Hundred (\$3200.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the moneys in the General Fund not otherwise appropriated to pay for said equipment.

As soon as this Ordinance goes into effect, the City Engineer shall file with the City Clerk such general or special specifications for said equipment as may be necessary to properly describe the equipment authorized. Thereupon, the Clerk shall advertise for bids for the same in the official newspaper of the City of Modesto, according to the Charter and the custom of his office.

(1)

1 Section II.

2
3 This Ordinance shall take effect fifteen days after its
4 passage and adoption.

5 Section III.

6 This Ordinance shall be published in full at lease once
7 at least three days prior to its final adoption in the Modesto
8 News-Herald , the official newspaper of the City of Modesto.
9

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13 The foregoing Ordinance was introduced at a regular
14 meeting of the Council of the City of Modesto held on the 22nd
15 day of December, 1926, by Councilman Boundey
16 who moved its adoption and publication, as aforesaid, which
17 Motion being duly seconded was upon roll call carried and the
18 Ordinance ordered printed and published as above by the follow-
19 ing vote:
20

21 Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor
22 Elias.

23 Noes: None.

24 Absent: None.

25
26 Attest: H. E. Gragg
27 City Clerk.
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SPECIAL
NOT IN CODE

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ORDINANCE # 305 N. S.

AN ORDINANCE PROVIDING FOR THE PURCHASE OF FIRE APPARATUS AND APPROPRIATING MONEY THEREFOR.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The purchase of certain Fire Apparatus, consisting of a combination pump and hose motor driven fire truck is hereby authorized. The sum of Six thousand seven hundred and fifty (\$6750.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto for the payment for said equipment.

Section II.

When this Ordinance goes into effect, the Chief of the Fire Department shall file with the City Clerk general specifications describing the said equipment, and the City Clerk shall thereupon advertise for bids for the purchase of the same, said advertisement to be made according to the provisions of the Charter and the rule and custom of the Clerk's Office, and shall specify that bidders shall be required to file with their offers more detailed and specific descriptions and specifications of the equipment which they propose to sell to the City of Modesto.

Section III.

This Ordinance shall go into full force and effect fifteen days after its final passage and adoption.

Section IV.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1927, by Mayor Elias who moved its adoption and passage to print, which Motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor Elias.

Noes: None.

Absent: None.

Attest: _____

H. E. Gray
City Clerk

1 The foregoing Ordinance, having been introduced and
2 ordered printed at a regular meeting of the Council on the 12th
3 day of January, 1927, and having been published as required by
4 the Charter, coming on for final adoption this 26th day of
5 January, 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None
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11 Approved: *Joseph Elias*
12 Mayor

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14
15 Attest: *H. E. Gagg*
16 City Clerk
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*Amended
By*

*489-N.S.
1039-N.S.
1049-N.S.*

AN ORDINANCE PROVIDING FOR THE SUPERVISION AND REGULATION OF MOTOR BUSES OPERATING ON FIXED SCHEDULES AND OVER ESTABLISHED ROUTES WITHIN THE CITY OF MODESTO, PROVIDING FOR THE ISSUANCE OF PERMITS AND LICENSES FOR SUCH OPERATION OF MOTOR BUSES AND PROVIDING FOR THE PUNISHMENT OF VIOLATIONS OF THIS ORDINANCE.

---oOo---

The Council of the City of Modesto do ordain as follows:

CODE SEC.
NO. 6-7.201
106-7.216

SECTION I.

(a) The word "street" as used in this ordinance shall mean and include any street, alley, avenue, road, lane or public place in the City of Modesto.

(b) The words "motor bus" shall mean and include any motor vehicle traversing the streets of the City of Modesto, and conveying passengers or transporting parcels or packages from one point inside the said City to another point therein over fixed routes and on established schedules for a fixed charge of not to exceed ten cents. Automobiles used exclusively as hotel busses and school busses, and taxicabs, and other automobiles or conveyances conveying passengers, parcels or packages for hire not over fixed route or on established schedules, are not to be deemed included in said term as used in this Ordinance.

(c) The term "person" when used in this Ordinance shall include an individual, partnership, firm, association or corporation.

(d) The term "Council" when used in this Ordinance means the City Council of the City of Modesto, County of Stanislaus, State of California.

1.

1 (e) The term "grantee" as used in this Ordinance shall
2 mean and refer to the person or persons to whom a permit or license
3 shall be granted under the provisions hereof.

4 SECTION 2.

5 It shall be unlawful for any person to operate or cause
6 to be operated any motor bus for the transportation of persons or
7 parcels or packages for compensation on any public street in the
8 City of Modesto, unless a permit and license from the Council shall
9 have been first secured as herein provided. Application for such
10 permit shall be made to the City Council by the person proposing
11 to operate such motor bus. Said application shall be made in
12 writing and verified by the applicant, and shall specify the follow-
13 ing matters:
14

15 (a) The name and address of the applicant or applicants,
16 or if said applicant be a corporation, then the principal place
17 of business of said corporation and the names and residences of
18 its officers.
19

20 (b) A brief description of the character of vehicles
21 which the applicant or applicants intend to operate; ^{and} the route ^{or routes} over
22 which it intends to operate the same, showing schedules of stops
23 and operating time.
24

25 (c) An agreement or promise of the applicant or applicants
26 to conform to and comply with all the requirements of ^{the} permit to be
27 granted upon said application pursuant to the provisions of this
28 ordinance, and also to comply with all the provisions and require-
29 ments of this ordinance, and with all valid laws existing from
30 time to time regulating the operation of motor vehicles in the
31 City of Modesto.

1 (d) A brief statement of facts showing that the public
2 convenience and necessity require the granting of such permit or
3 license.

4 The City Council shall act upon said application within
5 thirty days after the same is filed. If the said City Council
6 after public hearing, or otherwise, shall find and determine that
7 the public convenience and necessity require the granting of such
8 application, the said council shall issue the permit as prayed for;
9 but if it shall find that the public convenience and necessity do
10 not require the granting of such application, then the application
11 shall be denied.
12

13 If the application is granted and the permit issued, it
14 shall contain the following statements:

15 (a) The name of the grantee or grantees.

16 (b) The term for which the permit is granted, which
17 shall not exceed ten years.
18

19 (c) A statement that the grantee is entitled by reason
20 of the permit so granted, to procure a license to operate a motor
21 bus or motor busses on the streets of the City of Modesto subject
22 to the provisions of this ordinance.

23 (d) A statement that the validity and continuance in
24 force of the license shall be conditional upon the payment into
25 the City Treasury by the grantee of two per cent of its gross
26 revenue derived from the operation of such motor bus or motor
27 busses, as hereinafter more specifically provided.
28

29 Such permit shall be signed in duplicate under the author-
30 ity and pursuant to the direction of and on behalf of the Council
31

1 by the City Clerk, and one copy filed in the office of the City
2 Clerk and one copy delivered to the grantee or grantees.

3 SECTION 3.

4 Upon the filing of said permit with the City Clerk, the
5 said Clerk shall issue a license to the grantee of the permit,
6 which license shall refer to the permit by its ~~number~~ and the date
7 of filing the same in the office of the Clerk, and shall state
8 that the grantee is entitled to operate a motor bus or motor busses
9 in the City of Modesto upon the terms and conditions prescribed
10 in said permit and in this ordinance and upon the routes and for
11 the period designated in said permit, unless said license and per-
12 mit is surrendered or revoked pursuant to the provisions of this
13 ordinance, or said routes changed as provided herein.

14 SECTION 4.

15 Notwithstanding anything to the contrary hereinabove, no
16 license shall be issued hereunder except upon payment by the
17 grantee, simultaneously with the issuance of the same, into the
18 City Treasury of a license fee of ten dollars (\$10.00) , and the
19 grantee of any such permit and license hereunder shall pay into
20 the City Treasury of the City of Modesto monthly from and after
21 the date of issuance of such license, an amount equal to two per
22 cent of the gross revenue derived from the operation of any and
23 all motor busses by such grantee under the authority of such permit
24 and license for the period hereinafter defined. The said money
25 shall be paid to the City Tax Collector, and said Tax Collector
26 may at his option receive and accept as correct and conclusive the
27 statements submitted by the grantee of such license or permit as
28 to its gross revenue for the respective period covered by each
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1 and license with a solvent and responsible surety or Insurance
2 Company authorized to do business under the laws of the State of
3 California, conditioned that the grantee, or any person operating
4 a motor bus under said license as employee of the grantee, will
5 pay all loss or damage that may result to any person or property
6 from the negligent operation or defective construction of said
7 motor bus or which may arise or result from any violation of any
8 of the provisions of this ordinance, or of any ordinance of the
9 City of Modesto, or of the laws of the State of California. The
10 recovery upon said bond or policy of insurance shall be limited
11 to \$25,000.00 for the injury or death of one person resulting from
12 any accident, and to \$2500.00 for the injury or destruction of
13 property resulting from any one accident; and to \$50,000.00 for
14 any and all persons injured or killed in any single accident. Such
15 bond or policy of insurance shall be given to the City of Modesto,
16 and shall, by its terms, inure to and be for the benefit and pro-
17 tection of any and all persons and their heirs suffering loss or
18 damage, either to person or property, as herein provided, and shall
19 provide that suit may be brought in any Court of competent juris-
20 diction upon said bond or policy of insurance by any person or
21 corporation suffering any loss or damage as herein provided. Said
22 bond shall contain a provision that there is a continuing liabil-
23 ity thereunder, notwithstanding any recovery thereon. Said bond or
24 Insurance Policy shall also be conditioned that payments required to
25 be made thereunder shall be made in case of injury or damage, dir-
26 ectly to the insured or damaged person or his duly authorized rep-
27 resentative. If at any time, in the judgment of said Council, said
28 bond/^{or policy} is not sufficient for any cause, the Council may require the
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1 person to whom the same is issued to replace said bond with
2 another bond ^{or policy} /satisfactory to the said Council, and in default
3 thereof for a period of thirty days, the license and permit of said
4 person may be revoked. No bond or policy of insurance given pur-
5 suant hereto may be revoked or cancelled unless and until replaced
6 by another bond or policy of insurance conditioned as herein spec-
7 ified, and approved by the City Council as to the sufficiency of
8 the surety.
9

10 Nothing herein contained shall be construed to place any
11 limit upon any recovery against the licensee or permittee.

12 B. Any motor bus operating under the authority of such
13 permit or license shall be of modern, approved, pay-as-you enter
14 type street bus, body mounted upon a chassis of conventional bus
15 design, and shall embody the following provisions for safety, con-
16 venience and comfort to the passengers and driver;- An adequate
17 rear signal device for signalling for a stop or turn or any change
18 in the course of such motor bus, with the provision made for hand
19 signalling by the driver where necessary; a legible and intelli-
20 gible route designation sign, illuminated at night; sufficient dome
21 lights to give a minimum of five candlepower per seated passenger
22 of interior illumination of such motor bus body while operating at
23 night; adjustable curtain to be provided behind driver's seat to
24 prevent glare from interior lighting; driver's stop signal con-
25 veniently operated by passengers; adequate and approved type of
26 hand operated fire extinguisher so mounted as to be accessible at
27 all times; gasoline tank so placed and mounted as to be outside
28 of passenger space of body and isolated by means of a fireproof
29 sheet metal and asbestos housing; adequate safety provisions at
30 place of entrance to and exit from bus, consisting of a low, nonskid
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1 safety tread step, proper grab handles inside and out and a
2 completely closing and full opening folding door hand operated by
3 driver, with guard rail at driver's seat; practical front and
4 rear bumpers attached to chassis and side bumpers on body for
5 collision protection; front and windshield of bus body to be so
6 constructed as to give driver at all times full and unobstructed
7 view of the street ahead and street intersections, with windshield
8 equipped with proper device to give driver full vision during
9 rainy and foggy weather; visor to be mounted outside above wind-
10 shield to prevent sun glare; body marker lights to be so placed on
11 outside extremities front and rear as to show extreme width of
12 body from all directions; bell or gong warning signal, fully oper-
13 ative at all times by driver; rear view mirror of sufficient size
14 and rear body window so arranged ^{as} to give driver full view of road
15 and traffic at rear; adequate heating provisions for passenger's
16 comfort and proper means for sufficient ventilation under all
17 weather conditions; properly spaced and comfortable seats with free
18 access to same; conveniently arranged hand-holds for standing pass-
19 engers; interior of body and floor covered so as to be kept clean
20 and sanitary at all times; glass windows on sides of body arranged
21 and spaced so as to give passengers proper vision with adequate
22 provisions made for the raising and lowering of same; motor ex-
23 haust pipe to extend past rear of body; and any other equipment,
24 provisions or stipulations ~~##~~ ^{that} may be required by the Motor Vehicle
25 Act of the State of California. Said busses shall be cleaned and
26 fumigated once a week. Said busses shall not have attached to them
27 in the rear thereof any trailer or truck of any description . No
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1 ^{or Commercial} public advertising shall be permitted on the outside of said busses.

2 C. Every motor bus operated under the authority of such
3 license or permit shall stop to take on and let off passengers at
4 specified points, and wherever provision shall be made therefor
5 by the City Council, shall stop next to the curb at spaces reserved
6 for that purpose; and insofar as possible, all stops shall be made
7 before crossing intersections.
8

9 SECTION 6.

10 The schedules as to routes, stopping places and operating
11 time which accompanies the application as specified in Subdivision
12 B of Section II. may be changed or amended at any time thereafter
13 by filing with the City Clerk a complete amended statement of such
14 routes, time schedules and stopping places and having the same approv-
15 ed by the City Council. The City Council shall act upon the app-
16 lication to amend such Schedules at its next regular or special
17 meeting immediately following the application therefor, and such
18 Schedules shall become effective immediately upon such approval
19 and shall remain effective until if at all again changed or amended
20 in the manner above set forth . The holder of such permit or li-
21 cense shall at all times operate motor busses in conformity with
22 the Schedules from time to time in force, except when, ^{prevented from} so doing by
23 strikes, storms, destruction of property, acts of God or other
24 unavoidable causes. In event of emergencies, the Council reserves
25 the right to order temporary routing or to suspend operations.
26
27

28 SECTION 7.

29 It shall be unlawful to operate any motor bus while any
30 person is upon any running board, fender, hood or roof thereof.
31

1 SECTION 8.

2 Every motor bus operated under a permit issued by the
3 Council must proceed to the terminus of the route before returning
4 to the leaving station, except when rendered inoperative by acc-
5 ident, breakage or lack of motive power.
6

7 SECTION 9.

8 If any holder of any permit or license hereunder shall
9 for any consecutive period of more than sixty days fail to operate
10 motor busses thereunder, unless excused by some or any of the cir-
11 cumstances specified in Section 6 thereof, the City Council may
12 at its option revoke/^{or suspend} such license or permit.
13

14 SECTION 10.

15 The rate of fare for any distance along any of the routes
16 upon which any permittee may operate within the City of Modesto shall
17 not at any time exceed ten cents for one passenger, provided that
18 children under the age of five years when accompanied by their
19 parents or adult persons shall ride free, and provided also that
20 Police Officers of said City, when in uniform, and members of the
21 Fire Department of said City, when on duty, and United States Mail
22 Carriers, when in uniform, shall ride free. The rate of fare herein
23 provided to be charged shall be for one continuous trip in one
24 direction. No grantee of a permit under this Ordinance shall en-
25 gage in the hauling of any freight, except that passengers may
26 carry ordinary hand baggage and said busses may carry express
27 packages, not to exceed in weight fifty pounds for each said
28 package.
29

30 SECTION 11.

31 The violation by the grantee of any of the terms or con-

1 ditions of such license and permit shall be cause for the revoca-
2 tion or suspension of the same; but before any license and permit
3 shall be revoked or suspended by the Council for any alleged vio-
4 lation of the terms thereof, the grantee of such license and per-
5 mit, shall be entitled to a public hearing before the Council upon
6 ten days notice given to the grantee in the manner prescribed by
7 the Code of Civil Procedure of the State of California for service
8 of summons in a civil action.
9

10 SECTION 12.

11 The holder of any such permit and license may surrender
12 the same at any time and discontinue the operation of such motor
13 bus or motor busses by giving thirty days previous notice to the
14 said Council of the proposed surrender of the same, and after the
15 expiration of said period of thirty days the said permit and li-
16 cense shall become ineffectual and the holder thereof shall be
17 under no further obligation to maintain motor bus service in the
18 City of Modesto as herein defined.
19

20 SECTION 13.

21 Every person who shall at any time operate a motor bus
22 personally or by his, her or its employees, agents or representatives
23 over any street in the City of Modesto, /who is not at the time of
24 such operation the grantee and holder of a valid, effective and
25 or the employee or representative of such grantee and holder
26 unrevoked permit and license hereunder, /shall be guilty of a mis-
27 demeanor, and upon conviction thereof shall be punished by a fine
28 not to exceed \$150.00, or by imprisonment in the County Jail of
29 the County of Stanislaus, State of California, not to exceed fifty
30 days, or by both such fine and imprisonment.
31

 SECTION 14.

 Any license and permit granted or issued hereunder shall

1 entitle the grantee thereof to operate motor busses either per-
2 sonally, or by his, her or its employees, agents and representat-
3 ives.

4 SECTION 15.

5 Those certain Ordinances of the City of Modesto, desig-
6 nated as Ordinances 146 N. S., 205 N. S. ~~###~~
7 all of which relate to the operation of motor vehicles for the
8 purpose of carrying persons for hire in the City of Modesto, are
9 repealed in so far as the said Ordinances or any of them by their
10 terms are made applicable to motor busses, as the term motor bus
11 is defined in Section 1, Subdivision b of this ordinance.
12

13 SECTION 16.

14 Any permit and license granted pursuant to this ordinance
15 may be assigned by the grantee thereof to any other firm, person
16 or corporation, provided that as a condition to the effectiveness
17 of such assignment the City Council shall by resolution approve the
18 same upon an application therefor filed with the City Clerk at
19 least ten days prior to the meeting of the Council at which the
20 application for such ^{approval} ~~###~~ is to be acted upon.
21

22 SECTION 17.

23 Nothing contained in this Ordinance, nor in any permit
24 issued pursuant thereto shall be construed as limiting or restrict-
25 ing the power of the City of Modesto through its Council to grant
26 permits to more than one person, if in the judgment of said City
27 Council the public convenience and necessity require the granting
28 of additional permit or permits to additional applicants.
29

30 SECTION 18.

31 If any section, sub-section, sentence, clause or phrase.

1 of this Ordinance is for any reason held to be invalid, such de-
2 cision shall not affect the validity of the remaining portions of
3 this Ordinance. The Council hereby declares that it would have
4 passed this Ordinance and each section, sub-section, sentence,
5 clause and phrase thereof irrespective of the fact that any one
6 or more sections, subsections, sentences, clauses or phrases be
7 declared invalid.
8

9 SECTION 19.

10 This Ordinance shall be published in full at least once
11 at least three days prior to its final adoption in the Modesto
12 News-Herald, the official newspaper of the City of Modesto, and
13 shall be come effective March 25th, 1927.
14

15
16 ---oOo---

17 The foregoing Ordinance was introduced at a regularly
18 adjourned meeting of the Council of the City of Modesto held on the 2nd day
19 of March, 1927, by Councilman Ustick who moved its adopt-
20 ion and passage to print which motion being duly seconded ~~by~~
21 ~~the Council~~ was upon roll call carried and
22 the Ordinance ordered printed and published as above by the follow-
23 ing vote:
24

25 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

26 Noes: Councilmen; None

27 Absent: Councilmen; None
28

29 Attest: H. E. Gugg
30 City Clerk
31

1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 2nd day of March, 1927, and having been published as re-
4 quired by the Charter, coming on for final adoption this 9th
5 day of March, 1927, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

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12 Approved:

Isaac Elias
Mayor

13
14
15 Attest:

H. E. Gragg
City Clerk

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INITIATIVE ORDINANCE

Ordinance No. 307-N.S.

AN ORDINANCE PROVIDING FOR THE CLOSING OF BARBER SHOPS WITHIN THE CITY OF MODESTO, CALIFORNIA, ON SUNDAYS.

The People of the City of Modesto do hereby ordain as follows:

Section I. It shall be unlawful to carry on or prosecute the trade or occupation of barbering, or to keep open or operate a barber shop, or to carry on, or transact, or engage in, the business of barber, or barbering, or to engage in, or work at, conduct, maintain, or operate such business, or in anywise be employed thereat for profit, on the first day of the week, or the day known as Sunday, of each week.

Section II. Any persons, or persons, violating any of the provisions of this Ordinance shall, upon conviction thereof, be fined not to exceed twenty-five dollars, or be imprisoned for not more than twenty-five days, or by both such fine and imprisonment.

Section III. This Ordinance shall take effect from and after its passage.

Earl P. Elias

Mayor of Modesto.

Attest: *H. E. G. ...*

City Clerk of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1927, and was rejected at the General Election held April 12th, 1927, by the following vote:

For.....852
Against.....939

REPEALED BY
MUNICIPAL CODE

ORDINANCE AMENDING ORDINANCE 9 N. S. AND FIXING
FEES FOR SERVICES OF THE CITY ENGINEER.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Section 2 of Ordinance 9 N. S. is hereby amended so as to read as follows:

"Section 2. For the services mentioned in Section 1 of this Ordinance, the City Engineer shall charge and collect the following fees:

(a) For running lines and setting necessary stakes for establishing the boundaries of a lot fifty (50) feet or a fraction thereof, a charge of ten (\$10.00) Dollars.

For a frontage of fifty-one (51) feet and not more than seventy five (75) feet, a charge of twelve dollars and fifty cents (\$12.50) , and for each additional frontage of twenty-five (25) feet or fraction thereof, a charge of one (\$1.00) dollar.

(b) For giving lines or grades for building construction, a charge of ten (\$10.00) dollars each.

(c) For running lines and setting necessary stakes for sidewalk, curb, or gutter grades, a charge of five (\$5.00) dollars for the first fifty (50) feet or fraction thereof; for a frontage of over fifty (50) feet, an additional charge of two (2) cents per linear foot.

1.

1 (d) For running lines and setting necessary stakes
2 for the curbing, macadamizing or paving of any street, already
3 graded to the official grade, including certificates of record,
4 at the rate of eight (8) cents per linear foot of the work.
5

6 For the purposes of the work mentioned in subdiv-
7 isions a, b, c, and d of this ordinance, the term linear foot
8 shall be deemed to include one side of or to the center line of
9 a street.

10 (e) For giving lines and grades for water mains,
11 sewers, and drains, a charge of five (\$5.00) dollars for the first
12 fifty (50) linear feet or fraction thereof.

13 For over fifty (50) feet, at the rate of an add-
14 itional two (2) cents per foot.

15 The term linear foot or lineal feet, for the pur-
16 pose of this subdivision shall be deemed to include both sides
17 of any street or alley and the rate charged shall include the
18 furnishing of all stakes used.
19

20 (f) For replacing or verifying any street mon-
21 ument or bench mark which has been removed or disturbed, the sum
22 of five dollars (\$5.00) .

23 (g) It shall be unlawful for said engineer to
24 make a greater charge for such services than is provided in this
25 ordinance. All fees collected by said Engineer or any person act-
26 ing under his orders for such work shall be paid into the City
27 Treasury."
28

29 Section 11.

30 All ordinances or parts of Ordinances in conflict
31 herewith are hereby repealed.

1
2
3 AN ORDINANCE PROHIBITING THE ERECTION, INSTALLATION
4 OR ESTABLISHMENT OF OIL SERVICE STATIONS OR GAS
5 STATIONS OR GASOLINE CURB PUMPS WITHIN THE LIMITS OF
6 THE CITY OF MODESTO WITHOUT AN APPLICATION TO AND
7 PERMIT FROM THE CITY COUNCIL TO ERECT THE SAME AND
8 PROVIDING THE CONDITIONS UNDER WHICH SUCH PERMIT MAY
9
10 BE GRANTED.

11 ---oOo---

12
13 The Council of the City of Modesto do ordain as follows:

14 Section I.

15 No oil and gas service station, or oil service stat-
16 ion, or gas service station, or gasoline curb pump shall be
17 hereafter erected, installed or established within the limits
18 of the City of Modesto except upon a permit issued by the City
19 Council, which permit shall be for a fixed period of years, not
20 exceeding five, and be based upon an application filed with the
21 City Council containing the name of the persons, firm or cor-
22 poration or association intending to erect, install or estab-
23 lish such oil service station or gasoline curb pump, accompan-
24 ied by plans and specifications of construction and a statement
25 of the proposed location thereof and which application and plans
26 and specifications shall have been approved by the City Engineer;

27
28 Provided, that no facilities for greasing or repair-
29 ing automobiles or other vehicles at any such gas or oil service
30 station shall be installed, nor shall any greasing or repairs of
31 automobiles or vehicles, at any such station be permitted unless
32 the same is specifically authorized by the permit granted for the
33

1 establishment of said gas or oil service station.

2 Section II.

3 Any person, firm or corporation who shall hereafter
4 erect or establish or install a gas service station or oil ser-
5 vice station or gasoline curb pump without the permit of the
6 City Council specified in Section I. hereof shall be deemed
7 guilty of a misdemeanor for each day that such station is allow-
8 ed to operate, and upon conviction thereof shall be punished
9 by fine not exceeding Five Hundred (\$500.00) Dollars, or by
10 imprisonment in the County Jail not exceeding six months, or
11 by both such fine and imprisonment. In case of corporations
12 where imprisonment is impossible, the complaint may also join
13 as defendant or defendants the officers, agents or employees
14 of the corporation responsible for the violation complained of.
15
16

17 Section III.

18 If any section, sub-section, sentence, clause or
19 phrase of this ordinance is for any reason held to be invalid
20 or unconstitutional, such decision shall not affect the validity
21 of the remaining portions of this ordinance.
22

23 The City Council hereby declares that it would have
24 passed this Ordinance and each section, sub-section, sentence,
25 clause or phrase thereof irrespective of the fact that any one
26 or more section, sub-section, sentence, clause or phrase be
27 declared unconstitutional.

28 Section IV.

29 All ordinances or parts of ordinances in conflict
30 herewith are hereby repealed.

31 Section V.

32 This Ordinance shall go into effect from and after
33

1 fifteen days after its final passage and adoption.

2 VI.

3 This Ordinance shall be published in full at least
4 once at least three days prior to its final adoption in the
5 Modesto News-Herald, the official newspaper of the City of
6 Modesto.
7

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10 The foregoing Ordinance was introduced at a special
11 meeting of the Council of the City of Modesto duly called and
12 held on the 21st day of April, 1927, by Councilman Boundey who
13 moved its adoption, which motion being duly seconded, the Ord-
14 inance was adopted and ordered printed and published as above
15 by the following vote:

16
17 Ayes: Councilmen- Boundey, Brown, Ustick, Trueblood, Mayor Elias

18 Noes: Councilmen-None

19 Absent: Councilmen-None
20

21
22 Attest: H. C. Gugg
City Clerk
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1 The foregoing Ordinance, having been introduced
2 and ordered printed at a special meeting of the Council on the
3 21st day of April, 1927, and having been published as required
4 by the Charter, coming on for final adoption this 27th day of
5 April, 1927, it was finally adopted by the following vote:
6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
7 Noes: Councilmen None
8 Absent: Councilmen None
9

10 Approved: E. P. Elias
11 Mayor

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13 Attest: H. E. Gagg
14 City Clerk
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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 310 - N. S.

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 155
N. S. WITH REFERENCE TO THE FIRE LIMITS.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section 1.

Section 1 of Ordinance No. 155 N. S., entitled "An ordinance establishing the fire limits of the City of Modesto," is hereby amended so as to read as follows:

"Section 1. The fire limits within the City of Modesto are hereby established and the same shall hereafter be maintained as comprising the territory included within the following described boundaries, towit: Commencing at the intersection of the center line of L Street with the center line of Eighth Street in the City of Modesto; thence along the center line of L Street to the center line of Eleventh Street; thence along the center line of Eleventh Street to the center line of K Street; thence along the center line of K Street to the center line of Twelfth Street; thence along the center line of Twelfth Street to the center line of G Street; thence along the center line of G Street to the center line of Eleventh Street; thence along the center line of Eleventh Street to the center line of F Street; thence along the center line of F Street to the center line of Eighth Street; thence along the center line of Eighth Street to its intersection with the center line of L Street, the point of beginning."

Section 2. This ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

1 Section 4. This ordinance shall be published in full
2 at least once at least three days prior to its final adoption in
3 the Modesto News-Herald, the official newspaper of the City of
4 Modesto.

5 The foregoing Ordinance was introduced at a regular
6 meeting of the Council of the City of Modesto held on the 27th
7 day of April, 1927, by Councilman Ustick, who moved its adoption
8 and passage to print, which motion, being duly seconded, was upon
9 roll call carried and adopted by the following vote:

10 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

11 Noes: Councilmen None

12 Absent: Councilmen None

13
14
15 Attest: W. E. Gray
16 City Clerk

REPEALED BY
MUNICIPAL CODE

AN ORDINANCE REGULATING SLOT MACHINES.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

It shall be unlawful for any person, firm or corporation, either as principal, agent, servant or employee, to run, operate or conduct within the City of Modesto, any device or apparatus commonly known as and called a Slot Machine, except in compliance with the terms of this Ordinance.

Section II.

For the purpose of this Ordinance, a Slot Machine shall be defined to be a mechanical device by which, upon the deposit of coin, slug or similar article, the depositor becomes, or may become, entitled to receive merchandise or representative of merchandise, the amount or value of which varies from time to time and is determined by the mechanical operation of the machine.

Section III.

Any person, firm or corporation desiring to conduct, carry on or operate a slot machine, as herein defined, shall first make application so to do. Said application shall be in writing directed to the City Tax and License Collector and contain the information hereinafter specified.

The City Tax and License Collector shall refer the application to the Chief of Police who shall make a report thereon to the City Council. Forms for the applica-

1 without danger to the public health, morals and safety, the
2 Council shall grant the permit applied for, and direct the
3 City Tax and License Collector to issue a license or permit
4 therefor, and the licensee or permittee shall thereafter
5 keep such license or permit posted in a conspicuous place
6 on the premises.
7

8 Section IV.

9 No slot machine shall be conducted or oper-
10 ~~ated except in~~ ^{ated except in} regularly licensed pool or billiard parlors or
11 card rooms, as defined by Ordinance 196 N. S. of the City of
12 Modesto, nor at any place or on any premises where persons
13 under the age of 21 years are permitted to enter or remain,
14 nor shall ~~any~~ ^{any} person under the age of 21 years be permitted
15 to play at such machine.
16

17 No machine shall be permitted to be operated
18 under the provisions of this Ordinance which does not, upon
19 the deposit of a coin or piece of money, immediately deliver
20 to the depositor candy, gum or other merchandise equivalent
21 in market value to the coin or money so deposited, and all
22 such machines shall at all times have stored therein ready for
23 delivery to the depositor of money, merchandise of sufficient
24 quantity to enable it to make immediate deliveries as aforesaid.
25

26 Section V.

27 The Police Officers of the City of Modesto
28 shall be entitled to free and unobstructed access at all times
29 when the same are open for business, to the premises in which
30 such slot machines may be installed, conducted or operated,
31 and shall have the power, in event any machine is operated con-
32 trary to the terms of this Ordinance, to seize and remove the same.
33

Section VI.

In event of a violation by any licensee of the terms of this Ordinance or the application for a license, or of the provisions of any other Ordinance of the City of Modesto relating to slot machines, it shall be the duty of the Chief of Police to serve upon such licensee, or his agent, a notice to appear before the City Council to show cause why such license should not be terminated and cancelled. Said notice must be served not less than two days before the time fixed for such hearing. The City Council shall have the right upon such hearing, to take sworn testimony relating to the alleged violation and to determine whether or not the license shall be terminated and cancelled.

In the event of the termination or cancellation of such license under the provisions of this Section, no new license or other license for the operation of slot machines, shall be issued to such licensee or to any firm of which he is a member or any corporation of which he is a stockholder, or at the premises described in the cancelled license for a period of three months thereafter.

Section VII.

No license shall be issued for a shorter period than one month. A license, when issued, shall continue in force until terminated as provided for in Section VI of this Ordinance, or until cancelled by voluntary surrender by the licensee, or until the licensee shall have failed for a period of ten days after the monthly license tax becomes due, to pay the same. Any license issued in accordance with this Ordinance may be transferred by the licensee to any other person

1 upon filing a notice to that effect with the City Council, pro-
2 vided that such other person shall be qualified under the terms
3 of this Ordinance to receive the same.

4 Section VIII.

5 The fees received by the City Tax and Li-
6 cense Collector for the issuance of licenses and for the month-
7 ly license fee or tax, shall be paid by him into the City
8 Treasury in the same manner as other funds received by him
9 are paid into the City Treasury and shall be credited to the
10 general fund.

11 Section IX.

12 Any person violating any of the terms, pro-
13 visions or sections of this Ordinance, or operating or con-
14 ducting or maintaining for operation, either by himself or
15 for another, or by another, any slot machines in violation of
16 the terms of this Ordinance shall be deemed guilty of a mis-
17 demeanor, and upon conviction thereof, shall be punished by
18 fine, not exceeding \$300.00, or by imprisonment in the County
19 Jail of Stanislaus County not exceeding six months, or by
20 both such fine and imprisonment. Every day that any person
21 so conducts or operates such a machine without a license, or
22 otherwise in violation of the terms of this Ordinance, shall
23 be deemed a separate offense.

24 Section X.

25 If any section, sub-section, sentence,
26 clause or phrase of this Ordinance is for any reason held to
27 be unconstitutional or void, such decision shall not affect
28 the validity of the remaining portions of this Ordinance.

29 The City Council hereby declares that it
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1 would have passed this Ordinance and each section, sub-section,
2 sentence, clause or phrase thereof irrespective of the fact that
3 any one or more sections, sub-sections, sentences, clauses or
4 phrases be declared unconstitutional or void.

5
6 Section XI.

7 All Ordinances, or parts of Ordinances in
8 conflict herewith are hereby repealed, provided, however, that
9 the provisions of Ordinance No. 107 shall remain in full force
10 and effect, except as it may be modified by the provisions of
11 this Ordinance, and that nothing herein contained shall be con-
12 strued to alter, modify or affect Ordinance 196 in any manner
13 whatsoever.

14 The license fees, restrictions and penalties
15 herein contained are in addition to those specified in Ord-
16 inance 196. N. S.

17
18 This Ordinance shall go into effect and be in
19 full force and operation from and after 15 days from its final
20 passage and adoption.

21 Section XII.

22 This Ordinance shall be published in full at
23 least once at least three days prior to its final adoption in
24 the Modesto News-Herald, the official newspaper of the City of
25 Modesto.

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28 The foregoing Ordinance was introduced by
29 Councilman Ustick at a regular meeting
30 of the Council of the City of Modesto held on the 25th day
31 of May, 1927, and/^{was} upon roll call ordered printed
32 and published as above, by the following vote:
33

1 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

2 Noes: Councilmen None

3 Absent: Councilmen None

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Attest: H. E. Gray
Clerk

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1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 25th day of May, 1927, and having been published as required by
4 the Charter, coming on for final adoption this 8th day of June,
5 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

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11 Approved:

Sol. Elias
Mayor

12
13
14 Attest:

H. E. Gray
City Clerk

ORDINANCE NO. 312-N.S.

AN ORDINANCE REGULATING THE ERECTION, INSTALLATION OR ESTABLISHMENT OF OIL SERVICE STATIONS OR GAS STATIONS OR GASOLINE CURB PUMPS WITHIN THE CITY OF MODESTO

The Council of the City of Modesto do ordain as follows:

SECTION I. No Oil and Gasoline Service Station or Oil Service Station or Gasoline Service Station or Gasoline Curb Pump shall hereafter be erected, installed or established within the limits of the City of Modesto unless a permit be first issued therefor by the City Council. Any person desiring to erect, install or establish such Oil or Gasoline Service Station or Curb Pump shall make written application to the City Council setting forth the name of the persons, firms or corporation or association intending to erect, install or establish such Oil Service Station or Gasoline Service Station or Curb Pump and a statement of the proposed location and manner of construction thereof, including plans and specifications, which must comply with the Building Code of the City of Modesto and have the approval of the City Engineer. Such permit to erect, install or establish such Oil or Gasoline Service Station shall not be deemed to embrace facilities for greasing or repairing automobiles or other vehicles at the premises therein described, nor shall any greasing or repairing of automobiles or vehicles be permitted at any such station, unless the same be specifically authorized by the permit herein provided for.

SECTION II. No permit shall be granted for any such Oil and or Gasoline Service Station or Filling Station or Curb Pump in any location where by reason of traffic conditions or fire explosive hazard a Filling Station would imperil public safety.

SECTION III. Any person, firm or corporation who shall hereafter erect or establish or install a gas service station or oil service station or gasoline curb pump without the permit of the City Council specified in Section I, hereof shall be deemed guilty of a misdemeanor for each day that such station is allowed to operate, and upon conviction thereof shall

be punished by fine not exceeding Five Hundred (\$500.00) Dollars, or by imprisonment in the County Jail not exceeding six months, or by both such fine and imprisonment. In case of corporations where imprisonment is impossible, the Complaint may also join as defendant or defendants the officers agents or employees of the corporation responsible for the violation complained of.

SECTION IV. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance and each section, sub-section, sentence, clause or phrase thereof irrespective of the fact that any one or more section, sub-section, sentence, clause or phrase be declared unconstitutional.

SECTION V. All Ordinances or parts of Ordinances in conflict herewith, and in particular Ordinance #309 N.S., are hereby repealed.

SECTION VI. This Ordinance shall go into effect from and after fifteen days after its final passage and adoption.

SECTION VII. This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto duly called and held on the 8th day of June, 1927, by Mayor Elias who moved its adoption, which motion being duly seconded, the Ordinance was adopted and ordered printed and published as above by the following vote;

AYES: Councilmen: Boundey, Brown Ustick, Trueblood, Mayor Elias

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: H. E. Cragg
City Clerk

Original copy lost. Retyped on
January 13, 1959. dm

The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 8th day of June, 1927, and having been published as required by the Charter, coming on for final adoption this 22nd day of June, 1927, it was finally adopted by the following vote:

AYES: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Sol P. Elias
Mayor

ATTEST: H. E. Gragg
City Clerk

The original copy of Ord. 312 lost.
Retyped January 13, 1959.

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NOT SPECIAL
NOT IN CODE

An Ordinance fixing and establishing the official curb grades on certain streets and avenues within the corporate limits of the City of Modesto.

The Council of the City of Modesto do ordain as follows:
Section 1.

The official curb grade on Roselawn Ave. from the South curb line of Tuolumne Ave. to the South curb line of Sierra Drive, Sierra Drive from the East curb line of Roselawn Ave. to the west curb line of Rosedale Ave., First Street from the North curb line of Sierra Drive to the Southerly curb line of H Street are hereby fixed and established at the following elevations, City of Modesto Base to-wit:

89.90 feet North East curb, South East curb, South West curb, and North West curb of Roselawn and Tuolumne Boulevard, 89.00 feet South East curb, and South West curb of Roselawn^{Ave.} and Sierra Drive, 89.40 feet East curb G Street and Sierra Drive, 89.55 feet North curb G Street and First Street.

Grades shall be connected between points as shown on plan and profile on file at the office of the City Engineer.

Section 2. That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. It is further ordered that this Ordinance be printed and published at least once in full in the Modesto-News-Herald, a newspaper printed and published in the City of Modesto, prior to its final adoption.

Section 4. This Ordinance shall take effect and be in full force from and after fifteen days from the date of its final adoption.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto duly called and held on the 22nd

1 day of June, 1927, by Councilman Boundey, who moved its adoption,
2 which motion being duly seconded, the Ordinance was adopted and
3 ordered printed and published as above by the following vote:

4 Ayes: Councilmen Boundey, Brown, Usfick, Trueblood, Mayor Elias

5 Noes: Councilmen None

6 Absent: Councilmen None

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9 Attest: W. E. G. G. G.
City Clerk

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1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 22nd day of June, 1927, and having been published as required by
4 the Charter, coming on for final adoption this 13th day of July,
5 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None
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11 Approved: Salp Elias
12 Mayor

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14 Attest: H. E. Fuzz
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REPEALED BY
MUNICIPAL CODE

ORDINANCE FIXING A LICENSE FEE ON THE SALE OF
TOBACCO.

---oO---

Section I.

It shall be unlawful for any person, firm or corporation to sell or keep for the purpose of sale, or offer for sale, either at wholesale or retail, in the City of Modesto tobacco, cigars or cigarettes without first procuring a license so to do and paying the license fee therefor hereinafter prescribed.

Section II.

Licenses or permits shall be issued by the City Clerk upon application at his office and the payment of the license fee hereinafter specified, which licenses may thereafter be renewed from quarter to quarter upon the payment of the license fee. Applications for licenses shall be in writing filed with the City Clerk, shall specify the name of the applicant, the place at which it is proposed to conduct the business, a statement as to whether the business proposed to be conducted is wholesale or retail, and a covenant upon the part of the applicant to comply with all of the laws of the State of California and the City of Modesto with reference to the sale of tobacco in its various forms and products, and in particular, a covenant not to sell, give away or dispose of any tobacco in any form to any infant under the age of 18 years upon penalty of forfeiture of the license for violation thereof.

Section III.

The license fee shall be the sum of \$ 7⁵⁰
per quarter for a retail business, and the sum of \$ 7⁵⁰

1 for a wholesale business, the quarters beginning on the first days
2 of January, April, July and October of each year, payable in
3 advance; provided, however, that the license fees for that portion
4 of the quarter beginning July 1st, 1927, shall be one-half of the
5 sum specified above as the license for a quarter.
6

7 The license fee herein provided for shall be in
8 addition to any other license fees which may be paid by the same
9 person at the same premises for carrying on or conducting any other
10 business licensed by the ordinances of the City of Modesto.

11 Section IV.

12 Upon conviction for a violation of this Ordinance,
13 the defendant shall be punished by a fine not to exceed \$100.00,
14 or imprisonment in the County Jail not to exceed fifty days, or
15 both such fine and imprisonment. For a violation of the terms and
16 condition of the application referred to in Section II of this
17 Ordinance, the license may be revoked by the City Council upon
18 two day's notice to the licensee, and in such event, no license
19 shall thereafter be issued to the same person or to any other
20 person at the same premises for a period of three months.
21
22

23 Section V.

24 The foregoing Ordinance shall take effect and be
25 in full force and operation from and after fifteen days after
26 its final passage and adoption.

27 Section VI.

28 The foregoing Ordinance shall be published in
29 full at least once at least three days prior to its final
30 passage and adoption in the Modesto News-Herald, the official
31 newspaper of the City of Modesto.
32

1 The foregoing Ordinance was introduced at a
2 regular meeting of the City Council of the City of Modesto held
3 on the 13th day of July, 1927, by Councilman Ustick
4 who moved its adoption, which motion being duly seconded, was
5 carried and the Ordinance ordered printed and published as above
6 by the following vote:
7 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias
8 Noes: Councilmen: None
9 Absent: Councilmen: None
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Attest: H. E. Gray
Clerk

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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council on the 13th day of July, 1927, and having been published as required by the Charter, coming on for final adoption this 27th day of July, 1927, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Bole P. Elias
Mayor

Attest: H. E. Gugg
Clerk

REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 14 of ORDINANCE #54 N.S.

---000---

The Council of the City of Modesto do ordain as follows:

Section I.

Section 14 of Ordinance #54 N. S. is hereby amended so as to read as follows:

"Section 14. Every circus exhibiting in the City of Modesto shall pay a license fee of \$75.00 per day for the first day , and the sum of \$25.00 per day for each additional day that such circus exhibits in Modesto; provided that before such circus is open for exhibition, it must apply to the Commissioner of Public Health and Safety for a permit which shall be granted by said Commissioner if the application and his investigation shows that such circus may be opened and conducted without danger to the public peace, health and safety."

Section II.

This Ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular

1 meeting of the Council of the City of Modesto held on June 22,
2 1927, by Councilman Brown who moved its adoption
3 and passage to print, which motion being duly seconded, was
4 upon roll call carried and the Ordinance ordered printed and pub-
5 lished as above by the following vote:

6
7 Ayes: Councilmen: Brown, Boundey, Trueblood, Ustick and
8 Mayor Elias.

9 Noes: Councilmen: None.

10 Absent: Councilmen: None.
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13 Attest: H. E. Gragg
14 City Clerk
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1 The foregoing Ordinance, having been introduced
2 and ordered printed at a regular meeting of the Council on the
3 22nd day of June, 1927, and having been published as required by
4 the Charter, coming on for final adoption this 13th day of July,
5 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9
10 Approved: *Salp Elias*
11 *Mayor*

12
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14 Attest: *H. E. Gray*
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2
3 AN ORDINANCE PROVIDING FOR A LICENSE FEE UPON GASOLINE
CODE SEC. PUMPS OPERATED AT THE CURB.
NO. 46-4.01
56-4.02

4 ---oOo---

6
7 The Council of the City of Modesto do ordain
8 as follows:

9 Section I.

10 It shall be unlawful for any person, firm or cor-
11 poration to commence, carry on or conduct the business of selling
12 gasoline or other motor fuels thereof to operate any curb pump for
13 the sale of gasoline or distillate without obtaining a license there-
14 for and paying the license fee herein prescribed, to-wit: a fee of
15 \$ 15⁰⁰ per quarter for each such curb pump so operated by any per-
16 son, firm or corporation. Provided, however, that the license fee
17 for the period between the time that this ordinance goes into effect
18 and October 1st, 1927, shall be the sum of \$ 5⁰⁰.

19
20 The license fee hereinabove specified shall be
21 payable to the City Tax and License Collector and a receipt shall be
22 issued by him to the licensee. The license fee herein provided for
23 shall be in addition to any other regulations provided by any other
24 ordinance of the City of Modesto with reference to the operation
25 and maintenance of curb pumps as herein defined.

26
27 The quarters within the meaning of this ordinance
28 shall be deemed to commence on the first days of January, April,
29 July and October of each year.

30 For the purpose of this ordinance, a curb pump
31 is defined to be a pump or other equipment or apparatus located at
32 the curb or at the sidewalk outside of the property line of any
33

1 street in the City of Modesto for the sale and delivery of
2 gasoline or other fuel oils to motor vehicles.

3 Section II.

4 Any person found guilty of violating the terms
5 of this Ordinance shall be deemed guilty of a misdemeanor and upon
6 conviction shall be punished by a fine of not less than Five
7 (\$5.00) Dollars, nor more than One Hundred (\$100.00) Dollars, or by
8 imprisonment in the County Jail for not less than five nor more than
9 one hundred days , or by both such fine and imprisonment. Each day
10 that any curb pump is maintained or operated without the payment
11 of the license fee herein specified shall be deemed a separate
12 offense .
13

14 Section III.

15 This Ordinance shall go into effect and be in
16 full force and operation from and after fifteen days after its
17 final passage and adoption.
18

19 Section IV.

20 This Ordinance shall be published in full at
21 least once at least three days prior to its final adoption in the
22 Modesto News-Herald, the official newspaper of the City of
23 Modesto.
24

25 The foregoing Ordinance was introduced at a
26 regularly adjourned meeting of the Council of the City of Modesto
27 held on the 3rd day of August, 1927, by Councilman Ustick
28 who moved its adoption and passage to print, which motion being
29 duly seconded was carried and the Ordinance ordered printed and
30 published as above by the following vote:
31

32 Ayes: Councilmen-Boundey, Brown, Trueblood, Ustick and Mayor Elias.
33 Noes: Councilmen- None.
Absent: Councilmen- None.

1 The foregoing Ordinance, having been introduced and
2 ordered printed at a regular ^{adjourned} meeting of the Council on the 3rd day
3 of August, 1927, and having been published as required by the
4 Charter, coming on for final adoption this 10th day of August, 1927,
5 it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9
10 Approved: S. P. Elias
11 Mayor

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13 Attest: H. E. Fung
14 Clerk

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SPECIAL
NOT IN CODE

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF AN
ADDITION TO THE CITY LIBRARY AND
APPROPRIATING FUNDS
THEREFOR.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The construction of an addition to the City
Library, located on lots 30, 31 and 32, in Block 113 of the City
of Modesto, including the installation of a heating plant for
the entire building, is hereby authorized and directed. The City
Engineer is directed to prepare plans and specifications therefor.
The City Clerk is directed to publish notices calling for sealed
bids for the construction thereof, said notices to be in the usual
form and specifying that bids shall be opened at a time and place
therein stated. The successful bidder will be required to com-
ply with all of the provisions of law with respect to labor and
material and faithful performance bonds and hours of labor.

Section II.

The sum of Twenty-eight thousand (\$28,000.00)
Dollars, or so much thereof as may be necessary, is hereby app-
ropriated out of the General Fund of the City of Modesto not
otherwise appropriated to pay for the cost of the improvement
described in Section I of this Ordinance .



1 Section III.

2 It is hereby found and declared that the pass-
3 age of this Ordinance is necessary for the immediate preservation
4 of the public peace, health and safety in that additional space
5 in the library is urgently required, particularly for the use of
6 students in the High School and Junior College upon the re-open-
7 ing of schools, and also in that said building should be construct-
8 ed and under cover prior to the opening of the winter season. It
9 is therefore directed that this Ordinance shall go into effect
10 and be in full force and operation immediately upon its final
11 passage and adoption.
12

13 Section IV.

14 This Ordinance shall be published in full at
15 least once at least three days prior to its final passage and
16 adoption in the Modesto News-Herald, the official newspaper of
17 the City of Modesto.
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21 The foregoing Ordinance was introduced at a
22 regular meeting of the Council of the City of Modesto held on the
23 10th day of August, 1927, by Councilman Trueblood who moved its
24 adoption and passage to print, which motion being duly seconded,
25 was upon roll call carried and the Ordinance ordered printed and
26 published as above by the following vote:
27
28 Ayes: Councilmen: Brown, Boundey, Trueblood, Ustick and Mayor Elias.
29 Noes: Councilmen: None.
30 Absent: Councilmen: None.
31

Attest: *H. E. G. [Signature]*
[Signature]

1 The foregoing Ordinance, having been introduced and
2 ordered printed at a regular ~~adjourned~~ meeting of the Council
3 on the 10th day of August, 1927, and having been published as
4 required by the Charter, coming on for final adoption this 24th day
5 of August, 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood

7 Nays: Councilmen None

8 Absent: Mayor Elias

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10 Approved: _____

Sol P. Elias
Mayor

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12 Attest: _____

H. E. Gray
City Clerk

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SPECIAL
NOT IN CODE

1 An Ordinance fixing and establishing the official curb grades
2 on certain streets and avenues within the corporate limits of the
3 City of Modesto.
4

5 The Council of the City of Modesto do ordain as follows:

6 SECTION. I. The official curb grade on Elmwood Court from
7 the West curb line of McHenry Avenue to the East curb line of Elm-
8 wood Avenue, are hereby fixed and established at the following elevat-
9 ions, City of Modesto Base to-wit:

10 94.40 feet on the North curb and South curb on Elmwood Court
11 at a point one hundred thirty-nine (139.00) feet east from the East
12 property line of Elmwood Avenue.

13 Grades shall be connected between points as shown on plan and
14 profile on file at the office of the City Engineer.

15 SECTION II. That all Ordinances and parts of Ordinances in
16 conflict herewith are hereby repealed.

17 SECTION III. It is further ordered that this Ordinance be
18 printed and published at least once in full in the Modesto News-Herald,
19 a newspaper printed and published in the City of Modesto, prior to
20 its final adoption.

21 The foregoing Ordinance was introduced at a regular meeting
22 of the City Council of the City of Modesto held on the 10th day of
23 August, 1927, by Councilman Boundey, who moved its adoption and
24 passage to print, which motion being duly seconded, was upon roll
25 call, carried and the Ordinance ordered printed and published
26 as above by the following vote:

27 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

28 Noes: Councilmen None

29 Absent: Councilmen None

30 Attest: H. G. Gray
31

1 The foregoing Ordinance, having been introduced and
2 ordered printed at a regular ~~adourned~~ meeting of the Council
3 on the 10th day of August, 1927, and having been published as
4 required by the Charter, coming on for final adoption this 24th
5 day of August, 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood,

7 Noes: Councilmen None

8 Absent: Mayor Elias

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10 Approved: Sal P. Elias
Mayor

11
12 Attest: H. E. Guff
City Clerk

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 319 - N. S.

AN ORDINANCE GOVERNING THE TURNING OF VEHICLES AT INTERSECTIONS WHERE FOUR TRAFFIC BUTTON MARKERS ARE PLACED AND PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The word "vehicle" as used herein shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, provided that for the purpose of this ordinance a bicycle shall be deemed a vehicle; and this ordinance shall also apply to persons riding animals.

Section II.

Upon approaching any intersection of public streets in the City of Modesto upon which said intersection a four traffic button system of markers has been placed by authority of the City of Modesto or any of its departments, every vehicle making any turn at said intersection shall keep to the right of the button or marker indicating the center line of the street on which said vehicle is approaching and also to keep to the right of the button or marker indicating the center line of the street into which said vehicle is turning.

Section III.

When two vehicles approach said intersection at approximately the same time, the vehicle approaching from the

1 right shall have the right-of way, provided such vehicle is
2 traveling at a lawful speed.

3 Section IV.

4 Nothing in this ordinance contained shall apply
5 to any vehicle operated by the Police or Fire Departments of the
6 said City of Modesto.
7

8 Section V.

9 Any person violating any of the provisions of this
10 Ordinance shall be guilty of a misdemeanor and upon conviction
11 thereof shall be punishable by fine not exceeding Three Hundred
12 (\$300.00) Dollars, or by imprisonment in the County Jail not ex-
13 ceeding one hundred eighty (180) days , or by both such fine and
14 imprisonment.
15

16 Section VI.

17 All Ordinances or parts of Ordinances in conflict
18 herewith are hereby repealed.

19 Section VII.

20 This Ordinance shall be published in full at
21 least once at least three days prior to its final adoption in
22 the Modesto News-Herald, the official newspaper of the City of
23 Modesto.
24

25 Section VIII.

26 This Ordinance shall take effect and be in full
27 force and operation from and after fifteen days after its final
28 passage and adoption.
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1 The foregoing Ordinance was introduced at a
2 regularly adjourned meeting of the Council of the City of Modesto
3 held on the 17th day of August, 1927, by Councilman Ustick
4 who moved its adoption and passage to print, which motion being
5 duly seconded was upon roll call carried and the ordinance ordered
6 printed and published as above by the following vote:

7
8 Ayes: Councilmen: Boundey, Ustick, Trueblood, Mayor Ellis

9 Noes: Councilmen: None

10 Absent: Councilmen: Brown

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14 Attest: H. E. Gragg
15 ~~Edy~~ Clerk.

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19 ---oo---

1 The foregoing Ordinance, having been introduced and
2 ordered printed at a regular adjourned meeting of the Council
3 on the 17th day of August, 1927, and having been published as
4 required by the Charter, coming on for final adoption this 24th day
5 of August, 1927, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood

7 Noes: Councilmen None

8 Absent: Mayor Elias

9 Approved: Sal P. Elias
10 Mayor

11 Attest: H. E. Gage
12 City Clerk

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NOT SPECIAL
IN CODE

AN ORDINANCE Fixing the Rate of Taxation in and for the City of Modesto for the fiscal year 1927-28.

The Council of the City of Modesto do ordain as follows:

Section 1. There is hereby levied upon the assessed valuation of the property in the City of Modesto, County of Stanislaus, State of California, for the fiscal year beginning July 1, 1927, and ending June 30, 1928, the rates of taxation hereinafter specified, said rates being upon each one hundred dollars (\$100) of the valuation according to the equalized assessment roll, to-wit:

For the General Fund, One Dollar (\$1.00) on each one hundred dollars valuation;

For the bond redemption and interest fund as follows:

- (a) Municipal improvement bonds of 1909, 0.5 Cents;
- (b) Municipal improvement bonds of 1910, 4 Cents;
- (c) Municipal improvement bonds of 1911, 1 Cents;
- (d) Municipal improvement bonds of 1912, 0.3 Cents;
- (e) Municipal improvement bonds of 1918, 0 Cents;
- (f) Municipal improvement bonds of 1919 (first issue) 0.4 Cents;
- (g) Municipal improvement bonds of 1919 (second issue) 2 Cents; ✓
- (h) Municipal improvement bonds of Jan. of 1920, 14 Cents;
- (i) Municipal improvement bonds of June of 1920, 3 Cents;
- (j) Municipal improvement bonds of 1923 3 Cents;

1 Being a total of 37 Cents on each one hundred
2 dollars in valuation of all property taxable for the redemp-
3 tion of bonds and the payment of interest there on that shall
4 accrue during said fiscal year;

5 For the Library Fund, 13 Cents on each one
6 hundred dollars of said taxable valuation.

7 The aggregate of said sums, to-wit: One Dollar and
8 fifty Cents (\$1.50) on each one hundred dollars valuation
9 as determined by the equalized assessment roll for the year
10 1927-1928 on all property taxable in the City of Modesto for
11 said purposes is hereby levied and apportioned to and shall
12 be paid into the above funds respectively of said City. The
13 rates above specified shall be in addition to those required
14 to be levied under the general laws of the State of California
15 for the purpose of paying the principal and interest on street
16 improvement bonds in local improvement districts.

17 Section 2. This ordinance shall take effect im-
18 mediately upon its final passage and adoption.

19 Section 3. This ordinance shall be published in
20 full at least once at least three days prior to its final
21 adoption in the Modesto News-Herald, the official newspaper
22 of the City of Modesto.

23 The foregoing Ordinance was introduced at a regular
24 meeting of the Council of the City of Modesto held on the 24th
25 day of August, 1927, by Trueblood who moved its publication
26 as aforesaid which motion being duly seconded, the Ordinance was
27 ordered printed and published as above by the following vote:

28 Ayes: Councilmen Boundey, Brown, Ustiek, Trueblood, Mayer-Elias

29 Noes: Councilmen None

30 Absent: Mayor Elias

31 Attest: H. E. Gray
City Clerk

1 The foregoing Ordinance, having been introduced and ordered
2 printed at a regular meeting of the Council on the 24th day of
3 August, 1927, coming up for final adoption this 14th day of
4 September, 1927, and having been published as required by the
5 Charter, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9 Approved: *Gold P. Elias*
Mayor

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11 Attest: *H.E. Gray*
City Clerk

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*Cancelled
Ordinance #519 -
Written in lieu*

AN ORDINANCE PROHIBITING INTERFERENCE WITH THE
AVIATION FIELD.

---oOo---

The Council of the City of Modesto do ordain
as follows:

REVEALED BY
MUNICIPAL CODE

Section I.

It shall be unlawful for any person, except officials and employees of the City of Modesto, or those authorized by them, to trespass, or go upon, or drive automobiles or other ground vehicles upon the run-way on the aviation field, or automobiles, or other vehicles upon the playing portion of the athletic field adjacent thereto, or to drive any automobiles, or other vehicles, or trespass upon any other portion of said field which are designated by signs placed thereon by the Department of Public Works as not being open to the public.

This Ordinance does not apply to gas trucks or other vehicles delivering gas, oil or merchandise to aeroplanes.

Section II.

Violation of this Ordinance shall be punished by a fine of not to exceed One Hundred (\$100.00) Dollars, or imprisonment in the County Jail not to exceed fifty days, or by both such fine and imprisonment.

Section III.

This Ordinance shall be published at least once at least three days prior to its final adoption in the

1 Modesto News-Herald, the official newspaper of the City of Mo-
2 desto.

3 Section IV.

4 This Ordinance shall take effect and be in
5 full force and operation from and after fifteen days after its
6 final passage and adoption .
7

8
9 The foregoing Ordinance was introduced at a
10 regularly adjourned meeting of the Council of the City of Modesto
11 held on the 31st day of August, 1927, by Councilman Bourday
12 who moved its adoption and passage to print, which motion being
13 duly seconded, was upon roll call ordered printed and published
14 as above, by the following vote:

15
16 Ayes: Councilmen: Bourday, Brown, Ustick, Trusblood, Mayor Elias

17 Noes: Councilmen: None

18 Absent: Councilman None
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22 Attest: H. E. Gung
City Clerk
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AN ORDINANCE REGULATING AND FIXING A LICENSE FEE FOR THE BUSINESS OF FORTUNE TELLING.

---oOo---

The Council of the City of Modesto do ordain as follows:

Amended by Ord #679-N.S.

Section I.

It shall be unlawful for any person, firm or corporation to engage in the City of Modesto in the business of fortune telling, or as a seer, astrologer or astrologer or clairvoyant for compensation of any kind whatsoever without first obtaining a license therefor from the City Council and paying the license fee required by this Ordinance.

Section II.

Applications for licenses shall be in writing filed with the City Clerk and shall contain the names and residences of the applicants, if an individual, firm or partnership, or the names of the principal officers and their residences, if the applicant is a corporation, and in the latter case shall also specify the names of one or more persons/^{whom the applicant} shall designate as Manager or person in charge, with the addresses of the same. Said application shall also state the following:

(a) The length of time such applicant or applicants, if an individual, firm or partnership, or the Manager, if a corporation, has resided in the City of Modesto, his or their places of previous employment, whether married or single, and whether he or they or any of them have ever been convicted of a felony or misdemeanor, and if so, what offense, when and in what Court.

1 (b) The premises where such business is to be
2 carried on and maintained, giving the street and number.

3 (c) Whether such business is to be carried on in
4 connection with some other kind of business.

5 (d) Whether the applicant or Manager is either
6 alone or with some one else previously engaged as owner or employee
7 in conducting a similar business; when and where and how long.

8 (e) Such other information as the City Council
9 may from time to time require.

10 (f) The application shall be signed and verified
11 before a Notary Public or other officer authorized to administer
12 oaths in the City of Modesto.

13
14 Section III.

15 Upon receipt of any such application, the Comm-
16 issioner of Public Health & Safety shall cause an investigation
17 to be made concerning the statements made in such application, the
18 character and reputation of the applicant or applicants, the con-
19 dition of the premises, equipment and methods to be used, with a
20 view to the preservation of the public health, peace and safety.
21 For the purpose of such investigation, he shall have the assistance
22 and co-operation of the Chief of Police and every other department,
23 bureau or officer of the City of Modesto.

24
25 *3 1/2 added by 704-N.S.*
26 Section IV.

27 When such application is made by filing the same
28 with the City Clerk, he shall set it down for hearing at the next
29 regular meeting of the City Council at which the same can be heard
30 and shall cause notice thereof to be published in the official
31 newspaper of the City of Modesto at least twice at least five days

1 before the date of hearing.

2 Section V.

3 At the time set for hearing, the City Council shall
4 act upon the application and either grant or reject the same;
5 provided, however, that the hearing may for good cause in the dis-
6 cretion of the Council be continued from time to time. The app-
7 lication may be rejected if any of the persons named in the appli-
8 cation or connected or associated with the applicant in the conduct
9 of the business are not of good moral character, or have within
10 five years prior to the date of the application been convicted of a
11 felony , or within one year of a misdemeanor; if any of such per-
12 sons have previously been connected with the fortune telling business,
13 as herein defined, the license for which has been revoked; or if
14 the business sought to be licensed does not comply in every way with
15 the regulations, ordinances and laws applicable thereto. No li-
16 cense shall be refused, except for a specific reason, and for the
17 protection of the public health, safety, good order or morals.
18 If the application is rejected, the City Clerk shall notify the
19 applicant in writing, giving the reason for the same, and shall re-
20 fund all of the deposit made with the application, save and except,
21 the costs incurred by the City of Modesto in investigating the same
22 and in giving notice of the hearing.

23 Section VI.

24 No transfer or license as to location or owner-
25 ship shall be granted , except after application therefor has been
26 made upon forms provided by the City Clerk who may grant or reject
27 such application after investigation. If the application for trans-
28 fer is approved, this *action* shall be endorsed upon the license
29 by the City Clerk.
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1 Section VII.

2 Every person licensed in accordance with the pro-
3 visions of this Ordinance shall immediately post such license and
4 keep the same posted while in operation in a conspicuous place upon
5 the premises where such business is authorized to be carried on.

6 It shall be unlawful for any person to post such license, or permit
7 it to be posted upon premises other than those named in the
8 application, or knowingly to deface or destroy any such license.

9 Whenever a license shall be lost or destroyed without fault on the
10 part of the owner, or his agents or employees, a duplicate license
11 in lieu thereof may be issued by the City Clerk in his discretion.
12

13 Section VIII.

14 It shall be unlawful to keep open to the public
15 or to conduct the business herein defined on any day between the
16 hours of 12:30 and 8 o'clock A. M.
17

18 Section IX.

19 It shall be the duty of the Chief of Police, and
20 he is hereby authorized and empowered from time to time, to inspect
21 and examine, or cause to be inspected and examined, the premises
22 where the business of fortune telling, clairvoyancy, or of a seer
23 or an astrologer are carried on for the purpose of ascertaining
24 the general reputation and character of the place and of the per-
25 sons who habitually frequent such place; the name and kind of such
26 business conducted at such place by the licensee, or by any other
27 persons ; the nature and kind of entertainments, if any, at such
28 place, and whether such place is conducted in a lawful, quiet or
29 orderly manner; such inspection and examination shall be made
30 when the premises are open to the public for business or otherwise
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1 occupied, as provided in Section VIII. hereof; and it shall be
2 his duty in event he finds that the said business is not carried
3 on in a lawful, quiet and orderly manner, or that the licensee vio-
4 lates this Ordinance, or any other Ordinance of the City of Mo-
5 desto, or any law of the State of California, to recommend to the
6 City Council that the license may be revoked. The City Council may
7 upon such recommendation being filed, or upon its own motion,
8 serve or cause to be served, upon the licensee, a notice specifying
9 the grounds for said complaint and fixing a time and place at which
10 the City Council shall hear and determine such charges, which time
11 shall not be less than three days from the date of the service of
12 the notice, at which time and place, the person against whom the
13 complaint is filed shall have the opportunity to be heard and to
14 make his defense against such complaint.
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16
17 Section X.

18 REVOCATION OR SUSPENSION OF LICENSE.- Any licensee
19 who shall violate or shall permit a violation of the laws of the
20 State or of this or any ordinance or rule or regulation of the
21 City of Modesto within such licensed establishment, shall be lia-
22 ble to have his or its license suspended for the first violation by
23 the City Council for a period of thirty days, and for the second vio-
24 lation for a period of sixty days; provided, however, that upon the
25 third violation, such license shall be revoked by the City Coun-
26 cil; provided further, that the City Council shall have the right
27 to revoke such license upon the first or second violation. The
28 City Council shall also have the right to suspend or revoke such
29 license whenever it shall be shown to its satisfaction that the bus-
30 iness so licensed is being conducted in a manner which is detrimen-
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1 tal to the health, morals, peace or safety of the community;
2 provided, however, that when such license is suspended or revoked,
3 the City Council shall notify the licensee in writing and give the
4 reason for such suspension or revocation. Upon the revocation of
5 any license the unearned portion of the license fee shall be re-
6 turned to the licensee, upon his application therefor, provided
7 that no fraction of a month shall be included in the compilation.
8 When a license has been revoked, no other license shall be issued
9 to the same licensee within one year.

11 Section XI.

12 NOTICES.- Any notice provided for in this Ord-
13 inance shall be served, either by delivering a copy personally to
14 the licensee, or by leaving a copy with some person of suitable age
15 and discretion at the place of business of the licensee and act-
16 ually or apparently in charge thereof; or if no such person may be
17 found at the place of business of the licensee, by posting such
18 notice in a conspicuous place on the premises, and mailing a copy
19 of the notice to the licensee at his place of business as set forth
20 in his or its or their application for a license.

22 Section XII.

23 The applicant shall with his application deposit
24 with the City Clerk a license fee of ~~\$100.00~~^{\$200.00} for the first month,
25 and in event the license is granted, shall be renewed for periods
26 of one month at a time until revoked, upon payment of a license
27 fee for each month at the rate of ~~\$100.00~~^{\$200.00} per month, payable in
28 advance. In event the application is not granted, the applicant
29 shall have refunded to him the license fee paid for the first month,
30 save and except, the costs of the investigation hereinbefore ref-
31

1 erred to, including the cost of publishing the notice of the
2 application.

3 Section XIII.

4 Any person, firm, partnership, corporation or assoc-
5 iation of persons who himself or itself, or by his or its clerk,
6 agent or employee, shall conduct or engage in the business of for-
7 tune telling, clairvoyancy, as a seer or as an astrologer for com-
8 pensation of any kind, either directly or indirectly, without
9 first obtaining the license required by this Ordinance, shall vio-
10 late any of the provisions of this Ordinance, or who having had his,
11 its or their license suspended or revoked, shall continue to oper-
12 ate such business, shall, upon conviction thereof, be subject to a
13 fine/ ^{or penalty} of not less than \$100.00, nor more than \$500.00, or by im-
14 prisonment in the County Jail of Stanislaus County not less than
15 ten days, nor more than six months, or by both such fine and im-
16 prisonment. Each separate day on which such violation continues
17 shall constitute a separate offense.

18 Section XIV.

19 All Ordinances or parts of Ordinances in conflict
20 herewith are hereby repealed and the license issued pursuant to any
21 previous Ordinances of the City of Modesto shall be cancelled
22 when this Ordinance goes into effect, and the unearned portion of
23 the license fee returned to the license holder.

24 Section XV.

25 The City Council hereby finds and determines that
26 the immediate enforcement of this Ordinance is necessary for the
27 immediate preservation of the public peace, health and safety,
28 inasmuch as the community is now infested with a large band/ ^{or several bands} of

1 roving people of foreign extraction who make a business of fortune
2 telling, and are commonly known as Gypsies, and who intend to re-
3 main in this community for a period of several months, and that
4 the public peace, health and safety requires a rigid control over
5 their activities. This Ordinance shall therefore go into full force
6 and effect immediately upon its final adoption.
7

8 Section XVI.

9 This Ordinance shall be published in full at least
10 once at least three days prior to its final adoption, in the Modesto
11 News Herald, the official newspaper of the City of Modesto.
12
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14 The foregoing Ordinance was introduced at a
15 regularly adjourned meeting of the Council of the City of Modesto ,
16 held on the 31st day of August, 1927, by Councilman Ustick
17 who moved its adoption and passage to print, which motion being
18 duly seconded, was upon roll call carried, and the Ordinance
19 ordered printed and published as above by the following vote:
20 Ayes: Councilmen: Boundey, Brown, Ustick, Trucllood, Mayor Elias
21 Noes: Councilmen: None
22 Absent: Councilmen: None
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26 attest: H.E. Gray
27 City Clerk
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1 The foregoing Ordinance, having been introduced and ordered
2 printed at a regularly adjourned meeting of the Council on the 31st
3 day of August, 1927, coming up for final adoption this 14th day of
4 September, 1927, and having been published as required by the
5 Charter, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9 Approved: *Sol Elias*
Mayor

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11 Attest: *H. E. Gagg*
City Clerk

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SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE
OF LIBRARY EQUIPMENT.

---oOo---

The Council of the City of Modesto do ordain as
follows:

Section I.

The sum of \$6000.00, or so much thereof as may be
necessary, is hereby appropriated out of the Library Fund and
its expenditure authorized, for furnishing the labor and material
to re-arrange and supply fixtures and equipment for the McHenry
Library in the City of Modesto.

Section II.

Plans and specifications therefor shall be prepared
by the City Librarian and filed with the City Clerk, and thereupon,
the City Clerk shall advertise for bids for furnishing said labor
and material, fixtures and equipment, in accordance with said
plans.

Section III.

Inasmuch as the addition to the Library Building is
now nearing completion and said additional equipment and fixtures
will be required immediately in order that said addition may be
used by the public as soon as completed, it is hereby found as a
fact that this ordinance is necessary for the immediate preser-
vation of the public peace, health and safety. This ordinance
shall therefore go into effect immediately upon its final adoption.

1.

SPECIAL
NOT IN CODE

Section IV.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the City of Modesto held, on the 13th day of October, 1927, by ~~Councilman~~ Mayor Elias, who moved its adoption, which motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and published as above, by the following vote:

Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Gray
City Clerk

AN ORDINANCE APPROPRIATING A SUM OF MONEY FOR THE PURCHASE
OF ADDITIONAL PROPERTY FOR THE AIR PORT.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of \$2600.00 (being \$2500 principal and
the remainder thereof interest) or so much thereof as may be nec-
essary is hereby appropriated out of the General Fund of the City
of Modesto for the purchase of the following additional property
for the Modesto Air Port or Aviation Field, to-wit:

Lots 69, 70, 71 and 72 of the First Addition
to Sunset Acres, according to the map thereof filed in the office
of the County Recorder of Stanislaus County, California, on
March 18, 1911, in Vol. 5 of Maps, page 27.

The payment of \$850.00 of said sum prior to the
final passage of this Ordinance , and in accordance with Resolu-
tion No. 1338- N. S. is hereby ratified and approved. The bal-
ance of said money shall be payable in accordance with said Res-
olution No. 1338- N. S. and to the holder or holders of the
promissory note and trust deed upon said property therein described.

Section II.

When said property shall have been conveyed to
the City of Modesto, it shall become a part of the Modesto Air Port
or Aviation Field and shall be developed, managed and operated
as the Council may hereafter direct.

1.

1 Section III.

2 This Ordinance shall take effect and be in full
3 force and operation from and after fifteen days after its final
4 passage and adoption.

5 Section IV.

6 This Ordinance shall be published in full at
7 least once at least three days prior to its final adoption in the
8 Modesto News-Herald, the official newspaper of the City of Modesto.
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13 The foregoing Ordinance was introduced at a
14 regular meeting of the Council of the City of Modesto held on the
15 9th day of November, 1927, by Councilman Boundey who
16 moved its adoption and passage to print, which motion being duly
17 seconded, was upon roll call carried by the following vote:
18

19 Ayes: Councilmen: *Boundey, Brown, Ustick, Trueblood, Mayor Elias*

20 Noes: Councilmen: *none*

21 Absent: Councilmen: *none* Attest: *H. E. Gragg*
22 *City Clerk*

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council held on the 9th day of November, 1927, and having been published as required by the Charter, coming on for final adoption this 23rd day of November, 1927, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Elias
Mayor

Attest: H. E. Gray
City Clerk

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 306 N.S.
RELATING TO LICENSES FOR MOTOR BUSES.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Section 5 of Ordinance No. 306 N. S. is hereby amended by striking out from the same the following portion of Sub-section A thereof, to-wit:

"No bond or other policy of insurance given pursuant hereto may be revoked or cancelled, unless and until replaced by another bond or policy of insurance, conditioned as herein specified, and approved by the City Council as to the sufficiency of the surety"

and inserting the following in lieu thereof:

"No bond or policy of insurance given pursuant hereto may be revoked or cancelled, unless and until the surety shall have given the assured fifteen days previous notice thereof in writing, stating the reason for such cancellation and when the same shall be effective, and until also a copy of such notice of cancellation shall have been served upon the City Clerk of the City of Modesto at least fifteen days prior to the date when such cancellation becomes effective."

Section II.

This ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section III.

This ordinance shall be published in full at least at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1927, by Councilman Ustick who moved its adoption and passage to print, which motion being duly seconded was upon roll call carried by the following vote:

Ayes: Councilmen: *Boundey, Brown, Ustick, Trueblood, Mayor Cleas*

Noes: Councilmen: *none*

Absent: Councilmen: *none*

Attest: *H. E. Gragg*
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council held on the 9th day of November, 1927, and having been published as required by the Charter, coming on for final adoption this 23rd day of November, 1927, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Solt. Elias*
Mayor

Attest: *H. E. Gray*
City Clerk

REPEALED BY
MUNICIPAL CODE

~~AN ORDINANCE REGULATING SMOKING IN PLACES USED FOR THEATRICAL
OR OPERATIC PERFORMANCES, PUBLIC ENTERTAINMENT, OR ASSEMBLAGES
OF ANY KIND, PROVIDING A PENALTY FOR A VIOLATION OF THIS ORD-
INANCE, AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE
EFFECT IMMEDIATELY.~~

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

It shall be unlawful for any person to smoke, by means of cigars, cigarettes, pipes, or otherwise, in any place in the City of Modesto used for the purpose of a theatre, opera, public entertainment, or assemblage of any kind. It shall be also unlawful for any person, firm or corporation, owning or managing or controlling any such place, to permit any such smoking therein.

Section II.

The provisions of Section I hereof shall not apply to smoking in a room entirely removed from the main auditorium, balconies, stage, or projecting room of any of the places hereinbefore specified in Section I hereof, nor to smoking by actors or performers upon the stage as part of the business of the act or performance being presented.

Section III

Every person, firm or corporation controlling or managing any theatre, opera house, auditorium or place of public assemblage, shall cause to be made a thorough inspection of the premises so used, managed or controlled by them at the end of every meeting or performance, for the purpose of discovering any smoldering embers or latent conditions which might lead to the development of

REPEALED BY
MUNICIPAL CODE

1 a conflagration.

2 Section IV.

3 There shall be displayed in every theatre, opera house,
4 auditorium, or other place of public entertainment or assemblage,
5 in conspicuous places, notice to the effect that smoking is pro-
6 hibited therein, with a reference to this ordinance as carrying such
7 prohibition.

8 Section V.

9 The Provisions of this Ordinance , with the except-
10 ion of Section III, hereof, shall not apply to any open air place
11 of public entertainment or assemblage of any kind or character;
12 nor shall it apply to any place of public entertainment or assem-
13 blage where neither upholstered furniture nor carpeting, nor drape-
14 ries, nor curtains, nor flies, nor scenery, is used or employed.

15 Section VI.

16 Any person, firm or corporation violating any of the
17 provisions of this ordinance shall be guilty of a misdemeanor and
18 upon conviction thereof shall be punished by a fine of not exceed-
19 ing five hundred dollars (\$500.00) or by imprisonment in the City
20 Jail not exceeding six (6) months, or by both such fine and im-
21 prisonment.

22 Section VII.

23 This Ordinance shall go into effect and be in full
24 force and operation from and after fifteen days after its final
25 passage and adoption.

26 Section VIII.

27 This Ordinance shall be published in full at least
28 once at least three days prior to its final adoption in the
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The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of December, 1927, by Councilman Ustick, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the resolution adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. Gragg
City Clerk

3 The foregoing Ordinance, having been introduced and ordered
4 printed and published at a regular meeting of the Council held on
5 the 14th day of December, 1927, and having been published as re-
6 quired by the Charter, coming on for final adoption this 28th day
7 of December, 1927, it was finally adopted by the following vote:

8 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

9 Noes: Councilmen None

10 Absent: Councilmen None

11 Approved: *Sold Elias*

12 Mayor

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14
15 Attest: *H. E. Gray*

16 City Clerk
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3 AN ORDINANCE REGULATING AND FIXING A LICENSE FEE FOR
4 THE SALE OF TOBACCO AT RETAIL.

5 ---oOo---

6 The Council of the City of Modesto do ordain as follows:

7 Section - I.

8 shall be unlawful for any person, firm or corpor-
9 ation, to sell, or to keep for the purpose of sale, or offer for
10 sale, at retail, in the City of Modesto, tobacco, cigars or cigar-
11 ettes, without first procuring a license so to do and paying the
12 license fee therefor hereinafter prescribed.

13
14 Section - II.

15 Licenses or permits shall be issued by the City Clerk
16 upon application at his office and the payment of the license fee
17 hereinafter specified, which license may thereafter be renewed
18 from quarter to quarter upon the payment of the license fee.

19 Applications for licenses shall be in writing, filed with
20 the City Clerk, shall specify the name of the applicant, the
21 place at which it is proposed to conduct the business, and a
22 covenant upon the part of the applicant to comply with all of
23 the laws of the United States of America and State of California
24 and the City of Modesto with reference to the sale of tobacco
25 in its various forms and products, and in particular, a covenant
26 not to sell, give away or dispose of any tobacco to any person
27 under the age of 18 years, upon penalty of the forfeiture of the
28 license for violation thereof.

29
30 (1)

1 Section III.

2 The license fee shall be the sum of \$ 2.00
3 per quarter, payable in advance, the quarters beginning the first
4 days of January, April, July and October of each year. The li-
5 cense fee herein provided for shall be in addition to any license
6 fees which may be paid by the same person at the same premises
7 for carrying on or conducting any other business licensed by the
8 Ordinances of the City of Modesto.
9

10 Section IV.

11 In event of the violation by any licensee, as herein
12 provided for, of any of the terms of this Ordinance with reference
13 to the sale of tobacco or of any laws of the United States or the
14 State of California relating to the sale of tobacco, it shall be
15 the duty of the Chief of Police to serve upon said licensee, or
16 his agent, a notice to appear before the City Council to show
17 cause why the license should not be terminated and cancelled. Said
18 notice must be served not less than two days before the time
19 fixed for such hearing. The City Council shall have the right
20 upon the hearing, to take sworn testimony relating to the alleged
21 violation and to determine whether or not the license shall be
22 terminated and cancelled. In event of the termination or cancell-
23 ation of such license, under the provisions of this Section, no new
24 license shall be issued to such licensee or at or for the prem-
25 ises for which it is issued for a period of three months there-
26 after.
27
28

29 Section V.

30 Upon conviction for a violation of this Ordinance, the
31 defendant shall be punished by a fine not to exceed \$100.00,

1 or imprisonment in the County Jail not to exceed fifty days, or
2 both such fine and imprisonment. ~~For a violation of the terms and~~
3 ~~conditions of the application referred to in Section II. of this~~
4 ~~Ordinance, the license may be revoked by the City Council upon~~
5 ~~two day's notice to the licensee, and in such event, no license~~
6 ~~shall thereafter be issued to the same person or to any other~~
7 ~~person at the same premises for a period of three months.~~

8
9 Section VI.

10 The foregoing Ordinance shall take effect and be in
11 full force and operation from and after fifteen days after its
12 final passage and adoption.

13 Section VII.

14 The foregoing Ordinance shall be published in full at
15 least once at least three days prior to its final passage and
16 adoption in the Modesto News-Herald, the official newspaper of
17 the City of Modesto.
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21 The foregoing Ordinance was introduced at a regular
22 meeting of the City Council of the City of Modesto held on the
23 14th day of December, 1927, by ~~Councilman~~ Mayor Elias
24 who moved its adoption, which motion being duly seconded, was
25 carried and the Ordinance ordered printed and published as above
26 by the following vote:

27
28 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

29 Noes: Councilmen; None

30 Absent: Councilmen: .None
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Attest: H. E. Graft
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council held on the 14th day of December, 1927, and having been published as required by the Charter, coming on for final adoption this 28th day of December 1927, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Elias*
Mayor

Attest: *H.E. Gagg*
City Clerk

*Ordinance
#519 Written in lieu.*

AN ORDINANCE ADOPTING THE AIR TRAFFIC RULES OF THE UNITED STATES DEPARTMENT OF COMMERCE AND CERTAIN OTHER RULES FOR THE USE AND PROTECTION OF THE MODESTO MUNICIPAL AIR PORT AND THE OPERATION OF AIR CRAFT IN THE VICINITY OR OVER THE CITY OF MODESTO, ESTABLISHING CHARGES FOR SERVICES, AND THE USE OF FACILITIES AT THE AIR PORT AND PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

---oO---

The Council of the City of Modesto do ordain as follows:

Section I.

It shall be unlawful for any airman, as defined by the Air Commerce Act of 1926, adopted by the Congress of the United States of America, or other person, to navigate any aircraft over the are of the Modesto Municipal Airport, or land any aircraft upon, or fly the same from such area otherwise than in conformity with the "Air Traffic Rules", effective March 22, 1927, as established by the United States Department of Commerce (Aeronautics Branch) under the authority of the said Air Commerce Act. For the purposes of this Ordinance said Air Traffic Rules, as published in Chapter 5 of the Air Commerce Regulations of the said Department of Commerce, are hereby adopted by reference and made a part hereof as fully as if the same, and each of them, were completely set forth herein.

REPEALED BY
MUNICIPAL CODE

Section II

It shall be unlawful for any airman, or other person, to navigate any aircraft over, land upon, or fly the same from the said area unless such airman, or other person, possesses a temporary letter of authority or a license issued by the Secretary of Commerce under the authority of the said Air Commerce Act.

REPEALED BY
MUNICIPAL CODE

1 Section III.

2 It shall be unlawful for any student to pilot any air-
3 craft over the City of Modesto, excepting that portion designated
4 as the "Airport."
5

6 Section IV.

7 It shall be unlawful for any airman, or other person,
8 to fly or otherwise navigate over, land upon, or fly any aircraft
9 from the said area except aircraft which has been registered or
10 licensed by the Secretary of Commerce and rated as to air worth-
11 iness, in accordance with the provisions of the said Air Commerce
12 Act. Any unlicensed person landing aircraft upon the said area,
13 or any person navigating an unlicensed or unregistered aircraft
14 thereupon, shall depart therefrom within twenty-four hours, pro-
15 vided, however, the Airport Field Superintendent may grant such
16 person written permit to keep his aircraft on said area for a lon-
17 ger period, provided such aircraft is not operated in the meanwhile.
18 Having once departed, the return of any such aircraft to the air-
19 port shall be deemed a violation of the ordinance.
20

21 Section V.

22 It shall be unlawful for any person, firm or corporation,
23 to carry passengers for hire or engage in the business of carrying
24 passengers for hire at or from the said Modesto Municipal Air Port
25 without having a license so to do, as hereinafter specified, and
26 unless also the airman or person piloting, operating or navigating
27 the aircraft used therefor has a temporary letter of authority or
28 a license, as defined by Section II hereof, and unless also the
29 aircraft has been registered or licensed by the Secretary of Comm-
30 erce and rated as to air worthiness, in accordance with the prov-
31

1 isions of Section I_v. hereof; provided, however, that the provis-
2 ions of this Section as to having a license shall not apply to
3 aircraft in transit between air ports other than the Modesto Mu-
4 nicipal Air Port. The license herein referred to shall be issued
5 by the Air Port Superintendent, upon the payment of the fee
6 specified in Section XI of this Ordinance, and upon proof that
7 the other conditions specified in this Section exist and will be
8 adhered to.
9

10 Section VI.

11 Wrecked aircraft and the parts thereof must be promptly
12 removed from the landing field.
13

14 Section VII.

15 All persons working upon or handling aircraft on the
16 area shall exercise reasonable caution to guard against fire. No
17 rubbish shall be scattered about the said area.
18

19 Section VIII.

20 No person shall engage in smoking, or strike any match
21 inside of or within twenty-five feet of any aircraft, or within
22 fifty feet of any containers of aviation gasoline or other highly
23 combustible liquids, or within any hangars or work shops located
24 upon said area.
25

26 Section IX.

27 The area of the Modesto Municipal Airport is hereby
28 defined to be all that certain area of the City of Modesto located
29 within the Port Area, as described by a map on file in the office
30 of the City Engineer.
31

Section X.

All officers and members of the United States Army,

1 Navy, Marine Corps and Department of Commerce while actively
2 engaged in the service of the United States, and all aircraft own-
3 ed by and operated exclusively under the direction and authority
4 of the above mentioned branches of the United States Government,
5 shall be subject to the provisions contained in this ordinance ex-
6 cept as to the fees and licensing of aircraft and airmen.

8 Section XI.

9 The following charges, tolls and rates for service ren-
10 dered by the Department of Public Works at the Modesto Municipal
11 Airport and for the use of the airport terminal facilities thereof
12 are hereby established and adopted:

13 Landing fee, including storage of plane on
14 ground for one day or fraction thereof, ex-
15 cept for re-fuelling, requiring not more
than one hour, \$0.50.

16 Storage fees, per plane, per day, or frac-
17 tion thereof, including landing priv-
ileges:
18 Hangar space, 1.50.
19 Ground space, .50.

20 (Provided, however, that but one storage or landing fee
for each plane shall be required)

21 Monthly storage fees per plane, including
22 landing privileges:
23 Hangar space, 15.00.
Ground space, 5.00.

24 For the business of carrying passengers for hire to and
25 from or within the City of Modesto , as defined in Section
26 V. of this Ordinance, including landing, but not storage privileges
27 on said field, in addition to the storage fees hereinabove spec-
28 ified, the sum of \$30.00 per quarter or fraction thereof, the quar-
29 ters commencing on the first days of January, April, July and Oct-
30 ober of each year.

1 Section XII.

2 All planes must be registered at the office of the
3 Airport. All commercial and other planes in transit not attached
4 to the Airport or operating therefrom must be registered immed-
5 iately upon arriving and be checked out upon departure.
6

7 Section XIII.

8 All operators of planes must at the time of registra-
9 tion declare the length of time and the purpose for which such
10 plane will be kept at the Airport.

11 Section XIV.

12 Landing fees must be paid at time of registration.
13 Storage fees must be paid strictly in advance. ~~Tolls for pass-~~
14 ~~engers must be paid at the close of each day by the operators~~
15 ~~of such passenger carrying planes. Mechanician services must be~~
16 ~~paid for upon the completion of the work.~~ All fees for planes in
17 transit must be paid in cash.
18

19 Section XV.

20 No landing fee shall be collected from planes engaged
21 in the service of the United States Army, Navy or the Marine Corps,
22 or the United States Department of Commerce, or from planes carry-
23 ing the United States mail.
24

25 Section XVI.

26 All charges, rates and tolls herein provided for shall
27 be collected by the Airport Superintendent, paid into the City
28 Treasury, and accounted for to the City Auditor in the manner pre-
29 scribed by the City Charter for the collection of other charges.
30

31 Section XVII.

Copies of this Ordinance shall be kept posted in con-

1 spicuous places at the office of the Superintendent of the Airport.

2 Section XVIII.

3 Any person, persons, firm, company or corporation/^{who} shall
4 disobey or refuse to comply with any of the provisions of this
5 Ordinance, or any of the provisions of the air traffic rules,
6 which are by reference made a part hereof, shall, upon conviction,
7 be punishable by a fine of not to exceed Five hundred dollars, or
8 by imprisonment in the County Jail of Modesto, California, not
9 to exceed six months, or by both such fine and imprisonment.

11 Section XIX.

12 This Ordinance shall take effect and be in full force
13 and operation from and after fifteen days from its final passage
14 and adoption.

16 Section XX.

17 This Ordinance shall be published in full at least once
18 at least three days prior to its final adoption in the Modesto
19 News-Herald, the official newspaper of the City of Modesto.

22 The foregoing Ordinance was introduced at a regular
23 meeting of the Council of the City of Modesto held on the 14th day
24 of December, 1927, by Councilman Boundey who moved its adoption
25 and publication as aforesaid, which motion being duly seconded,
26 was upon roll call carried and the Ordinance ordered printed and
27 published as above by the following vote:

28 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

29 Noes: Councilmen: None

30 Absent: Councilmen: None

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council held on the 14th day of December, 1927, and having been published as required by the Charter, coming on for final adoption this 28th day of December, 1927, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Gold Elias*
Mayor

Attest: *H. E. Gray*
City Clerk

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE
OF A MOTOR CAR FOR THE POLICE DEPARTMENT OF THE
CITY OF MODESTO.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Fifteen Hundred (\$1500.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the unappropriated general funds of the City of Modesto for the purchase of the motor car for the Police Department.

Section II.

When this Ordinance goes into effect, the Chief of the Police Department shall file with the City Clerk general specifications of the type of car desired, and the Clerk shall thereupon advertise for bids in the usual way for such car, requiring bidders to submit with their proposals definite specifications of the cars offered. The notice shall also state that each bidder will be required to specify the amount he will allow upon the purchase for the present Dodge Touring car now in use by the Police Department. The said Dodge Touring car will, if a satisfactory price is obtained, be delivered to the successful bidder as a part of the purchase price of the new car.

Section III.

This Ordinance shall go into effect and be in full force and operation from and after fifteen days after its

1 final passage and adoption.

2 Section IV.

3 This Ordinance shall be published in full at
4 least once at least three days prior to its final adoption in the
5 Modesto News-Herald, the official newspaper of the City of Modesto.
6

7
8 The foregoing Ordinance was introduced at a
9 regular meeting of the Council of the City of Modesto held on the
10 14th day of December, 1927, by Councilman Ustick who moved its
11 adoption and publication as aforesaid, which motion being duly
12 seconded, was upon roll call carried and the ordinance ordered
13 printed and published as above by the following vote:
14

15 Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor
16 Elias.

17 Noes: Councilmen: None.

18 Absent: Councilmen: None.
19

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21 Attest: H. E. Gray
City Clerk
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3 The foregoing Ordinance, having been introduced and ordered
4 printed and published at a regular meeting of the Council held on
5 the 14th day of December, 1927, and having been published as re-
6 quired by the Charter, coming on for final adoption this 28th day
7 of December, 1927, it was finally adopted by the following vote:

8 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

9 Noes: Councilmen None

10 Absent: Councilmen None

11 Approved:

E. P. Elias
Mayor

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15 Attest:

H. C. Gray
City Clerk

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AN ORDINANCE APPROPRIATING MONEY FOR PROTECTIVE DEVICES
FOR THE CITY CLERK'S OFFICE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Fifteen hundred (\$1500.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City for the purchase and installation of the following equipment in the City Clerk's Office, to-wit: A Money Chest, a Vault door, and steel shelving for the vaults in the office of the City Clerk.

Section II.

When this Ordinance goes into effect, the City Clerk shall advertise for bids for the purchase and installation of said equipment and shall specify in said Notice to Bidders the time and place when bids will be opened; that each bid must be accompanied by a bidding bond or a certified check of ten per cent of the amount/^{bid} as a guarantee that a contract will be entered into; that each bidder will be required to furnish detailed specifications of the equipment offered and that the Council reserves the right to reject any and all bids.

Section III.

This Ordinance shall go into effect and be in full force and operation from and after fifteen days after its final

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1 passage and adoption.

2 Section IV.

3 This Ordinance shall be published in full at least
4 once at least three days prior to its final adoption in the Modesto
5 News-Herald, the official newspaper of the City of Modesto.
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9 The foregoing Ordinance was introduced at a regular
10 meeting of the Council of the City of Modesto held on the 11th
11 day of January, 1928, by ~~Councilman~~ Mayor Elias who moved its
12 adoption and passage to print, which motion being duly seconded,
13 was upon roll call carried and the Ordinance ordered printed and
14 published as above, by the following vote:

15 Ayes: Councilmen Brown, Boundey, Ustick, Trueblood and Mayor Elias.

16 Noes: Councilmen- none.

17 Absent: Councilmen- none.
18

19
20 Attest:

H. E. Gragg
City Clerk

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2 The foregoing Ordinance, having been introduced and ordered
3 printed and published at a regular meeting of the Council held
4 on the 11th day of January, 1928, and having been published as
5 required by the Charter, coming on for final adoption this 25th
6 day of January, 1928, it was finally adopted by the following vote:
7 Ayes: Councilmen Boundey, Brown, Ustick, Treublood, Mayor Elias
8 Noes: councilmen None
9 Absent: Councilmen None

10 Approved: *Sol Elias*
Mayor

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12 Attest: *H.E. Gray*
13 City Clerk
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AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF
WATER PIPE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Eight Thousand (\$8000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the water Fund of the City of Modesto for the purchase of pipe for the municipal water system.

Section II.

After this Ordinance goes into effect, the City Engineer shall from time to time as pipe may be required, file with the City Clerk a general specification of the quantity, size and kind of pipe desired, and the City Clerk shall thereupon cause a notice to be published calling for sale in the city of the pipe so specified. Said notice shall set the time and place when bids will be opened, shall require bidders to file with their bids a bidding bond or certified check for ten per cent of the amount of their bid, guaranteeing that the successful bidder will enter into a contract with a bond for twenty-five per cent of the contract price, guaranteeing faithful performance of the contract; shall require the bidders to furnish detailed specifications of material offered and shall state that the Council reserves the right to reject any and all bids.

1.

Section III.

This Ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section IV;

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1928, by Councilman Boundey who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and published as above, by the following vote:

Ayes: Councilmen Brown, Boundy, Ustick, Trueblood and Mayor Elias..

Noes: Councilmen: None.

Absent: Councilmen: None.

Attest:

H. E. G. G. G.
City Clerk

1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular meeting of the Council held
3 on the 11th day of January, 1928, and having been published as
4 required by the Charter, coming on for final adoption this 25th
5 day of January, 1928, it was finally adopted by the following
6 vote:

7 Ayes: councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

10 Approved: *Solt Elias*
11 Mayor

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13 Attest: *H. E. Papp*
14 City Clerk

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AN ORDINANCE APPROPRIATING MONEY FOR IMPROVEMENTS AT THE CITY SEPTIC TANK.

NOT SPECIAL IN CODE

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Ten thousand five hundred (\$10,500.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the Septic Tank Fund of the City of Modesto for the purchase and installation of sewage screens and other additions and improvements to the septic sewer tank of the City of Modesto.

Section II.

When this Ordinance goes into effect, the City Engineer shall prepare and file with the City Clerk plans and specifications for the construction and installation of septic sewage screens and such other additions and improvements in the septic tank of the city sewer system as may be necessary, and upon the approval of said plans and specifications by the City Council, the City Clerk shall advertise for bids as may be directed by the Council, either for the complete installation of said improvements, or for the construction and installation of the same from time to time or for the sale to the city of the material necessary therefor.

In event the City elects to purchase the ^{material} /only (which election shall be denoted by resolution of the City Council) the City Engineer is authorized to employ the labor necessary for,

1.

1 and to oversee the construction and installation of said improve-
2 ments. The material may be purchased at one time and under one
3 Notice to Bidders, or from time to time as the Council may here-
4 after resolve.

5
6 Notice to Bidders shall specify the time and
7 place of opening bids, the material or construction called for,
8 shall require bidders to submit complete plans and specifications
9 and to file with their bids a bidding bond or certified check for
10 ten per cent of the amount of the bid as a guarantee that a con-
11 tract with bond, as required by the state law, will be entered into
12 and shall specify that the Council will reserve the right to re-
13 ject or accept the whole or any portion of any bid.

14 Section III.

15 This Ordinance shall go into effect and be in
16 full force and operation from and after fifteen days after its
17 final passage and adoption.

18 Section IV.

19 This Ordinance shall be published in full at
20 least once at least three days prior to its final adoption in the
21 Modesto News-Herald, the official newspaper of the City of Modesto.
22

23
24 The foregoing Ordinance was introduced at a
25 regular meeting of the Council of the City of Modesto held on the
26 11th day of January, 1928, by Councilman Boundey who moved
27 its adoption and passage to print, which motion being duly seconded
28 was upon roll call carried and the Ordinance ordered printed and
29 published as above, by the following vote:
Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor Elias.
Noes: Councilmen: None.
Absent: Councilmen: None.

30 Attest: W. E. Gray
31 City Clerk

1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular meeting of the Council held
3 on the 11th day of January, 1928, and having been published as
4 required by the Charter, coming on for final adoption this 25th
5 day of January, 1928, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
8 Noes: Councilmen None
9 Absent: Councilmen None

10 Approved: *Gold Elias*
11 Mayor

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13 Attest: *H. E. Gray*
14 City Clerk

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AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF AN
AERIAL TRUCK FOR THE FIRE DEPARTMENT.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of \$16,500.00, or so much thereof as
may be necessary, is hereby appropriated out of the General Funds
of the City of Modesto for the fiscal years 1927-1928 and
1928-1929 for the purchase of fire apparatus, to-wit: an aerial
truck for the Modesto City Fire Department.

Section II.

The Chief of the Fire Department shall file
with the City Council general specifications covering the equipment
and apparatus herein provided for; thereupon the City Clerk shall
cause notice to bidders to be published in the usual manner requir-
ing bidders to file their bids at a time and place therein specif-
ied, together with a certified check or bidding bond, for ten per
cent of the amount bid as a guarantee that the successful bidder
will enter into a contract with the City, and also specifying that
bidders will be required to file and submit/their bids or proposals
detailed specifications of the apparatus or equipment which they
propose to furnish. The Council shall reserve the right to accept
or reject any or all bids.

1 Section III.

2 This Ordinance shall take effect and be in
3 full force and operation from and after fifteen days after its
4 final passage and adoption.

5 Section IV.

6 This Ordinance shall be published in full at
7 least once at least three days before its final adoption in the
8 Modesto News-Herald, the official newspaper of the City of Modesto.
9

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12 The foregoing Ordinance was introduced at a
13 regularly adjourned meeting of the Council of the City of Modesto
14 held on the first day of February, 1928, by ~~Councilman~~ Mayor Elias
15 who moved its adoption and passage to print, which motion being
16 duly seconded was upon roll call carried and the Ordinance ordered
17 printed and published as above by the following vote:
18

19 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood and Mayor Elias.

20 Noes: Councilmen: None.

21 Absent: Councilmen: None.

22
23 Attest: H. E. Gray
24 City Clerk
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1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regularly adjourned meeting of the Council
3 held on the 1st day of February , 1928, and having been published
4 as required by the Charter, coming on for final adoption this 8th
5 day of February, 1928, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9 Approved: *Edw. P. Elias*
Mayor

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13 Attest: *H. E. Gray*
City Clerk
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AN ORDINANCE PROVIDING FOR THE PURCHASE OF ADDING
MACHINES FOR THE CITY CLERK'S OFFICE AND
APPROPRIATING MONEY THEREFOR.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of Five Hundred (\$500.00) Dollars,
or so much thereof as may be necessary, is hereby appropriated
out of the General Fund of the City of Modesto for the pur-
chase of Adding Machines for the City Clerk's Office. When
this Ordinance goes into effect, the City Clerk shall file
specifications in his office showing in a general way the type
of machines required and shall thereupon advertise for bids
for the same, requiring bidders to furnish detailed specificat-
ions . Bidders shall also be required by said notice to spec-
ify the credit which they will allow upon the purchase price
for the Adding Machines now in use in said City Clerk's Office.
The Council shall reserve the right to reject any and all bids.
Bidders will be required to furnish a bidding bond or cert-
ified check on some solvent bank in the State of California
for ten per cent of the price bid as a guarantee that the bid
if accepted will be complied with.

Section II.

This Ordinance shall go into effect and be
in full force and operation from and after 15 days after its
final passage and adoption.

(1)

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1928, by Councilman Trueblood who moved its adoption and passage to print, which motion was upon roll call being duly seconded/carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor Elias.

Noes: Councilmen: None.

Absent: Councilmen: None.

Attest :

H.E. Gragg
City Clerk.

1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular meeting of the council of the
3 City of Modesto held on the 23rd day of February, 1928, and having
4 been published as required by the Charter, coming on for final
5 adoption this 14th day of March, 1928, it was finally adopted
6 by the following vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

10 Approved: *Sol Elias*
11 Mayor

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13 Attest: *H. E. G. [unclear]*
14 City Clerk

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AN ORDINANCE REGULATING THE MOVEMENT OF PERSONS AND
VEHICLES DURING A FIRE.

---oO---

The Council of the City of Modesto do ordain as follows:

Section I.

Upon the sounding of a siren, bell or other signal announcing an alarm of fire or the approach of fire apparatus, it shall be the duty of the operator of every vehicle upon the streets of the City of Modesto within the sound of such siren or other signal, to immediately move such vehicle to a position as near as possible to the right hand curb and to stop either in the designated parking spaces, or if there are no parking spaces designated, then parallel with the curb, and to remain there until the sound of such siren, bell or signal has ceased.

Section II.

It shall be unlawful for any person to drive or propel any vehicle across any street along which fire apparatus is proceeding on its way to or from a fire; provided, however, that the fire apparatus shall give warning of its approach by its siren or bell.

Section III.

It shall be unlawful for any person during the time of the fire to drive any vehicle into or upon the frontage of any block upon which a fire is located or across the two nearest street intersections on either side of such fire or inside of any fire lines which may have been established by the firemen or the policemen.

REPEALED ORD 23409

1 Section IV.

2 It shall be the duty of the members of the Fire Dep-
3 artment and of the Police Department at any fire, upon order
4 of the Chief of the Fire Department, to establish fire lines
5 as and where designated by the Fire Chief and to designate such
6 fire lines by ropes or other obstacles.
7

8 Section V.

9 It shall be unlawful for any person when requested by
10 a fireman to refuse to move outside of any fire lines estab-
11 lished by the Fire Department, or the Police Department, at any
12 fire; provided, however, that this shall not apply to any city
13 official of the City of Modesto or to any peace officer or to
14 any owner or occupant of any building which is on fire at the
15 time.
16

17 Section VI.

18 It shall be unlawful to drive any vehicle over or
19 against any fire hose.
20

21 Section VII.

22 Every person violating any of the provisions of this
23 ordinance shall be deemed guilty of a misdemeanor, and upon
24 conviction, shall be punished by a fine of not more than one
25 hundred (\$100.00) Dollars, or by imprisonment in the County Jail,
26 not more than fifty days, or by both such fine and imprisonment.
27

28 Section VIII.

29 This Ordinance shall take effect and be in full force
30 and operation from and after fifteen days after its final adoption.
31

32 Section IX.

This Ordinance shall be published in full at least once

1 at least three days prior to its final adoption in the Modesto
2 News-Herald, the official newspaper of the City of Modesto.
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7 The foregoing Ordinance was introduced at a regular
8 meeting of the Council of the City of Modesto held on the 11th
9 day of April, 1928, by Councilman Ustick, who moved its adopt-
10 ion and passage to print, which motion being duly seconded,
11 was upon roll call carried and the Ordinance ordered printed
12 and published as above by the following vote:

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14 Ayes: Councilmen: Boundey, Brown, Ustick, Trusblood, Mayor Elias

15 Noes: Councilmen: None

16 Absent: Councilmen: None

17 Attest: H. E. Fagg Clerk
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1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 11th day of April, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 25th day of
5 April, 1928, it was finally adopted by the following vote:
6 Ayes: Councilmen Boundey, Ustick, Trueblood, Mayor Elias
7 Noes: Councilmen None
8 Absent: Councilmen Brown

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Approved: *Elias*
Mayor

Attest: *H. E. Guss*
City Clerk

Replaced By
345 - N.S.

AN ORDINANCE PROVIDING FOR THE CREATION OF
ADDITIONAL BOULEVARD STOPS.

---do---

The Council of the City of Modesto do ordain as
follows:

Section I.

In addition to the streets and portions of streets
which have heretofore been declared to be boulevards, and the
intersections of which have heretofore been declared to be boulev-
ard stops, the Commissioner of Public Health and Safety is here-
by authorized and empowered to declare and designate other
streets or portions of streets as boulevards, and to create and
designate at certain intersections thereof other and additional
boulevard stops, and to clearly mark or signpost such intersect-
ions so as to give notice of such fact. When such intersections
have been so marked or signposted, they shall become boulevard
stops with the same force and effect as if they were separately
and specially named herein. The City Council does hereby adopt
and ratify the action of the said Commissioner of Public Health
and Safety in so establishing, creating and designating additional
boulevards and additional boulevard stops, and the judgment
and discretion of the said Commissioner of Public Health and Safety
in such

1.

1 establishment of boulevards and creation and designation of
2 boulevard stops shall be the judgment and discretion of the City
3 Council.
4

5 Section II.

6 It shall be unlawful and a misdemeanor for the driver,
7 operator or person having control of any vehicle of any kind what-
8 soever to enter at . . . intersections or to cross any street es-
9 tablished and designated as a boulevard and marked or signposted
10 as a stop in the manner aforesaid without first bringing such
11 vehicle to a stop at the point indicated by the marks or sign-
12 posts located thereat. Any person violating any of the provisions
13 of this section shall upon conviction be punished by a fine of
14 not to exceed One Hundred (\$100.00) Dollars or by imprisonment
15 in the County Jail not to exceed fifty (50) days or by both such
16 fine and imprisonment, and the judgment for the payment of a
17 fine shall specify that in default of such payment, the defend-
18 ant shall be imprisoned in the County Jail of Stanislaus County
19 until such fine is paid at the rate of one day's imprisonment
20 for every Two (\$2.00) Dollars of such fine.
21
22

23 Section III.

24 Nothing herein contained shall be construed so as to
25 increase the limits of speed of vehicles using the streets so
26 designated as boulevards over the rates now allowed by law, nor
27 so as to relieve drivers of vehicles upon such boulevards from
28 the exercise of all reasonable care for the safety of life and
29 property or other users of the streets or highways.
30

31 Section IV/

32 This Ordinance shall go into full force and effect

1 from and after fifteen days after its final passage and adoption.

2 Section V.

3 This Ordinance shall be published in full at least
4 once at least three days prior to its final adoption in the
5 Modesto News-Herald, the official newspaper of the City of Modesto.
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11 The foregoing ordinance was introduced at a regular
12 meeting of the Council of the City of Modesto held on the 13th
13 day of June, 1928, by Councilman Ustick and was thereupon upon
14 motion duly made , seconded and carried by roll call, ordered
15 printed and published as above by the following vote:

16 Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias
17
18 Noes: Councilmen: None
19 Absent: Councilmen: None

20
21 Attest: *H. E. Gragg*
22 City Clerk

23 ---oOo---

1 The Foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 13th day of June, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 27th day of
5 June, 1928, It was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
7 Noes: Councilmen None
8 Absent: Councilmen None

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10 Approved: *Ed P. Elias*
Mayor

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13 Attest: *H. E. Gray*
14 Clerk

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ORDINANCE NO. 337- N. S.

REPEALED BY
MUNICIPAL CODE

ORDINANCE AMENDING SECTIONS 3 and 4 of
ORDINANCE NO. 311 N. S. RELATING TO
SLOT MACHINES.

---oOo---

The Council of the City of Modesto do ordain as follows:

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1 Section I.

2 Section 3 of Ordinance No. 311, N. S. is hereby amended
3 so as to read as follows:

4 "Section III.

5 Any person, firm or corporation desiring to conduct, carry
6 on or operate a slot machine, as herein defined, shall first
7 make application so to do. Said application shall be in writing
8 directed to the City Tax and License Collector and contain the
9 information hereinafter specified.
10

11 The City Tax and License Collector shall refer the appli-
12 cation to the Chief of Police who shall make a report thereon
13 to the City Council . Forms for the application shall be pre-
14 scribed and furnished by the City Tax and License Collector and
15 shall contain appropriate blanks for the following information:
16

17 Number of machines and type or make of the same for which
18 application is made, the name or names of the applicant, and
19 whether they are individuals, co-partners or a corporation. If
20 individuals or a co-partnership, the addresses and ages of the
21 applicants and the statement as to whether or not they are cit-
22 izens of the United States. If a corporation, the date and place
23 of incorporation must be stated. The application must also state
24 the description of the premises at which it is proposed to operate
25 such slot machines, the name of the owner of the premises and
26 the character and nature of any other business proposed to be
27 conducted thereat. The application shall also require the app-
28 licant to state that he will comply with the terms of this Ord-
29 inance and of any other Ordinance of the City of Modesto with
30 reference to the operation of slot machines.
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32

1 Each application shall be accompanied by a deposit of
2 Fifteen Dollars for each machine for which a license is requested
3 of which Five Dollars shall be deemed the application fee and
4 Ten Dollars the license fee for the first quarter, or the unex-
5 pired portion thereof. Thereafter, a license fee of Ten Dollars
6 per quarter (The quarters beginning on the first days of Jan-
7 uary, April, July and October of each year), payable in advance,
8 shall be paid to the City Tax & License Collector for each ma-
9 chine operated by the licensee. Upon receiving such application,
10 the Chief of Police shall investigate the same and report thereon
11 to the City Council. If the Council finds from an examination of
12 the application and from the report of the Chief of Police that
13 the application may be granted, and the business therein applied
14 for, carried on at the premises therein described, without danger
15 to the public health, morals and safety, the Council shall grant
16 the permit applied for, and direct the City Tax and License Coll-
17 ector to issue a license or permit therefor, and the licensee or
18 permittee shall thereafter keep such license or permit posted in a
19 conspicuous place on the premises."
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Section II.

Section IV. of said Ordinance No. 311 N. S. is hereby amended so as to read as follows:

"Section IV. No slot machine shall be conducted or operated, except in regularly licensed pool or billiard parlors or card rooms, as defined by Ordinance 196 N. S. of the City of Modesto, or in bowling alleys or shooting galleries or cigar stands, nor at any place or on any premises where persons under the age of 21 years are permitted to enter or remain, nor shall any person under the age of 21 years be permitted to play at such machine.

For the purpose of this ordinance, cigar stands are defined as follows:

First: Those places of business where the principal or primary purpose is the sale and distribution or offering for sale and distribution of cigars, cigarettes and tobaccos;

Secondly: Those places of business where the sale and distribution, or offering for sale and distribution, of cigars, cigarettes and tobaccos, is conducted or carried on in conjunction with or as a part of some other business or enterprise and is secondary thereto; in all of which latter class of cigar stands, the portion of the building or premises used for the

— No machine shall be permitted to be operated under the provisions of this ordinance which does not upon the deposit of a coin or piece of money immediately deliver to the depositor candy, gum or other merchandise equivalent in^{market} value to the coin or money so deposited; and all such machines shall at all times have stored therein ready for delivery to the depositor of the

1 money merchandise of sufficient quantity to enable it to make
2 immediate deliveries as aforesaid. Upon receiving such appli-
3 cation, the Chief of Police shall investigate the same and
4 report thereon to the City Council. If the Council finds from
5 an examination of the application and from the report of the
6 Chief of Police that the application may be granted, and the
7 business therein applied for carried on at the premises therein
8 described, without danger to the public health, morals and safety,
9 the Council shall grant the permit applied for and direct the
10 City Tax and License Collector to issue a license or permit
11 therefor, and the licensee or permittee shall thereafter keep
12 such license or permit posted in a conspicuous place on the
13 premises."
14
15

16 Section III.

17 This ordinance shall go into effect and be in full force
18 and operation from and after October 1, 1928.

19 Section IV.

20 This Ordinance shall be published in full at least once
21 at least three days prior to its final adoption in the Modesto
22 News-Herald, the official newspaper of the City of Modesto.
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1 The foregoing Ordinance was introduced at a regular
2 meeting of the Council of the City of Modesto held on the 25th
3 day of July, 1928, by Councilman Brown who
4 moved its adoption and passage to print, which motion being
5 duly seconded was upon roll call carried by the following vote:
6 Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood, Mayor Elias
7 Noes: Councilmen: None
8 Absent: Councilmen: None
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11 Attest: H. E. Gray
12 City Clerk
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1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 25th day of July, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 8th day of August,
5 1928, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

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10 Approved: Sal P. Elias
11 Mayor

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13 Attest: H. E. Gregg
14 City Clerk
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AN ORDINANCE, adding a new section to Ordinance No. 54 N.S. (relating to Licenses) to be known as Section 8a, providing for a license upon the business of wholesale peddling.

REPEALED BY
MUNICIPAL CODE

The Council of the City of Modesto do ordain as follows:

Section 1. Ordinance No. 54 N.S. is hereby amended by adding thereto a new section, to be known as Section 8a, which shall read and be as follows:

"Section 8a. Every person not having a fixed place of business in the City of Modesto, who conducts, manages or carries on the business of peddling vegetables, butter, eggs, chickens, berries, nuts, fruits or melons, at wholesale, shall pay a license in the sum of (\$100.00) Dollars per annum, payable in advance at the time of the application for a license.

For the purpose of this section any person doing such business shall be denominated a "wholesale peddler", which term is defined to be and to include all persons, firms or corporations, either as principal or agent, who have no regularly fixed and established place of business in the City of Modesto, and who travel from place to place, or who have a temporary location in the City of Modesto, and who offer for sale any of the products or merchandise in this section mentioned to retail dealers for purposes of resale. The term "fixed place of business" shall mean a person who shall have had a fixed place of business in the City of Modesto for a

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1 period of six months or who intends to occupy such
2 a place within the City of Modesto either by virtue
3 of ownership of the premises, which shall include a
4 building, upon which the business is carried on, or
5 by virtue ~~virtue~~ of a lease, upon which the business
6 is to be carried on, with an unexpired term of at least
7 six months. Any person so engaged shall not be re-
8 lieved from the provisions of this section by reason
9 of any temporary association with any local dealer or
10 by conducting any temporary business in connection with
11 or in the name of any dealer having a fixed place of
12 business.
13
14

15 The provisions of this section shall not apply
16 to any grower or producer of any articles or products
17 herein specified who peddles or sells such articles
18 so produced or grown by him. Nor shall it apply
19 to persons coming under section 8 of this ordinance,
20 which is hereby declared to apply to retail peddling,
21 only."
22

23 Section 2.

24 This ordinance shall go into effect and be in full
25 force and operation from and after fifteen days after
26 its final passage and adoption.

27 Section 3

28 This ordinance shall be published in full at least
29 once at least three days prior to its final adoption
30 in the Modesto News-Herald, the official newspaper of
31 the City of Modesto.

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The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 25th day of July, 1928, by Councilman Brown who moved its adoption and publication as aforesaid, which motion being duly seconded was carried by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Attest: H. E. Gragg
City Clerk

1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 25th day of July, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 8th day of August,
5 1928, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9
10 Approved: _____

S. O. Elias
Mayor

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13 Attest: _____

H. E. Gray
City Clerk

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Repealed by # 345-N.S.

AN ORDINANCE CREATING CERTAIN BOULEVARD STOPS.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The following portions of streets in the City of Modesto are hereby declared to be and are designated as boulevards:

Seventh Street between the northerly line of J Street and the southerly line of L Street; The northerly half of Needham Avenue between its intersection with the easterly line of Poplar Avenue and its intersection with the westerly line of Sycamore Avenue; The north half of Downey Avenue between McHenry Avenue and the westerly line of Semple Street.

The drivers of vehicles proposing to enter or cross Seventh Street at K from either direction and Needham Avenue from Park Street and Downey Avenue from Johnson Street are and shall be required to stop before entering or crossing such boulevards at the street intersections hereinabove respectively named.

The Street Superintendent is hereby directed to clearly mark and signpost all of said intersections or parts thereof so as to give notice that said streets, to-wit: Seventh Street at its intersection with K Street, the north half of Needham Avenue at its intersection with Park Avenue, the north half of Downey Avenue at its intersection with Johnson Street are boulevards and requiring all vehicles to stop before entering such

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1 intersections or crossing said streets at the points mentioned.

2
3 Section II.

4 Nothing herein contained shall be construed so as to
5 increase the limits of speed of vehicles using said boulevards
6 over the rates now allowed by law nor so as to relieve the driv-
7 ers of vehicles upon the portions of said streets herein des-
8 ignated as boulevards from the exercise of all reasonable care
9 for the safety of the lives and property of other users of the
10 highways or streets.

11
12 Section III.

13 It shall be unlawful and a misdemeanor for the driver,
14 operator or person having control of any vehicle of any kind to
15 enter or cross Seventh Street at its intersection with K Street,
16 Needham Avenue at its intersection with Park Avenue or Downey
17 Avenue at its intersection with Johnson Street without first
18 bringing such vehicle to a stop at the point indicated by the
19 marks or signposts located thereat.

20
21 Section IV.

22 Any person violating any of the provisions of this
23 Ordinance shall upon conviction be punished by a fine of not to
24 exceed One Hundred Dollars or by imprisonment in the County Jail
25 not to exceed fifty days or by both fine and imprisonment, and
26 the judgment for the payment of a fine shall specify that in
27 default of such payment, the defendant shall be imprisoned in
28 the County Jail of Stanislaus County until such fine is paid at
29 the rate of one day's imprisonment for every two dollars of such
30 fine.
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Section V.

This Ordinance shall go into full force and effect from and after fifteen days after its final passage and adoption.

Section VI.

This Ordinance shall be published at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced by Councilman Ustick and read at a regular meeting of the Council of the City of Modesto held on the 25th day of July, 1928, and was thereupon upon motion duly made, seconded and carried by roll call ordered printed and published as above by the following vote:

Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor Elias.

Noes: Councilmen: None.

Absent: Councilmen: None.

Attest: H. E. Pragg
Clerk

1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 25th day of July, 1923, and having been published as required
4 by the Charter, coming on for final adoption this 8th day of August,
5 1923, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
7

8 Noes: Councilmen None

9 Absent: Councilmen None

10 Approved: Sal Elias
Mayor

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12 Attest: H. E. Gagg
13 City Clerk
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SPECIAL
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AN ORDINANCE APPROPRIATING MONEY FOR THE IMPROVEMENT OF
CITY WELL NO. 2.
---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Three Thousand (\$3000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the water funds of the City of Modesto for the construction of a new well at the municipal pumping plant No. 2, and the purchase and installation of a new pump.

Section II.

The City Engineer shall prepare and file with the City Clerk specifications for the construction of said well and for the pump and equipment to be installed thereat. When such specifications have been approved by the Council, the City Clerk shall advertise for bids for the construction of said well, and also bids for the sale to the city and the installation of said pump and equipment. Said notices to bidders shall be in the usual form. The contracts shall be awarded to the lowest and best bidders, complying with the requirements and the notices to bidders; but the Council shall also have the right to reject any and all bids.

Section III.

This ordinance shall go into full force and operation from and after fifteen days after its final passage and adoption.

Section IV.

This Ordinance shall be published in full at least

1 once at least three days prior to its final adoption in the
2 Modesto News-Herald, the official newspaper of the City of Mo-
3 desto.
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9 The foregoing Ordinance was introduced at a reg-
10 ular meeting of the Council of the City of Modesto held on the
11 8th day of August, 1928, by Councilman Boundey who moved its
12 adoption and publication, as aforesaid, which motion being
13 duly seconded, was upon roll call carried and the ordinance ord-
14 ered printed and published as above by the following vote.

15 Ayes: Councilmen: Boundey, Brown, Trueblood, Ustick and
16 Mayor Elias.

17 Noes: Councilmen: None.

18 Absent: Councilmen: None.
19

20 Attest : H. E. Gugg
21 City Clerk.
22
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25 ---oOo---

1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 8th day of August, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 22nd day of
5 August, 1928, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9
10 Approved: Sam P. Elias
Mayor

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12 Attest: H. E. Gregg
City Clerk

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AN ORDINANCE Fixing the Rate of Taxation in and for
the City of Modesto for the fiscal year 1928-29.

The Council of the City of Modesto do ordain as follows:

Section 1. There is hereby levied upon the assessed
valuation of the property in the City of Modesto, County of
Stanislaus, State of California, for the fiscal year beginning
July 1, 1928, and ending June 30, 1929, the rates of taxation
hereinafter specified, said rates being upon each one hundred
dollars (\$100) of the valuation according to the equalized
assessment roll, to-wit:

For the General Fund, One Dollar (\$1.00) on each one
hundred dollars valuation;

For the bond redemption and interest fund as follows:

- (A) Municipal improvement bonds of 1909, 5 Cents;
- (b) Municipal improvement bonds of 1910, 4 Cents;
- (c) Municipal improvement bonds of 1911, 1 Cents;
- (d) Municipal improvement bonds of 1912, 3 Cents;
- (e) Municipal improvement bonds of 1918, 0 Cents;
- (f) Municipal improvement bonds of 1919, 4 Cents;
- (g) Municipal improvement bonds of Jan. of 1920, 14 Cents;
- (h) Municipal improvement bonds of June of 1920, 3 Cents;
- (i) Municipal improvement bonds of 1923, 3 Cents;

Being a total of 37 Cents on each one Hundred dollars in
valuation of all property taxable for the redemption of bonds and
the payment of interest thereon that shall accrue during said
fiscal year;

For the Library Fund, 13 Cents on each one hundred
dollars of said taxable valuation.

1 The aggregate of said sums, to-wit: One Dollar and
2 Fifty Cents (^{1.45}\$1.50) on each one hundred dollars valuation as
3 determined by the equalized assessment roll for the year ¹⁹²⁹⁻¹⁹³⁰ 1928-1929
4 on all property taxable in the City of Modesto for said purposes
5 is hereby levied and apportioned to and shall be paid into the above
6 funds respectively of said City. The rates above specified shall
7 be in addition to those required to be levied under/^{the} general laws
8 of the State of California for the purpose of paying the principal and
9 interest on street improvement bonds in local improvement districts.

10 Section 2. This ordinance shall take effect immediately
11 upon its final passage and adoption.

12 Section 3. This ordinance shall be published in full at
13 least once at least three days prior to its final adoption in the
14 Modesto News-Herald, the official newspaper of the City of Modesto.

15 The foregoing Ordinance was introduced at a regular meeting
16 of the Council of the City of Modesto held on the ¹³22nd day of
17 August, ¹⁹²⁹1928, by Councilmen Trueblood. who moved its publication
18 as aforesaid which motion being duly seconded, the Ordinance was
19 ordered printed and published as above by the following vote:

- 20 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
21 Noes: Councilmen None
22 Absent: Councilmen None

23 Attest: H. E. Gray
24 City Clerk
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1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 22nd day of August ¹³, 19²⁸ ¹⁹²⁹, and having been published as required
4 by the Charter, coming on for final adoption this 12th day of
5 ~~August~~ ^{September}, 1928, it was finally adopted by the following vote:
6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
7 Noes: Councilmen None
8 Absent: Councilmen None

9 Approved: *Elias*
Mayor

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12 Attest: *H.E. Gugg*
Clerk

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AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF
AUTOMOBILES FOR THE USE OF THE
CITY.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of \$600.00, or so much thereof as
may be necessary, is hereby appropriated out of the
General Funds of the City of Modesto for the purchase of
an automobile for the use of the Public Works Department.

Section II.

The sum of \$600.00, or so much thereof as
may be necessary, is hereby appropriated out of the
Water Fund of the City of Modesto for the purchase of an
automobile for the Water Department.

Section III

The purchase of ~~two~~ automobiles out of the
funds specified in Sections I and II of this Ordinance is
hereby authorized and directed. The City Engineer shall
file with the City Clerk specifications showing the gen-
eral requirements desired by the City of Modesto in the
automobiles so to be purchased. Thereupon, the City Clerk
shall advertise for bids in the manner provided by law,
and according to the practice of his office; bids to be
opened at a time specified in the notice, and contract
to be awarded to the lowest and best bidder.

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Section IV.

This Ordinance shall go into effect from and after fifteen days after its final passage and adoption.

Section V.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of September, 1928, by Councilman Boundey who moved its adoption and passage to print as aforesaid, which motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Trueblood and Mayor Elias.

Noes: Councilmen: None.

Absent: Councilmen: None.

Attest: H. E. Gray
City Clerk.

1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 12th day of September, 1923, and having been published as
4 required by the Charter, coming on for final adoption this 26th
5 day of September, 1928, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None

10 Approved: W. E. Gray
11 City Clerk

12 Attest: Joseph Elias
13 Mayor

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AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE
OF EQUIPMENT FOR THE DEPARTMENT OF
PUBLIC WORKS.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of \$900.00, or so much thereof as may
be necessary, is hereby appropriated out of the General Funds
of the City of Modesto for the purchase of a motor car for the
use of the Superintendent of Parks in the Department of Public
Works. A general specification of the type of motor car re-
quired shall be filed with the City Clerk, who shall thereupon
advertise for bids to be received and opened by the Council.

Section II.

This ordinance shall go into full force and
effect from and after fifteen days after its final passage and
adoption.

Section III.

This ordinance shall be published in full at
least once at least three days prior to its final adoption in
the Modesto News-Herald, the official newspaper of the City
of Modesto.

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1 The foregoing ordinance was introduced at a
2 regular meeting of the Council of the City of Modesto held on
3 the 10th day of October, 1928, by Councilman Boundey,
4 who moved its adoption, which motion being duly seconded, was
5 upon roll call carried and the ordinance ordered printed and
6 published as above by the following vote:

8 Ayes: Councilmen: Brown, Boundey, Ustick and Mayor Elias.

9 Noes: None.

10 Absent: Councilman Trueblood.

12 Attest: H. E. Gray
13 City Clerk

14 ---oO---

1 The foregoing Ordinance having been introduced and ordered
2 printed and published at a regular meeting of the Council held on
3 the 10th day of October, 1928, and having been published as required
4 by the Charter, coming on for final adoption this 24th day of
5 October, 1928, it was finally adopted by the following vote:
6 Ayes: Councilmen Boundey, Brown, Ustick, Trucblood, Mayor Elias
7 Noes: Councilmen None
8 Absent: Councilmen None

9 Approved: *Elias*
Mayor

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12 Attest: *H. G. Jeff*
City Clerk
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Amended
by Ord 921-MS

AN ORDINANCE REGULATING THE ERECTION, INSTALLATION OR ESTABLISHMENT OF OIL SERVICE STATIONS OR GAS STATIONS OR GASOLINE CURB PUMPS WITHIN THE CITY OF MODESTO.

---oOo---

The City Council of the City of Modesto do ordain as follows:

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Section I.

No Oil and Gasoline Service Station or Oil Service Station or Gasoline Service Station or Gasoline Curb Pump shall hereafter be erected, installed or established within the limits of the City of Modesto unless a permit be first issued therefor by the City Council. Any person desiring to erect, install or establish such Oil or Gasoline Service Station or Curb Pump shall make written application to the City Council setting forth the name of the persons, firms or corporation or association intending to erect, install or establish such Oil Service Station or Gasoline Service Station or Curb Pump and a statement of the proposed location and manner of construction thereof including plans and specifications, which must comply with the Building Code of the City of Modesto and have the approval of the City Engineer. Such permit to erect, install or establish such Oil or Gasoline Service Station shall not be deemed to embrace facilities for greasing or repairing automobiles or other vehicles at the premises therein described, nor shall any greasing or repairing of automobiles or vehicles be permitted at any such station, unless the same be specifically authorized by the permit herein provided for.

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MUNICIPAL CODE

1 Section II.

2 No permit shall be granted for any such Oil
3 and/or Gasoline Service Station or Filling Station or Curb Pump
4 in any location where by reason of traffic conditions or fire ex-
5 plosive hazard a Filling Station would imperil public safety.
6

7 Section III.

8 Whenever a permit for the erection of an oil or
9 gasoline service station or gasoline curb pump outside of the fire
10 limits of the City of Modesto is filed with the City Council, the
11 Clerk shall set a date for the hearing upon said application, which
12 date shall be that of the next regular meeting of the City Council
13 occurring not less than seven days after the filing of the app-
14 lication and shall cause notice of such hearing to be posted in a
15 conspicuous place upon the premises to be occupied by the station
16 or pump for at least five days before such hearing. At such hear-
17 ing, the City Council may grant the permit or may deny the same if
18 it finds that it would be against public interest to allow the in-
19 stallation of a Service Station in the location specified.
20

21 Section IV.

22 Where any permit granted requires the use or
23 occupation of any part of a street, sidewalk or any public place,
24 the applicant shall be required to give such security for the pro-
25 tection of the city against resulting damages as the Council may
26 prescribe. No building permit for the construction of an oil or
27 gasoline service station shall be issued by the Building Inspect-
28 or until after the permit required by this Ordinance shall have
29 been granted by the Council.
30
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1 Section V.

2 Any person , firm or corporation who shall here-
3 after erect or establish or install a gas service station or oil
4 service station or gasoline curb pump without the permit of the
5 City Council specified in Section I hereof shall be deemed guilty
6 of a misdemeanor for each day that such station is allowed to oper-
7 ate, and upon conviction thereof shall be punished by fine not ex-
8 ceeding Five Hundred (\$500.00) Dollars, or by imprisonment in the
9 County Jail not exceeding six months, or by both such fine and im-
10 prisonment. In case of corporations where imprisonment is impos-
11 sible, the Complaint may also join as defendant or defendants the
12 officers, agents or employees of the corporation responsible for
13 the violation complained of.
14

15 Section VI.

16 If any section, sub-section, sentence, clause or
17 phrase of this Ordinance is for any reason held to be invalid or
18 unconstitutional, such decision shall not affect the validity of
19 the remaining portions of this Ordinance.
20

21 The City Council hereby declares that it would
22 have passed this Ordinance and each section, sub-section, sentence,
23 clause or phrase thereof irrespective of the fact that any one or
24 more sections, sub-sections, sentence, clause or phrase be declared
25 unconstitutional.
26

27 Section VII.

28 All Ordinances or parts of Ordinances in conflict
29 herewith, and in particular Ordinance No. 312 N. S., are hereby re-
30 pealed.
31

Section VIII.

This Ordinance shall go into effect from and after fifteen days after its final passage and adoption.

Section IX.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto duly called and held on the 14th day of November, 1928, by Mayor Elias who moved its adoption, which motion being duly seconded, the Ordinance was adopted and ordered printed and published as above by the following vote:

Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H. E. Gray
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council held on the 14th day of November 1928, and having been published as required by the Charter, coming on for final adoption this 12th day of December, 1928, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Ustick, Mayor Elias, *Truelove*

Noes: Councilmen None

Absent: Councilman ~~Truelove~~ *None.*

Attest: *H. E. Gagg*
City Clerk

Approved: *Sol. Elias*
Mayor

REPEALED ORD

ORDINANCE NO. 345-N.S.

1 AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS
2 OF THE CITY OF MODESTO

3 ---oOo---

4 The Council of the City of Modesto do ordain as
5 follows:

6 ARTICLE I

7 DEFINITIONS

8 Section 1. Whenever in this ordinance the follow-
9 ing terms are used, they shall have the meanings respectively
10 ascribed to them in this section:

11 STREET. Every way set apart for public travel
12 except alleyways, bridle paths and foot paths.

13 ROADWAY. That portion of a street between the regu-
14 larly established curb lines.

15 ALLEY. A public highway which does not exceed 20
16 feet between property lines.

17 SIDEWALK. That portion of a street between the
18 curb lines and the adjacent property lines.

19 INTERSECTION. The area embraced within the prolong-
20 ation of the property lines of two or more streets which join
21 at an angle, whether or not one such street crosses the other.

22 CROSSWALK. That portion of the roadway included
23 within the prolongation of curb and property lines at street
24 intersections.

25 SAFETY ZONE. That marked portion of a roadway
26 reserved for the exclusive use of pedestrians.

27 LOADING ZONE. That space adjacent to a curb
28 reserved for the exclusive use of vehicles during the loading
29 or unloading of passengers or materials.

1 VEHICLE. Every device or animal by which any per-
2 son or property is or may be transported or drawn upon a street,
3 excepting devices moved by human power or used exclusively upon
4 rails. For the purpose of this ordinance a bicycle shall be
5 deemed a vehicle.
6

7 STREET CAR. Every device traveling exclusively
8 upon rails when upon or crossing a street other than devices
9 propelled by steam.

10 PEDESTRIAN. Any person afoot.

11 OPERATOR. Any person who is in actual physical
12 control of a vehicle or street car.

13 TRAFFIC. Pedestrians, vehicles and street cars,
14 either singly or together, while using any street for purposes
15 of travel.
16

17 BUSINESS DISTRICT. The territory contiguous to a
18 street when fifty per cent (50 per cent) or more of the front-
19 age thereon for a distance of three hundred (300) feet or more
20 is occupied by buildings in use for retail or wholesale bus-
21 iness; also any territory contiguous to a street which is immed-
22 iately adjacent to or a continuation of a street within a bus-
23 iness district when such territory is so designated by the City
24 Council.
25

26 RIGHT OF WAY. The privilege of the immediate use
27 of the street.

28 PARK. To stand a vehicle for a period of time greater
29 than is reasonably necessary for the actual loading or unloading
30 of persons or materials.

31 OFFICIAL WARNING AND DIRECTION SIGNS AND SIGNALS.

32 All warning and direction signs and signals not inconsistent
33

1 with this ordinance heretofore or hereafter placed or erected
2 or
3 under this ordinance/by authority of the City Council .

4 ARTICLE II.

5 Authority of Police.

6 Traffic Signs and Signals.

7 Section 2. OBEDIENCE TO POLICE. Officers of the Police Dep-
8 artment are hereby authorized to direct all traffic by means of
9 visible or audible signal, and it shall be unlawful for any per-
10 son to refuse or fail to comply with any lawful order, signal
11 or direction of a traffic or police officer. It shall be unlaw-
12 full for any minor to direct or attempt to direct traffic unless
13 authorized to do so by order of the Chief of Police.

14 Section 3. SIGNS. The City Council shall by resolution determine
15 and designate the character of all official warning and direct-
16 ion signs and signals. Subject to this selection, the Chief of
17 Police is hereby authorized, and as to those signs required
18 hereunder it shall be his duty, to place and maintain or cause
19 to be placed and maintained all official warning and direction
20 signs and signals. All signs authorized and required hereunder
21 for a particular purpose shall be uniform.
22
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24 No provision of this ordinance for which signs are
25 required shall be enforceable against the alleged violator if
26 at the time and place of the alleged violation the sign herein
27 required is not in proper position and sufficiently legible to
28 be seen by an ordinarily observant person.

29 Section 4. OBEDIENCE TO TRAFFIC SIGNS. It shall be unlawful
30 for any operator or pedestrian to disobey the instructions of
31 any mechanical or electrical traffic signal, traffic sign or
32 marks upon the street placed in accordance with the provisions
33

1 of this ordinance, provided every sign or mark made by the use
2 of paint upon the curb shall bear thereon the official emblem
3 of the Police Department.

4
5 No public utility or department in this city shall
6 erect or place any barrier or sign unless of a type first app-
7 roved by the Chief of Police. It shall be unlawful for any oper-
8 ator or pedestrian to disobey the instructions of any barrier
9 or sign approved, as above provided, erected or place by a pub-
10 lic utility or by any department of this city.

11 Section 5. TRAFFIC STOP AND GO SIGNAL LEGEND. Whenever traffic
12 at any intersection is regulated by a stop and go mechanical
13 or electrical signal, the following colors may be used, and none
14 other, and those colors herein authorized shall indicate as
15 follows:

16
17 RED, except in flashing signals, requires that traffic shall
18 stop and remain standing.

19 GREEN, requires that traffic shall move and continue in motion,
20 except when stopped for the purpose of avoiding an accident or
21 in the event of other emergency or when stopped at the command
22 of a police officer.

23 AMBER, shall indicate preparation for a change in the direction
24 of traffic movement. When amber is shown no traffic shall enter
25 the intersection until a green or "Go" signal is shown.

26
27 BELLS, The ringing of a bell in connection with any mechanical
28 or electric traffic signal shall indicate preparation for a
29 change in the direction of traffic movement. When such bell is
30 sounded no traffic shall enter the intersection until a green
31 or "Go" signal is shown.

1 Section 6. The City Council is hereby authorized and required
2 to establish and maintain and to designate upon the surface of
3 the roadway, by appropriate devices, marks or white lines, cross-
4 walks approximately equal in width to the adjacent sidewalk at all
5 intersections where in its opinion there is particular danger
6 to pedestrians crossing the roadway.
7

8 When crosswalks are established and maintained
9 outside a business district, the City Council shall by appropriate
10 devices, marks or white lines, mark and maintain along the sur-
11 face of the roadway an arrow not less than twelve (12) inches wide
12 in the shaft and not less than thirty (30) feet long, pointing
13 in the direction of such crosswalk, together with the word SLOW
14 in block letters not less than twenty-four (24) inches high and
15 not less than four (4) inches wide one hundred (100) feet distant
16 from each crosswalk so established.
17

18 Section 7. DISPLAY OF UNAUTHORIZED SIGNS PROHIBITED. It shall
19 be unlawful for any person to place or maintain or to display
20 any device, other than an official warning or direction sign or
21 signal erected under competent authority, upon or in view of a
22 street, which purports to be, or is an imitation of, or resembles,
23 an official warning or direction sign or signal, or which attempts
24 to direct the movement of traffic or the actions of operators, and
25 any such prohibited device shall be a public nuisance, and the Chief
26 of Police may remove it, or cause it to be removed, without notice.
27

28 It shall be unlawful for any person to wilfully deface,
29 injure, move or interfere with any official warning or direction
30 sign or signal.
31

32 Section 8. POLICE AND FIRE VEHICLES EXEMPT FROM CERTAIN RULES.

33 The provisions of this ordinance regulating the movement, parking

1 and standing of vehicles shall not apply to emergency vehicles of
2 the police or sheriff's office or of the fire department or of a
3 public utility while the driver of any such vehicle is engaged
4 in the necessary performance of public emergency duties.
5

6 ARTICLE III.

7 Pedestrians.

8 Section 9. PEDESTRIAN'S RIGHT OF WAY AT INTERSECTIONS.

9 (a) It shall be unlawful for the operator of any vehicle or street
10 car to drive into any crosswalk which is marked as provided in Sec-
11 tion 6 of this ordinance, while there is in such crosswalk upon the
12 half of the roadway upon which such vehicle is traveling any ped-
13 estrian engaged in crossing the roadway until such pedestrian shall
14 have passed beyond the path of said vehicle.
15

16 (b) The operator of a vehicle shall stop before entering any cross-
17 walk when any other vehicle proceeding in the same direction is
18 stopped at such crosswalk.

19 (c) The foregoing provisions of this section shall not apply at
20 intersections where traffic is being directed by an officer or a
21 traffic stop and go signal, at which intersections the mutual rights
22 of pedestrians and operators of vehicles shall be exercised under
23 the direction of the officer or traffic signals.
24

25 Section 10. PEDESTRIAN'S LIMITED RIGHT TO USE OF ROADWAY.

26 *Amended by Ord 17401MS*
27 When within a business district, no pedestrian shall cross a road-
28 way other than by a crosswalk.

29 Outside of a business district no pedestrian shall
30 cross a roadway other than by a route at right angles to the curb
31 and when crossing at any place other than a crosswalk shall yield
32 the right of way to all vehicles upon the roadway.

33 It shall be unlawful for any person to stand in a

Roadway for the purpose of or while soliciting a ride from the operator of any private vehicle.

1
2 It shall be unlawful for any person to be in any roadway other
3 than in a safety zone or crosswalk, provided that this provision shall
4 not be construed to prevent the necessary use of a roadway by a pedestrian.
5

6 Section 11. PEDESTRIANS TO OBEY SIGNALS. At intersections where traffic
7 is directed by a traffic or police officer or by a traffic stop and go
8 signal, it shall be unlawful for any pedestrian to cross the roadway other
9 than with released traffic.
10

11 ARTICLE IV.

12 Rules for Driving.

13 Section 13. METHOD OF APPROACH FOR LEFT TURN. The operator of a vehicle
14 intending to turn to the left at an intersection or into an alley or
15 driveway shall approach the point of turning in the line of traffic next
16 to the center of the roadway.
17

18 Section 14. METHOD OF TURNING TO LEFT AT INTERSECTIONS.

19 The operator of a vehicle in turning left at an intersection shall
20 pass to the right of the center of the intersection before turning,
21 except that where markers have been placed upon the intersection boundary
22 lines to be crossed by the vehicle, the operator shall pass to
23 the right of such markers.

24 Section 15. LOCATION OF TURNING MARKERS. The City Council is hereby
25 authorized, and as to those intersections mentioned in paragraph (1)
26 of this section it shall be its duty, to place or cause to be placed turning
27 markers in intersections as follows:

28 (1) Within intersections where either intersecting roadway is less
29 than sixty (60) feet in width and in intersections where streets meet
30 at other than right angles and in intersections where one street terminates
31 in another, a marker shall be placed at every intersection of the
32 medial line of each street with the prolongation of the property or the
33 curb lines of the intersecting street, or as near the intersecting point
of said lines as may be practical.

(2) Intersections other than those mentioned in paragraph (1)

1 may be marked as provided in paragraph (1), or a single marker
2 may be placed within such intersection at the intersection of the
3 medial lines of the intersecting streets.

4 *Amended by Ord. 25-68*
Section 16. LEFT TURNS PROHIBITED. The operator of a vehicle
5 shall not between the hours of seven (7) A. M. and six (6) P. M.
6 of any day except Sunday make a left turn at any of the follow-
7 ing intersections:

8
9 Signs shall be erected and maintained designating
10 the provisions of this section.

11 Section 17. METHOD OF APPROACH FOR RIGHT TURN. The operator of
12 a vehicle intending to turn to the right at an intersection or
13 into an alley or driveway shall approach the point of turning
14 in the line of traffic nearest the right-hand edge or curb of
15 the street.

16 Section 18. WHEN RIGHT TURNS MAY BE MADE. (Within the Central
17 Traffic District a right turn shall not be made at an intersect-

18 ion by the operator of any vehicle against a traffic signal.)
19
20 (Elsewhere) the operator of a vehicle may make a
21 right turn at any intersection irrespective of a traffic signal,
22 after stopping at a boulevard stop and subject to the right of
23 pedestrians at such a boulevard stop and subject to the right of
24 pedestrians at such intersection.

25 *Amended by Ord. 643-78*
26 Section 19. WHEN TURNING AROUND AT INTERSECTIONS PROHIBITED.

27 The operator of a vehicle shall not within the following inter-
28 sections, between the hours of nine (9) A. M. and nine (9) P. M.
29 turn such vehicle in a complete circle, or so as to proceed in
30 the opposite direction, to-wit: The intersections of Tenth Street
31 with H, I, J, and K Streets, respectively; the intersections of
32 Eleventh Street with H, I and J Streets, respectively.
33

1 Section 20. DRIVING FROM ALLEYS. The operator of a vehicle emerging
2 from an alley, driveway or garage shall stop such vehicle immediately
3 prior to driving onto a sidewalk or onto the sidewalk area extended
4 across any alleyway.

5 *Sec 20 & 21 added by Ord. 18-68*
6 Section 21. VEHICLES SHALL NOT BE DRIVEN ON SIDEWALK. The operator of
7 a vehicle shall not drive within a sidewalk area except at a per-
8 manent or temporary driveway.

9 Section 22. CERTAIN VEHICLES PROHIBITED IN BUSINESS DISTRICT.

10 (a) It shall be unlawful for the operator of any of the following
11 vehicles to drive the same in any business district between the hours
12 of seven (7) A. M. and six (6) P. M. of any day except Sunday.

13 1. Any vehicle so loaded that any part of its load extends more
14 than three (3) feet to the front or more than ten (10) feet to the rear
15 of said vehicle.

16 2. It shall be unlawful for any truck or other vehicle to park
17 on the following streets when any portion of such truck or vehicle ex-
18 tends farther into the street than the outermost parallel parking line;
19 Tenth Street from G to L Streets; Eleventh Street from H to K Streets;
20 On H, I, J and K Streets from Ninth to Twelfth Streets.

21 *Amended by Ord. 45-8*
22 Section 23. BOULEVARD STOPS. The following streets and parts of
23 streets are hereby declared to constitute boulevards for the purpose of
24 this section:
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1 Seventh Street between the southeasterly line
2 of F Street and the southeasterly line of I Street, and between
3 the southeasterly line of J Street and the southeasterly line of
4 L Street; the westerly half of Seventh Street between the south-
5 easterly line of I Street and the northwesterly line of I Street;
6 the westerly half of I Street between the southwesterly line of
7 Seventh Street and the northeasterly line of Seventh Street;
8 Ninth Street between the northwesterly line of J Street and the
9 southeasterly line of L Street; H Street between the northeast-
10 erly line of 12th Street and the southwesterly line of 16th
11 Street; J Street between the northeasterly line of 11th Street
12 and the southwesterly line of 17th Street; McHenry Avenue be-
13 tween the southerly line of Alice Street and the southerly ter-
14 mination of McHenry Avenue and between the southerly line of
15 Maynell Avenue and the northerly line of Modesto Avenue; Need-
16 ham Avenue between the westerly line of Nellie Avenue and the
17 easterly line of Olive Avenue; the northerly half of Needham
18 Avenue between its intersection with the easterly line of Poplar
19 and its intersection with the westerly line of Sycamore Avenue;
20 The north half of Downey Avenue between McHenry Avenue and the
21 westerly line of Semple Street; Downey Avenue between the east-
22 erly line of Semple Street and the easterly line of Melrose
23 Avenue.
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1 Every operator of a vehicle or street car traver-
2 sing any street, intersecting any boulevard shall bring such ve-
3 hicle or street car to a full stop at the place where such street
4 meets the nearest property line of the boulevard before entering
5 such boulevard, provided the property line is clearly marked or
6 sign-posted as required in this ordinance, except at intersect-
7 ions where and when traffic is subject to stop and go signals
8 or directions.

10 The City Council is hereby authorized and required
11 to place and maintain or cause to be placed and maintained upon
12 each and every street intersecting a boulevard and at or near
13 the property line of the boulevard appropriate signs upon the
14 street or devices or marks in the roadway, such signs, devices
15 or marks to bear the word "STOP" or the words "BOULEVARD STOP" in
16 such position and with letters of a size to be clearly legible
17 from a distance of fifty (50) feet along the street intersect-
18 ing the boulevard.

19 *See 23.1 added by Ord. 45-88.*
20 Section 24. CROSSING FIRE HOSE. No street car or vehicle shall
21 be driven over any unprotected hose of the Fire Department when
22 laid down on any street, private driveway or street car track,
23 to be used at any fire or alarm of fire, without the consent of
24 the Fire Chief or the assistant in command.

26 Section 25. BICYCLE RIDING RESTRICTED. It shall be unlawful to
27 ride a bicycle upon any sidewalk. The rider of a bicycle upon a
28 roadway shall ride as nearly as practicable within five (5) feet
29 of the right hand curb or edge of the roadway except when passing
30 a standing or other vehicle or making a lefthand turn at an in-
31 tersection.

33 Section 26. RIDING ON HANDLE BARS PROHIBITED. It shall be

1 unlawful for the operator of any bicycle or motorcycle when
2 upon a street to carry any other person upon the bar, handle or
3 tank of any such vehicle or for any person to so ride upon any
4 such vehicle.

5 Section 27. UNLAWFUL TO DRIVE THROUGH FUNERAL PROCESSION. It
6 shall be unlawful for the operator of any vehicle to drive be-
7 tween the vehicles comprising a funeral procession, provided
8 that such vehicles are conspicuously so designated.

9 Section 28. CLINGING TO MOVING VEHICLES. It shall be unlawful
10 for any person traveling upon any bicycle, motorcycle or any toy
11 vehicle to cling to or attach himself or his vehicle to any other
12 moving vehicle or street car upon any roadway.

13 Section 29. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES
14 RESTRICTED. It shall be unlawful for any person upon roller
15 skates or riding in or by means of any coaster, toy vehicle or
16 similar device to go upon any roadway or upon the sidewalk in
17 the central traffic district.

18 *Sec 30 added by Ord. 1016 7/8*
19 ARTICLE V.

20
21 Stopping, Standing and Parking.

22 Section 30. STOPPING PROHIBITED IN SPECIFIED PLACES. It shall
23 be unlawful for the operator of a vehicle to stop such vehicle
24 in any of the following places except when necessary to avoid
25 conflict with other traffic or in compliance with the direction
26 of a police officer or traffic sign or signal:

- 27
28 (1) In an intersection;
29 (2) In a crosswalk;
30 (3) Between a safety zone and the adjacent curb or within
31 twenty (20) feet of a point on the curb immediately opposite the
32 end of a safety zone;
33

1 (4) Within thirty (30) feet of an intersecting roadway ex-
2 cept busses at a designated bus stop.

3 Upon all streets within any business district the
4 City Council shall designate the provisions of paragraphs (3)
5 and (4) of this section by placing and maintaining red paint
6 or other red material upon the entire curb surface within such
7 areas omitting any crosswalk area or by placing and maintaining
8 appropriate signs directing that the stopping of vehicles is pro-
9 hibited.

10
11 Section 31. STANDING FOR LOADING ONLY IN CERTAIN PLACES.

12 (a) It shall be unlawful for the operator of a vehicle to stop
13 said vehicle for a period of time longer than is necessary for
14 the loading or unloading of passengers or materials, provided
15 that the loading or unloading of passengers shall not consume
16 more than three (3) minutes, nor the loading or unload-
17 ing of materials more than twenty (20) minutes, in any of the
18 following places:

- 19
20 1. In any alley;
21 2. In any "loading zone";
22 3. At any curb within fifty (50) feet of the entrance to any
23 police station;
24 4. In any marked bus stop.

25
26 (b) The City Council shall determine the location of
27 "loading zones" and shall mark by appropriate signs or as spec-
28 ifically required herein those places where standing for load-
29 ing only is permitted under this section, subject to the follow-
30 ing requirements and limitations:

31 Bus stops shall be designated by appropriate signs
32 at those places determined by the City Council, except that a
33

1 bus stop shall not exceed fifty (5) feet in length and shall not be
2 placed adjacent to a safety zone at a street car stop;

3 Every loading zone, also that portion of every curb reserved for
4 loading only by paragraph (4) of Subdivision (a) of this section shall
5 be designated by yellow paint or other yellow material upon the entire
6 curb surface therein with the words "LOADING ONLY" in black letters
7 thereon;

8
9 Within any business district nor more than one-half of the total
10 curb length in any one block may be set apart as a loading zone.

*See 31(c) added by Ord. 1029 7/28
See 32 amended by Ord. 643-728*

11 Section 32. PARKING TIME LIMITED IN SPECIFIED PLACES. The operator of a
12 vehicle shall not park such vehicle for longer than one (1) hour within
13 any business district between the hours of 10 A. M. and 6 P. M. of any
14 day except Sunday and subject to the special restrictions imposed by
15 Sections 30 and 31, nor shall the operator of a vehicle park such vehicle
16 for a longer period than 15 minutes on the northwesterly side of I Street
17 between the alley running through block 84 and the southwesterly line of
18 12th street.

19
20 Signs shall be erected and maintained not more than one hundred
21 fifty (150) feet apart in each block designating the provisions of this
22 section.

*See 32 added by Ord. 1037-714
See 33 added by Ord. 406-715*

23 Section 33. EARLY MORNING PARKING LIMITED. It shall be unlawful for the
24 operator of a vehicle to park said vehicle on any paved street for a per-
25 iod of time longer than one (1) hour between the hours of 1 A. M. and
26 5 A. M. of any day.

Ord. 643-715

27 Section 34. STANDING OR PARKING CLOSE TO CURB. The operator of a vehicle
28 shall not stop, stand or park such vehicle in a roadway other than par-
29 allel with the curb and with the two righthand wheels of the vehicle wit-
30 in one (1) foot of the regularly established curb line, except that upon
31 those streets which have been marked for angle parking, as provided in
32 this section, vehicles shall be parked at the angle to the curb indicated
33 by such

See 34 amended by Ord. 27 28

1 marks.

2 The City Council, by resolution is hereby authorized
 3 to determine upon what streets angle parking shall be permitted
 4 and to indicate such places by the painting of white lines upon
 5 the surface of the roadway to indicate the proper angle for park-
 6 ing, provided that such lines shall not be placed upon, nor shall
 7 angle parking be permitted upon, any street where such parking
 8 would diminish the width of the roadway available for travel
 9 to less than twenty (20) feet, nor upon any street where there
 10 is less than thirty (30) feet between the curb and the nearest
 11 rail of any street car track, nor upon any street which is a
 12 continuation of or part of a county trunk line highway or a state
 13 highway unless a clear width of forty (40) feet is left for the
 14 movement of vehicles when angle parking is permitted.

15 The City Council is hereby authorized to prohibit
 16 the parking of vehicles, provided appropriate signs are placed
 17 and maintained to give notice thereof, on one side of a street
 18 in any block where angle parking is permitted on the opposite
 19 side of the street in such block.

20 *Sec 34.1 added by Ord. 1095 7/1*
 21 *Sec 34.2 added by Ord. 17. 2/89*
 22 Section 35. PARKING VEHICLES FOR SALE. It shall be unlawful for
 23 the operator of any vehicle to park the same upon any street for
 24 the purpose of displaying it for sale, or to park any vehicle upon
 25 any street in any business district from which said vehicle mer-
 26 chandise is being sold.

27 *Sec 35A added by Ord. 1034. 7/8*
 28 Section 36. PARKING OF TAXICABS RESTRICTED.

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Section 36.

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It shall be unlawful for the operator of any taxicab to park the same in any place in a business district, except in the spaces provided, designated and marked out for that purpose by the Chief of Police, and it shall be the duty of the Chief of Police to set apart, designate and mark from time to time spaces within which taxicabs may park in a business district. The sign or designation used for the purpose of marking parking places for taxicabs shall indicate that the space shall be used for the parking of taxicabs only. It shall be unlawful for the operator of any other car to park the same in such spaces.

Sec 36.1 added by Ord. 1018 7/8

Sec 36.1 added by Ord. 13-64

Sec 36.2 added by Ord. 103-68

ARTICLE VII.

Penalties.

Section 37. PENALTY. Any person violating any of the provisions of this ordinance or any rule or regulation made by the City Council, pursuant thereto, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished for the first offense by a fine not to exceed Fifty (\$50.00) Dollars, or by imprisonment in the city jail for not more than five (5) days; for a second violation within a period of one (1) year by a fine not to exceed One hundred (\$100.00) Dollars, or by imprisonment in the city jail for not more than ten (10) days, or by both such fine and imprisonment; for a third and each additional offense committed within one (1) year by a fine not exceeding Three Hundred (\$300.00) Dollars, or by imprisonment in the city jail for a period not to exceed three (3) months, or by both such fine and imprisonment.

Section 38. EFFECT OF ORDINANCE. If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Section 39. WHEN EFFECTIVE. This Ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

~~Section 40. All ordinances or parts of ordinances in conflict herewith are hereby repealed.~~

1 Section 40. REPEALING CLAUSE: All Ordinances or parts of ord-
2 inances in conflict herewith are hereby repealed, except that
3 such repeal shall not affect or prevent the prosecution or
4 punishment of any person for any act done or committed in vio-
5 lation of any ordinance hereby repealed prior to the taking
6 effect of this ordinance, and except also that Ordinance No.
7 335 N. S. with reference to the duties of operators of
8 vehicles upon the approach of fire apparatus is not repealed,
9 but shall be construed as being in full force and effect,
10 including such provisions thereof, if any, as may be in con-
11 flict with this Ordinance.
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1 Section 41. This ordinance shall be published in full at least
2 once at least three days prior to its final adoption in the
3 Modesto News-Herald, the official newspaper of the City of Modesto.
4
5

6 The foregoing Ordinance was introduced at a regular
7 meeting of the Council of the City of Modesto held on the 2nd
8 day of ~~November~~ ^{January 1929} 1928, by Councilman Ustick, who
9 moved its adoption and passage to print, which motion, being duly
10 seconded was upon roll call carried and adopted by the following
11 vote:
12

13 Ayes: Councilmen: *Boundey, Brown, Ustick, Truelwood, Mayor Elias.*
14 Noes: Councilmen: *None*
15 Absent: Councilmen: *None*
16

17 Attest: *M. E. Gray*
City Clerk

1 The foregoing Ordinance, having been introduced and ordered
2 printed and published at a regular/^{adjourned}meeting of the Council held on
3 the 2nd day of January, 1929, and having been published as required
4 by the Charter, coming on for final adoption this 23rd day of
5 January, 1929, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None

9 Approved: *Sol P. Elias*
Mayor

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12
13 Attest: *H. E. Gragg*
City Clerk

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AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE
OF STREET MATERIAL.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of Five Thousand (\$5000.00) Dollars, or
as much thereof as may be necessary, is hereby appropriated out
of the General Fund of the City of Modesto for the purchase of
oil for the improvement of the streets of the City of Modesto.

The City Engineer shall file specifications of
the oil required with the City Clerk and the City Clerk shall
thereupon advertise for bids for the sale to the City of such oil
as may be required.

The City shall reserve the right to take and pay
for only so much of the total amount as it may require and to take
the same when and as wanted.

Bidders shall be required to make a deposit or
file a bidding bond for ten per cent of the total amount of the
bid at the time the bid is filed, and upon the execution of the
contract, the successful bidders shall be required to file with
the City a satisfactory bond for twenty-five per cent of the
amount of the contract guaranteeing faithful performance of the
same.

Section II.

This Ordinance shall go into full force and
effect from and after fifteen days after its final passage and
adoption.

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1929, by Councilman Boundey who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried by the following vote:
Ayes: Councilmen: Brown, Boundey, Ustick, Brueblood and Mayor Elias.
Noes: Councilmen: None.
Absent: Councilmen: None.

Attest: H. C. Puff
City Clerk

1
2
3 The foregoing Ordinance having been introduced and ordered printed
4 and published at a regular meeting of the Council held on the 23rd
5 day of January, 1929, and having been published as required by the
6 Charter, coming on for final adoption this 13th day of February, 1929,
7 it was finally adopted by the following vote:

8 Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias

9 Noes: Councilmen None

10 Absent: Councilmen None

11 Approved: *Sol Elias*
Mayor

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14 Attest: *H. E. Gray*
City Clerk

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AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF IMPROVEMENTS IN GRACEADA PARK.

---oOo---

Section I.

The sum of Three Thousand (\$3000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Funds of the City of Modesto not otherwise appropriated for the construction of the following improvements in Graceada Park which is a public park in said City, to-wit:

The construction of a building to provide a tool house or tool room for the implements used in the public parks, a rest-room and a dressing-room and a comfort station and facilities for the patrons of said public park.

The City Engineer shall prepare and file with the City Council plans and specifications for the construction of said improvement. Upon the approval of such plans and specifications, the City Clerk shall advertise for bids for the construction thereof according to the practice of his office in relation to bids for public work. The notice shall specify the time when bids shall be opened, shall require each bidder to file with his bid a certified check or bidding bond for ten per cent of the amount of the bid as a guarantee that he will enter into contract with satisfactory bonds as required by the state law for public work. Such notice shall further specify that the contract shall be awarded to the lowest and best bidder, but the City Council reserves the right to reject any and all bids, ~~and it shall state the time when bids will be opened by the Council at the Council Chambers.~~

1 Section II.

2 full force and
3 This Ordinance shall go into/effect from and after
4 fifteen days after its final passage and adoption.

5 Section III.

6 The foregoing Ordinance shall be published in full at least
7 once at least three days prior to its final adoption in the Modesto
8 News-Herald, the official newspaper of the City of Modesto.

9
10 The foregoing Ordinance was introduced at a regular
11 meeting of the Council of the City of Modesto held on the 13th day
12 of February, 1929, by Councilman Boundey who moved
13 its adoption and passage to print as aforesaid, which motion being
14 duly seconded was upon roll call carried by the following vote:
15 Ayes: Councilmen: Brown, Boundey, Ustick, Trueblood and Mayor Elias.
16 Noes: Councilmen: None.
17 Absent: Councilmen: None.

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19 Attest; W. E. Gray
20 City Clerk

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22 ---oOo---

1 The foregoing Ordinance, having been introduced and
2 ordered printed and published at a regular meeting of the Council
3 held on the 13th day of February, 1929, and having been published
4 as required by the Charter, coming on for final adoption this 8th
5 day of May, 1929, it was finally adopted by the following vote:

6 Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

7 Noes: Councilmen None

8 Absent: Councilmen None
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10 Approved: Elias
11 Mayor

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13 Attest: H. Gray
14 City Clerk
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INITIATIVE

ORDINANCE NO. 348-N.5.

AN ORDINANCE PROVIDING FOR ZONING IN THE
CITY OF MODESTO

The People of the City of Modesto do ordain as follows:

Section I.

The Council shall immediately following the adoption of this Ordinance proceed to regulate, restrict and segregate the location of industries, the several classes of business, trades or callings, the location of apartment or tenement houses, club houses, group residences, two-family dwellings, single family dwellings and the several classes of public and semi-public buildings and the location of buildings or property designed for specified uses, and may in accordance therewith divide the City into districts of such number, shape and area as the Council may deem best suited to carry out the purposes of the laws of the State of California with reference to zoning; and shall in connection therewith impose such regulations for each such district, designating the class of use that shall be excluded or subjected to said regulations, and designating the uses for which buildings may not be erected or altered or designating the class of use which only shall be permitted; such regulations to be designed to promote the public health, safety and general welfare. The Council in said regulations shall give reasonable consideration among other things to the character of the districts provided for and prescribed, their peculiar suitability for particular uses; the conservation of property values and the direction of building development in accord with such plans as the Council may consider and adopt. The authority herein conferred and the work herein specified to be done may be done either under the general laws of the State of California or pursuant to the Charter and provisions of the City of Modesto and the powers conferred by the State Constitution.

SECTION II.

This Ordinance shall take effect immediately upon its adoption by the people at the General Election to be held in the City of Modesto on April 9, 1929.

Approved: Walter Elias
Mayor

Attest: H. C. Gray
City Clerk

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INITIATIVE

ORDINANCE NO. 349-N.S.

1 REPEALED BY
2 MUNICIPAL CODE
3

"AN ORDINANCE PROHIBITING THE USE OF THE INDUSTRIAL EXPOSITION PARK ON THE TUOLUMNE BOULEVARD SITE, OR ANY OTHER AREA WITHIN THE CITY LIMITS OF THE CITY OF MODESTO, AS AN AVIATION LANDING FIELD; DIRECTING THE CITY COUNCIL NOT TO PERMIT SUCH USE OF ANY SUCH AREA; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH."

6 The People of the City of Modesto do ordain as follows:
7

8 Section I.

9 The use of that certain tract of land designed as the industrial Exposition Park on the Tuolumne Boulevard Site, or of any other area within the City Limits of the City of Modesto, as an Aviation Landing Field, is hereby prohibited; and the City Council of the City of Modesto shall not permit the use of the said tract or any such area of land as a place for aeroplane or other aircraft to land or take off or be kept or stored or for any other incidental or like purpose connected with aviation.
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18 Section II.

19 All ordinances and parts of ordinances in conflict herewith are hereby repealed.
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21 Approved: Bob P. Elias
Mayor

22 Attest: H. E. Gray
City Clerk
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INITIATIVE
ORDINANCE NO. 350-N.S.

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION
OF A SWIMMING POOL IN ENSLEN PARK IN THE CITY
OF MODESTO AND APPROPRIATING THE FUNDS THEREFOR.

The People of the City of Modesto do ordain as follows:

Section I.

The sum of \$17,450.00, or so much thereof as may be necessary
is hereby appropriated out of the General Fund of the City of Modesto
known as the Beard Park Improvement Fund, for the construction,
erection and completion of a Swimming Pool to be located in Enslen
Park in the City of Modesto.

Section II.

The City Council shall immediately following adoption of
this Ordinance cause plans and specifications to be prepared, sub-
ject to the approval of said Council, for the construction of said
Swimming Pool, and thereupon immediately proceed with the construction
of the same.

Section III.

This Ordinance shall take effect immediately upon its adoption
by the People at the General Election held in the City of Modesto
on April 9, 1929.

Approved: John Ellis
Mayor

Attest: H. E. Gray
City Clerk



REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 328 N.S.
RELATING TO THE USE OF THE MODESTO MUNICIPAL
AIRPORT.

---oOo---

Section I.

Section 3 of Ordinance No. 328 N. S. is hereby
amended so as to read as follows:

"Section 3.

It shall be unlawful for any student or any person
not possessing either a permanent license or a temporary letter
of authority issued by the Secretary of Commerce under the auth-
ority of the Air Commerce Act hereinabove referred to, to pilot,
operate or navigate any air craft over the City of Modesto,
or to land upon or take off from the area hereinabove described
as the Modesto Municipal airport, or any other public place in
the said City of Modesto, or to use said Modesto Municipal Air-
port, or any other public place in the City of Modesto for the
operation of any air craft in any manner whatsoever."

Section II.

This ordinance shall go into full force and effect
from and after fifteen days after its final passage and adopt-
ion.

Section III.

This ordinance shall be published in full at least
once at least three days prior to its final adoption in the
Modesto News Herald, the official newspaper of the City of
Modesto.

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The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto duly and regularly called and held on the first day of April, 1929, by ~~Councilman~~ Mayor Elias, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Boundey, Brown, Ustick, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.C. Gray
City Clerk

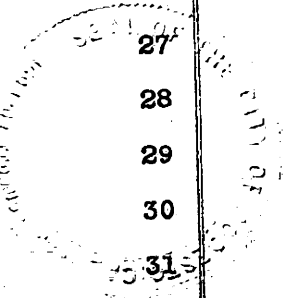
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The foregoing Ordinance, having been introduced and ordered printed and published at a special meeting of the Council held on the 1st day of April, 1929, and having been published as required by the Charter, coming on for final adoption this 10th day of April, 1929, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Ustick, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *G. P. Elias*
Mayor

Attest: *H. E. Gray*
City Clerk



REPEALED BY
MUNICIPAL CODE

AN ORDINANCE REGULATING THE INSTALLATION, REPAIR, OPERATION AND MAINTENANCE OF ELECTRICAL WIRING AND EQUIPMENT WITHIN THE CITY OF MODESTO, PROVIDING FOR LICENSES, REGISTRATIONS, PERMITS, INSPECTIONS AND APPROVAL OF ELECTRICAL WORK, THE PAYMENT OF FEES THEREFOR AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section 1.

The offices of City Electrician and Assistant City Electrician, in and for the City of Modesto are hereby created. The Council may direct that the City Engineer shall also be the City Electrician. Unless the City Engineer possesses the qualifications hereinafter mentioned, an Assistant City Electrician shall also be appointed by the Council who shall be a competent electrician of good moral character, with at least four years experience as a journeyman in the practice of his trade or two years training in a recognized college of electrical engineering, and in addition thereto, two years of practical experience in electrical construction, who shall be well versed in approved methods of electrical construction for safety to life and property, the statutes of the State of California relating to electrical work, the rules and regulations issued by the Industrial Accident Commission of the State of California under authority of the Statutes, the National Electrical Code, as approved by the American Engineering Standards Committee, other installation and safety rules and standards approved by the American Engineering Standards Committee and rules of the Board of Fire Underwriters of the Pacific.

The City Electrician, or his Assistant, shall, under his direction, have charge of all electrical inspections, construction and maintenance within the City of Modesto, and of the construction, maintenance and operation of the fire and police alarm systems belonging to said city, and of all other electrical lighting, power

and communication systems or equipment now owned or hereafter to be constructed or acquired by said city.

The City Electrician, under the control of the Council, shall have the power to designate and appoint such inspectors as may be necessary to enable him to carry out the direction of this Ordinance.

Section 2.

LICENSING, BONDING AND REGISTRATION:

Before any person, firm, or corporation shall engage in the business of performing electrical work in the City of Modesto he shall first procure from the said City a license so to do and pay the license fee of fifty (\$50.00) dollars per annum on such business and must register name in book provided for that purpose at the office of the City Electrician, giving full name, residence and place of business, and in case of removal from one place to another in the City, shall make corresponding change in said register accordingly and file herewith his affidavit that such name and place of business as registered are correctly stated, and before the aforesaid license shall be issued every person, firm or corporation intending to engage in the business of performing electrical work shall first obtain and file with the license collector, after approval has been made by the City Council, a bond in the penal sum of \$2500.00 payable to the City of Modesto, and conditioned that said registrant and licensee will comply with all and every provision of the ordinance pertaining to electrical work and indemnifying the city against all claims, judgements or suits caused by the erection, repair or construction of electrical installation and guaranteeing the payment of all fees that may become due and payable to the City of Modesto.

Section 3.

APPLICATIONS AND PERMITS:

Before any person except one holding a license pursuant to Section 2 hereof, shall do any electrical work in the City of

Modesto he must file with the City Electrician an application for, and obtain, from said Electrician, a permit to do such work, a copy of which must be immediately transmitted to the office of the City Collector and must pay to City Collector the fee prescribed in Section 8 of this Ordinance. Persons holding a license may obtain a permit at the Collector's office upon payment of the fees prescribed.

No alterations or additions shall be made in existing wiring, nor shall any wiring for the placing of any electric lights, power or heating devices, or any apparatus which operates with a voltage between any two points of more than twenty-five (25) or which generates, transmits, transforms or utilizes more than fifty (50) watts, nor shall any alterations be made in any wiring system after final inspection, without first notifying the City Electrician and securing a permit therefor, except minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords. Applications for such permit, describing such work, shall be made in writing by the person, firm or corporation installing same and the permit when issued shall be to such applicant. This paragraph shall not apply to maintenance and repairs on the premises of a person, firm, or corporation regularly employing journeymen electricians for that purpose. Each applicant shall state the location by street and house number and where possible, the block and lot numbers where such work is to be done; the permit issued shall be valid only for the location so stated and unless work is commenced within six (6) months after issuance of the permit shall become null and void.

PLANT AND MAINTENANCE ELECTRICIANS:

Any person, firm, or corporation, such as industrial establishments and hotels, regularly employing one or more journey-men electricians for the purpose of installation, alteration, maintenance and/or repairs on his or their own premises, will not be required to pay the license fee or take out a bond as herein prescribed when their activities are wholly confined within the plant or plants which they operate. Said plant electricians must, however, obtain the necessary permits, and pay the inspection fees, prescribed by Section 8 of this Ordinance.

Section 4.

INSPECTION:

Upon the completion of the wiring in or on any building or structure of any nature, or tent, or premises, the person, firm or corporation installing the same shall notify the City Electrician, who shall inspect the installation, and if it is found to be fully in compliance with the Ordinance, he shall issue, as provided herein, a certificate of inspection or approval tag authorizing connection to the electrical service and the energizing of the installation. All wires which are to be hidden from view shall be inspected before concealment and any person, firm, or corporation installing such wires shall notify the City Electrician to make the required inspection before such wires are concealed, and shall not conceal same nor allow same to be concealed until permission has been obtained in writing from the City Electrician.

PERMISSION TO COVER WORK:

Permission to cover work to be concealed shall be on a blue tag attached to the work in a suitable place and which shall show the date, location, that such permission has been granted and signature of the inspector.

WIRING APPROVAL:

Final approval of the wiring of any installation except that of fixtures or other devices customarily or frequently installed under separate contract, shall be by means of a yellow tag attached to the work in a suitable place and showing the date, location, approval and signature of the inspector.

FIXTURE APPROVAL:

Approval of fixtures, signs and/or any apparatus used with electrical lamps or other form of electrical lighting or other devices such as ranges, water heaters, xray machines, customarily or frequently installed under separate contract, shall be by means of a green tag attached to the work in a suitable place and showing the date, location, approval and signature of the inspector.

APPROVAL (O.K.) TAG:

Upon the completion and approval of a job there shall be a white tag attached to the service switch granting permission to the power company or other serving agency to connect the installation for use.

SPECIAL OR TEMPORARY TAG:

A special or temporary tag which may be issued for a length of time not exceeding thirty (30) days shall be by means of a white tag in red letters and this tag shall show the date, location, approval permission, and the signature of the inspector.

The electric utility rendering service shall disconnect service on the date given on special or temporary permits unless tag of completion has been issued or unless extension has been granted in writing. On all rewire jobs, old wire must be removed before the job will be approved.

DISAPPROVAL TAG:

Where approval is withheld a red tag showing date, location, defects in the work, and signature of the inspector shall be attached in a suitable place to the work. All defects shall be

corrected within ten days after inspection and notification, or within reasonable time as allowed by the City Electrician.

CONNECTION:

No person, firm, or corporation or branch or department of any city or other political sub-division shall furnish electrical service or connect or cause, or allow connection to be made of any wires or other equipment over which electricity may be conducted or electrical energy dissipated or utilized, to any source of wires or other equipment already connected to a source or to any distributing system of electrical energy, until said wires or other equipment shall have been inspected by the city inspector and said certificate of inspection or white tag shall have been issued. Provided, however, that the City Electrician may give temporary permission to furnish electric current to or the use of the electric current, through any wires or other equipment for a length of time not exceeding thirty (30) days, if it appears to the City Electrician that such wires, etc. may be used safely, and that there exists an urgent necessity for such use and special permission.

In this case a special temporary tag shall be attached to a suitable place on the work and shall show the date, location, such special approval, date of expiration of such permission, and signature of the inspector.

Section 5.

RIGHT OF ACCESS:

Said City Electrician shall have the right during reasonable hours to enter any building in the discharge of his official duties, or for the purpose of making any inspection or test of the installation of electric wiring, electric devices and/or electrical material contained therein.

Section 6.

RE-INSPECTION:

The City Electrician periodically shall make a thorough

reinspection of the installation in or on buildings and/or premises of all electric wiring, electric devices and electric material now installed or that may hereafter be installed, within the City of Modesto and when the installation of any such wiring, devices and/or material is found to be in a dangerous or unsafe condition the person, firm, corporation, or political subdivision owning, using or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, devices and material in a safe condition and have such work completed within fifteen (15) days, or other reasonable period specified by the City Electrician in said notice and shall pay such fees as are required by this Ordinance. The City Electrician is hereby empowered to disconnect or order the discontinuance of electrical service to such wiring, devices and/or material so found to be defectively installed until the installation of such wiring, devices, and material has been made safe as specified in this Ordinance and as directed by the City Electrician; and any person, firm, or corporation or political subdivision ordered to discontinue such electrical service shall do so within forty eight (48) hours and shall not reconnect or allow it to be reconnected until notified to do so by the City Electrician. Provided, however, that no re-inspection shall be made in any dwelling house, while the same is occupied as a dwelling, without the consent of the occupant thereof. No person or persons shall hinder or prevent the City Electrician or his deputies from making any electrical inspection except in dwelling houses. The City Electrician shall make monthly inspections of all theatres and motion picture houses and if the electrical equipment is in safe operating condition shall issue an approval notice. No theatre or motion picture house shall operate for more than ten days without said approval notice.

Section 7.

FIXTURE PERMIT:

Fixture permits will not be required when a screw base

Lamp receptacle without fixture attachment is installed directly in or on any outlet box, conduit, or metal moulding fitting.

Section 8.

FEEES:

The City Clerk, or any other authorized person, shall collect from any person, firm, or corporation or political sub-division to whom a permit for doing electrical work has been granted the following fees, at the time the permit is granted, to-wit:

For issuing permits, each (wiring, fixture, or antenna).....	\$1.00
For each outlet, at which current is used or controlled not exceeding 18" apart.....	.05
For each socket or outlet at which current is used or controlled which are installed at a distance exceeding 18" apart for the first 15.....	.10
Excess.....each	.05
For each motor of not more than $\frac{1}{2}$ h.p.....	.25
For each motor of not more than 2 h.p. but more than $\frac{1}{2}$ h.p.....	.50
For each motor of not more than 5 h.p. but more than 2 h.p.....	.75
For each motor of not more than 15 h.p. but more than 5 h.p....	1.25
For each motor of not more than 50 h.p. but more than 15 h.p....	1.75
For each motor of not more than 200 h.p. but more than 50 h.p..	2.50
For each motor of more than 200 h.p.....	5.00
For each generator, each K.V.A. capacity shall be considered as one (1) h.p. in a motor.	
For each motor-generator set, the fee charged shall be 50% greater than for the motor alone.	
For each moving of motors and/or generators upon which a final certificate has formerly been issued by the City Electrician a fee of fifty (50%) per cent of the former fee shall be charged.	
For each temporary motor, the same fee as for moving.	
For each mercury arc and equipment.....	1.00
For each mercury arc lamp and equipment.....	1.00

For each projection machine, dissolver, etc.....	1.00
For each range, water heater or air heater installation....	.10
For working lights in buildings in course of construction or undergoing repairs, or where temporary lighting is to be used:	
100 lamps or less.....	.50
101 lamps and not over 300.....	.75
301 lamps and not over 600.....	1.00
601 lamps and not over 1000.....	2.00
1001 lamps and over, each two mills.....	.002
For electric sign, 10 lamps or less.....	.25
For electric sign, 11 lamps and not over 25 lamps.....	.50
For electric sign, 26 lamps and over, each lamp.....	.02
For electric sign, luminous gas type, with 1 to 4 trans- formers.....	1.00
For electric sign, luminous gas type, with 5 or more trans- formers, per transformer.....	.25
For electric welder, per K. W.....	.25
For rectifier, per K. W.....	.25
For each inspection made necessary by defective workmanship or materials.....	1.00
For each inspection trip, made necessary by failure to solder properly, to ream properly conduit ends, use the proper type of wire connections, and/or properly tape joints in wires or due to a spliced wire in conduit.....	1.00
For the inspection of any electrical equipment for which no fees are herein prescribed there shall be charged a fee per hour of.....	2.00
Upon failure to make application and take out a permit within one week after commencing work the permit fee shall be.....	2.00
No permit shall be issued to any person, firm, corporation or	

political subdivision unless all fees due, are paid in full. Failure to take out a permit and pay the fees therefor within 10 days after commencing work shall be deemed prima facie evidence of violation of the provisions of this Ordinance.

Section 9.

GENERAL CONSTRUCTION REQUIREMENTS & REGULATIONS:

Except as provided otherwise herein, all installations whereby electrical energy is to be utilized shall be in strict conformity with the provisions of statutes of the State of California, the rules and regulations of the Industrial Accident Commission of the State of California under authority of the state statutes governing industrial installations, the rules and regulations of the Commission of Immigration and Housing of the State of California and in conformity with the most approved methods of construction for safety to life and property. The regulations as laid down in the National Electrical Code, as approved by the American Engineering Standards Committee; other installation and safety regulations approved by the American Engineering Standards Committee, and the rules and regulations of the Board of Fire Underwriters of the Pacific shall be prima facie evidence of such most approved methods.

Three copies of each of the above mentioned order and regulations shall be kept on file in the office of the City Clerk of the City of Modesto, California.

APPROVED MATERIALS:

When there are obtainable for any given purpose, materials, fittings, devices, or appliances that have been examined by a properly qualified and authorized body, and approved, listed and/or labeled as conforming to the standards of the United States Bureau of Standards, or other similar institution of recognized standing, then only shall such be sold and/or used. Such approval shall always be for a particular use and such approval and label does not mean that the materials, etcetera, may be used indiscriminately, but

only for the purpose for which approved. For good cause, or when public interest may require, or pending approval, the City Electrician may waive, by writing in advance, the requirements of this section, but such waiver shall apply only to the one particular installation, and shall not set a precedent as to further use.

Section 10.

No person shall change, move, disturb, or otherwise perform any work upon any electrical equipment belonging to the City of Modesto except pursuant to a written permit, setting forth the approximate nature, and extent of the work to be performed thereunder, signed by the City Electrician or his authorized agent. No such permit will be granted unless written application therefor shall be filed in the office of the City Electrician not less than twenty-four (24) hours prior to the time said permit is to be exercised.

All electrical equipment disturbed, moved or otherwise effected pursuant to such permit must be replaced by or at the expense of the person so effecting same in as good condition in every respect as before being disturbed, to the satisfaction of the City Electrician.

The City Electrician shall have direct supervision of all work done pursuant to the foregoing provisions of this section. All expenses incurred by the City of Modesto on account of such work must be charged to and collected from the person so affecting the said equipment upon the completion of the work.

Section 11.

ARTIFICIAL ILLUMINATION REQUIRED IN APARTMENT HOUSES AND HOTELS:

In every apartment house or hotel there shall be installed and kept burning from sunrise to sunset (day time) throughout the year artificial light sufficient in volume to properly illuminate every public hallway, public stairway, fire escape, elevator, public water closet compartment, or toilet room, whenever there is insufficient natural light to permit a person to

read in any part thereof.

In every apartment house or hotel there shall be installed and kept burning from sunset to sunrise (all night) throughout the year artificial light sufficient in volume to properly illuminate every public hallway, passageway, public stairway, fire escape egress, elevator, public water closet compartment, or toilet room.

The provisions of this section shall not apply to an apartment house built with not more than two apartments above the first floor thereof.

Section 12.

LOCATION OF SERVICE OUTLETS:

All service outlets, meter locations, and main entrance switches shall be in accordance with the regulations as shown on approved prints attached to and made a part of this Ordinance.

Section 13.

GENERAL REQUIREMENTS:

All materials must be approved by the Board of Fire Underwriters or the City Electrician.

Article 1. Metal boxes shall be installed at all outlets. Outlet plates will not be permitted unless by special permission in writing from the City Electrician.

Article 2. All open wiring, where permitted, shall be run in straight lines and all turns made at right angles.

SIGNS:

Article 3. No sign, electrical or electrically illuminated, shall be erected without first obtaining a permit from the City Electrician.

All applications must be accompanied with a plan showing the proposed location, weight, and the method of fastening to the structure.

All signs, electrical or electrically illuminated, must have a clearance of at least ten (10) feet above the sidewalk, and no such sign shall extend over the sidewalk a greater distance than three-fourths ($\frac{3}{4}$) of the width of the sidewalk from property to curb face, excepting that signs over twenty-one (21) feet above the sidewalk may extend to the curb line.

All signs projecting more than four (4) feet from the structure shall be constructed so they can be swung back to the building.

Article 4. No screw base receptacle shall be used for attachment plugs such as irons, toasters, etc., and no screw base receptacle shall be installed within five (5) feet of the floor.

When plug receptacle for antenna and ground are installed for radios, such receptacles shall be of the type used exclusively for radio work. Approved lighting or power receptacles will not be permitted for this class of work.

Article 5. When lights are installed in clothes closets, they shall be installed on the ceiling or on the wall above the door. Such lights shall be controlled by approved wall or door switch, or pull chain sockets. No drop cord light shall be installed in any clothes closet.

Article 6. All ranges, water heaters, and air heaters, shall be wired in on a separate branch circuit, each circuit being fused separately, except that more than one (1) built in air heater may be installed on one circuit when the total load does not exceed 5000 watts.

SIZE OF SERVICE:

Article 7. Wire used for services shall be of sufficient capacity to take care of the load imposed upon them and not smaller

than that required by the protection afforded. Three wire services shall be used for all single phase services wherever four or more circuits are installed.

Article 8. All splices in open work shall be painted with P. and B. paint, or its equal, on the outside of the last layer of friction tape except fixture joints.

Article 9. All lights, fixtures and brackets within eight (8) feet vertical and five (5) feet horizontal of a grounded surface or in rooms which have running water or piping for same, must be controlled by wall switches and must be provided with porcelain sockets. Wall switches or receptacles within five (5) feet of any grounded surface must have all exposed metal parts permanently and effectively grounded. Flush type wall switches and receptacles will be required on all concealed work.

Under no condition shall a service be less than No. 8 B. and S. gauge wire or a service conduit smaller than 3/4".

Section 14.

NUMBER OF OUTLETS, RECEPTACLES AND WATTAGE PER CIRCUIT; RESIDENCES, FLATS AND APARTMENTS:

Not more than twelve (12) outlets nor more than one thousand (1000) watts will be allowed on any lighting circuit on No. 14 B. and S. gauge wire.

Not more than fifteen (15) outlets nor more than eighteen hundred (1800) watts will be allowed on any lighting circuit on No. 12 B. and S. gauge wire.

Section 15.

COMMERCIAL INSTALLATIONS:

Not more than twelve (12) outlets nor more than fifteen (15) amperes will be allowed on a two-wire branch circuit or on either side of a three-wire branch circuit of No. 14 B. and S. gauge wire.

Not more than fifteen (15) outlets nor more than twenty (20) amperes will be allowed on a two-wire branch circuit or on

either side of a three-wire branch circuit of No. 12 B. and S. gauge wire.

Section 16.

Three-wire branch circuits will not be allowed in residences, flats and apartments.

No convenience outlet shall be placed on any lighting circuit.

Convenience outlets in domestic installations shall be wired on circuits not smaller than No. 12 B. and S. wire with a maximum of eight (8) outlets per circuit.

Convenience outlets on commercial installations shall be wired on circuits not smaller than No. 12 B. and S. wire with a maximum of six (6) outlets per circuit.

Enclosed commercial fixtures shall be equipped with porcelain sockets.

The use of cleat receptacles for fixture work will not be permitted.

All ceiling fixtures of five lights or over shall be put up with slip canopies or machine screws.

All unused outlets shall be tapped and capped.

Approved solderless connectors may be used.

No current tap socket will be permitted on any lighting fixture.

Section 17.

NEUTRAL WIRES:

The neutral wire of all lighting systems shall be grounded and shall be enclosed in a white covered insulation with or without a colored thread.

The wires not grounded shall be black or red covered and shall have, as a part of their circuit, all switches.

All common or neutral wire larger than No. 6, if not

white covered insulation, must be painted white at the points of contact.

All wires of circuits of 220 volts or over shall have black or red covered insulation.

On all remodel jobs or where additional wiring is installed, service and metering equipment shall be brought up to standard, only black or red covered wire shall be used unless the identified wiring system has been carried out throughout the entire installation, then the identified system shall be used.

Section 18.

Article 1. All wiring within fire district or limits number one exceeding twenty-five (25) volts must be wired in conduit.

Article 2. All wiring, over 25 volts outside of the fire district or limits number one, must be wired in conduit, except in dwellings, private garages of not more than two cars, small sheds, and apartment houses of not more than four (4) apartments.

Article 3. Where it is mechanically impossible to install rigid conduit, or in the case of remodeling or repairs, approved metal moulding or armored flex duct may be installed by special permission in writing from the City Electrician.

Article 4. Any circuit requiring wire or cable larger than number ten (10) B. and S. gauge must be run in rigid conduit.

Article 5. All service wires shall be installed in rigid conduit.

Article 6. All wiring on the outer surface of any building or structure, if exposed to the weather, shall be enclosed in rigid conduit.

Article 7. All buildings requiring emergency and exit lighting shall be wired in conduit, and emergency lighting must be on an independent circuit.

Article 8. All sub-feeder circuits must be run in rigid conduit.

Article 9. Wire damaged by fire not to exceed 50% may be replaced with the same type of wiring.

Article 10. Where two or more disconnect switches are grouped at one location, each switch must be plainly and permanently marked or stenciled showing load it disconnects.

Article 11. The use of two or three pole switches with an improvised neutral lug or strap will not be permitted. An approved switch must be used.

Article 12. All single circuit lighting jobs shall be fused independently other than the entrance switch.

Article 13. On all jobs in new buildings of over two circuits (110 Volt) and on all 220 Volt circuits the distribution center must be located inside of the building in a dry and easy accessible place, and all subfeeder circuits must be run in conduit.

Article 14. All Bell transformers must be installed in a metal box inside of a meter box, or at distribution center.

Article 15. Any wiring or electrical installations not provided for in this Ordinance, will be deemed a special installation and must be taken up with the City Electrician for a special ruling in writing.

Section 19.

RESPONSIBILITY:

This Ordinance shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling, or installing any electric wiring, electric devices and or electric material for damages to person or property caused by any defect therein nor shall the City be held as assuming any such liability by reason of the inspection authorized herein, or certificate of inspection issued as herein provided.

Section 20.

INTERPRETATION CLAUSE:

The City Electrician is hereby empowered to make interpretations of this Ordinance wherever there is a question as to materials or methods or manner in which the materials shall be installed. Said interpretations shall be in writing and shall be final as to that class of installation.

Electricians or any other person may have a final approved certificate on application, provided, however, the work meets all requirements.

Section 21.

RECORDS OF PERMITS AND INSPECTIONS:

The City Electrician shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this Ordinance.

Section 22.

PAYMENTS TO CITY CLERK:

The City Clerk shall pay all moneys collected by him into the city treasury daily.

Section 23.

PENALTIES:

Every person, firm or corporation, violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred (\$500.00) dollars or by imprisonment in the City Jail for a period of not more than one hundred and eighty (180) days or by both such fine and imprisonment.

Every person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a separate offense for each day or portion thereof during which such violation continues and shall be punishable therefor as herein provided.

Section 24.

It shall be unlawful for any person, firm or corporation,

either as owner, architect, contractor, artisan or otherwise, to do or cause or permit to be done any electrical wiring or any installing of electrical apparatus or fixtures in such manner that the same shall not conform to all of the provisions of this Ordinance.

Section 25.

It shall be unlawful for any person, firm or corporation to use or permit or cause to be used, any electrical apparatus or fixtures when said apparatus or fixtures or the installation of same does not conform to all the requirements of this Ordinance.

Section 26.

REPEAL OF CONFLICTING ORDINANCES:

All ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed.

Section 27.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

The Council of the City of Modesto hereby declares that it would have passed this Ordinance and each section, sub-section, clause and phrase thereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

Section 28.

This Ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section 29.

This ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

AN ORDINANCE PROHIBITING DANCING WITHIN CERTAIN HOURS.

The Council of the City of Modesto do ordain as follows:

SECTION 1. It shall be unlawful and a Misdemeanor for any person, firm, or corporation in control of any public dance room or dance hall to conduct or permit dancing or the performance of any dance music in such room or hall between the hours of ~~One~~^{Two} O'clock A. M. and Eight O'clock A. M.

SECTION 2. It shall be unlawful and a Misdemeanor for any person to dance in any public dance room or dance hall between the hours of ~~One~~^{Two} O'clock A. M. and Eight O'clock A. M.

SECTION 3. It shall be unlawful and a misdemeanor for any person, firm, or corporation to conduct or operate in the City of Modesto any marathon or endurance dance in which the participants are required or permitted to engage in dancing for a longer period than forty-eight hours without a rest or intermission of at least ^{consecutive} eight hours during each period of twenty-four hours.

SECTION 4. For the purpose of this ordinance, a public dance hall or room is defined to be a hall, room, or place where the public generally may come either to dance or to watch and observe dancing performances or listen to dancing music either with or without the payment of an admission fee or other fees therefor.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall

REFERRED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 not effect the validity of the remaining portions of this
2 ordinance. The Council of the City of Modesto declares that
3 it would have passed this ordinance and each section, subsection,
4 clause, and phrase thereof irrespective of the fact that any
5 one or more sections, subsections, sentence, clause or phrase
6 be declared unconstitutional or otherwise invalid.
7

8 SECTION 6. Any person convicted of violation of this
9 ordinance shall upon such conviction be punished by a fine of
10 not to exceed \$500.00 or by imprisonment in the County Jail of
11 Stanislaus County, California, not to exceed six months or by
12 both such fine and imprisonment.

13 SECTION 7. Inasmuch as a marathon dance or endurance
14 dancing contest has been advertised to be held in the City of
15 Modesto commencing immediately and to continue until the
16 participants retire from sheer exhaustion, and in which the people
17 of the City of Modesto may participate both actively and as
18 spectators, and inasmuch as such a contest is dangerous to the
19 health of the participants therein, the City Council does hereby
20 find and declare that this ordinance is necessary for the
21 immediate preservation of the City's public ^{peace} health and safety.
22 The City Council does therefore order that this ordinance shall
23 go into full force and effect from and after its final adoption.
24
25

26 SECTION 8. This ordinance shall be published in full
27 ^{at least} at least once ~~the last~~ three days prior to its adoption in the
28 Modesto News-Herald, the official newspaper of the City of Modesto.
29

30 The foregoing ordinance was introduced at a special
31 meeting of the Council of the City of Modesto held on the 20th
32

1 day of June, 1929, by Councilman Brown,
2 who moved its adoption and publication as aforesaid, which
3 action being duly seconded was upon roll call carried and the
4 ordinance ordered printed and published by the following vote:
5 Ayes: Councilmen Boundey, Brown, Falger, Trusblood, Mayor Elias
6 Noes: Councilmen None
7 Absent: Councilmen None
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Attest: H.E. Gagg
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed at a special meeting of the Council held on the 20th day of June, 1929, and having been published as required by the Charter, coming on for final adoption this 26th day of June, 1929, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, ~~Brown~~, Falger, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen ~~None~~ Brown.

Approved: Elias
Mayor

Attest: H.E. Gagg
City Clerk

AN ORDINANCE APPROPRIATING MONEY OUT OF THE SEPTIC TANK FUND FOR CONSTRUCTION PURPOSES.

The Council of the City of Modesto do ordain as follows:

Section 1.

The sum of Eighteen Thousand (\$18,000.00) Dollars, or so much thereof as may be necessary is hereby appropriated out of that certain fund known as the Septic Tank Fund, to be expended in the construction or reconstruction, enlargement and expansion, and improvement of the septic tank or liquefying tank for the disposal of sewage, as hereinafter specified.

Section 2.

The City Engineer shall, as required by the City Council, prepare plans and specifications for the enlargement and expansion of the present septic tank or liquefying tank of the City, for its enlargement and improvement, or repairing of deficient units, and for the construction of new and additional units thereto. Said plans may provide for said work either as an entirety or separately. Contracts may be let for the whole thereof, or for separate portions thereof, or said work may be installed by the City under the direction of the engineer, as the council may hereafter by resolution determine.

Section 3.

This Ordinance shall take effect and go into full operation from and after fifteen days after its final adoption.

Section 4.

This Ordinance shall be published in full at least once

1.

1 the last three days prior to its adoption in the Modesto News-Herald.
2 the official newspaper of the City of Modesto.

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6 The foregoing Ordinance was introduced at a regular meeting
7 of the Council of the City of Modesto held on the 24th day
8 of July, 1929, by Councilman Boundey, who moved
9 its adoption and publication as aforesaid, which motion being
10 duly seconded was upon roll call carried, and the ordinance
11 ordered printed and published as above by the following vote:

12 Ayes, Councilmen: Boundey, Falger, Trueblood, Mayor Elias.
13 Noes, Councilmen: None
14 Absent, Councilmen: Brown.

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17 Attest: H.E. Gray
City Clerk

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4 The foregoing Ordinance, having been introduced and ordered
5 printed at a regular meeting of the Council held on the 24th day
6 of July, 1929, and having been published as required by the law
7 of the charter of the City of Modesto, coming on for final adoption
8 this 14th day of August, 1929, it was finally adopted by the
9 following vote:

10 Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

11 Noes: Councilmen None

12 Absent: Councilmen None
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15 Approved: * *Sol P. Elias*
16 Mayor

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18 Attest: *H. E. Gross*
19 City Clerk
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INITIATIVE
ORDINANCE NO. 355-M. S.

AN ORDINANCE REPEALING ORDINANCE NO. 350-N. S.

Ordinance No. 350-N. S. - entitled "An Ordinance providing for the construction of a swimming pool in Enslin Park in the City of Modesto and appropriating the funds therefor", which ordinance in accordance with a resolution of the City Council adopted at a meeting held on the 13th day of March, 1929, was submitted to the electors of said City at an election held on the 9th day of April, 1929, is hereby repealed.

Approved: *Solt Elias*
Mayor

Attest: *H. E. Gray*
City Clerk

*Adopted by
Special Election
of Aug. 13, 1929.*

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INITIATIVE
ORDINANCE NO. 356-N. S.

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A SWIMMING POOL IN WHAT IS KNOWN AS BEARD BROOK PARK, IN THE CITY OF MODESTO, AND APPROPRIATING FUNDS THEREFOR AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The People of the City of Modesto do ordain as follows:

Section I.

The sum of \$17,450.00, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto, known as the Beard Park Improvement Fund, for the construction, erection and completion of a swimming pool to be located in what is known as Beard Brook Park, in the City of Modesto.

Section II.

The City Council shall immediately following the adoption of this Ordinance, cause plans and specifications to be prepared, subject to the approval of said Council, for the construction of said swimming pool and thereupon immediately proceed with the construction of the same.

Section III.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section IV.

This ordinance shall take effect immediately upon its adoption by the people at a special election called and held as required by law.

Approved: Bob Elias

Mayor

Attest: H. E. Gray

City Clerk

*Not Adopted
by Special Election
Held Aug. 13, 1929*

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SPECIAL
NOT IN CODE

ORDINANCE NO. 357 -N.S.

AN ORDINANCE Fixing the rate of taxation in and for the City of Modesto for the fiscal year 1929-1930.

The Council of the City of Modesto do ordain as follows:

Section I. There is hereby levied upon the assessed valuation of the property in the City of Modesto, County of Stanislaus, State of California, for the fiscal year beginning July 1, 1929, and ending June 30, 1930, the rates of taxation hereinafter specified, said rates being upon each one hundred dollars (\$100) of the valuation according to the equalized assessment roll, to wit:

For the General Fund, One Dollar (\$1.00) on each one hundred dollars valuation;

For the bond redemption and interest fund as follows:

- (a) Municipal improvement bonds of 1910, 4 Cents;
- (b) Municipal improvement bonds of 1911, 2 Cents;
- (c) Municipal improvement bonds of 1912, 3 Cents;
- (d) Municipal improvement bonds of 1919, 3 Cents;
- (e) Municipal improvement bonds of Jan., 1920, 13 Cents;
- (f) Municipal improvement bonds of June, 1920, 2 Cents;
- (g) Municipal improvements bonds of 1923, 3 Cents;

Being a total of 30 Cents on each one hundred dollars in valuation of all property taxable for the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;

For the Special Fund for the purpose of paying for lands purchased or to be purchased at tax sales under the "Improvement Bond Act of 1915" in accordance with Section 16, of said act, Two (2) Cents on each one hundred (\$100.00) dollars of the assessed valuation of the assessable property.

For the library fund, 13 Cents on each one hundred dollars

1 of said taxable valuation.

2 The aggregate of said sums, to wit: One Dollar and Forty
3 Five Cents (\$1.45) on each one hundred dollars valuation as
4 determined by the equalized assessment roll for the year 1929-
5 1930 on all property taxable in the City of Modesto for said
6 purposes is hereby levied and apportioned to and shall be paid
7 into the above funds respectively of said City. The rates above
8 specified shall be in addition to those required to be levied
9 under the general laws of the State of California for the pur-
10 pose of paying the principal and interest on street improvement
11 bonds in local improvement districts.

12 Section 2. This ordinance shall take effect immediately
13 upon its final passage and adoption.

14 Section 3. This ordinance shall be published in full at
15 least once at least three days prior to its final adoption in the
16 Modesto News-Herald, the official newspaper of the City of Modesto.

17 The foregoing ordinance was introduced at a regular
18 meeting of the Council of the City of Modesto held on the 14th
19 day of August, 1929, by Mayor Elias — who moved its pub-
20 lication as aforesaid which motion being duly seconded, the
21 Ordinance was ordered printed and published as above by the
22 following vote:

23 Ayes: Councilmen Boundey, Brown, Falger, Luskwood,
Mayor Elias

24 Noes: Councilmen - None

25 Absent: Councilmen - None.

26
27 Attest: H. E. Pragg
28 City Clerk
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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 358 - N.S.

AN ORDINANCE REGULATING THE CONSTRUCTION OF SIGNS
BENEATH AWNINGS AND MARQUISE.

The Council of the City of Modesto do ordain as follows:

I

It shall be unlawful for any person, firm, or corporation to construct, suspend, maintain, or use any sign or advertisement of any kind or character extending over the sidewalk in front of any building, and beneath the marquise or awning of such building, unless all parts of such sign or advertisement shall be at least seven feet six inches above the top surface of the sidewalk underneath the same, and unless such sign or advertisement complies with the ordinances of the City of Modesto with relation to sign boards and electrical construction.

II

Any person, firm, or corporation violating any of the terms of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished, if a corporation, by a fine only, or if a natural person or persons, by either fine or imprisonment or both, not to exceed Five Hundred Dollars, or six months imprisonment in the County Jail.

REPEALED BY
MUNICIPAL CODE

III

This ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

IV

This ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

1 The foregoing Ordinance was introduced and ordered
2 printed and published as above at a regular meeting of the
3 council of the City of Modesto, held on the 28th day of August,
4 1929, by Councilman Bourdey, who moved its
5 adoption, which motion being duly seconded, the ordinance was
6 adopted on the first reading, and passed to print by the
7 following vote:

8
9 Ayes: Councilmen: Bourdey, Brown, Falger, Trueblood, Mayor Elias-

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 Attest: H. E. Gray
14 City Clerk.
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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 11th day of November, 1929, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Elias*
Mayor

Attest: *H. E. Gagg*
City Clerk

AN ORDINANCE AMENDING SECTION 19. OF ORDINANCE NO. 345 N.S. (TRAFFIC ORDINANCE).

The Council of the City of Modesto do ordain as follows:

Section 1.

Section 19 of Ordinance No. 345 N.S. entitled, "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO" is hereby amended so as to read as follows:

"Section 19. WHEN TURNING AROUND AT INTERSECTIONS PROHIBITED - the operator of a vehicle shall not within the following intersections, between the hours of nine (9) A. M., and nine (9) P. M. turn such vehicle in a complete circle, or so as to proceed in the opposite direction, to-wit: The intersections of Tenth Street with H, I, J, K, and L Streets, respectively; the intersections of Eleventh Street H, I, and J Streets, respectively."

Section 2.

This ordinance shall go into full force and effect from and after fifteen days after its final passage and adoption.

Section 3.

This ordinance shall be published in full at least once at least three days prior to its final adoption, in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 28th day of August, 1929, by Councilman Mayor Elias, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and adopted by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias.
Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. G. Gray
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 11th day of September, 1929, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Fureblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Elias*
Mayor

Attest: *H. E. Gragg*
City Clerk

AN ORDINANCE CREATING RESIDENCE AND NON-RESIDENCE DISTRICTS IN THE CITY OF MODESTO, AND PROVIDING FOR THE USE OF PROPERTY IN THE CITY LANDS AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREIN CONTAINED.

REPEALED BY
MUNICIPAL CODE

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The Council of the City of Modesto do ordain as follows:

SECTION I.

The City of Modesto is hereby divided into zones or districts to be known respectively as non-residence districts and residence districts as follows:

(a) Non-Residence zones or districts shall comprise:

- (1) All lands which at the time this Ordinance goes into effect are used for any business or industry other than farming, truck-gardening, growing of trees, shrubs, vines or plants and other than professional, or other customary home occupations conducted by a family within its residence, and other than the conduct of a boarding house, lodging, or apartment house not primarily intended for transient guests; and
- (2) All lands located and fronting upon any section of a street which lies between the outer lines of two successive intersecting streets whether said streets cross the former street or not, and in which not less than one-half the ground floor yardage on either side of the street is at said time devoted to business or industry and is manifestly intended to be so used.

Defeated By City Council

(b) Residence Districts shall comprise ^{all} areas not included in non-residence districts.

SECTION 2.

Except as hereinafter provided, no parcel of land lying in a residence district and not at this time devoted to business or industry, other than those specified in Section I, shall here-

1 after be used for business or industry; and no permit shall,
2 hereafter, except as in section 3 hereof specified, be issued
3 for the erection, alteration, or conversion of any building for
or to the use of business or industry upon such parcel of land.

4 SECTION 3.

5 A permit may be issued by the City Council for the
6 erection in a Residence District of a building^{or structure} for the purpose
7 of any business or industry or for the alteration or conversion
8 of a building in such a district for or to such purposes, pro-
9 vided that there be filed with the application for such permit
10 written consents thereto signed and acknowledged by the owners
11 or legal representatives of not less than three fourths of all
12 lands used for other than business or industrial purposes, which
13 front on the same side of the street and which lie between the
14 two intersecting streets nearest to and on either side of the
15 land in question or within four hundred feet on either side
16 thereof in case the nearest intersecting street is more than
17 that distance therefrom, and also of all lands fronting upon the
18 other side of the street and directly opposite said lands, and
19 of all lands in the rear thereof; and provided the City Council
20 may after public hearing grant said permit, as provided herein.

21 The application for said permit shall be filed with
22 the City Council. Whenever such permit shall be so applied for,
23 the Council shall set a date for the hearing, which date shall
24 not be more than twenty (20) days from the date of filing the
25 application, and shall cause notice of such hearing to be posted
26 in a conspicuous place upon the land to be occupied by or con-
27 verted to business or industry and for which use the permit has
28 been applied for, at least five days before such hearing, and

1 shall also cause notices of such hearing to be published at least
2 three times in the official paper of the City of Modesto at
3 least three days prior to such hearing. At such hearing or at
4 any subsequent time to which the hearing may be postponed or
5 continued, the City Council may grant such permit or may deny
6 the same if it finds that it would be against public interest or
7 welfare to grant the same.

9 SECTION 4.

10 If any section, sub-section, clause, word or phrase,
11 of this Ordinance is held to be unconstitutional or otherwise
12 invalid for any reason, such decision shall not affect the val-
13 idity of the remainder of this Ordinance. The City Council
14 hereby declares that it would have passed this Ordinance and
15 each section, sub-section, sentence, clause, word or phrase,
16 thereof irrespective of the fact that any one section, sub-
17 section, sentence, clause, word or phrase, be held unconstitut-
18 ional or otherwise invalid.

20 SECTION 5.

21 All Ordinances or parts of Ordinances in conflict
22 herewith are hereby repealed.

24 SECTION 6.

25 This Ordinance shall be published at least once at
26 least three days prior to its final adoption and passage in the
27 Modesto News-Herald, the official newspaper of the City of Modesto.

28 SECTION 7.

29 A violation of this Ordinance or any of its terms or
30 provisions shall be deemed a misdemeanor and punishable by a
31 fine of not to exceed Five Hundred Dollars or imprisonment in
32

1 the County Jail of Stanislaus County not to exceed six months.

2 The penal provisions herein contained shall not be
3 construed to abridge the right of the City of Modesto or its
4 Council or any citizen to invoke and pursue any other proper
5 remedy, including injunction or abatement proceedings.
6

7 SECTION 8.

8 This Ordinance shall go into effect and be in full
9 force and operation from and after fifteen days after its final
10 passage and adoption.

11
12 The foregoing Ordinance was introduced at a regular
13 meeting of the Council of the City of Modesto held on the 25th
14 day of September, 1929, by Mayor Elias,
15 who moved its adoption and passage to print, which motion being
16 duly seconded was carried and the Ordinance ordered printed and
17 published by the following vote:
18

19 Ayes: Councilmen: **Boundey, Brown, Falger, Trueblood, Mayor Elias**

20 Noes: Councilmen: **None**

21 Absent: Councilmen: **None**

22
23 Approved: September 26th, 1929.

Attest:

24 E. P. Elias

25 H. E. Gage

26 Mayor.

27 City Clerk.

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The foregoing Ordinance having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 13th day of November, 1929, it was finally defeated by the following vote:
Nays: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Ayes: Councilmen None
Absent: Councilmen None

Approved: _____
Mayor

Attest: H.E. Gugg
City Clerk

*Defeated By
Vote of Council.
Nov. 13, 1929.*

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SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF
SEWER PIPE AND WATER PIPE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Two Thousand (\$2000.00) Dollars is hereby appropriated out of the General Fund of the City of Modesto for the purchase of sewer pipe and supplies for necessary municipal sewer extensions.

Section II.

The sum of Eight Thousand (\$8000.00) Dollars is hereby appropriated out of the Water Fund of the City of Modesto for the purchase of pipe, fittings, etc. for the maintenance and extension of the Water System of the City of Modesto.

Section III.

The Council may hereafter by resolution determine to purchase its requirements of such sewer pipe and water pipe and fittings in bulk or to purchase the same in small quantities, aggregating less than two hundred for each purchase as needed from time to time.

In event of the purchase in bulk in quantities in excess of two hundred ^{dollar} specifications shall be filed with the City Clerk and thereupon, at the direction of the Council, he shall advertise for bids in the usual way. In event of purchases in small quantities (less than ^{\$}200), the same shall be purchased

1 by the City Engineer upon requisition authorized by the Comm-
2 issioner of Public Supplies.
3

4 Section IV.

5 This Ordinance shall go into effect and be in full
6 force from and after 15 days after its final passage and adopt-
7 ion.

8 Section V.

9 This Ordinance shall be published in full at least
10 once at least three days prior to its final passage and adoption
11 in the Modesto News-Herald, the official newspaper of the City
12 of Modesto.
13

14
15 The foregoing Ordinance was introduced at a regular
16 meeting of the Council of the City of Modesto held on the 25th
17 day of September, 1929, by Councilman Boundey who
18 moved its adoption, which motion being duly seconded, was upon
19 roll call carried and the Ordinance ordered printed and pub-
20 lished as above by the following vote:
21

22 Ayes: Councilmen: Brown, Boundey, Trueblood, Falger and Mayor
23 Elias.

24 Noes: Councilmen: None.

25 Absent: Councilmen: None.
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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 21th day of October, 1929, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Elias*
Mayor

Attest: *H.E. Gragg*
City Clerk

AN ORDINANCE AMENDING ORDINANCE NO. 345 N. S.
(TRAFFIC ORDINANCE) BY ADDING A NEW SECTION
THERE TO.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Ordinance No. 345 N. S. entitled: " An Ordinance regulating traffic upon the public streets of the City of Modesto" is hereby amended by adding thereto a new section to be known as Section 20a to read as follows:

"Section 20a". TRAFFIC CONTROL THROUGH CERTAIN ALLEYS- It shall be unlawful to drive any vehicle through the alleys between Ninth and Tenth Streets and between K and G Streets, being the alleys in Blocks 57, 56, 55 and 54, except in a southeasterly direction, ^{at face} or through the alleys between Tenth and Eleventh Streets and between K and G Streets, being the alleys in Block 67, 68, 69 and 70, except ^{in a} northwesterly direction. Said alleys are hereby declared to be one-way alleys and the entering of said alleys with a vehicle or driving through with a vehicle, except as stated in this Ordinance, shall be a misdemeanor.

The Police Department shall erect signs at entrances to said alleys to the effect that they are one-way alleys only and indicating the direction from which they may be entered."

Section II.

This Ordinance shall take effect and be in full force and operation from and after fifteen days after its final passage and adoption.

REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1929, by Councilman Brown who moved its adoption and publication as aforesaid, which motion being duly seconded was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Brown, Boundey, Trueblood, Falger and Mayor Elias.

Noes: Councilmen: None.

Absent: None.



Attest: _____
City Clerk

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The foregoing Ordinance having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 13th day of November, 1929, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *E. Elias*
Mayor

Attest: *H. E. Gragg*
City Clerk

1 The foregoing Ordinance, having been introduced and
2 ordered printed and published at a regular meeting of the Council
3 held on the 12th day of June, 1929, and having been published
4 as required by the Charter, coming on for final adoption this
5 26th day of June, 1929, it was finally adopted by the following
6 vote:

7 Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

8 Noes: Councilmen None

9 Absent: Councilmen None *Brown*

10
11 Approved: *Elias*

12 Mayor

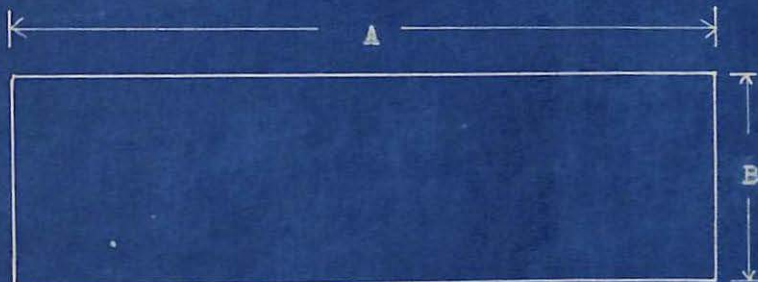
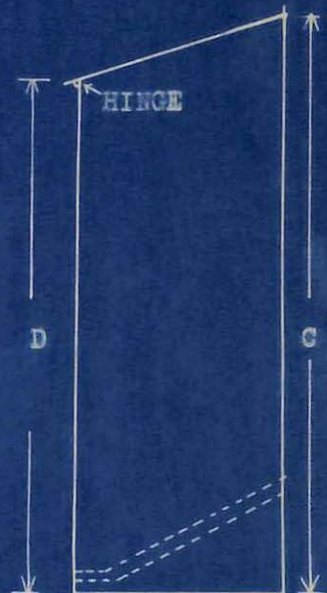
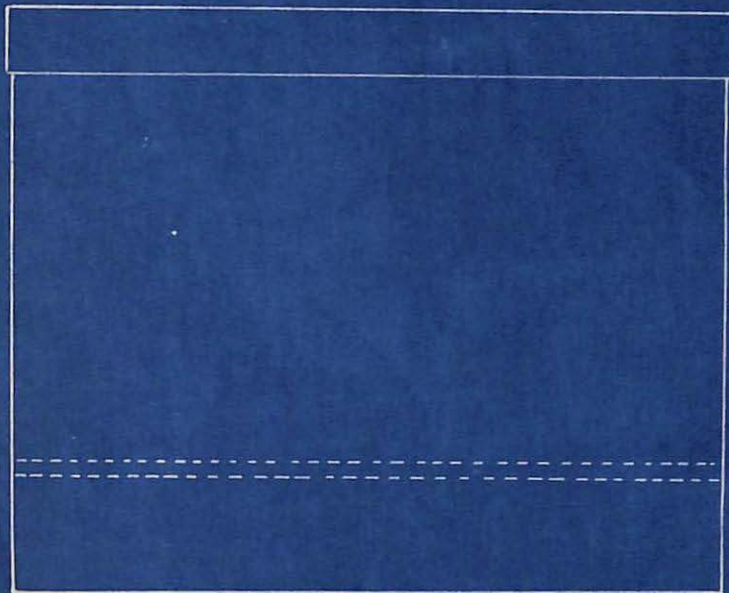
13
14 Attest: *H.E. Gagg*

15 City Clerk
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SPECIFICATIONS FOR METAL METER BOX

This box must be weather proof and made of galvanized iron. Metal gauge to be not smaller than 20. Front door to be hinged in manner shown on print. Box must have a metal back and bottom of box to be inclined as shown. Wherever holes are drilled in the top of the box, these holes must be soldered making a perfect seal

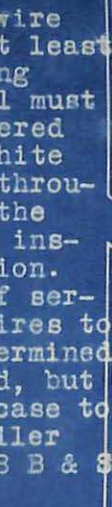
Note: This applies to domestic installations only.
For other than domestic installation, see
Article 7, Paragraph 702 of National Electric Code.



2 Wire 3 Wire

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b	10	10
c	22	32
d	18	28

METER LOOP
TWO WIRE LIGHTING SERVICE



Leave wire ends at least 24" long
Neutral must be covered with white braid throughout the entire installation.
Size of service wires to be determined by load, but in no case to be smaller than #8 B & S Gage.

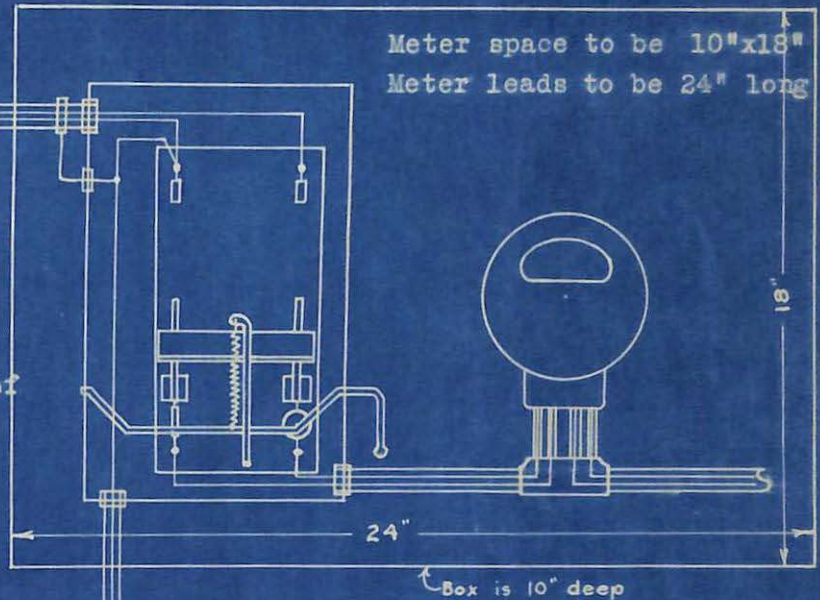
Condulet with porcelain cover must be at least 10 ft. above ground securely fastened to structure. Structure must provide sufficient strength for dead ending of service wires

Size of conduit to be determined by size of service wires and to be not less than 3/4 in.

Service conduit to be brought to a point accessible to pole line, satisfactory to the utility providing electric service.

Service conduit must enter box from side

Sufficient clearance must be provided in box to permit full opening of switch door



Bottom of meter box to be not less than 3 feet nor more than 5 feet above ground or floor line. Meter box to be made of metal. Dimensions and metal gage in accordance with diagram of specifications.

METER BOX
THREE WIRE LIGHTING SERVICE

Leave wire ends at least 24" long
Neutral must be covered with white braid throughout the entire installation.
Size of service wires to be determined by load, but in no case to be smaller than #8 B & S Gage

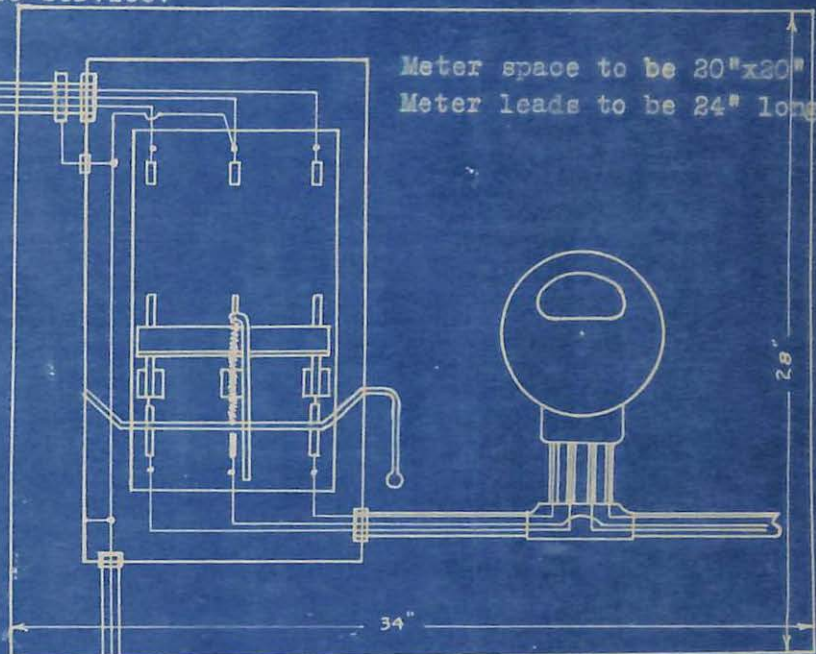
Condulet with porcelain cover must be at least 10 ft above ground securely fastened to structure. Structure must provide sufficient strength for dead ending of service wires

Size of conduit to be determined by size of service wires and to be not less than 1 1/4 in.

Service conduit to be brought to a point accessible to pole line, satisfactory to the utility providing electric service.

Service conduit must enter box from side

Sufficient clearance must be provided in box to permit full opening of switch door



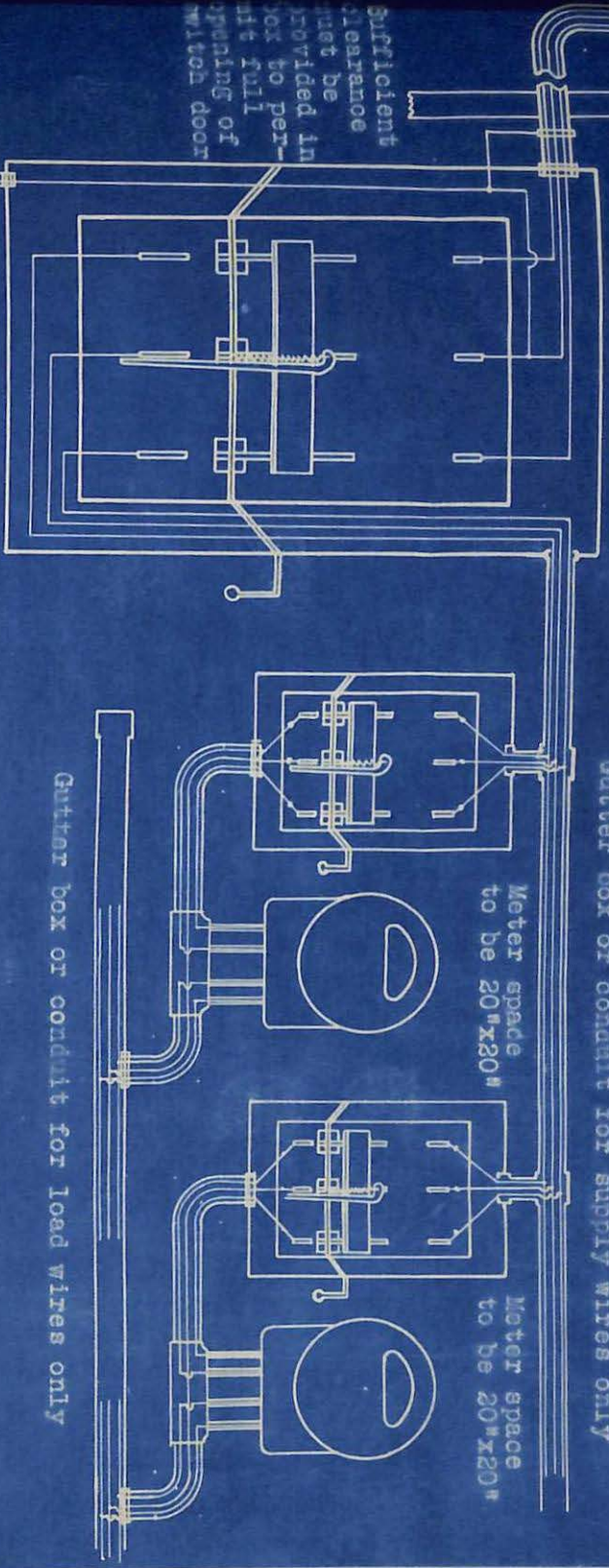
Bottom of meter box to be not less than 3 feet nor more than 5 feet above ground or floor line. Meter box to be made of metal. Dimensions and metal gage in accordance with diagram of specifications.

METER LOOP
THREE WIRE LIGHTING SERVICE (GROUP)

Condulet with porcelain cover must be at least 10 ft. above ground securely fastened to structure. Structure must provide sufficient strength for dead ending of service wires

Service conduit to be brought to a point accessible to pole line, satisfactory to the utility providing electric service

Gutter box or conduit for supply wires only



Sufficient clearance must be provided in box to permit full opening of switch door

Gutter box or conduit for load wires only

Bottom of meter to be at least 3 feet above ground or floor line. If installation is made within any building in the fire district it must be in a part providing electric service at all hours.

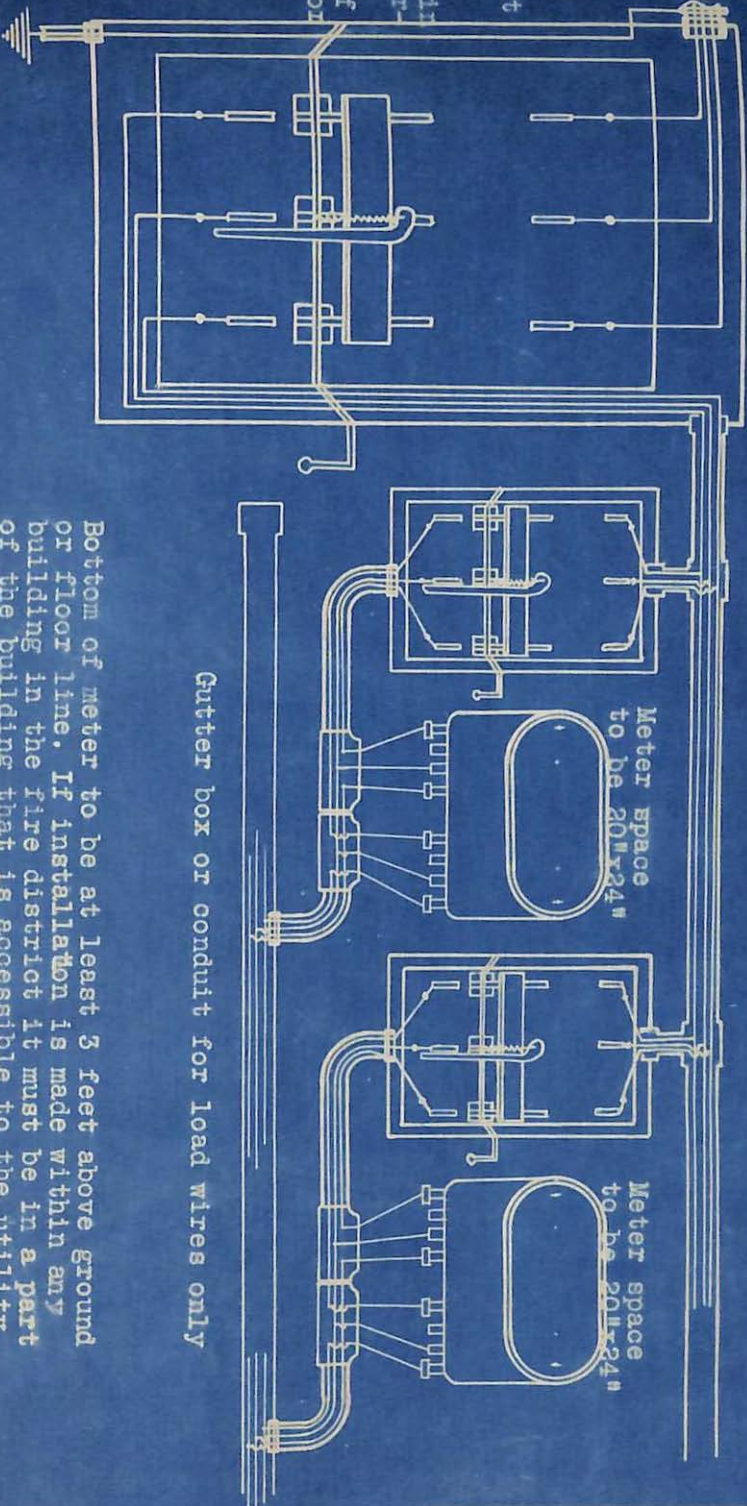
For main entrance switch installations refer to Article 4, paragraph 4 of the National Electric Code.

METER LOOP
THREE PHASE POWER SERVICE (GROUP)

Conduit with porcelain cover must be at least 10 ft. above ground securely fastened to structure. Structure must provide sufficient strength for dead ending of service wires

Service conduit to be brought to a point accessible to pole line; satisfactory to the utility providing electric service.

Gutter box or conduit for supply wires only



Bottom of meter to be at least 3 feet above ground or floor line. If installation is made within any building in the fire district it must be in a part of the building that is accessible to the utility providing electric service at all hours.

For main entrance switch installations refer to Article 4, paragraph 4 of the National Electric Code.

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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council held on the 14th day of August, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 28th day of August, 1929, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: E. P. Elias
Mayor

Attest: H. E. Grogg
City Clerk

NOT SPECIAL
IN CODE

AN ORDINANCE APPROPRIATING MONEYS FOR CERTAIN
PUBLIC IMPROVEMENTS.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Twelve Hundred (\$12,00.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of those certain funds of the City of Modesto, known as the "Library Fund", for the construction of a garage at the Public Library, known as the McHenry Library, and the alteration and remodeling of two rooms in the basement of said Library.

The City Engineer shall prepare and submit to the Council plans and specifications for said construction and alteration, and upon the same being approved the City Clerk shall give notice by publication, as required by the Charter, for the receipt of bids for said construction and alteration.

In event of the award by the City Council of a contract or contracts for said work, pursuant to said notice, the cost of the construction and alteration shall be paid out of the fund hereby appropriated for that purpose.

Section II.

The sum of Fifteen Hundred (\$15,00.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto for the construction and installation of a steel hose tower at the City Fire Station No. 1 for the use of the Fire Department of the City of

1 Modesto.

2 Plans and specifications for the construction of
3 said hose tower shall be prepared by the City Engineer and filed
4 with the City Council, and upon their approval, the City Clerk
5 shall advertise for the receipt of bids for said construction
6 in accordance with the Charter. In event, pursuant thereto, a
7 contract is let for the construction of said hose tower, the
8 cost thereof shall be payable out of the funds hereby appropri-
9 ated.
10

11 Section III.

12 This Ordinance shall go into effect and be in full
13 force and operation from and after fifteen days after its final
14 passage and adoption.
15

16 Section IV.

17 This Ordinance shall be published in full at least
18 once at least three days prior to its final adoption in the
19 Modesto News-Herald, the official news paper of the City of Mo-
20 desto.
21
22

23 The foregoing Ordinance was introduced at a regular
24 meeting of the Council of the City of Modesto held on the 23rd
25 day of October, 1929, by Councilman Boundey, who moved
26 its adoption, which motion being duly second was upon roll call
27 carried by the following vote:
28

29 Ayes: Councilmen: Boundey, Brown, Trueblood, Falger and Mayor Elias.

30 Noes: Councilmen: None.

31 Absent: Councilmen: None.

32 Attest:

2.

City Clerk

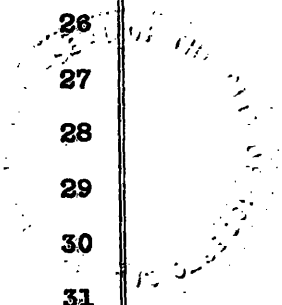
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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto, held on the 23rd day of October, 1929, and having been published and printed as required by the law of the Charter of the City of Modesto, coming on for final adoption this 13th day of November, 1929, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Elias
Mayor

Attest: H.E. Gregg
City Clerk



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REPEALED BY
MUNICIPAL CODE

AN ORDINANCE CREATING RESIDENCE AND NON-RESIDENCE DISTRICTS
IN THE CITY OF MODESTO, AND PROVIDING FOR THE USE OF PROPERTY
IN THE CITY LIMITS AND ESTABLISHING SET BACK LINES AND
PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS
HEREIN CONTAINED.

---oO---

The Council of the City of Modesto do ordain, as follows:

Section I.

The City of Modesto is hereby divided into zones or
districts to be known respectively as non-residence districts and
residence districts as follows:

(a) Non-residence zones or districts shall comprise:

(1) all lands which at the time this Ordinance
goes into effect are used for any business or industry other than
farming, truck-gardening, growing of trees, shrubs, vines or
plants, or other professional or customary home occupations con-
ducted by a family within its residence, or other than the con-
duct of a boarding house, lodging or apartment house not primar-
ily intended for transient guests;

(2) All lands located and fronting upon any
section of any street which lies between the outer lines of two
successive intersecting streets whether said streets cross the
former street or not, and in which not less than one-half the
front footage on either side of the street is at said time devoted
to business or industry or is manifestly intended to be so used,
together with all lands lying on the other side of such street
and within the limits of the same intersecting streets;

amended by
Ord. 5713-77

REPEALED BY
MUNICIPAL CODE

1 (3) All lands located and fronting upon any section of
2 any street lying between the outer lines of two successive inter-
3 secting streets whether said streets cross the former street or
4 not, and in which not less than one-half of the front footage on
5 either side of such street shall or may hereafter be or become de-
6 voted to and used for business or industry, together with all lands
7 lying on the other side of such street and within the limits of
8 the same intersecting streets.
9

10 (b) Residence Districts shall comprise all areas not included
11 in non-residence districts.
12

13 Section 2.

14 (a) Except as herein otherwise provided, no parcel of land
15 lying or situate in a Residence District and not devoted to bus-
16 iness or industry, as specified in Section I hereof, shall here-
17 after be used for business or industry; and no permit shall here-
18 after, except as in Section 3 hereof specified, be granted for
19 the erection, alteration or conversion of any building for or to
20 the use of business or industry upon such parcel of land.
21

22 (b) Except as herein otherwise provided, no parcel of land
23 lying in a Residence District and not devoted to or used for bus-
24 iness or industry, as specified in Section 1 hereof, or used for
25 the purpose of a school, church, lodge or fraternal organization
26 hall or building, or cemetery, shall hereafter be used for such pur-
27 poses; and no permit shall hereafter, except as in Section 3 hereof
28 specified, be issued for the erection, alteration or conversion of
29 any building not now used for such purposes in a Residence Dist-
30 rict to or for the purpose of a school or church or lodge or
31 fraternal building, or cemetery.
32

Section 3.

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2 A Permit may be issued by the City Council for the er-
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4 rection in a Residence District of a building or structure for the
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6 purpose of any business or industry or for a school or a church
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8 or lodge or fraternal building or hall or cemetery or for the
9
10 alteration or conversion of a building in such district for or to
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12 any of such purposes, in the manner and under the conditions
13
14 herein stated. There must be filed with the application for such
15
16 permit written consents thereto, signed and acknowledged by the
17
18 owners or their legal representatives of not less than two-thirds
19
20 of all lands used for other than business or industrial purposes
21
22 or school, or church or lodge or fraternal purposes, or cemetery,
23
24 which front on the same side of the street, and which lie be-

25
26 Add to Section 3. *(Handwritten signature)*

27 Before the application is forwarded to the City
28 Council for a permit, the application shall show that the
29 plans and specifications for such structure have been
30 approved by the Building Inspector and City Engineer and
31 that the application has the required signatures.

32 street and directly opposite said lands within the same limits,
and two-thirds of all lands fronting on the street in the rear
of the land affected by the application within the limits of such
intersecting streets.

The application for such permit shall be filed with the
City Clerk who shall thereupon set a day for the hearing of such
application by and before the City Council, which day shall be
not more than twenty days from the date of filing the application,
and he shall cause notice of such hearing to be posted in a con-
spicuous place upon the land for which such permit is sought at
least five days before such hearing, and shall cause notice of

1 such hearing to be published at least three times in the official
2 newspaper of the City of Modesto, beginning at least five days
3 prior to such hearing.

4 At such hearing, or at any subsequent time to which it
5 may be postponed or adjourned, the City Council shall have the
6 right to take testimony for and against the granting of the permit
7 and may thereupon either grant the permit as applied for or re-
8 fuse to grant the same if it finds that it would be against pub-
9 lic health, morals or safety, or against public interest or wel-
10 fare to grant such permit, or upon such finding may grant the same
11 in part and deny the same in part.

12 Section 4.

13 In a Residence District, it shall be unlawful to erect
14 or construct a building, or to reconstruct or alter any existing
15 building in such a way, in either event, that any portion thereof
16 shall be closer to the street line than any existing building
17 fronting on a street within that block; but in no case shall it
18 be necessary to set back a building in a Residence District more
19 than fifteen feet from the property line. The word "block" herein
20 used does not refer to any entire city square but shall be con-
21 strued to be that portion on the same side of the street upon
22 which such new building is proposed to be constructed, or such
23 old building proposed to be altered or reconstructed, bounded
24 by the nearest intersecting streets to the right and left of said
25 building.

26 Section 5.

27 If any section, sub-section, clause, word or phrase, of
28 this Ordinance is held to be unconstitutional or otherwise invalid
29

1 for any reason, such decision shall not affect the validity of the
2 remainder of this Ordinance. The City Council hereby declares
3 that it would have passed this Ordinance and each section, sub-
4 section, sentence, clause, word or phrase, thereof irrespective
5 of the fact that any one section, sub-section, sentence, clause,
6 word or phrase, be held unconstitutional or otherwise invalid.
7

8 Section 6.

9 all Ordinances or parts of Ordinances in conflict
10 herewith are hereby repealed.

11 Section 7.

12 A violation of this Ordinance or any of its terms or
13 provisions shall be deemed a misdemeanor and punishable by a fine
14 of not to exceed Five Hundred Dollars or imprisonment in the
15 County Jail of Stanislaus County not to exceed six months.
16

17 The penal provisions herein contained shall not be
18 construed to abridge the right of the City of Modesto or its
19 Council or any citizen to invoke and pursue any other proper
20 remedy, including injunction or abatement proceedings.
21

22 Section 8.

23 This Ordinance shall be published at least once at
24 least three days prior to its final adoption and passage in
25 the Modesto News-Herald, the official newspaper of the City of
26 Modesto.

27 Section 9.

28 This Ordinance shall go into effect and be in full
29 force and operation from and after fifteen days after its final
30 passage and adoption.
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The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1929, by ~~Councilman~~ Mayor Elias, who moved its adoption and passage to print, which motion being duly seconded was carried and the Ordinance ordered printed and published by the following vote:

Ayes: Councilmen: **Boundey, Brown, Falger, Fraeblood, Mayor Elias**
Noes: Councilmen: **None**
Absent: Councilmen: **None**

S. P. Elias
Mayor
Attest: *H. E. Gray*
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto, held on the 13th day of November, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 27th day of November, 1929, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Elias
Mayor

Attest: H. E. Gray
City Clerk

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ORDINANCE # 365 N. S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE
OF A TRUCK FOR THE WATER DEPARTMENT.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of Nine Hundred (\$900.00) Dollars,
or so much thereof as may be necessary, is hereby appropriated
out of the Water Fund of the City of Modesto for the purchase
of a truck for the use of the City Water Department. The City
Engineer shall file general specifications of the truck req-
uired with the City Clerk, and the City Clerk shall thereupon
advertise for bids to be opened by the Council at a time set
by the City Clerk, and specified in said notices, and requiring
bidders to accompany their bid with a certified check upon some
solvent bank of the State of California for ten per cent of
the amount bid, payable to the Mayor of the City, as a guarantee
that the successful bidder will make delivery of the truck
offered for sale.

Section II.

This Ordinance shall take effect and be in full
force and effect from and after fifteen days after its final
passage and adoption.

Section III.

This Ordinance shall be published in full at
least once at least three days prior to its final adoption

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in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1929, by Councilman Boundey who moved its adoption, which motion being duly seconded, was upon roll call carried by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Sal Elias
Mayor

Attest: H. E. Gagg
City Clerk

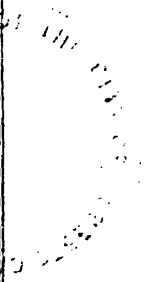
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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto, held on the 13th day of November, 1929, and having been published as required by the law of the Charter of the City of Modesto, coming on for final adoption this 11th day of December, 1929, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Sal Elias
Mayor

Attest: H. E. Gugg
City Clerk



Repealed
by Ord 1051-11

ORDINANCE NO. 366-N.S.

AN ORDINANCE REGULATING THE STORAGE AND USE OF
NITROCELLULOSE PHOTOGRAPHIC AND X-RAY FILM.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

It shall be unlawful for any person, firm or
corporation to keep, store or use, in any hospital, store, com-
mercial or photographic studio, doctor's or dentist's office or
other place or premises in the City of Modesto, any photographic
or x-ray film of the nitrocellulose variety, except as herein
specified, provided or permitted.

Not more than twenty-five pounds may be kept
or stored in any such place, provided it is contained within
heavy manila envelopes with not to exceed six films in each envel-
ope, or in cardboard or fibre boxes with not to exceed 25 films
to the box. Provided, however, that no such film shall be stored
within two feet of steam pipes, radiators, chimneys or other
source of heat, and that only fixed, metal, vaporproof incandes-
cent lamps shall be permitted in places where such film is stored,
and that smoking shall not be permitted in rooms where such film
is stored or developed or similar work rooms.

It may be kept or stored in quantities not
exceeding 200 pounds, provided it be so kept and stored in a metal
cabinet not exceeding 100 cubic feet in capacity, properly insul-
ated against fire according to the specifications of the Nat-
ional Board of Fire Underwriters relating thereto or in some
other method approved by the Chief of the Fire Department of the

REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 City of Modesto; provided, however, that not more than 100 pounds
2 shall be kept in any one compartment of such cabinet which com-
3 partment shall be provided with an independent door and vent and
4 with an air tight partition of substantial construction equiv-
5 alent to the sides thereof.
6

7 Quantities in excess of 200 pounds must be
8 kept and stored in either an outside well detached storage building
9 of re-enforced concrete brick or other fireproof construction
10 throughout, or if this is not practical, then in a storage vault
11 on the roof of a building supported on independent fire resistive
12 members from the ground up.
13

14 Both cabinets and vaults shall be equipped
15 with fire resisting vents of sufficient size for the amount of
16 films stored leading directly to the highest part of the building
17 and open to the outside air. All vent ducts must be unobstructed
18 and not placed adjacent to chimneys or other sources of heat. The
19 opening to the air must be located as far away as possible from
20 the walls of other buildings in order to minimize danger to life
21 and to prevent adverse wind pressures into the vent. Each unit
22 of storage must be equipped with at least one vent.
23

24 Each unit of storage, whether in cabinets or
25 vaults, must be equipped with automatic sprinklers so placed as
26 to be effective over the entire space, with heads designed to burst
27 at temperatures between 135 and 155 F.
28

29 Openings from either cabinets or vaults shall
30 be protected by a self-closing metal or metal-clad smoke tight
31 fire door, and if fastened open shall be arranged by a fusible
32 link or other adequate device to close automatically in case of

1 fire originating inside or outside of the storage compartment.

2 Storage must be made on metal shelving which
3 must be open from top to bottom to permit access of water from
4 sprinklers from overhead, but insulated vertical partitions may
5 be placed at intervals along the shelves. Storage will not be
6 permitted to heights greater than eight feet, nor in any event
7 greater than three-fourths of the height of the cabinet or vault;
8 nor to a greater height than two feet below the sprinkler deflect-
9 ors; Only fixed incandescent electric lights protected with either
10 substantial wire guards or vapor proof globes, or both, shall be
11 used for lighting. Under no circumstances shall the use of port-
12 able lights on extension cords in any storage room be permitted.
13
14

15 The provisions of this ordinance shall apply
16 to both exposed and unexposed, as well as to developed and unde-
17 veloped film. Discarded film shall be stored and handled in the
18 same manner as other film until removed from the premises.
19

20 Section II.

21 If any section, sub-section, clause, word or
22 phrase of this Ordinance is held to be unconstitutional or other-
23 wise invalid for any reason, such decision shall not affect the
24 validity of the remainder of this Ordinance.

25 The City Council hereby declares that it would
26 have passed this Ordinance and each section, sub-section, sentence,
27 clause, word or phrase thereof irrespective of the fact that any
28 one section, sub-section, sentence, clause, word or phrase be
29 held unconstitutional or otherwise invalid.

30 Section III.

31 A violation of this Ordinance or any of its
32

1 terms or provisions shall be deemed a misdemeanor and punishable
2 by a fine of not to exceed Five Hundred Dollars, or imprisonment
3 in the County Jail of Stanislaus County not to exceed six months.
4 Each day during which a violation of this Ordinance is committed
5 or permitted to be committed shall be deemed a separate offense.

7 The penal provisions herein contained shall
8 not be construed to abridge the right of the City of Modesto or
9 its Council or any citizen to invoke and pursue any proper rem-
10 edy, including injunction or abatement proceedings, or the ob-
11 taining of an order from a Superior Court providing for the
12 destruction of any film kept, stored or used contrary to the
13 provisions of this Ordinance.

14
15 Section IV.

16 This Ordinance shall be published in full
17 at least once at least three days prior to its final adoption
18 in the Modesto News-herald, the official newspaper of the City
19 of Modesto.

20
21 Section V.

22 This Ordinance shall go into effect and be
23 in full force and operation from and after fifteen days after its
24 final passage and adoption.

25 The foregoing Ordinance was introduced at a
26 regular meeting of the Council of the City of Modesto held on the
27 26th day of December, 1929, by Mayor Elias who
28 moved its adoption and passage to print, which motion being duly
29 seconded was carried and the Ordinance ordered printed and pub-
30 lished as above by the following vote:

31 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias
32 Noes: Councilmen: None
Absent: Councilmen: None

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The foregoing Ordinance, having been introduced and ordered printed at a regular meeting of the Council of the City of Modesto; held on the 26th day of December, 1929, and having been published and printed as required by the Charter of the City of Modesto, coming on for final adoption this 8th day of January, 1930, and having been laid over until the next regular meeting on the 22nd day of January, 1930, when it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *S. P. Elias*
MAYOR

Attest: *H. E. Gragg*
CITY CLERK

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SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR
THE CONSTRUCTION OF AN ADDITIONAL PUMPING UNIT FOR
THE MUNICIPAL WATER SYSTEM.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of Twenty Thousand (\$20,000.00)
Dollars, or so much thereof as may be necessary, is hereby app-
ropriated out of the Water Fund of the City of Modesto for the
following purposes, to-wit:

The drilling, construction and development of
an additional water well; the purchase and installation of the
necessary pumps, motors and other equipment therefor; the pur-
chase and installation of water pipe to connect such well with the
water system and to make proper and necessary extensions to the
present water system.

Section II.

The City Engineer shall upon the adoption
of this Ordinance, from time to time, as required by the Council,
file with the Council specifications and plans for the labor and
material required in accordance with Section I of this Ordinance,
and upon the approval of such plans and specifications by the
Council, the City Clerk shall from time to time, as directed by
the Council, advertise for bids for said construction and said
material and bids shall be received and accepted and contracts
awarded therefor as the Council may hereafter by resolution de-
termine and prescribe.

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Section III.

This Ordinance shall go into effect from and after fifteen days after its final passage and adoption.

Section IV.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News -Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1929, by Councilman Boundey, who moved its adoption and passage to print, which motion being duly seconded was carried and the Ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest: H.E. Gray
City Clerk

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The foregoing Ordinance, having been published and printed at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1929, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 8th day of January, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: *Sol P. Elias*
MAYOR

Attest: *H. E. Gragg*
CITY CLERK

SPECIAL
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AN ORDINANCE APPROPRIATING FOUR THOUSAND (\$4000.00)
DOLLARS OUT OF THE SEPTIC SEWER FUNDS FOR IMPROVEMENTS
AT THE SEPTIC TANK.

---oOo---

The Council of the City of Modesto do ordain as
follows:

Section I.

The sum of Four Thousand (\$4000.00) Dollars, or so
much thereof as may be necessary, is hereby appropriated out
of the Septic Sewer Fund of the City of Modesto for the purpose
of completing the sewage disposal system at the Septic Tank
on the City Sewer Farm of the City of Modesto.

The City Engineer is directed to prepare and file
with the Council plans and specifications showing the materials
required and the work necessary to complete said disposal plant
system, and upon the approval of such plans and specifications,
the City Clerk shall advertise for bids for the furnishing of
the material and the performance of the labor, or both, as dir-
ected by the Council, which said notice shall state that each
bidder must accompany his bid with a certified check on some
solvent bank in California, or a bidding bond, in a sum of not
less than ten per cent, payable to the Mayor of the City of
Modesto, as a guarantee that the successful bidder will enter
into a contract as required by said notice and by law. It
shall also specify that the Council reserves the right to
reject any and all bids or any portion of the bid and accept the

1 balance.

2 Section II.

3 This Ordinance shall go into effect from and after
4 15 days after its final passage and adoption.

5 Section III.

6 This Ordinance shall be published in full at least
7 once at least three days prior to its final adoption in the
8 Modesto News-Herald, the official newspaper of the City of
9 Modesto.

10 The foregoing Ordinance was introduced by Councilman
11 Boundey at a regular meeting of the Council of the
12 City of Modesto held on the 22nd day of January, 1930, and
13 upon roll call was ordered printed and published as above by
14 the following vote:

15 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

16 Noes: Councilmen: None

17 Absent: Councilmen: None

18 Attest:

19 H. E. Gragg
20 City Clerk

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The foregoing Ordinance, having been published and printed at a regular meeting of the Council of the City of Modesto held on the 22nd day of January, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 13th day of February, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

APPROVED: Joseph Elias
MAYOR

ATTEST: _____
CITY CLERK

AN ORDINANCE PROHIBITING BURIAL OF HUMAN BODIES
IN CERTAIN PORTIONS OF THE CITY OF
MODESTO.

---oO---

The Council of the City of Modesto do ordain as follows

REPEALED BY
MUNICIPAL CODE

Section I.

From and after the time that this Ordinance goes into effect, it shall be unlawful for any person, association or corporation to bury or inter, or cause to be buried or interred, the body of any human being or any human remains within the corporate limits of the City of Modesto, except that portion thereof described as follows:

Blocks 598, 599, 600 ^{and 607} and 601 of the City of Modesto, as shown on the map or plat of the City of Modesto officially adopted by the City Council of the City of Modesto at a regular meeting held on January 14, 1920.

Section II.

A violation of this Ordinance or any of its terms or conditions shall be deemed a misdemeanor and punishable by a fine, not to exceed Five hundred (\$500.00) Dollars, or imprisonment in the County Jail of Stanislaus County, not to exceed six month, or both.

REPEALED BY
MUNICIPAL CODE

The penal provisions herein contained shall not be construed to abridge the right of the City of Modesto, or its Council, or any citizen, to invoke and pursue any proper remedy, including injunction or abatement proceedings.

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Section III.

This Ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

The foregoing Ordinance was introduced at a special meeting of the Council of the City of Modesto duly and regularly called and held on the 27th day of January, 1930, by Councilman Falger, who moved its adoption and passage to print, which motion being duly seconded, was carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

W E Gray
City Clerk

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follows:

The foregoing Ordinance having been ordered printed and published at a special meeting of the Council of the City of Modesto held on the 27th day of January, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 13th day of February, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

APPROVED: *Elias*
MAYOR

ATTEST: _____
CITY CLERK

SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE IMPROVEMENT
OF THE MAZE- WREN and the WEST SIDE PARKS.

---oOo---

The Council of the City of Modesto do ordain as
follows:

Section I.

The sum of Three Thousand (\$3000.00) Dollars, or
so much thereof as is necessary, is hereby appropriated out of
the General Fund of the City of Modesto, not otherwise appropriat-
ed, for the construction of a tool-house and dressing-rooms in
the Maze-Wren Park, and for the construction of a tool-house and
dressing-rooms in the West Side Park of the City of Modesto .

The additional sum of Fifteen hundred (\$1500.00)
Dollars is also appropriated out of said General Fund for the
installation of a water sprinkling system in said West Side Park.

Section II

The City Engineer shall file with the Council plans
and specifications for the construction of said tool-house and
dressing-rooms in said parks, and when such plans and specifica-
tions shall have been approved, the City Clerk shall advertise
for bids for the construction of the same. Notices to bidders shall
require all bidders to accompany their bids either with a bidding
bond or certified check on some solvent bank in the State of
California as a guarantee that the successful bidder will enter
into a contract with the City of Modesto , and shall further state
that the contractor will be required to furnish a faithful per-

1 formance bond, amounting to twenty-five per cent of the contract
2 price, and a labor and material bond, as required by the state
3 law, for not less than fifty per cent of the contract price.
4

5 Section III.

6 The City Engineer shall file with the City Clerk
7 a list containing the specifications of the material necessary for
8 the installation of the sprinkling system in said West Side Park,
9 and the City Clerk shall thereupon advertise for bids for the
10 same in the usual manner, or at the option and direction of the
11 Council, complete plans and specifications for the installation
12 of said sprinkling system, including both labor and material, shall
13 be filed with the City Council, and upon the approval of the
14 same, the City Clerk shall advertise for bids therefor, as herein
15 stated. In event the city shall elect to purchase the material
16 only, the City Engineer may employ the labor by the day for the
17 installation of the sprinkling system.
18

19 Section IV.

20 This Ordinance shall go into effect and be in full
21 force and operation from and after 15 days after its final pas-
22 sage and adoption.
23

24 Section V.

25 This Ordinance shall be published in full at least
26 once at least three days prior to its final adoption in the
27 Modesto News-Herald, the official newspaper of the City of
28 Modesto.
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31 The foregoing Ordinance was introduced at a regular
32

1 meeting of the Council of the City of Modesto held on the
2 13th day of February, 1930, by Councilman Boundey, who moved
3 its adoption, which motion being duly seconded, was upon roll
4 call carried , and the Ordinance ordered printed and published
5 as above by the following vote:
6

7 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

8 Noes: Councilmen: None

9 Absent: Councilmen: None

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14 Attest: H. E. Gray
15 City Clerk
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The foregoing Ordinance, having been published and printed at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 26th day of February, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilman None
Absent: Councilmen None

APPROVED: Sol Elias
Mayor

ATTEST: H. G. Gragg
City Clerk

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SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR ROAD MATERIAL.

---oO---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Five thousand (\$5000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto, not otherwise appropriated, for the purchase of oil for the repair, improvement and construction or re-construction of the public streets of the City of Modesto.

The City Engineer shall from time to time, as said material is needed, file with the City Council specifications for the material required, together with an estimate of the quantities required, and upon the same being approved by the Council, the City Clerk shall advertise for bids for the sale to the City of Modesto of said material. The notices to bidders shall be in the usual form requiring bidders to accompany the bids with bidding bonds or certified checks and stating that the Council shall have the right to reject any and all bids.

Section II.

This Ordinance shall go into effect from and after 15 days after its final passage and adoption.

Section III.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of

1 Modesto.

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The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1930, by Councilman Boundey who moved its adoption, which motion being duly seconded, was upon roll call carried, and the Ordinance ordered printed and published as above by the following vote:

10

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

11

Noes: Councilmen: None

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Absent: Councilmen: None

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Attest: H. E. Gagg
City Clerk

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The foregoing Ordinance, having been published and printed at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 26th day of February, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

APPROVED: *Sol Elias*
MAYOR

ATTEST: *H. G. Gagg*
CITY CLERK

REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 3 of ORDINANCE
NO. 327 -- N. S. REGULATING AND FIXING
A LICENSE FEE FOR THE SALE OF TOBACCO
AT RETAIL.

---oOo---

The Council of the City of Modesto do ordain as
follows:

Section I.

Section 3, Ordinance No. 327 -N. S. entitled: " An Ordinance
regulating and fixing a license fee for the sale of tobacco
at retail" is hereby amended so as to read as follows:

"Section 3: The license fee shall be the sum of \$8.00 for
a year , or any part or fraction thereof, the commencement of
the year for the purpose of this Ordinance being July 1st of
each year. Said license fee shall be payable in advance. The
License fee herein provided for shall be in addition to any
license fees which may be paid by the same person at the same
premises for carrying on or conducting any other business
licensed by the Ordinances of the City of Modesto."

Section II.

This Ordinance shall go into effect on and after
July 1st, 1930.

Section III.

This Ordinance shall be published in full at least
once at least three days prior to its final adoption in the
Modesto News-Herald, the official newspaper of the City of
Modesto.

IV.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1930, by Councilman Brown who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Grage
H. E. Grage
City Clerk

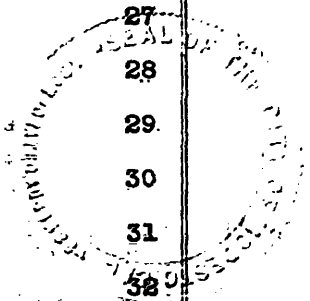
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The foregoing Ordinance, having been ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1930, and having been published as required by the Charter of the City of Modesto, it was finally adopted at a regular meeting of the Council on April 23rd, 1930, by the following vote:

Ayes: Councilmen+ Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Sol. P. Elias
Sol. P. Elias
Mayor

Attest: H. E. Gragg
H. E. Gragg
City Clerk



SPECIAL
NOT IN CODE

ORDINANCE NO. 373 - N. S.

AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION
AND REMODELING OF TENNIS COURTS IN MAZE-WREN
PARK AND WESTSIDE PARK.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of One Thousand (\$1000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto not otherwise appropriated for the construction and remodeling of the Tennis Courts in the Maze-Wren Park and the Westside Park of the City of Modesto.

Section II.

The City Enginner shall file with the City Council plans and specifications for the construction and remodeling authorized by this Ordinance. Upon the approval of such plans and specifications, the Council shall determine and direct by resolution whether the work shall be done by contract after public bidding or by force account, that is, the purchase of material and the employment of the labor by the City and the construction of the work under the supervision of the City Engineer. In event the Council determines to award contracts, the City Clerk shall advertise for bids according to the Charter and the practice of his office.

Section III.

This Ordinance shall go into effect from and after 15 days after its final passage and adoption.

1.

1 The foregoing Ordinance was introduced at a regular
2 meeting of the Council of the City of Modesto held on the 12 th
3 day of March, 1930, by Councilman Boundey who approved
4 its adoption and passage to print, which motion being duly sec-
5 onded was upon roll call carried and the Ordinance ordered
6 printed and published as above by the following vote:

7
8 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

9 Nōes: Councilmen: None

10 Absent: Councilmen: None

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12 Attest: H. E. Gray
13 H. E. Gray
14 City Clerk
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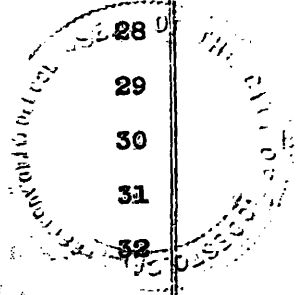
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The foregoing Ordinance, having been ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1930, and having been published as required by the Charter of the City of Modesto, it was finally adopted the 23rd day of April, 1930, by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Sol P Elias
Sol. P. Elias
Mayor

Attest: H. E. Gray
H. E. Gray
City Clerk



Repealed by
Ord # 1023-NS

AN ORDINANCE REGULATING THE REMOVAL OF TREES ON PUBLIC STREETS.

---oO---

The Council of the City of Modesto do ordain as follows:

REPEALED BY
MUNICIPAL CODE

Section I.

It shall be unlawful for any person, firm or corporation to cut or remove any tree growing upon any public street in the City of Modesto without first obtaining consent of the City Council, in the manner hereinafter stated:

Section II.

Any person desiring to cut or remove a tree growing upon a public street in the City of Modesto shall file a written application with the City Clerk which shall be referred to the City Council for action at its next meeting. The application shall set forth the reasons for the cutting or removal of the tree and such other information as the Council may from time to time require.

REPEALED BY
MUNICIPAL CODE

Section III.

For the purpose of this Ordinance, a public street is defined to be that portion of the street or roadway lying between the property lines of the adjacent property and shall include the entire sidewalk area.

Section IV.

This Ordinance shall not be construed so as to prohibit the trimming or pruning of trees growing on the city streets under the control of the Department of Public Works and

1 under the direct supervision of the City Engineer; provided such
2 trimming or pruning does not injure or destroy the tree.

3 Section V.

4 This Ordinance shall go into effect and be in full
5 force and operation from and after fifteen days after its final
6 passage and adoption.
7

8 Section VI.

9 A violation of this Ordinance shall be punishable
10 by a fine of not to exceed Fifty Dollars, or imprisonment in
11 the County Jail of Stanislaus County not to exceed thirty days,
12 or both such fine and imprisonment.
13

14 Section VII.

15 This Ordinance shall be published in full at least
16 once at least three days prior to its final adoption in the Mo-
17 desto News-Herald, the official newspaper of the City of Modesto.
18

19
20 The foregoing Ordinance was introduced at a regular
21 meeting of the Council of the City of Modesto held on the 12th
22 day of March, 1930, by Councilman Trueblood who moved
23 its adoption and passage to print, which motion being duly sec-
24 onded was upon roll call carried and the Ordinance ordered
25 printed and published as above by the following vote:
26

27 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias

28 Noes: Councilmen: None

29 Absent: Councilmen: None
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31 Attest:

H. E. Green
32 H. E. Green
City Clerk

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The foregoing Ordinance having been ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of March, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption the 26th day of March, 1930, no vote being taken, it was by resolution (Resolution No. 1830-N.S.) laid over until the next regular meeting of the Council to be held on the 9th day of April, 1930, when it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: Sol. P. Elias
Sol. P. Elias
Mayor

Attest: H. E. Gray
H. E. Gray
City Clerk

SPECIAL
NOT IN CODE

ORDINANCE NO. 375 --- N. S.

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY.

---oOo---

Whereas, it appears to this Council that it will be for the benefit of the City of Modesto to sell and dispose of the interest of the City of Modesto, in and to the real property herein-after described, in the manner hereinafter stated, said property consisting of only a small triangular parcel adjacent to the property of S. M. Gregory, and being too small and badly shaped to have any value of itself, and in addition thereto being by reason of its size and shape difficult to take care of, and in event of the paving of O Street adjacent thereto involving a cost to the city greatly in excess of its value, and,

Whereas, S. M. Gregory who owns the adjoining property has made an offer to purchase the interest of the city therein, and has agreed to maintain said lot of ground in a neat and clean condition, and,

Whereas, also, the title of the city, in and to said parcel of real property is not clearly established,

NOW, THEREFORE, the Council of the City of Modesto do ordain as follows:

Section I.

That the City of Modesto sell and convey unto S. M. Gregory all of the right, title and interest of the City of Modesto, in and to the following portion of Block G in said city, according to the official map thereof which is more particularly described as follows:

SPECIAL
NOT IN CODE

1 Commencing at a point at the southerly corner of Block
2 G at 10th and O streets; thence northeasterly on the southeasterly
3 property line of block G on O street, 140.00 feet to the point of
4 beginning; thence northwesterly or to the left $89^{\circ} 58' 30''$ for a
5 distance of 41.20 feet to a point on the northerly property line
6 of Block G on Needham street; thence on a backsight to the point
7 of beginning turn easterly, or to the left, $45^{\circ} 15' 00''$; thence
8 along the northerly property line of block G on Needham street
9 for a distance of 51.22 feet to the beginning of a curve, said
10 curve having a central angle of $135^{\circ} 13' 30''$, a radius of 3 feet,
11 and tangents of 7.28 feet; thence right or southerly along the arc
12 of said curve for a distance of 7.08 feet to the tangent point of
13 the curve and the southeasterly line of block G on O street;
14 thence southwesterly, or to the right, a distance of 34.30 feet
15 on the southeasterly line of block G on O street to the point of
16 beginning.

17 Saving and excepting, however, an easement under the
18 southwesterly 20 feet of the above described property for the use
19 of the city and all public utility companies for the construction,
20 operation and maintenance of necessary underground conduits.

21 Section II.

22 The Mayor and City Clerk of the City of Modesto are
23 hereby authorized and directed to execute to said S. M. Gregory
24 a deed conveying to said Gregory all of the right, title and
25 interest of the City of Modesto, in and to said parcel of land,
26 reserving and excepting the easement aforesaid upon the payment
27 by said Gregory to the City of Modesto of the sum of \$10.00.

28 Section III.

29 This ordinance shall be published at least once at least
30 three days prior to its final adoption in the Modesto News-Herald,
31 the official newspaper of the City of Modesto .

32 Section IV.

This ordinance shall go into effect and be in full force
and operation from and after fifteen days after its final passage
and adoption.

The foregoing ordinance was introduced at a regular

1 ~~Ordinance~~ meeting of the Council of the City of Modesto held on
2 the 26th day of March,
3 ~~March 26, 1930~~, 1930, by Councilman Boundey who
4 moved its adoption, which motion being duly seconded, was upon
5 roll call carried and the ordinance ordered printed and published
6 as above by the following vote:

7 Ayes: Councilmen: Boundey, Brown, Falger, Mayor Elias

8 Nōes: Councilmen: None

9 Absent: Councilmen: None

10 Attest: H. E. Gragg
11 H. E. Gragg
12 City Clerk

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The foregoing Ordinance having been introduced and ordered printed at a regular meeting of the Council held on the 26th day of March, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption the 9th day of April, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *P. Elias*
Sol. P. Elias
Mayor

Attest: *H. E. Gragg*
H. E. Gragg
City Clerk

ORDINANCE NO. 376 --- N. S.

AN ORDINANCE AMENDING ORDINANCE NO. 345 N. S.
(TRAFFIC ORDINANCE) BY AMENDING SECTION 20(a)
THEREOF.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Ordinance No. 345 N. S. Entitled: " An Ordinance regulat-
ing traffic upon the public streets of the City of Modesto"
is hereby amended by amending Section 20 (a) thereof to read as
follows:

Section 20 (a) TRAFFIC CONTROL THROUGH CERTAIN ALLEYS-

It shall be unlawful to drive any vehicle through the alleys
between 9th and 10 Streets, and between K and G Streets, being the
alleys in Blocks 54, 55, 56 and 57 of the City of Modesto, accord-
ing to the official map thereof, except in a southeasterly dir-
ection, or to stop or park any vehicle in said alleys, except
upon the southwesterly or right hand side thereof, and as near
the property line as practicable.

It shall be unlawful to drive any vehicle through the alleys
between 10th and 11th Streets, and between K and G Streets, being
the alleys in Blocks 67, 68, 69 and 70 of the City of Modesto,
according to the official map thereof, except in a northwesterly
direction, or to stop or park any vehicle in said alleys, ex-
cept upon the northeasterly or right hand side thereof, as close
as practicable to the property line.

It shall be unlawful to stop or park any vehicle in any of
said alleys for a longer period of time than is necessary to
load or unload such vehicle.

Amended
Ord 6467 MS + 1
Ord 1620-N.S

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REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 Said alleys are hereby declared to be one-way alleys, and
2 the entering of said alleys with a vehicle or driving through
3 the same with a vehicle, except as stated in this Ordinance,
4 or parking or leaving a vehicle standing in said alleys, ex-
5 cept as specified in this Ordinance, shall be a misdemeanor.
6

7 The Police Department shall erect signs at the entrances
8 to said alleys to the effect that they are one-way alleys only
9 and indicating the direction from which alone they may be en-
10 tered.

11 Section II.

12 This Ordinance shall take effect and be in full force and
13 operation from and after fifteen days after its final passage
14 and adoption.
15

16 Section III.

17 This Ordinance shall be published in full at least once
18 at least three days prior to its final adoption in the Modesto
19 News-Herald, the official newspaper of the City of Modesto.
20

21 The foregoing Ordinance was introduced at an adjourned meet-
22 ing of the Council of the City of Modesto held on the second day
23 of April, 1930, by Councilman Brown, who moved its adoption,
24 as aforesaid, which motion being duly seconded, was upon roll
25 call carried and the Ordinance ordered printed and published as
26 above by the following vote:

27 Ayes: Councilmen: Brown, Boundey, Trueblood, Falger and
28 Mayor Elias.

29 Noes: Councilmen: None.

30 Absent: Councilmen: None.
31

32 Attest: 
City Clerk

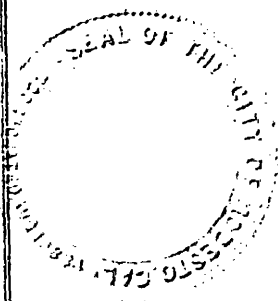
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The foregoing Ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 2nd day of April, 1930, and having been published as required by the Charter of the City of Modesto, it was finally adopted at the regular meeting of April 9th, 1930, by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Sol P. Elias*
Sol P. Elias
Mayor

Attest: *H. E. Gray*
H. E. Gray
City Clerk



AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF A BOARD OF PARK COMMISSIONERS.

---o0---

*Sections 1 & 2
Amended and
Superseded
by Ord. No 439-N.S.*

The Council of the City of Modesto do ordain as follows:

Section I.

Board of Park Commissioners of the City of Modesto hereby created. Said Board of Park Commissioners shall consist of three members. One member shall be the Commissioner of Finance of the City of Modesto who shall be the Chairman of the Board of Park Commissioners, and who shall hold a membership on said Board of Park Commissioners during such time as he is the Commissioner of Finance of the City of Modesto. Whenever a change is made in the office of Commissioner of Finance, the new Commissioner shall immediately become a member and Chairman of the Board of Park Commissioners. The other two members of the Board of Park Commissioners shall be residents of the City of Modesto and shall be appointed by the City Council. Each shall hold office for two years from the time of his appointment; provided, however, that when the first appointment is made under this Ordinance, the Resolution designating the Commissioners shall designate which one shall hold office for one year and which one for two years.

**REPEALED BY
MUNICIPAL CODE**

**REPEALED BY
MUNICIPAL CODE**

Section II.

It shall be the duty of the Park Commissioners to hold a meeting at the call of the Chairman following their appointment, and as often thereafter as they may determine, or

1 whenever the Chairman calls a meeting. They shall appoint one
2 member as the Secretary of the Board to keep a record of their
3 proceedings. They shall also, not later than the 30th day of
4 June, of each year, prepare and file with the City Council a rep-
5 ort in writing of their proceedings and transactions during the
6 preceding year, which report shall also exhibit the condition of
7 the parks, with recommendations for additions and improvements,
8 and an estimate of the funds required for maintenance and operat-
9 ion during the ensuing fiscal year.

11 Section III.

12 It shall be the duty of the Board of Park Com-
13 missioners to have supervision over the care, operation, mainte-
14 nance and upkeep of all of the public parks within the City of
15 Modesto, as well as any parks the city may hereafter acquire out-
16 side of the corporate limits. But such care, operation and main-
17 tenance shall be subject to the control and direction of the City
18 Council.

19 They shall have the power, to hire and discharge all
20 park employees and to regulate their work and employment, and to
21 purchase, in accordance with their budget, and upon requisition of
22 the Commissioner of Finance and Revenue, all materials and supplies
23 required for the use of the parks. Bills for labor and claims for
24 materials and supplies shall be paid out of the General Fund of the
25 City Treasury after the same have been approved by the Board of
26 Park Commissioners and filed with the City Council not later than
27 the ~~second~~^{first} Tuesday of each month. They shall also have the power
28 to establish and enforce rules and regulations for the use of the
29 various playgrounds in the parks, including the times when the
30 playgrounds may be used for certain purposes, and to reg-

1 Modesto News-Herald, the official newspaper of the City of Mo-
2 desto.

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5 The foregoing Ordinance was introduced at a reg-
6 ular meeting of the Council of the City of Modesto held on the
7 23rd day of April, 1930, by ~~Councilman Brown~~ ^{Mayor Elias} who moved its adopt-
8 ion, which motion being duly seconded, was upon roll call car-
9 ried and the ordinance ordered printed and published as above by
10 the following vote:

11 Ayes: Councilmen; Boundey, Brown, Falger, Truoblood, Mayor Elias

12 Noes: Councilmen: None

13 Absent: Councilmen: None

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17 Attest: H. E. Gray
18 City Clerk

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The foregoing Ordinance, having been ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 14th day of May, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen None

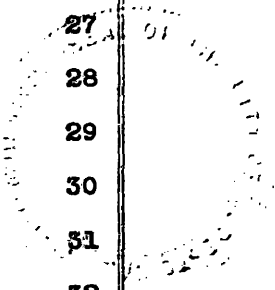
Absent: Councilmen None

Approved: Sol. P. Elias

Sol. P. Elias
Mayor

Attest: H. E. Gragg

H. E. Gragg
City Clerk



SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE ALTERATION OF
THE CITY CLERK'S OFFICE.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The sum of ^{twelve} ~~---~~ thousand (~~(\$12000.00)~~) Dollars,
or so much thereof as may be necessary, is hereby appropriated
out of the General Fund of the City of Modesto not otherwise
appropriated for the purpose of enlarging, altering and remodel-
ing the office of the City Clerk.

Section II.

The City Engineer shall prepare and file with
the City Council plans for the remodeling and enlargement of the
City Clerk's Office at the City Hall at 717 Tenth Street, together
with detail plans and specifications, (showing the labor and mater-
ial required for the same.)

The City Clerk shall thereupon advertise for bids
for the furnishing of the material the performance of the labor
or both, as may be hereafter directed by the Council, which adver-
tisement shall state that each bidder must accompany his bid with
a certified check on some solvent bank in the State of California,
or a bidding bond in a sum of not less than ten per cent of the
amount bid, payable to (the Mayor of) the City of Modesto, as a
guaranty that the successful bidder will enter into a contract, as
required by said notice, and by law, and will execute and deliver
the bonds required by law in connection therewith, and that the
Council reserves the right to reject any and all bids or any per-

NOT SPECIAL
IN CODE

1 tion of a bid and accept the balance.

2 Section III.

3 The Council shall have the right to reject any
4 and all bids, and thereupon to either readvertise for bids or to
5 provide and direct that the work shall be done by the Department
6 of Public Works.
7

8 Section IV.

9 This Ordinance shall go into effect fifteen days
10 after its final passage and adoption.

11 Section V.

12 This ordinance shall be published at least once
13 at least three days prior to its final adoption in the Modesto
14 News-Herald, the official newspaper of the City of Modesto.
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18 The foregoing ordinance was introduced at a
19 regular meeting of the Council of the City of Modesto held on
20 the 14th day of May, 1930, by Councilman Falger who moved its
21 adoption and passage to print, which motion being duly seconded,
22 was upon roll call carried by the following vote:

23 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood

24 Noes: Mayor Elias

25 Absent: Councilmen: None
26

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28 Attest: H. E. Gray
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 11th day of June, 1930, it was regularly adopted by the following vote:

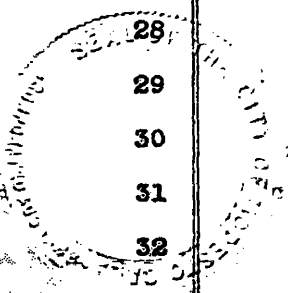
Ayes: Councilmen:
Noes: Councilmen:
Absent: Councilmen:

Approved: Sol. P. Elias

Sol. P. Elias
Mayor

Attest: H. E. Gragg

H. E. Gragg
City Clerk



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SPECIAL
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AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF
MOTOR EQUIPMENT FOR THE CITY OF MODESTO.

---c0o---

The Council of the City of Modesto do ordain as follows:

Section I.

Authorization is hereby given for the purchase of the following motor equipment, to-wit:

- For the Police Department: 1 motorcycle;
1 automobile.
- For the Fire Department: 1 automobile.
- For Department of Public Works: 1 Pickup truck.

Section II.

For the purchase of said equipment, the following amounts, or so much thereof as may be necessary, are hereby appropriated out of the General Fund of the City of Modesto not otherwise appropriated, to-wit:

- 1 motorcycle, \$300.00;
- 2 automobiles, 3300.00;
- 1 Pickup truck, 1200.00.

Section III.

The City Clerk is hereby authorized and directed to advertise in the official newspaper of the City of Modesto for sealed bids for said personal property to be opened by the Council at a time set by the City Clerk, and specified in said notices, and requiring bidders to accompany their bid with a bidding bond or a certified check upon some solvent bank of the State of California for ten percent of the amount bid, payable to the Mayor of the City, as a guarantee that the successful bidder

1.

1 will make delivery of said equipment.

2 Said notices shall also state that each bidder
3 will be required to submit with their proposals definite spec-
4 ifications of the equipment offered for sale.

5 Section IV.

6 This Ordinance shall take effect and be in full
7 force and operation from and after fifteen days after its final
8 passage and adoption.

9 Section V.

10 This Ordinance shall be published in full at
11 least once at least three days prior to its final passage and
12 adoption in the Modesto News-Herald, the official newspaper of
13 the City of Modesto.

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18 The foregoing Ordinance was introduced at a reg-
19 ular meeting of the Council of the City of Modesto held on the
20 14th day of May, 1930, by Councilman Brown who
21 moved its adoption and passage to print, which motion being duly
22 seconded was upon roll call carried and adopted and the Ordinance
23 ordered printed and published as above by the following vote:

24 Ayes: Councilmen: Boundey, Brown, Falger, Treasblood, Mayor Elias

25 Noes: Councilmen: None

26 Absent: Councilmen: None

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28
29 Attest:

H. E. Gray
H. E. Gray
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1930, and having been printed as required by the Charter of the City of Modesto, coming on for final adoption this 25th day of May, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Falger, Trueblood, Mayor Elias

Noes: Councilmen None

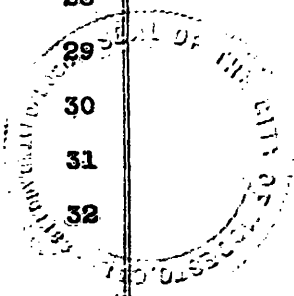
Absent: Councilmen None

Approved: *Sol. P. Elias*

Sol. P. Elias
Mayor

Attest: *H. E. Gragg*

H. E. Gragg
City Clerk



REPEALED BY
MUNICIPAL CODE

AN ORDINANCE PROVIDING FOR THE CONTROL, REGISTRATION
AND LICENSING OF AUTOMOBILES KEPT FOR RENTAL.

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5 The Council of the City of Modesto do ordain as
6 follows:

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8 Section I.

9 Every person, firm or corporation engaged in the
10 business of keeping motor vehicles for hire or rental shall,
11 before engaging in such business, register therefor with the
12 City Clerk, pay the license fees hereinafter stated, and obtain
13 from the City Clerk a license to carry on said business. A
14 single act or transaction, whereby money or ^{any} other representative
15 of money, is paid or given as compensation for the use, hire or
16 rental of a motor vehicle shall be considered prima facie evi-
17 dence of being engaged in or carrying on or conducting the bus-
18 iness hereby referred to.

19
20 This Ordinance shall not apply to persons, firms
21 or corporations operating what are commonly called taxi-cabs
22 where a driver is furnished, but shall apply to the rental or
23 hire of all motor vehicles where no driver is furnished with a
24 vehicle.

25 Section II.

26 The applicant for a license to conduct the bus-
27 iness of owning and operating motor vehicles for hire shall reg-
28 ister with the City Clerk, and file a written application for
29 such license, which application shall state the names and res-
30 idences of all persons interested in the business proposed to
31 be licensed, together with the address at which the said bus-
32

1 iness will be carried on, and the number and description of
2 vehicles for which a license is sought.

3
4 Section III.

5 Upon filing such application with the City Clerk,
6 a fee of \$5.00 for one vehicle, and \$1.00 for each add-
7 itional vehicle, together with a license for one-~~year~~^{quarter} of a
8 year at the rate of \$12.50 for each car, shall be paid to
9 the City Clerk *in advance.*

10 Section IV.

11 Upon the filing of such application and the pay-
12 ment of such fees, it shall be the duty of the City Clerk to
13 issue a license giving the date of its issuance, the name of
14 the licensee, ^{and} the number, kind and capacity of the vehicles for
15 which said license is issued. The license may be renewed there-
16 after quarterly upon payment of the quarterly license fee in
17 advance.

18
19 Section V.

20 Every person to whom a license is granted, pur-
21 suant to this Ordinance, shall keep a record at his place of
22 business which shall be open to inspection by the Police, show-
23 ing the names and addresses of all persons to whom cars are rent-
24 ed and the periods for which the same are actually rented.

25
26 Section VI.

27 No license shall be issued for a shorter period
28 than one quarter, nor shall fractions of a quarter be considered
29 in determining the license fee to be paid. The quarter shall be-
30 gin on the first days of January, April, July and October of
31 each year.

1 Section VII.

2 Any person, whether corporation, firm, individual,
3 principal, agent, servant or employee, violating any of the
4 terms, provisions or sections of this Ordinance, shall be deemed
5 guilty of a misdemeanor, and upon conviction thereof, shall be
6 punished by a fine not exceeding Three Hundred (\$300.00) Dol-
7 lars, or by imprisonment in the County Jail, not exceeding six
8 months, or by both such fine and imprisonment, and any judgment
9 for the payment of a fine shall provide that the defendant shall
10 be imprisoned until the fine shall have been paid, at the rate
11 of one day's imprisonment for every Two (\$2.00) Dollars of
12 the fine. Execution may also be issued upon any judgment of
13 the fine and levied against the property of the defendant.
14
15

16 Section VIII.

17 This Ordinance shall go into effect and be in full
18 force and operation from and after July 1st, 1930.

19 Section IX.

20 This Ordinance shall be published in full at least
21 once at least three days prior to its final adoption in the
22 Modesto News-Herald, the official newspaper of the City of Modesto.
23

24 The foregoing ordinance was introduced at a reg-
25 ular meeting of the Council of the City of Modesto, held on the
26 9th day of July, 1930, by Councilman Brown, who
27 moved its adoption and passage to print, which motion being duly
28 seconded was upon roll call carried and the Ordinance ordered
29 printed and published as above by the following vote:

28 Ayes: Councilmen: Boundey, Brown, Falger, Trueblood, Mayor Elias
29 Noes: Councilmen: None
absent: Councilmen: None

30
31 Attest:

32 3. H. E. Gragg
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council held on the 9th day of July, 1930, coming on for final adoption this 13th day of August, 1930, it was upon roll call adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Blaine, Felger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *E. P. Elias*
Mayor

Attest: *H. C. Gray*
City Clerk

SPECIAL
NOT IN CODE

ORDINANCE NO. 381--- N. S.

AN ORDINANCE APPROPRIATING MONEY FOR EXPENSES IN CON-
NECTION WITH RATE HEARINGS BEFORE THE
RAILROAD COMMISSION.

---oOo---

The Council of the City of Modesto do ordain as fol-
lows:

Section I.

The sum of One Thousand (\$1000.00) Dollars, or so
much thereof as may be necessary, is hereby appropriated out of
the General Fund of the City of Modesto not previously appro-
priated for the purpose of defraying such expenses as may be in-
curred from time to time in connection with hearings before the
Railroad Commission of the State of California in matters affect-
ing public utility service, including the fixing of rates therefor.

The purposes for which this appropriation is made
shall include the membership fee of the City of Modesto in such
organization as may now exist or may be hereafter created by the
municipalities of the central portion of California for their
mutual benefit in the solution of municipal problems, including
the organization of a bureau having to do particularly with pub-
lic utility matters, and shall include any assessment that may be
levied for the support and maintenance of such organization. It
shall also include such expenses as may be incurred by the City
of Modesto or any of its officers or employees in attending
meetings of such organization, as well as the expenses that may
be incurred in gathering data and facts for the purpose of pre-
sentsing the case of the City of Modesto and its citizens before

SPECIAL
NOT IN CODE

A. J. CARLSON
Attorney
MODESTO, CAL.

1 the Railroad Commission in any rate hearing.

2 The fund hereby appropriated and created shall only
3 be disbursed upon the order of the City Council as it may dir-
4 ect from time to time.

5
6 Section II.

7 This ordinance shall go into full force and effect
8 from and after 15 days after its final passage and adoption.

9 Section III.

10 This ordinance shall be published in full at least
11 once at least three days prior to its final adoption in the
12 Modesto News-Herald, the official newspaper of the City of Mo-
13 desto.

14
15
16 The foregoing ordinance was introduced at a regular
17 meeting of the Council of the City of Modesto held on the 23rd
18 day of July, 1930, by Mayor Elias, who moved its adoption and
19 passage to print as aforesaid, which motion being duly seconded
20 was upon roll call carried and the ordinance ordered printed and
21 published as above by the following vote:

22
23 Ayes: Councilmen: Boundey, Brown, Falger, and Mayor Elias

24 Noes: Councilmen: None

25 Absent: Councilmen: None

26 Councilman Blaine present but not voting
27

28 Attest:

29 H. E. Gragg
30 H. E. Gragg
31 City Clerk
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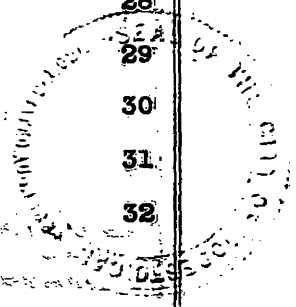
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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1930, coming on for final adoption this 13th day of August, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Boundey, Brown, Blaine, Falger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Joseph Elias*
Mayor

Attest: *H. E. Gagg*
City Clerk



CODE SEC.
NO. 4-7.106
4-7.110

- AN ORDINANCE RELATING TO THE DISTRIBUTION OF ADVERTISING
SAMPLES, HAND BILLS, DODGERS, CIRCULARS, BOOKLETS
OR OTHER ADVERTISING MATTER IN THE CITY OF
MODESTO.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

After this ordinance becomes effective, it shall be unlawful for any person, firm or corporation to distribute, or cause to be distributed to, among pedestrians along or upon any public street, ^{alley} alley, park or other public place in said City of Modesto, or to place in any automobile or other vehicle parked on or along a public street, alley, park or other public place in said city, any advertising samples, hand bill, dodger, circular, booklet or other notice of commercial advertising.

Section II.

It shall be unlawful after this Ordinance goes into effect for any person, firm or corporation to distribute or throw upon any street, alley or public place or upon any private yard, lawn, driveway or sidewalk, porch or steps of any residence or upon any vacant property in said City of Modesto any advertising sample, hand bill, dodger, circular, booklet or other notice of commercial advertising; provided, however, that nothing in this section contained shall prohibit the distribution and delivery of any newspaper which is capable of being entered as second class matter under the provisions of the United States postoffice

1 regulations of March 3, 1879, and other United States statutes,
2 or any regularly issued magazine, into dwelling houses of resi-
3 dents of said City who are subscribers to such newspaper or
4 magazine.
5

6 Section III.

7 Any person violating any of the terms of this ordin-
8 ance shall be deemed guilty of a misdemeanor, and upon conviction
9 thereof shall be punished by a fine not exceeding three hundred
10 hundred dollars, or by imprisonment in the County jail of Stanis-
11 laus County for a term not exceeding ninety days, or by both
12 such fine and imprisonment. A judgment imposing a fine may
13 provide for its collection by imprisonment in the County jail
14 in the proportion of one day for each two dollars of the fine,
15 until the same be wholly satisfied.
16

17 Section IV.

18 This ordinance shall go into full force, effect and operation
19 from and after fifteen days after its final passage and
20 adoption.
21

22 Section V.

23 This ordinance shall be published in full at least
24 once at least three days prior to its final adoption in the
25 Modesto News-Herald, the official newspaper of the City of Modesto.
26

27 - - - - -

28 The foregoing ordinance was introduced at a regular
29 meeting of the Council of the City of Modesto on the 23rd day
30 of July, 1930, by Councilman Brown, who moved its
31 adoption and passage to print as aforesaid, which motion being
32 duly seconded was upon rollcall carried, and the ordinance
ordered printed and published as above by the following vote:
Ayes: Councilmen Boundey, Brown, Falger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None
Councilman Blaine present but not voting.

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1930, coming on for final adoption this 13th day of August, 1930, it was finally adopted by the following vote:

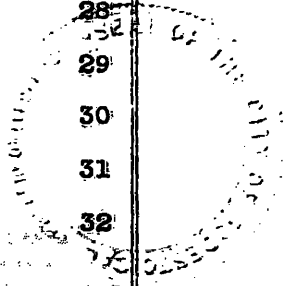
Ayes: Councilmen Boundey, Brown, Blaine, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: Joseph Elias
Mayor

Attest: H. C. Gray
City Clerk



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SPECIAL
NOT IN CODE

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The City Engineer is hereby authorized and directed to sell the following described personal property of the City of Modesto which said personal property has been found to be unfit or unnecessary for the use of the City, to-wit:

- Three (3) horses and harness for each,
- One (1) two and one-half ton wagon with two yard body,
- About two thousand (2000) pounds of Cast Iron,
- About two hundred (200) pounds of old pipe- 3/4 inch to 2 inches.

Section II.

Said sale shall be made at public auction at the office of the City Engineer after advertising for bids for the sale thereof for five days in the Modesto News-Herald, the official newspaper of the City of Modesto.

The sale shall be conducted by the City Engineer at his office. It may be either by written or oral bids. Any property remaining unsold after the date specified in the Notice of Sale shall be offered for sale from day to day, commencing at ten o'clock in the morning at the office of said City Engineer until the whole thereof is sold.

Section III.

The foregoing Ordinance was introduced at a regular

1 shall go into effect and be in full force and operation from
2 and after fifteen days after its final passage and adoption.

3 Section IV.

4 The foregoing ordinance shall be published in full
5 at least once at least three days prior to its final adoption
6 in the Modesto News Herald, the official newspaper of the City
7 of Modesto.
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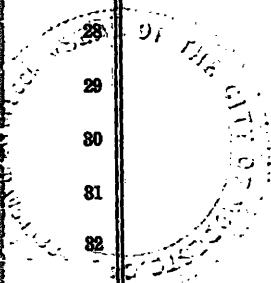
10 The foregoing ordinance was introduced at a regular
11 meeting of the Council of the City of Modesto, held on the ^{13th} 10th
12 day of ^{August} September, 1930, by Councilman Boudey, who
13 moved its adoption, ~~which was then~~ and passage to print,
14 as aforesaid, which motion being duly seconded was upon roll call
15 carried and the ordinance ordered printed and published as above
16 by the following vote:

17 Ayes: Councilmen: Blaine, Boudey, Brown, Falger, and Mayor Elias;

18 Noes: Councilmen None.

19 Absent: Councilmen: None.
20
21

22 Attest: H. E. Gragg
23 City Clerk.
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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council held on the 13th day of August, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 24th day of September, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, and Falger

Noes: Councilmen None

Absent: Councilmen None



APPROVED: *Sol P. Elias*
SOL. P. ELIAS
MAYOR

ATTEST: *H. E. Gragg*
H. E. GRAGG
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 384-N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1930-1931.

--- oOo ---

The Council of the City of Modesto do ordain as follows:

SECTION 1.

There is hereby levied upon the assessed valuation of the property in the City of Modesto, County of Stanislaus, State of California, for the fiscal year beginning July 1st, 1930, and ending June 30th, 1931, the rates of taxation hereinafter specified, said rates being upon each one hundred (\$100.00) Dollars of the valuation according to the equalized assessment roll, to-wit:

For the General Fund....One Dollar (\$1.00) on each one hundred dollars valuation;

For the Bond Redemption and Interest Fund as follows:

- (a) Municipal Improvement Bonds of 19103 Cents
- (b) Municipal Improvement Bonds of 19111 Cent
- (c) Municipal Improvement Bonds of 19123 Cents
- (d) Municipal Improvement Bonds of 19193 Cents
- (e) Municipal Improvement Bonds of Jan., 1920....12 Cents
- (f) Municipal Improvement Bonds of Jun., 1920.....2 Cents
- (g) Municipal Improvement Bonds of 1923.....3 Cents

being a total of 30 Cents on each one hundred dollars in valuation of all property taxable for the redemption of bonds and payments of interest thereon that shall accrue during said fiscal year;

For the Library Fund, 13 Cents on each one hundred dollars of said taxable valuation;

The aggregate of said sums, to-wit: One Dollar and Forty Cents (\$1.40) on each one hundred dollars valuation as determined by the equalized assessment roll for the year 1930-1931 on all property taxable in the City of Modesto for said purpose is hereby levied and apportioned to and shall be paid into the above funds respectively of said City. The rates above specified shall be in addition

1 to those required to be levied under the general laws of the State
2 of California for the purpose of paying principal and interest on
3 street improvement bonds in local improvement districts.
4

5 SECTION II.

6 This Ordinance shall take effect immediately upon its
7 final passage and adoption.

8 SECTION III.

9 This Ordinance shall be published in full at least once
10 at least three days prior to its final adoption in the Modesto News-
11 Herald, the official newspaper of the City of Modesto.
12

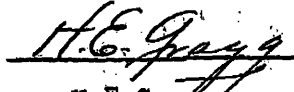
13 The foregoing Ordinance was introduced at a regular
14 meeting of the Council of the City of Modesto held on the 27th
15 day of August, 1930, by Councilman Falger who moved its adoption
16 and publication as aforesaid, which motion being duly seconded, the
17 Ordinance was ordered printed and published by the following vote:

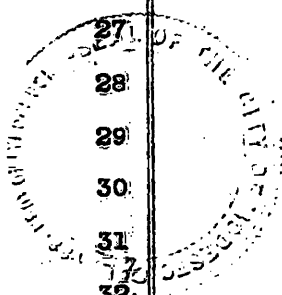
18 Ayes: Councilmen Blaine, Boundey, Brown, and Falger

19 Noes: Councilmen None

20 Absent: Mayor Elias

21
22 Attest:


23 H.E. Gragg
24 City Clerk
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CODE SEQ.
NO. 2-3.101
2-3.102

AN ORDINANCE PRESCRIBING ADDITIONAL DUTIES FOR POLICE-
MEN AND FIREMEN.

---oO---

The Council of the City of Modesto do ordain
as follows:

Section I.

In addition to the performance of their regular
and ordinary duties, it shall be the duty of policemen and fire-
men at all times, and under all circumstances, to go to the aid
of persons or animals in distress or danger and render them such
help and assistance as lies within their power.

Section II.

In case any policeman or fireman should be in-
jured while rendering such additional service, as aforesaid, he
shall be deemed to be injured in the course of his employment
and shall be entitled to the remedies provided by the Workmen's
Compensation Insurance and Safety Act of the State of California.

Section IV.

This Ordinance shall go into full force and ef-
fect from and after fifteen days after its final passage and
adoption.

Section V.

This Ordinance shall be published in full at
least once at least three days prior to its final passage and
adoption in the Modesto News-Herald, the official newspaper of
the City of Modesto.

(1)

1 The foregoing Ordinance was introduced at a
2 regular meeting of the Council of the City of Modesto held on
3 the 10th day of September, 1930, by ~~Councilman~~ Mayor Elias,
4 who moved its adoption and passage to print, which motion being
5 duly seconded, was upon roll call carried by the following vote:
6
7 Ayes: Councilmen; Blaine, Boundey, Brown, Falger, and Mayor Elias
8
9 Noes: Councilmen: None
10
11 Absent: Councilmen: None

Attest: *H. C. Gandy*
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 24th day of September, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, and Falger

Noes: Councilmen None

Absent: Mayor Elias

APPROVED: *Spl. P. Elias*
Spl. P. Elias
Mayor

Attest: *H. E. Gragg*
H. E. Gragg
City Clerk

AN ORDINANCE CREATING AND ESTABLISHING FIRE ZONES IN THE CITY OF MODESTO.

---oO---

REPEALED BY
MUNICIPAL CODE

The Council of the City of Modesto do ordain as follows:

Section I.

For the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of buildings and/or structures in the City of Modesto, as defined in Ordinance No. 387 - N. S. of the City of Modesto adopting a Building Code and passed and adopted concurrently herewith, the entire City of Modesto is hereby declared to be, and is, established as a Fire District, comprising four zones, respectively, known and designated as Fire Zone No. 1, Fire Zone No. 2, Fire Zone No. 3 and Fire Zone No. 4.

The territory or portions of the City of Modesto included in each of said zones is more particularly described in the following described boundaries of each thereof, and is also shown, outlined, designated and delineated on a certain map on file in the office of the City Clerk of the City of Modesto which is designated as "Fire Zones of the City of Modesto".

Fire Zone No. 1 shall include and comprise all the territory within the City of Modesto lying within the exterior boundary line described as follows:

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By [Signature] # 826-115

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1 Beginning at a point on the center line of H
2 Street and the intersection of the alley between 9th Street
3 and 10th Street, thence northeast along the center line of H
4 Street to a point on the center line of 12th Street, thence
5 northwest along the center line of 12th Street to a point on the
6 center line of I Street, thence southwest along the center line
7 of I Street to a point on the center line of 11th Street, thence
8 northwest along the center line of 11th Street to a point on
9 the center line of K Street, thence southwest along the center
10 line of K Street to a point on the center line of the alley be-
11 tween 9th and 10th Streets, thence southeast along the center
12 line of the alley in Blocks 57, 56 and 55, to the point of be-
13 ginning.
14

15
16 Fire Zone No. 2 shall include and comprise all
17 the territory within the City of Modesto lying within the ~~fair~~
18 ~~lawing~~ exterior boundary lines described as follows:

19 Beginning at a point on the center line of G
20 Street and the intersection of the alley between 6th Street and
21 7th Street, thence northeast along the center line of G Street
22 to a point on the center line of 9th Street, thence southeast
23 along the center line of 9th Street to a point on the center
24 line of F Street, thence along the center line of F Street to
25 a point on the center line of the alley between 11th Street and
26 12th Street, thence northwest along the center line of the alley
27 to a point on the center line of G Street, thence northeast along
28 the center line of G Street to a point on the center line of the
29 alley between 12th Street and 13th Street, thence northwest along
30 the center line of the alley to a point 100 feet south of the
31
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1 south property line of H Street, thence northeast to a point
2 on the center line of the alley in block 104 and 100 feet south
3 of the south property line of H Street, thence northwest along
4 the center line of the alley in Blocks 105 and 106 to a point
5 100 feet north of the north property line of J Street, thence
6 southwest to a point on the center line of the alley in Block
7 92 and 100 feet north from the north property line of J Street,
8 thence northwest along the center line of the alley in Block
9 92 to a point on the center line of K Street, thence southwest
10 along the center line of K Street to a point on the center line
11 of the alley between 11th Street and 12th Street, thence north-
12 west along the center line of the alley in Block 86 to a point
13 on the center line of L Street, thence southwest along the cen-
14 ter line of L Street to a point on the center line of 8th Street,
15 thence southeast along the center line of 8th Street to the cen-
16 ter line of J Street, thence southwest along the center line
17 of J Street to a point on the center line of the alley between
18 6th and 7th Street, thence southeast along the center line of
19 the alley in Blocks 34, 33 and 32 to the point of beginning.

22 Fire Zone No. 3 shall include and comprise all
23 of the territory within the corporate limits of the City of Mo-
24 desto not included in either Fire Zones No. 1, Fire Zone. No. 2
25 or Fire Zone No. 4.

27 Fire Zone No. 4 shall include and comprise all
28 of the territory within the City of Modesto lying within the
29 ~~following described~~ exterior boundary lines described as follows:

1 Beginning at a point on the center of the inter-
2 section of F Street and 9th Street, thence northeast along the
3 center line of F Street to a point on the alley between 11th
4 Street and 12th Street, thence southeast along the center line
5 of the alley in blocks 80 - 79 and the alley extended and pro-
6 duced through Blocks 78 and 77 to a point on the center line
7 of B Street, thence southwest along the center line of B Street
8 to the center line of 9th Street, thence northwest along the
9 center line of 9th Street to the point of beginning.

11 In event any lot or parcel of land within said
12 City lies partly within two or more of said Fire Zones, it shall
13 be considered as lying wholly within the Zone in which the great-
14 er portion thereof is situated.

15 Section II.

16 This Ordinance shall go into/effect from and full force and
17 after 15 days after its final passage and adoption, or in event
18 the Building Code herein referred to is not in effect at that
19 time, then it shall go into effect concurrently with the going
20 into effect of the Building Code.

22 Section III.

23 This Ordinance shall be published in full at
24 least once at least three days prior to its final passage and
25 adoption in the Modesto News-Herald, the official newspaper of
26 the City of Modesto.
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1 The foregoing Ordinance was introduced at a
2 regular meeting of the Council of the City of Modesto held on
3 the 10th day of September, 1930, by Councilman Boundey,
4 who moved its adoption and passage to print, which motion being
5 duly seconded, was upon roll call carried by the following vote:
6 Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias
7 Noes: Councilmen: None
8 Absent: Councilmen: None
9

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11 Attest: H. E. Gragg
12 City Clerk
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The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 24th day of September, 1930, it was finally adopted by the following vote:
Ayes: Councilmen Blaine, Boundey, Brown, Falger
Noes: Councilmen None
Absent: Mayor Elias.

APPROVED: Sol P. Elias
SOL. P. ELIAS
MAYOR

ATTEST: H. E. Gragg
H. E. GRAGG
CITY CLERK

*Amended
by Ord 308*

8 AN ORDINANCE OF THE CITY OF MODESTO REGULATING THE ERECT-
4 ION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR,
5 MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY,
6 EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILD-
7 INGS AND/OR STRUCTURES IN THE CITY OF MODESTO; PROVIDING
8 FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR;
9 PROVIDING PENALTIES FOR THE VIOLATION THEREOF; DECLARING AND
10 ESTABLISHING FIRE ZONES; REPEALING ORDINANCE NO. 267 N. S. OF
11 THE CITY OF MODESTO, AND ALL OTHER ORDINANCES AND PARTS OF
12 ORDINANCES IN CONFLICT THEREWITH.

---oOo---

10 The Council of the City of Modesto do ordain as
11 follows:

12 Section I.

13 That a certain document, three (3) copies of
14 which are on file in the office of the City Clerk of the City
15 of Modesto, being ~~marked~~ and designated as "Uniform Build-
16 ing Code, 1930 Edition, prepared by Pacific Coast Building
17 Officials Conference", be, and the same is, hereby adopted as
18 the Building Code of the City of Modesto for regulating the
19 erection, construction, enlargement, alteration, repair,
20 moving, removal, demolition, conversion, occupancy, equipment,
21 use, height, area and maintenance of all buildings and/or
22 structures in the City of Modesto; providing for the issuance of
23 permits and collection of fees therefor; providing penalties
24 for violation of such Code; declaring and establishing fire zones;
25 and each and all of the regulations, provisions, penalties, con-
26 ditions and terms of such "Uniform Building Code, 1930 Edition,
27 prepared by Pacific Coast Building Officials Conference", on
28 file in the office of the City Clerk are hereby referred to,
29 adopted and made a part hereof as if fully set out in this Ord-
30
31
32

REPEALED BY
MUNICIPAL CODE

1 inance.

2 Section II.

3 Ordinance No. 267 N. S. of the City of Modesto
4 entitled: " An Ordinance regulating the construction, erection,
5 enlargement, raising, alteration, repair, removal, demolition,
6 maintenance, use, occupancy and height of all building and build-
7 ing construction in the City of Modesto; regulating bill and sign
8 boards; regulating the storage of gas, oils and other inflam-
9 mable materials, in and for buildings and building construct-
10 ions, and providing penalties for the violation of any of the
11 provisions of this Ordinance" and all other ordinances or parts
12 of ordinances in conflict herewith are hereby repealed.
13
14

15 Section III.

16 That the entire incorporated area of the City
17 of Modesto is hereby declared to be, and is, hereby established
18 as a Fire District, and said Fire District shall be known and
19 designated as Fire Zones 1, 2, 3 and 4, and each such zone shall
20 include such territory, or portions of said city, as are spec-
21 ifically described in an Ordinance of said city entitled:

22 ^{and}
23 "An Ordinance creating/ establishing Fire Zones
24 in the City of Modesto and Numbered Ordinance No. 386 N. S.,"
25 and as illustrated and outlined and designated on a certain map
26 on file in the office of the City Clerk of the City of Modesto,
27 being designated as "Fire Zones of the City of Modesto" which
28 is hereby adopted as the Fire Zone Map of the City of Modesto
29 for the application of the regulations included in the Uniform
30 Building Code , 1930 Edition, hereinabove referred to.
31

Section IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance or said Uniform Building Code, 1930 Edition, prepared by the Pacific Coast Building Officials Conference is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted said uniform Building Code, and each section, sub-section, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses and phrases thereof be declared unconstitutional or invalid.

Section V.

This Ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

Section VI.

This Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1930, by Councilman Boundey who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried by the following vote:
Ayes: Councilmen: Boundey, Brown, Blaine, Falger, and Mayor Elias
Noes: Councilmen: None
Absent: Councilmen: None

3.

Attest:

H. E. Gray
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 24th day of September, 1930, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Elaine, and Falger
Noes: Councilmen None
Absent: Mayor Elias

Approved: *Sol. P. Elias*
Sol. P. Elias
Mayor

ATTEST: *H. E. Gragg*
H. E. Gragg
City Clerk



SPECIAL
NOT IN CODE

ORDINANCE NO. 388- N. S.

AN ORDINANCE APPROPRIATING MONEY TO PAY THE PREMIUM ON FLEET INSURANCE.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of \$ 1171.71 is hereby appropriated out of the General Fund of the City of Modesto not otherwise appropriated to pay the premium on the policy issued by the Pacific Indemnity Company on fleet insurance for the City of Modesto.

The City Clerk is hereby directed to draw and deliver to the L. T. Moss Agency, the agent for said Insurance Carrier, a warrant for said amount in payment of said premium.

Section II.

This Ordinance shall take effect from and after 15 days after its final passage and adoption.

Section III.

This Ordinance shall be published at least once at least three days prior to its final passage and adoption in the Modesto News-Herald, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1930, by Councilman Falger who moved its adoption, which motion being duly seconded, was upon

1 roll call carried by the following vote:

2 Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias

3 Noes: Councilmen: None

4 Absent: Councilmen: None

5
6 Attest: H. E. Gray
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1930, coming on for final adoption this 22nd day of October, 1930, it was finally adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, Falger

Noes: Councilmen None

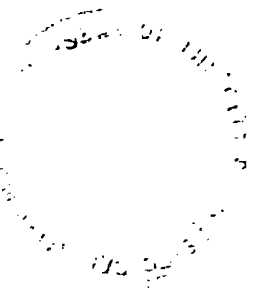
Absent: Mayor Elias

Approved: Sol. P. Elias

Sol. P. Elias
Mayor

Attest: H. E. Gragg

H. E. Gragg
City Clerk



AN ORDINANCE AMENDING SECTION IV. OF ORDINANCE NO. 311 N.S.
REGULATING SLOT MACHINES.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Section IV. of Ordinance No. 311 N. S. is hereby amended so as to read as follows:

"Section IV.

No slot machines shall be conducted or operated in the City of Modesto in places other than the following:

(a) In regularly licensed pool or billiard parlors or card rooms, as defined by Ordinance 196 N. S. of the City of Modesto;

(b) In bowling alleys or shooting galleries;

(c) Cigar stands.

For the purpose of this Ordinance Cigar Stands are defined as follows:

(1) Those places of business where the principal or primary purpose is the sale and distribution, or offering for sale and distribution, of cigars, cigarettes and tobacco.

(2) Those places of business where the sale and distribution, or offering for sale and distribution, of cigars, cigarettes and tobacco is conducted or carried on in conjunction with or as a part of some other business or enterprise, and is secondary thereto, including hotel lobbies, and in all of which latter class of cigar stands the portion of the building

1 or premises used for the sale or distribution of cigars, cigar-
2 ettes and tobacco is or shall be separated or segregated from
3 the portion of such building or premises used for other purposes
4 by a partition, curtain or a railing/ ^{at least} thirty inches high.

5
6 No person under the age of 21 years shall be permitted
7 to enter or remain in any space or area set apart for a cigar
8 store or stand, as herein defined, nor permitted to play with,
9 upon, or at a slot machine in any portion of said premises.

10 No machine shall be permitted to be operated under
11 the provisions of this Ordinance which does not, upon the deposit
12 of a coin or piece of money, immediately deliver to the deposit-
13 or, candy, gum or other merchandise equivalent in market value
14 to the coin or money so deposited, nor shall any such machine be
15 permitted to be operated unless it shall have at all times stored
16 therein ready for delivery to the depositor of money, merchan-
17 dise of a sufficient quantity to enable it to make immediate
18 deliveries, as aforesaid."
19

20 Section II.

21 Section IV. of said Ordinance No. 311 N. S. is fur-
22 ther amended by adding thereto a new section to be known as
23 Section IV-a to read as follows:
24

25 "Section IV.- a.

26 Upon receiving the application from the City Tax
27 and License Collector, as specified in Section III. of this Ord-
28 inance, the Chief of Police shall investigate the same and re-
29 port thereof to the Council. If the Council finds from an ex-
30 amination of the application, and from the report of the Chief
31 of Police, that the application may be granted and the business
32

1 therein applied for carried on at the premises therein described
2 without danger to the public health, morals and safety, the
3 Council shall grant the permit or license applied for, and the
4 licensee or permittee shall thereafter keep said license and per-
5 mit posted in a conspicuous place on the premises.
6

7 Section III.

8 This Ordinance shall go into effect and be in full
9 force and operation from and after 15 days after its final pas-
10 sage and adoption.

11 Section IV.

12 This Ordinance shall be published in full at least
13 once at least three days prior to its final adoption in the Mo-
14 desto News-Herald, the official newspaper of the City of Modesto.
15
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17

18 The foregoing Ordinance was introduced at a regular
19 meeting of the Council of the City of Modesto held on the 8th
20 day of October, 1930, by Councilman Brown,
21 who moved its adoption, which motion being duly seconded, was
22 upon roll call carried and the Ordinance ordered printed and
23 published
24 ~~reproduced~~ as above by the following vote:

25 Ayes: Councilmen: Boundey, Brown, Blaine, Falger, and Mayor Elias

26 Noes: Councilmen: None

27 Absent: Councilmen: None

28 Attest:

29 *H. E. Gragg*
H. E. Gragg
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 22nd day of October, 1930, it was finally adopted by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, Falger
Noes: Councilmen: None
Absent: Councilmen: Mayor Elias

Approved: *Sol P Elias*
Sol. P. Elias
Mayor

Attest: *H E Graff*
H. E. Graff
City Clerk

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NOT SPECIAL
IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE
OF CERTAIN EQUIPMENT FOR THE
CITY.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

The sum of Six Thousand (\$6000.00) Dollars is hereby appropriated out of the Water Fund of the City of Modesto, not otherwise appropriated, for the purchase of pipe for renewals and extensions of the municipal water system.

Section II.

The sum of Three Thousand Three Hundred (\$3300.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto for the purchase of two motor cars and one motor truck for the Public Works Department of the City.

Section III.

The sum of One Thousand (\$1000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto, not otherwise appropriated, for the purchase of an automobile chassis for the Fire Department.

Section IV.

The City Engineer shall file with the City Clerk specifications for the said water pipe and general specifications for the two automobiles and truck for the Public Works Department.

1 The Chief of the Fire Department shall file with the
2 City Clerk a general specification for the automobile chassis
3 for the Fire Department.
4

5 Thereupon, the City Clerk, at the direction of the
6 City Council, shall advertise for bids in the usual manner for
7 the sale to the City of Modesto of said equipment. Said Notice
8 to Bidders, at the election of the City Council, may specify
9 that bidders for the automotive equipment hereinabove mentioned
10 shall state as a part of their respective bids, the sums of money
11 they will allow against the purchase price of said equipment for
12 certain automotive equipment now on hand which said Council may
13 desire to replace with the new equipment authorized in this Ord-
14 inance.
15

16 Section V.

17 This Ordinance shall go into effect and be in full
18 force and operation from and after 15 days after its final
19 passage and adoption.
20

21 .Section VI.

22 This Ordinance shall be published in full at least
23 once at least three days prior to its final adoption in the
24 Modesto News-Herald, the official newspaper of the City of
25 Modesto.
26

27 The foregoing Ordinance was introduced at a regular
28 meeting of the Council of the City of Modesto held on the 8th
29 day of October, 1930, by Councilman Boundey who moved
30 its adoption and passage to print, which motion being duly sec-
31 onded, was upon roll call carried by the following vote:
32 Ayes: Councilmen: Boundey, Brown, Falger, Elaine, and Mayor Elias
Noes: Councilmen: None
Absent: Councilmen: None

Attest:

H. E. Gragg
H. E. Gragg
City Clerk

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The foregoing Ordinance having been introduced and ordered published and printed at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 22nd day of October, 1930, it was finally adopted by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger
Noes: Councilmen None
Absent: Mayor Elias

Approved: *Sol P. Elias*
Sol. P. Elias
Mayor

Attest: *H. E. Gragg*
H. E. Gragg
City Clerk



AN ORDINANCE AMENDING ORDINANCE NO. 345 N. S.
(TRAFFIC ORDINANCE) BY AMENDING SECTION 22 THEREOF.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Ordinance No. 345 N. S. entitled: " An Ordinance regulating traffic upon the public streets of the City of Modesto" is hereby amended by amending Section 22 thereof and adding a new Sub-section to said Section 22 so as to read as follows:

"Section 22. CERTAIN VEHICLES PROHIBITED IN BUSINESS DISTRICT (a) It shall be unlawful for the operator of any of the following vehicles to drive the same in any business district between the hours of seven (7) A. M., and six (6) P. M. of any day except Sunday.

1. Any vehicle so loaded that any part of its load extends more than three (3) feet to the front or more than ten (10) feet to the rear of said vehicle.

2. It shall be unlawful for any truck or other vehicle to park on the following streets when any portion of such truck or vehicle extends farther into the street than the outermost parallel parking line; Tenth Street from G to L Streets; Eleventh Street from H to K Streets, on H, I, J and K Streets from Ninth to Twelfth Streets.

(b) It shall be unlawful to drive, operate or propel upon that portion of Tenth Street in the City of Modesto between the northwesterly property line of F Street and the

1 southeasterly property line of L Street, any truck or other motor
2 vehicle of over two tons rated carrying capacity, or any
3 truck or other motor vehicle with a trailer attached thereto.
4

5 Section II.

6 This Ordinance shall take effect and be in full
7 force and operation from and after fifteen days after its pas-
8 sage and adoption.

9 Section III.

10 This Ordinance shall be published at least once
11 at least three days prior to its final adoption in the Modesto
12 News-Herald, the official newspaper of the City of Modesto.
13

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15
16 The foregoing Ordinance was introduced at a regular
17 meeting of the Council of the City of Modesto held on the 22nd
18 day of October, 1930, by Councilman Brown who
19 moved its adoption and publication as aforesaid, which motion
20 being duly seconded, was upon roll call carried and the Ordinance
21 ordered printed and published as above by the following vote:

22 Ayes: Councilmen: Blaine, Boundey, Brown, and Falger

23 Noes: Councilmen: None

24 Absent: Councilmen: Mayor Elias

25
26 Attest:

27 *H. E. Gregg*
28 H. E. Gregg
29 City Clerk

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The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto, held on the 22nd day of October, 1930, and having been published as required by the Charter of the City of Modesto, coming on for final adoption this 12th day of November, 1930, it was finally adopted by the following vote:

Ayes: Councilmen ~~Blaine, Bounney, Brown, Falger,~~ *None*

Noes: Councilmen: *None*

Absent: Councilmen: *Blaine Bounney Brown Falger*

Approved:

Sol P. Elias
Mayor

Attest:

H.E. Gragg
City Clerk



2
3 AN ORDINANCE MAKING IT UNLAWFUL ON ANY OF THE STREETS,
4 ALLEYS, SIDEWALKS, OR OTHER PUBLIC PLACES WITHIN THE CITY
5 OF MODESTO, TO MAKE OR CAUSE ANY LOUD OR UNUSUAL OR DIS-
6 CORDANT SOUNDS OR NOISES, SUCH AS MAY TEND TO CAUSE PUBLIC
7 ANNOYANCE OR MENACE THE PUBLIC COMFORT OR WELFARE, AND
8 PROVIDING PENALTIES FOR VIOLATION THEREOF.
9

10 ---oOo---

11 The Council of the City of Modesto do ordain as
12 follows:

13 Section I.

14 It shall be unlawful for any person, firm, or cor-
15 poration, upon any of the streets, alleys, sidewalks, or other
16 public places within the City of Modesto, to make or cause any
17 loud, unusual, or discordant sounds or noises such as may tend to
18 cause public annoyance or menace the public comfort or welfare,
19 whether such act be done for the purpose of advertising any
20 business or enterprise, or otherwise, and whether such sounds
21 or noises consist of shouting or proclaiming such business or
22 enterprise, or anything relating thereto, or be caused or created
23 by any horn, whistle, bell, or electrical or mechanical device.
24

25 Section II.

26 Any person who shall violate any of the provisions
27 of Section I of this ordinance shall be guilty of a misdemeanor,
28 and upon conviction thereof, shall be punished by a fine of not
29 more than Three Hundred Dollars, or by imprisonment in the County
30 Jail for a period of not more than ninety days, or by both such
31 fine and imprisonment.
32

1 Section III.

2 This Ordinance shall go into full force and effect
3 from and after 15 days after its final passage and adoption.

4 Section IV.

5 This Ordinance shall be published in full at least
6 once at least three days prior to its final passage and adoption
7 in the Modesto News-Herald, the official newspaper of the City
8 of Modesto.
9

10
11 The foregoing Ordinance was introduced at a reg-
12 ular meeting of the Council of the City of Modesto held on the
13 22nd day of October, 1930, by Councilman Brown
14 who moved its adoption and passage to print as aforesaid, which
15 motion being duly seconded was upon roll call carried and the
16 Ordinance ordered printed and published as above by the follow-
17 ing vote:
18

19 Ayes: Councilmen: Blaine, Boundey, Brown, and Falger

20 Noes: Councilmen: None

21 Absent: Councilmen: Mayor Elias
22

23
24 Attest:

H. E. Gragg

H. E. Gragg

25 City Clerk
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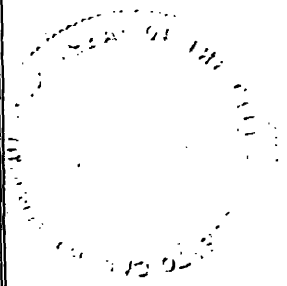
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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 22nd day of October, 1930, and having been printed and published as required by the Charter of the City of Modesto, coming on for final adoption this 12th day of November, 1930, it was finally adopted by the following vote:

Ayes: Councilmen:
Noes: Councilmen:
Absant: Councilmen:

Approved: *Sol. P. Elias*
Sol. P. Elias
Mayor

Attest: *H. E. Gragg*
H. E. Gragg
City Clerk



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REPEAL
MUNICIPAL

AN ORDINANCE AMENDING ORDINANCE NO. 352 N. S. REGULATING ELECTRICAL INSTALLATIONS.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

Section 12 of Ordinance No. 352 N. S. entitled:

"An Ordinance regulating the installation, repair, operation and maintenance of Electrical wiring and equipment within the City of Modesto, providing for licenses, registrations, permits, inspections and approval of electrical work, the payment of fees therefor, and providing for penalties for the violation of this Ordinance " is hereby amended so as to read as follows:
"Section 12. LOCATION OF SERVICE OUTLETS. The drawings or prints attached to Ordinance No. 352 N. S. and referred to in Section 12 thereof are hereby cancelled and new drawings which are attached to this Ordinance are substituted in place thereof. All service outlets, meter locations and main entrance switches shall be in accordance with the regulations as shown on the approved prints attached to and made a part of this Ordinance."

Section II.

Article 13 of Section 18 of said Ordinance No. 352 N. S. is hereby amended so as to read as follows:
"Section 13. On all jobs in new buildings of over two circuits the fuse center must be of the dead front type and installed side of the building in a dry and easily accessible place; and on all jobs in old buildings, the fuse center

1 may be installed in the meter box but must be of the dead front
2 type."

3 Section III.

4 Section 18 of said Ordinance No. 352 N. S. is further
5 amended by adding a new article to Section 18 to be numbered
6 Article 16 which shall read as follows:
7

8 "Section 16. Buildings having more than one occupancy must
9 have fuse centers for each place of occupancy unless operated
10 by the same party."

11 Section IV.

12 This Ordinance shall take effect and be in full force
13 and operation from and after 15 days after its final passage
14 and adoption.
15

16 Section V.

17 This Ordinance shall be published in full at least
18 once at least three days prior to its final adoption in the
19 Modesto News-Herald, the official newspaper of the City of Mo-
20 desto.
21

22 The foregoing Ordinance was introduced at a regular
23 meeting of the City of Modesto held on the 26th day of November,
24 1930, by Councilman Boundey who moved its adoption
25 and passage to print, which motion being duly seconded, was upon
26 roll call carried by the following vote:
27

28 Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias

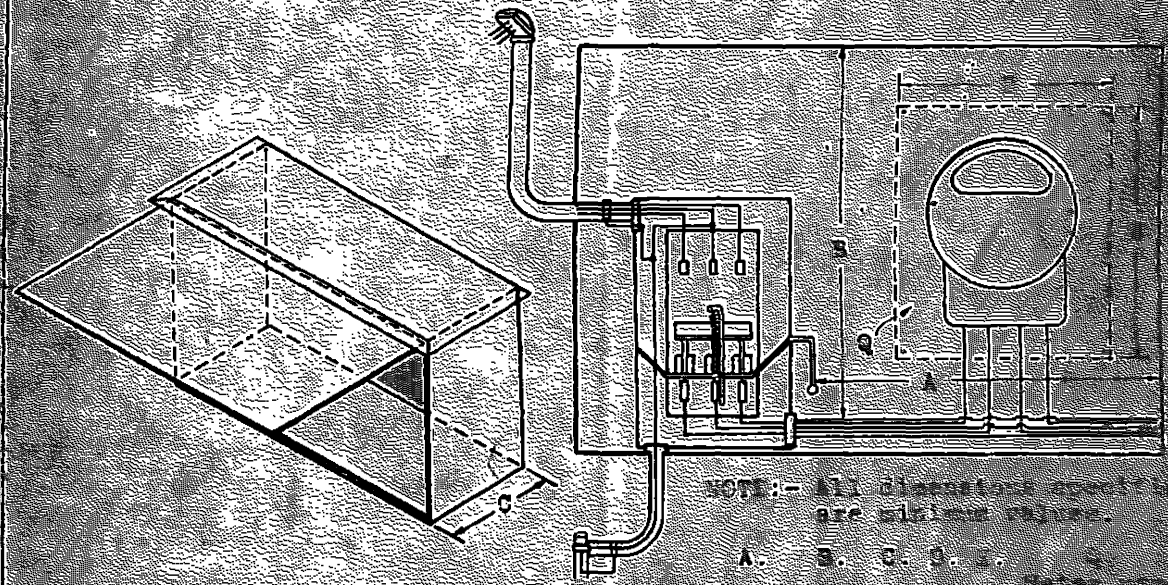
29 Noes: Councilmen: None

30 Absent: Councilmen: None

31 Attest: _____
City Clerk

1. Installation to be made out doors unless special permission has been granted by the City Electrician.
2. This box must be built with not less than 26 gauge galvanized iron and made weather proof.
3. Doors requiring more than 10 square feet shall be divided into equal parts with angle iron or channel iron for ribs.
4. Top of box must slope at least one inch per foot to shed water.
5. All holes in box shall be made to fit conduit used and when hole is made in top of box same shall be made water tight.
6. Line and load wires must be run in separate conduit and wires must enter or leave same through separate weather holes.
7. Service head with weatherproof outlet cover must be at least 10 ft. above ground securely fastened to structure. Structure must provide sufficient strength for dead weight of service wires.
8. Service conduit to be brought to a point accessible to the utility satisfactory to the utility providing electric service.
9. Sufficient clearance must be provided in box to permit opening of switch door.
10. Leave wire ends at least 24" long.
11. Crimp edge on cabinet facing and door.

Note: - D by 2 service wires
insulating cover

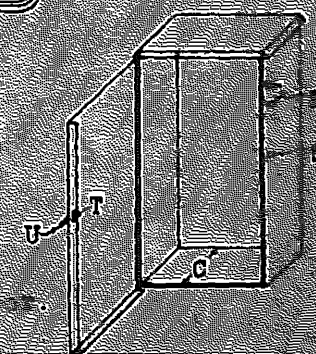
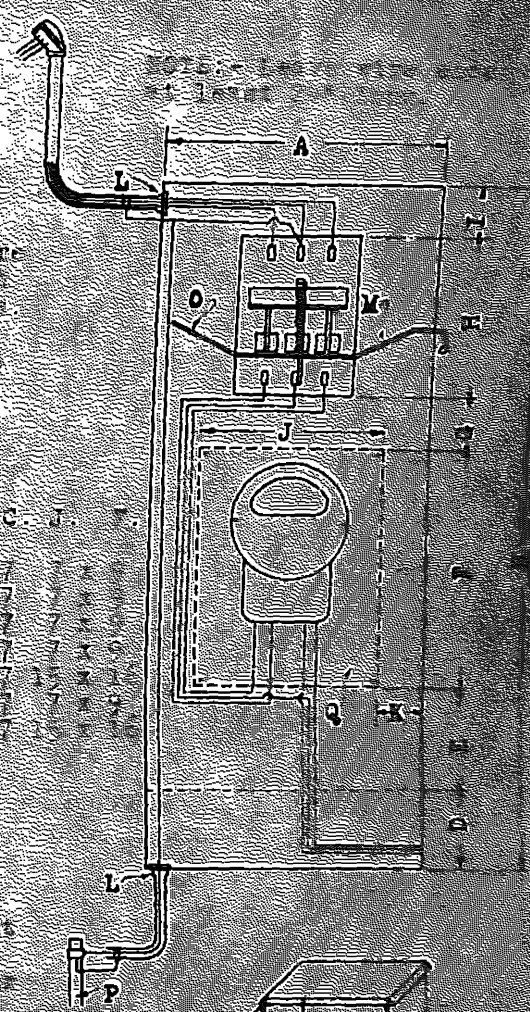


NOTE: - All dimensions given are without wires.

	A.	B.	C.	D.	E.
30 ampere 2 pole S.W. 125 V.	10 1/2	15	7	7	3
30 ampere 2 pole 125 V.	10 1/2	15	7	7	3
30 ampere 3 pole S.W. 125 V. 250 V.	10 1/2	15	7	7	3
60 ampere 3 pole S.W. 125 V. 250 V.	10 1/2	15	7	7	3
60 ampere 3 pole 250 V.	13	22	7	15	16
100 ampere 3 pole S.W. 125 V. 250 V.	10 1/2	15	7	7	3
100 ampere 3 pole 250 V.	13	22	7	15	16

The following is a description of the invention, which is a new and improved
 method of...
 The object of the invention is to provide a...
 The invention consists of...
 The following is a list of the parts of the invention:

	A	B	C	D	E	F
1	104	26	7	7	7	7
2	111	28	7	7	7	7
3	112	29	7	7	7	7
4	113	30	7	7	7	7
5	114	31	7	7	7	7
6	115	32	7	7	7	7
7	116	33	7	7	7	7
8	117	34	7	7	7	7
9	118	35	7	7	7	7
10	119	36	7	7	7	7
11	120	37	7	7	7	7
12	121	38	7	7	7	7
13	122	39	7	7	7	7



The following is a list of the parts of the invention:
 A - Housing
 B - Latch
 C - Handle
 D - Spring
 E - Bolt
 F - Lock
 G - Key
 H - Pin
 I - Nut
 J - Washer
 K - Screw
 L - Plug
 M - Bolt
 N - Nut
 O - Washer
 P - Plug
 Q - Bolt
 R - Nut
 S - Washer
 T - Plug
 U - Bolt
 V - Nut
 W - Washer
 X - Plug
 Y - Bolt
 Z - Nut

This is a drawing of the invention, showing the parts and their relative positions.

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The forgoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1930, and having been published as required by the Charter of the City of Modesto, it was finally adopted on the 24th day of December, 1930, by the following vote:

Ayes: Councilmen Blaine, Bouncey, Brown, Falger, and Mayor Elias

Noes: Councilmen None

Absent: Councilmen None

Approved: Elias
H.E. Gragg
Mayor

Attest: _____
H. P. Gragg
City Clerk

SPECIAL
NOT IN CODE

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A SANITARY
RELIEF SEWER FOR THE INDUSTRIAL DISTRICT AND
APPROPRIATING MONEY THEREFOR.

---oOo---

The Council of the City of Modesto do ordain
as follows:

Section I.

The construction of a sanitary relief sewer
line for the industrial district of the City of Modesto is
hereby authorized to commence at approximately at the inter-
section of the alley in block 221 with Grand Street, and run
thence westerly on Grand Street to 14th Street, on 14th Street
to D Street, and on D Street to the present sewer at 9th Street.
The connections may be made with said relief line by the indus-
tries adjacent thereto.

Section II.

The sum of Sixteen Thousand (\$16,000.00)
Dollars, or so much thereof as may be necessary, is hereby
appropriated out of the General Funds of the City of Modesto
not otherwise appropriated for the installation and construct-
ion of said Sewer line.

Section III.

The City Engineer is hereby directed to
prepare and submit to the City Council plans and specifications
for the construction of said sewer line. Upon the approval of
the plans and specifications, the City Council may by resolut-

1 ion provide for the construction of said sewer, either as a
2 whole or in units, as they may determine, and may let the con-
3 tracts therefor after advertising, as required by the Charter,
4 for the construction of the same, either in whole or in part,
5 or for the purchase of material and the employment of the labor.
6

7 The City Clerk shall when, and as directed
8 by the City Council, advertise for bids which shall be opened
9 at the times to be hereafter fixed, and the contract either
10 awarded to the lowest bidder or bidders, or rejected, and the
11 work done under the direction of the Department of Public Works.
12

13 Section IV.

14 This Ordinance shall go into effect from and
15 after 15 days after its final passage and adoption.
16

17 Section V.

18 This Ordinance shall be published in full at
19 least once at least three days prior to its final adoption in
20 the Modesto News-Herald, the official newspaper of the City
21 of Modesto.
22

23 The foregoing Ordinance was introduced at a
24 regular meeting of the Council of the City of Modesto held on
25 the 24th day of December, 1930, by Councilman Boundey who moved
26 its adoption and passage to print, which motion being duly
27 seconded, was upon roll call carried and the Ordinance ordered
28 printed and published as above by the following vote:

29 Ayes: Councilmen: Elaine, Boundey, Brown, Falger, and Mayor Elias

30 Noes: Councilmen: None

31 Absent: Councilmen: None

32 Attest:

H. E. Gray
City Clerk

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The foregoing Ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of December, 1930, and having been printed and published as required by the Charter of the City of Modesto, it was finally adopted this 14th day of January, 1931, by the following vote:

Ayes: Councilmen Blaine, Boundey, Brown, Falger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Elias*
MAYOR

Attest: *H. E. Gray*
CITY CLERK

AN ORDINANCE PROVIDING FOR THE QUALITY OF PETROLEUM PRODUCTS AND REGULATING THE DELIVERY AND SALE THEREOF IN THE CITY OF MODESTO.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

It shall be unlawful for any person, firm or corporation to sell, offer for sale, or deliver, or to cause or permit to be sold, offered for sale or delivered within the City of Modesto, gasoline, unless such gasoline shall conform to the standards and tests fixed and established in Section 2 hereof.

Section II.

For the purposes of this Ordinance, gasoline is defined as follows: a liquid petroleum product which conforms to the following standards, tests and requirements:

(a) It shall be free from water, and suspended matter.

(b) A clean copper strip shall not show more than extremely slight discoloration when submerged in the gasoline for three (3) hours at 122° F., the test being conducted in accordance with the American Society for Testing Materials Standard D 130-27 T.

(c) It shall distill within the following limits, when tested in accordance with the American Society for Testing Materials Standard D 86-27, using the low distillation

1 Thermometer.

2 1. When 20% has been recovered in the receiver,
3 the thermometer shall not read more than 221° F.

4 2. When 50% has been recovered in the receiver,
5 the thermometer shall not read more than 284° F.

6 3. When 90° has been recovered in the receiver,
7 the thermometer shall not read more than 392°F.

8 4. The end point shall not be higher than 437° F.

9 5. At least 95% shall be recovered as distillate
10 in the receiver from the distillation.

11
12 Section III.

13
14 The Division of Weights and Measures of the Department
15 of Agriculture of the State of California, or any of its officers
16 or employees, are hereby authorized and empowered to take such
17 sample or samples, as they may deem necessary, of any gasoline
18 kept, stored, transported or sold within the City of Modesto.

19 Section IV.

20 (a) It shall be unlawful within the City of Modesto
21 for any person, firm or corporation to display any label upon any
22 container containing any petroleum product which label names or
23 describes a petroleum product not actually contained therein, but
24 which is sold, offered for sale, or delivered as such product.

25
26 (b) Any petroleum motor fuel offered for sale or del-
27 ivery in the City of Modesto which does not conform to the require-
28 ments of Section 2 above shall be labeled "Not Gasoline" in letters
29 of the same size as specified in Section 4, sub-section C.

30 (c) It shall be unlawful for any person, firm or cor-
31 poration to sell, offer for sale or delivery, cause or permit to
32

1 be sold, offered for sale or delivery in the City of Modesto
2 any petroleum products as a fuel for internal combustion engines
3 which does not conform to the requirements of Section 2 of this
4 Ordinance unless there shall be firmly attached or painted at
5 or near the point of outlet from which said petroleum product re-
6 presented as fuel for internal combustion engines is drawn or poured
7 for sale or delivery, a sign or label consisting of the following
8 legend in red letters not less than $1\frac{1}{2}$ inches in height on a
9 white background and not less than twice the size of any other
10 letters or words appearing on or near said label or sign: "Not
11 Gasoline."
12

13
14 Section V.

15 It shall be unlawful for any person, firm or corpora-
16 tion within the City of Modesto to refuse to permit, or to in any
17 manner interfere with the Division of Weights and Measures of the
18 Department of Agriculture of the State of California, or any per-
19 son duly authorized by it to take such sample or samples as pro-
20 vided in Section III hereof.

21
22 Section VI.

23 any person, firm or corporation violating any of the
24 provisions of this Ordinance shall be deemed guilty of a misdemeanor
25 or and upon conviction thereof, shall be punished by a fine of not
26 more than Five Hundred Dollars (\$500.00), or by imprisonment for
27 a period of not exceeding six (6) months, in the County jail of Stanislaus County, /or by both such fine
28 and imprisonment .

29 Each such person, firm or corporation shall be deemed
30 guilty of a separate offense for each day during any portions of
31 which any violation of any provision of this Ordinance is commit-
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1 ted, continued or permitted by such person, firm or corporation,
2 and shall be punished therefor, as provided in this Ordinance.

3
4 Section VII.

5 This Ordinance shall take effect and be in full force
6 from and after fifteen (15) days after its passage and adoption.

7 Section VIII.

8 This Ordinance shall be published in full at least
9 once at least three days prior to its final adoption in the Mo-
10 desto News-Herald, the official newspaper of the City of Modesto.

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14 The foregoing Ordinance was introduced at a regular
15 meeting of the Council of the City of Modesto held on the 24th
16 day of December, 1930, by Councilman Boundey.

17 who moved its adoption and passage to print, which motion being
18 duly seconded, was upon roll call carried by the following vote:

19 Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias

20 Noes: Councilmen: None

21 Absent: Councilmen: None
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25 Attest:

H. E. Gragg

H. E. Gragg
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of December, 1930, and having been printed and published as required by the Charter of the City of Modesto, coming on for final adoption this 14th day of January, 1931, it was finally adopted by the following vote:
Ayes: Councilmen Elaine, Boundey, Brown, Falger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None

Approved: *Sol. P. Elias*
Sol. P. Elias
Mayor

Attest: *H. E. Gragg*
H. E. Gragg
City Clerk

*Action
XXIV amended
by Ord. # 3768-N.S.*

AN ORDINANCE PROVIDING FOR PROPERTY TAXES IN AND FOR THE CITY OF MODESTO, AND PROVIDING A SYSTEM FOR THE ASSESSMENT, LEVY AND COLLECTION THEREOF, AND FURTHER PROVIDING FOR THE COLLECTION OF PUBLIC IMPROVEMENT ASSESSMENTS AND OTHER PURPOSES IN SAID CITY.

---oOo---

The Council of the City of Modesto do ordain as follows:

Section I.

There shall annually be assessed, levied and collected in the City of Modesto a tax upon the property within said city, which tax when collected, shall be paid into the Treasury of said city as a revenue for general purposes. The fiscal year of said city shall commence on the first day of July of each year.

Section II.

There shall annually be assessed, levied and collected in said city, a tax upon the property within said city sufficient to pay the amount of principal and interest which may become due upon any bonds of said city prior to the collection of taxes for the next succeeding year, which taxes, when collected, shall be paid into the Treasury of said city for the purpose of redeeming said bonds and paying the interest thereon which is or may become due.

Section III.

There shall annually be assessed, levied and collected in said city any tax which may be required under the law or the Charter of the City of Modesto for the maintenance of a Public Library in said city, or which may be required under any

1 other law or charter provision which may be in force and effect
2 in said city which taxes, when collected, shall be paid into the
3 Treasury of said city and utilized for the maintenance of said
4 library, or for the purposes specified in any other such law.

6 Section IV.

7 There shall annually be levied and collected in
8 said city the installments of any assessments coming due or col-
9 lectible during the fiscal year ~~received~~^{covered} by the assessment roll,
10 hereinafter provided for, upon which bonds have been issued under
11 the provisions of that certain act of the Legislature of the
12 State of California designated as the "Improvement bond act of
13 1915," as amended, including in each case the interest due on
14 such total unpaid assessments as provided in said Bond Act, and
15 also including the percentage provided in said bond ^{act} for the col-
16 lection of such assessments, interest and penalties thereon.

18 Section V.

19 There shall annually be assessed, levied and col-
20 lected in said City of Modesto upon the property therein any
21 other amount or tax required to be assessed, levied or collected
22 therein, and provided for under any law of the State of Califor-
23 nia, the Charter of the City of Modesto or any Ordinance of said
24 City of Modesto.

26 Section VI.

27 Between the first Monday in March and the last
28 Monday in July in each year, the City Assessor shall ascertain
29 the names of all taxable inhabitants and all the property in
30 the City of Modesto subject to taxation, except such as is req-
31 uired to be assessed by the State Board of Equalization, or by
32

1 the County Assessor, pursuant to law, and must assess said property
2 to the person by whom it is owned or claimed, or in whose pos-
3 session or control it was at twelve o'clock Meridian on the first
4 Monday in March next preceding; but no mistake in the name of the
5 owner, or supposed owner of the real property, shall render the
6 assessment thereof invalid. In assessing solvent credits
7 not secured by mortgage or trust deed on real estate, a deduct-
8 ion therefrom shall be made of debts due to bonafide residents
9 of the state.

11 Section VII.

12 All taxable property shall be assessed at its
13 full cash value, and the manner of making such assessments and/or
14 conditions thereof shall be as the same are now prescribed in
15 Sections 3627, 3627a, 3628 and 3629 of the Political Code of the
16 State of California, except as provided otherwise in this Ord-
17 inance and in Sections 1, 1a, 1 $\frac{1}{2}$, 1 $\frac{3}{4}$, 2, 8, Sub.(a) and
18 (b) of Sec. 14, Secs. 15 and 16 of Article 13 of the Constitution
19 of the State of California, so far as the same may consistently
20 be made to apply to property, and the assessment thereof, within
21 the City of Modesto

24 Section VIII.

25 The provisions of Sections 3632, 3633, 3634,
26 3635, 3636, 3638, 3638a, 3639, 3647, 3648, 3649, 3650 and 3651
27 of the Political Code of the State of California, as now in ef-
28 fect, or as such sections may hereafter be amended, are hereby
29 adopted and shall apply to the assessment of property in said
30 City of Modesto and shall be construed to govern the assessment
31 levy and collection of taxes within the said City of Modesto, in-
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1 so far as applicable, the word "City" being deemed substituted
2 for the word "County", and the words "City Council" being sub-
3 stituted for the words "Board of Supervisors", wherever the con-
4 text requires substitutions to be made; provided, however, that
5 wherever there is a conflict between said sections of the Pol-
6 itical Code and the provisions of this Ordinance, the provisions
7 of this Ordinance shall control.

9 IX.

10 The City Council shall furnish the Assessor with
11 blank forms of the statements to be made by persons to be assess-
12 ed, which forms shall be so arranged as to show all property
13 belonging to or claimed by or in the possession or under the con-
14 trol of or management of such person, or any firm of which such
15 person is a member, and all property belonging to or claimed by
16 or in the possession or under the control or management of any
17 corporation of which such person is President, Secretary, Cash-
18 ier or managing Agent, an exact description of lots, blocks or
19 tracts or fractions of subdivisions thereof, or by metes and
20 bounds of all real estate owned, possessed, claimed, controlled
21 or otherwise managed or represented by such person, firm or cor-
22 poration within the corporate limits; or improvements upon real
23 estate; and a statement of all other property, real or personal,
24 existing within the said City of Modesto which by the provisions
25 of the Constitution and laws of this state, is liable to taxation;
26 and accompanying such blank statements, there shall be an affid-
27 avit substantially as follows: " I, _____ do swear
28 that I am a resident of _____; that the above list
29 contains a full and correct statement of all property subject to
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1 taxation in the City of Modesto which I or any firm/^{of}which I
2 am a member, or any corporation, association or company of which
3 I am President, Cashier, Secretary or Managing Agent, owned,
4 claimed, possessed or controlled at 12 o'clock M. on the first
5 Monday in March last, and which is not already assessed this year;
6 and that I have not in any manner whatsoever transferred or dis-
7 posed of any property, or placed any property out of the said
8 City of Modesto or my possession for the purpose of avoiding any
9 assessment upon the same, or of making this statement; that the
10 debts therein stated as owing by me are owing by me to bonafide
11 residents of this state."

12
13
14 The affidavit to a statement on behalf of a firm
15 or corporation must state the principal place of business of
16 such firm or corporation and in other respects must conform sub-
17 stantially to the preceding form.

18 X.

19 The Assessor may fill out the statement at the
20 time he presents it, or he may deliver such blank statement,
21 either personally, or through the mail, to the person and require
22 such person within the time designated by the Assessor to return
23 the same to him properly filled out and sworn to, and the Assess-
24 or is hereby authorized to administer the oaths, as required by
25 this Ordinance.

26 XI.

27
28 On or before the last Monday of July in each year,
29 the Assessor must complete his assessment book. He and/or his
30 Deputies must ~~complete~~ take and subscribe an affidavit in the
31 Assessment Book to be substantially as follows: "I, _____,
32

1 Assessor, (or Deputy Assessor, as the case may be) of the City
2 of Modesto, do swear that between the first Monday in March and
3 the last Monday in July, 19__, I have made a diligent inquiry
4 and an examination to ascertain the property within the City of
5 Modesto subject to assessment by me, and that the same has been
6 assessed on the Assessment Book equally and uniformly according
7 to the best of my judgment, information and belief at its full
8 cash value; that I have faithfully complied with all of the duties
9 imposed upon the Assessor under the laws and the Ordinances of
10 the City of Modesto; that I have not imposed any unjust or double
11 assessment through malice or ill will, or otherwise, nor allowed
12 anyone to escape a just and equal assessment through favor or
13 reward or otherwise." But the failure to make or subscribe such
14 an affidavit, or any affidavit, will not in any manner affect
15 the validity of the assessment.

16 Section XII.

17 The City Council shall meet at the usual place
18 of holding meetings on the first Monday in August of each year
19 at ten o'clock in the forenoon and sit as a Board of Equaliza-
20 tion, and continue in session from day to day for at least five
21 days. Their powers and duties shall be those specified in the
22 Charter of the City of Modesto.

23 Notice of said meeting of the Board of Equal-
24 ization shall be given by publication thereon twice in the offic-
25 ial newspaper of the City of Modesto, the first of which publica-
26 tions shall be at least seven days before the meeting of the
27 Board; provided that a failure to give such notice by publica-
28 tion shall not affect the jurisdiction of the Board to meet or
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1 to act as such.

2 The Board shall have the power to hear complaints
3 and to correct, modify/^{raise} or strike out any assessment, upon notice
4 to the party whose assessment is to be raised, as herein provided.

5 During the session of the Board, it may direct
6 the Assessor to assess any taxable property that has escaped asses-
7 sment, or to add to the amount, number or quantity of property
8 when a false or incomplete list has been rendered, and to make
9 and enter new assessments (at the same time cancelling previous
10 entries) when any assessment made by the Assessor is deemed by
11 the Board so incomplete as to render doubtful the collection
12 of the tax; but the Clerk must notify the persons interested by
13 letter deposited in the Post Office, or Express, postpaid, and
14 addressed to the person interested at least five days before act-
15 ion is taken of the date fixed when the matter will be inves-
16 tigated.
17
18

19 Section XIII.

20 The City Clerk must record in a book to be kept
21 for that purpose all chan^{ges} corrections and orders made by the
22 Board, and during its session, or as soon as possible after its
23 adjournment, but in no event later than the first Monday in
24 September, must enter upon the Assessment Book all changes and
25 corrections made by the Board.
26

27 Section XIV.

28 The corrected list for each tax shall be the
29 Assessment Roll for said tax for said year. It shall be cert-
30 ified by the City Clerk acting as Clerk of the Board of Equal-
31 ization, as being the Assessment Roll for said tax and shall be
32

1 the Assessment Roll upon which said tax is levied in and for said
2 year.

3
4 Section XV.

5 Not later than its first regular meeting in Sept-
6 ember of each year, the City Council must finally adopt an Ord-
7 inance levying upon the assessed valuation of the property in
8 said city a rate of taxation for the current year, and levy and
9 assess the same upon and against the person named and described
10 in said rolls, and the Assessment Book shall thereupon be del-
11 ivered to the City Auditor.

12
13 Section XVI.

14 The City Auditor shall thereupon proceed to com-
15 pute and enter in a separate money column in the Assessment Book
16 all respective sums in dollars and cents, rejecting the fract-
17 ions of a cent, to be paid as a tax on the property therein enum-
18 erated, segregate and place in the proper columns of the Book,
19 the respective sums due in installments, and foot up the col-
20 umns, showing the total amount of such tax, and the columns of
21 the total value of property in the city, as corrected under the
22 direction of the Board of Equalization. He shall also enter
23 therein any and all other sums and amounts which are to be col-
24 lected on the Assessment Book during the current year, as provided
25 by law or Ordinance or order of said Board, which said Auditor
26 shall thereupon ~~return said Assessment Book to the Clerk who~~
27 ^{3rd}
28 shall on or before the ~~1st~~ Monday in September deliver to the
29 Tax Collector the Assessment Book so completed by the Auditor,
30 with the affidavit of the Auditor attached thereto, substan-
31 tially as follows: "I, _____, Auditor of the City of Mor-
32

1 desto, do hereby certify that I received the within Assessment
2 Book of taxable property of the City of Modesto, with the record
3 of the Board of Equalization. That I have reckoned the respective
4 sums due as taxes and entered therein any and all other sums and
5 amounts to be collected thereon, as provided by law, or by Ord-
6 inance or order of the Council of said city, and have added up
7 the columns showing values and taxes and other sums and amounts
8 required by law."

9
10 The Auditor shall thereupon charge the Collector
11 with the full amount of the taxes levied on said book, together
12 with any and all other sums and amounts entered and to be col-
13 lected thereon, as above mentioned.

14
15 Section XVII.

16 Every tax and every other sum and amount to
17 be collected on such roll and which may be entered thereon has
18 the effect of a judgment against the person charged and shall con-
19 stitute a lien upon the respective property described therein
20 opposite to which said tax amount or sum has been entered, and
21 such lien has the force and effect of an execution duly levied
22 against all property of the ~~plaintiff~~ delinquent owner, which
23 judgment is not satisfied, ^{or} but the lien removed until such taxes,
24 assessments and amounts are paid, or the property duly sold for
25 the payment thereof.

26
27 Section XVIII.

28 Upon receipt of the Assessment Book from the
29 Auditor, the Tax Collector shall be authorized to receive all
30 taxes assessed, levied or entered therein and all other sums and
31 amounts to be collected thereon and entered therein, as provided
32 by law and by Ordinance or by order of said Board.

Section XIX.

On or before the ~~third~~ ^{fourth} Monday in ~~November~~ ^{September} ~~October~~;

the tax collector must publish in the official newspaper of the City of Modesto a notice, specifying:

(a) That the taxes on all personal property secured by real property, and one half of the taxes on all real property, will be due and payable on the first Monday in October, and will be delinquent on the last Monday in November next thereafter at five o'clock P.M., and that unless paid prior thereto ten per cent will be added to the amount thereof, and that if said one half be not paid before the last Monday in April next at five o'clock P.M. an additional five per cent will be added thereto; that the remaining one half of the taxes on all real property will be payable on and after the second Monday in January next, and will be delinquent on the last Monday in April next thereafter at five o'clock P.M., and that unless paid prior thereto five per cent will be added to the amount thereof;

(b) That all taxes may be paid at the time the first installment, as herein provided, is due and payable.

Section XX.

The taxes, sums and amounts therein charged against any particular lot, piece or parcel of land contained within any assessment may be paid separately from the whole assessment, if such lot, piece or parcel has a separate valuation on the assessment roll, by paying the amount due on such lot, piece or parcel of land, as shown on said assessment book, with a proper proportion of the amount due as tax on the personal property, penalties, if any, and any other sums or amounts which may be shown on such roll. The tax collector shall make an entry on the

margin of the assessment book, showing what certain property
1 has been released by the payments of such taxes, sums and
2 amounts as herein provided, together with the amount of such
3 taxes, sums and amounts having been so paid.

4 Section XXI.

5 All taxes must be paid at the office of the tax collec-
6 tor. The tax collector must mark the date of the payment of
7 any tax, or of the several partial payments, as the case may
8 be, in the assessment book opposite the name of the person
9 assessed. He must give a receipt to the person paying the tax
10 or any part of any tax, showing the amount of the assessment
11 and of the tax, or part of tax, paid, and the amount remaining
12 unpaid, if any, with a description of the property assessed, and
13 showing the fiscal year for which such tax is paid; provided
14 that the receipt for the last installment of taxes may refer by
15 number or any other intelligent manner to the receipt given for
16 the first installment of taxes in lieu of a description of the
17 property assessed.

18 Section XXII.

19 On the first Monday in each month, the tax collector
20 shall settle with the auditor for all moneys collected for the
21 ~~tax~~ City, and shall pay the same to the treasurer; and on
22 the same day the tax collector shall file a statement on oath
23 with the auditor showing an account of all his transactions and
24 receipts since his last settlement, which account must show
25 the amount collected for each fund or purpose separately extend-
26 ed on the assessment book, and also that all money collected by
27 him as tax collector has been so paid to the treasurer.

28 Section XXIII.

29 On the last Monday of November of each year at five
30 o'clock P. M., all taxes and other sums and charges shown on
31 the roll then unpaid, except the last installment of the real
32 property taxes, and other such sums and charges, are delinquent

and thereafter the tax collector must collect for the use of the
1 City an additional ten per cent thereon; provided, that if they
2 be not paid before the last Monday in April next succeeding at
3 five o'clock P.M., he shall collect an additional five per cent
4 thereon. On the last Monday in April of each year at five o'-
5 clock P.M., all unpaid portions of the remaining one half of the
6 taxes on all real proerty and other sums and charges shown on
7 the roll are delinquent, and thereafter the tax collector must
8 collect for the use of the City an additional five per cent
9 thereon; provided, that the entire tax on any real property and
10 other such sums and charges may be paid at the time the first in-
11 stallment, as above provided, is due and payable; and provided
12 further that the taxes on all personal property unsecured by
13 real property shall be due and payable immediately fter the
14 assessment of said personal property is made.

15 Section XXIV.

16 On the third Monday in December of each year, the tax
17 collector must attend at the office of the ~~tax~~ auditor with the
18 assessment book, having all items of taxes and other sums and
19 charges colle cted marked "paid". The auditor shall thereupon
20 compute and enter against all items of taxes and other such sums
21 and charges due and unpaid the penalties of delinquency herein-
22 before set forth, foot up the total amount of penalties then due,
23 and must then, within ten days thereafter, deliver to said tax
24 collector the assessment book, and charge him with the amount
25 of said penalties.

26 Section XXV.

27 On the fourth M_onday in May of each year the tax collec-
28 or must attend at the office of the ^{auditor} ~~tax~~ with the assessment
29 book, having all items of taxation and other sums charged on the
30 assessment book and penalties marked "paid", and at the same time
31 he shall deliver to the ^{itor} and/ a complete delinquent list of all
32 persons and property then owing taxes and other charges. In the

list so delivered must be set down in numerical or alphabetical
1 order all matters and things contained in the assessment book
2 and relating to delinquent persons or property. The ~~tax~~^{auditor} must
3 carefully compare the list with the assessment book, and if satis-
4 fied that it contains a full and true statement of all taxes
5 and other charges due and unpaid, he must foot up the total amount
6 of taxes and other charges so remaining unpaid, credit the tax
7 collector who acted under it therewith, and make a final settlement
8 with him of all taxes and other sums charged against him on the
9 assessment book, and must require from him a treasurer's receipt,
10 or if the treasurer is the clerk, require from him an immediate
11 account for any existing deficiency. After settling with the
12 tax collector as prescribed in the preceding section, the auditor
13 must charge the collector, then acting, with the amount due on
14 the delinquent tax list, with the penalty or penalties added
15 thereto, and within three days thereafter deliver the list duly
16 certified to the said tax collector.

17 Section XXVI.

18 On or before the tenth day of June in each year, the tax
19 collector shall publish a delinquent list, which shall contain
20 the names of the persons and a description of the property delin-
21 quent, and the amount of taxes, penalties, charges and costs due,
22 opposite each name and description, with the taxes on personal
23 property added to the taxes on real estate, where the real estate
24 is liable therefor, or the several taxes are due from the same
25 person, ; and the tax collector must append to and publish with
26 the said delinquent list a notice that, unless the taxes and
27 charges delinquent, together with the costs and penalties ~~incurred~~
28 (including cost of publication) are paid, the real property upon
29 which such amounts are a lien will be sold to the City of Modesto.
30 The publication must be made once a week for three successive
31 weeks in some newspaper or supplement thereto, published in said
32 City, which newspaper shall be the one designated by the City

1 council as the official newspaper, The publication must design-
2 nate the date, place and hour when and where the property will
3 by operation of law be sold to the City, which sale must be not
4 less than fifteen nor more than twenty one days from the first
5 publication, and the place must be the tax collector's office.

6 **Section XXVII.**

7 The collector, as soon as he has made the publication re-
8 quired, must file with the county recorder and city clerk, res-
9 pectively, a copy of the publication, with an affidavit thereto
10 attached that it is a true copy of the same, that the publication
11 was made in a newspaper or supplement thereto, stating its name
12 and place of publication, and the date of each publication. The
13 collector must collect, in addition to the taxes due on the
14 delinquent list, together with the penalties for delinquencies,
15 fifty cents for each lot, piece or parcel of land separately
16 assessed, and on each assessment of personal property, which must
17 go to the City and be placed to the credit of the general fund.

18 **Section XXVIII?**

19 On the day and hour fixed for the sale, all property de-
20 linquent, upon which the taxes of all kinds, penalties and costs
21 have not been paid, shall by operation of law and the declaration
22 of the collector be sold to the City of Modesto, and the said col-
23 lector shall make an entry "Sold to the City" on the delinquent
24 assessment list opposite the tax, and he shall be credited with
25 the amount thereof in his settlement; provided, that on the day
26 of sale the owner or person in possession of any property offered
27 for sale for taxes due thereon, may pay the taxes, penalties and
28 costs due, and provided, further, that the City of Modesto may
29 bring suit against the owner of said property for the collection
30 of said tax or taxes, charges, penalties and costs. The Council
31 may in such case direct the city attorney to bring such suit
32 against the delinquent to enforce such collection, and may direct
33 the collector not to proceed in the sale of any property on
34 the delinquent list whereon the taxes shall amount to three hundred dollars.

The provisions of section 3680 of the Political Code of the State of California are adopted herein, and shall apply to property so sold.

Section XXIX.

The collector must make out a certificate of delinquent tax sale for each piece of land sold, dated on the day of the sale, stating (when known) the name of the person assessed, a description of the land sold, that it was sold for delinquent taxes to the City, and giving the amount and year of the assessment, and specifying when the City shall be entitled to a deed.

Such certificate must be signed by the collector and filed in his office, and he must file a duplicate thereof in the office of the county recorder. The collector, in a book provided for that purpose, must enter a description of the land sold, corresponding to the description in the original assessment roll, the name of the person assessed, the date of sale, that it was sold for delinquent taxes to the city, the amount for which it was sold, and must regularly number the descriptions on the margin of the book and put a corresponding number on each certificate, and deliver the same to the auditor. The auditor must keep a suitable index to such book giving the names of the persons to whom each parcel of land was originally assessed.

In case of a redemption or subsequent sale of any of said property by the city, the auditor must enter on the margin of the record in his office, in said certificate book the fact of such redemption or sale, giving the date thereof, and by whom redeemed.

Section XXXI.

A redemption of the property sold may be made by the owner, or any party in interest, within one year from the date of sale for non-payment of any installment due on any assessment upon the property for which bonds have been issued under the "Improvement Bond Act of 1915", and within five years from the date of sale to the City for non-payment of any other sums or

charges shown on the delinquent list, or at any time prior to
the entry of sale of said lands by the City in the manner here-
inafter specified.

Section XXXII.

If the property is not redeemed within one year from the
date of sale to the City for non-payment of any installment due
upon any assessment upon the property for which bonds have been
issued under the "Improvement Bond Act of 1915", or within
five years from the date of the sale to the City for non-payment
of any other tax or charge shown on the delinquent list, the tax
collector, or his successor in office, shall make to the City of
Modesto a deed to the property. Such deed shall be in substance,
and may be in form, as follows:

"THIS INDENTURE, made the ___ day of ___, 19___,
between ___ Tax Collector of the City of Modesto, in the
State of California, first party, and said City of Modesto,
second party,

W I T N E S S E T H

Whereas, the real property hereinafter described was on
the ___ day of ___, 19___, duly sold to the City of Modesto
by ___, tax collector of said City for non-payment of de-
linquent taxes which had been legally levied in the year 19___,
and were a lien on said real property (if such be the fact) and/or
for non-payment of certain charges and amounts required by law
to be collected on the assessment roll of said town, and which
were a lien on said real property, which charges and amounts in-
cluded an installment of a certain assessment upon the security
of which bonds have been issued under the "Improvement Bond Act
of 1915", with interest and penalties thereon, the total amount
for which the same sold being ___ Dollars; and

Whereas, a period of ___ years have elapsed since said
sale (if such be the fact) for non payment of said delinquent
taxes for said year and/or for nonpayment of such installment of

1 assessment upon the security of which said bonds were issued
2 and of such interest and penalties thereon, and no person has
3 redeemed the said property;

4 NOW, THEREFORE, the said party of the first part, in
5 consideration of the premises, and in pursuance of the statute
6 and the ordinances of the City of Modesto in such case made and
7 provided, does hereby grant to the said second party that certain
8 real property in the City of Modesto, State of California, more
9 particularly described as follows: _____

10 IN WITNESS WHEREOF, said first party has hereunto set his
11 hand the day and year first above written.

12 _____
13 Tax Collector of the City
14 of Modesto.

15 No other matters need be recited in said deed than those
16 provided for in the above form. No charge shall be made by the
17 tax collector for the making of any such deed. All such deeds
18 shall be recorded in the office of the County Recorder of Stanis-
19 laus County, and the expense of acknowledging the same shall be
20 a charge against the City of Modesto. All such deeds, after having
21 been duly recorded as aforesaid, shall be transmitted to the Ci ty
22 Clerk and by him filed in his office.

23 Such deed, duly acknowledged or proved, is primary and
24 prima facie evidence that the property was assessed as required
25 by law; that the property was equalized as required by law; that
26 the taxes and other charges therein referred to, if any, were
27 levied in accordance with law; that the taxes were not paid; that
28 at a proper time and place the property was sold as prescribed
29 by law, and by the proper officer; that the property was not
30 redeemed; and that the person who executed the deed was the pro-
31 per officer.
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Section XXXIII.

1 In all cases where real estate has been or may hereafter
 2 be sold for delinquent taxes or charges to the City of Modesto,
 3 and the City has not disposed of the same, the person whose es-
 4 tate has been or may hereafter be sold, his heirs, executors,
 5 administrators or other successors in interest, shall, at any
 6 time after the same has been sold to the City, and before the
 7 City shall have disposed of the same, have the right to redeem
 8 such property by paying to the treasurer of the City of Modesto
 9 the amount of taxes, charges, penalties and costs due thereon,
 10 at the time of said sale, with interest on the aggregate amount
 11 of said taxes, charges, penalties and costs at the rate of eight
 12 per cent per annum; and also all taxes that were alien upon
 13 said real estate at the time said taxes became delinquent; and
 14 also all unpaid taxes of every description assessed against the
 15 property for each year since the sale, or, if not so assessed,
 16 then upon the value of the property as assessed in the year
 17 nearest the time of such redemption, with interest from the
 18 first day of July of each of said years respectively at the
 19 same rate to the time of redemption; and also all costs and
 20 expenses of such redemption, and penalties as follows:
 21 5 per cent if redeemed within six months from July first
 22 of the year of sale; 10 per cent if redeemed within one
 23 year therefrom; 15 per cent if redeemed within two years
 24 therefrom; 20 ~~xxxx~~ per cent if redeemed within three
 25 years from the date thereof; and 25 per cent if redeemed
 26 within four years therefrom, and 30^{per cent} if redeemed at any
 27 time thereafter. The penalty shall be computed only on the
 28 taxes for the non-payment of which the property was sold.

29 The city auditor shall, on application of the person
 30 desiring to redeem, make an estimate of the amount to be paid,
 31 and shall give him triplicate certificates of the amount specifying
 32 the several amounts thereof, which certificates shall be delivered

1 to the treasurer, together with the money, and the treasurer
2 shall give triplicate receipts, written or endorsed upon said
3 certificates, to the redemptioner, who shall deliver one of
4 said receipts to the city auditor, and re-deliver one to the
5 city treasurer, and may record one in the office of the county
6 recorder of the county wherein the property is situated. Upon
7 payment of the fee for acknowledgment the treasurer shall acknow-
8 ledge either of said receipts so as to entitle the same to be
9 recorded. Upon the payment of said money specified in said
10 certificate, and the giving of either of the receipts aforesaid
11 by the treasurer, any deed that may have been made to the City
12 shall become null and void, and all right, title and interest
13 acquired by the City under and by virtue of said tax sale shall
14 cease and determine.

15 **Section XXXIV.**

16 A partial redemption may be made in all cases where a
17 lot, piece or parcel of land has been sold for delinquent taxes
18 or other charges and the town has not disposed of the same, according
19 to the procedure set forth in section 3818(a) of the Political
20 Code, the word "City" being deemed substituted for the words "state
21 and county" therein, and the City Council performing the duties
22 therein devolving on the supervisors, and the city auditor
23 performing the duties therein devolving upon the County
24 Auditor.

Amended by
Ord # 768-MS.1

Section XXXV.

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Where property has been conveyed to the city, and the deed therefor executed by the Tax Collector to the City and recorded, the Council may thereupon by an order duly entered in its minutes direct the Tax Collector to sell such property, or any part thereof. The Tax Collector must thereafter give notice of the place, date and hour of sale, and describe the property to be sold, which notice must be published once a week for three successive weeks in the official newspaper of the City of Modesto. at the time of such sale, the Tax Collector must sell the property described in the notice at public auction to the highest bidder for cash in lawful money of the United States; but no bid shall be received or accepted for less than the amount of all taxes, charges, interest, penalties and expenses which have accrued up to the date of such sale by reason of any previous tax sale or delinquency, including any sums advanced on said property by the city since the date of the original sale to the city of such property; provided, however, that if the Council by resolution shall declare that in their judgment the property so owned by the city, and particularly described in said resolution, is not at that time of value great enough so that it can be sold by the city for a sum equal to the amount of the said taxes, interest, costs, penalties, charges and expenses up to the date of such sale, and ^{that} it would be for the best interests of the city to sell said property for a sum at least equal to an amount to be stated in said resolution, then the City Council may by such resolution direct the Tax Collector to sell said property for a sum at least equal to the amount so

1 stated in said resolution , together with the expenses of the
2 sale, and such property may then be so sold , but only to the
3 highest bidder therefor. Upon the sale of any property so owned
4 by said city, in accordance with the provisions of this section,
5 and upon the receipt of the amount bid, and if the property so
6 offered for sale has not been redeemed , the Tax Collector , or
7 his successor in office, must make a deed to the purchaser and
8 the deed shall convey said property to said purchaser and shall
9 be substantially in the form provided in Section 3785 b of the
10 Political Code. No charge shall be made by the Tax Collector
11 for making ^{any} such deed . The provisions of Section 3786/Political Code shall
12 apply to such deed.

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14
15 Section XXXVI.

16 The Tax Collector shall have power, and it is
17 hereby made his duty, at any time after receiving the Assessment
18 Book to collect the taxes due on personal property, except where
19 real estate is liable therefor by seizure and sale of any per-
20 sonal property belonging to the delinquent, and the provisions
21 of Sections 3791, 3792, 3793, 3794, 3795, 3796 of the Political
22 Code shall apply to such seizure and sale; The word "city" being
23 substituted in said sections for the word "county."

24
25 Section XXXVII.

26 The Assessor must collect the taxes on personal
27 property when in his opinion said taxes are not a lien upon
28 real property sufficient to secure the payment of the taxes.
29 The taxes on all assessments of, possession of, claim to or
30 right to the possession of land and taxes or taxable improvements
31 located upon land exempt from taxation shall be immediately due
32

1 and payable upon assessment and shall also be collected by the
2 Assessor prior to the first Monday in August and said Sections
3 3791 to 3796 , inc., and 3821 of the Political Code shall like-
4 wise apply thereto; The word "City" being deemed substituted for
5 the word "County/" The amount of personal tax so collected shall
6 be governed by the city rate for the previous year.
7

8 Section XXXVIII.

9 At any time after the Assessment Book has been
10 received by the Tax Collector, and the taxes and charges have be-
11 come payable, the owner of any property assessed therein who
12 may claim that the assessment or other charge thereon is void in
13 whole or in part may pay the same to the Tax Collector under
14 protest, which protest shall be in writing and shall specify
15 whether the whole assessment is claimed to be void, or if a part
16 only, what portion, and in either case the grounds upon which
17 such claim is founded, and when so paid under protest, the
18 payment shall in no case be regarded as a voluntary payment and
19 such owner may at any time within six months after such payment
20 bring an action against the city in the Superior Court to recover
21 back the taxes so paid under ~~protest~~ protest; provided, however,
22 that no recovery shall be had in such action unless such action
23 be brought by such owner or his guardian, or in case of his or
24 her death, by his or her Executor or Administrator, and provided
25 further that no recovery shall be had in such action if the same
26 be brought by an assignee of such owner or by any one other than
27 the persons last hereinabove designated. And if it shall be ad-
28 judged that the assessment or charge, or the part thereof ref-
29 erred to in the protest, ^{is} ~~is~~ void on the grounds specified
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1 in the protest, judgment shall be entered against the city
2 therefor.

3
4 Section XXXIX.

5 Whenever any tax cannot be enforced or collected, or
6 whenever the amount or sum or assessment entered upon the assess-
7 ment roll cannot be collected by reason of any informality or in-
8 validity or irregularity, declared or existing in the assessment
9 of property entered on said roll, or by reason of any error in the
10 assessment, or preparation of said roll, or levy or extension on
11 said roll of such tax, amount, sum, or assessment, then, in any
12 of such events a re-assessment therefor may be issued by order
13 of said ~~board of trustees~~ City Council ~~board~~ Council shall instruct
14 the clerk to give notice by publication and by registered mail
15 to the person to whom the property was last assessed or by whom
16 the property affected is owned, as known by such clerk, to appear
17 and show cause why his property should not be re-assessed. Said
18 board shall set a day, which day shall be not earlier than the
19 tenth day from the first publication or posting of notice thereof.
20 Such notice shall be printed once a week for two weeks in a news-
21 paper of general circulation in said town. In the event no such
22 newspaper be printed or published in said town then such notice
23 shall be posted for two weeks on or near the council chamber door
24 of said board and in two other public places in said town. Such
25 notice may cover several parcels which are subject to the same
26 action. Upon such hearing said ~~board~~ Council may direct a re-assessment of
27 said property, and in the event of it so ordering such re-assess-
28 ment the same shall be made and equalized by the same officers
29 and boards as are prescribed by law or this ordinance for the
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1 assessment and equalization of property in said ~~town~~^{city}. The
2 assessment and equalized assessment of such property shall be en-
3 tered on the several assessment rolls or books in the same man-
4 ner that assessments of such property are or are required to be
5 entered for the year or years for which such re-assessment shall
6 be made, or the same may be entered in a special re-assessment
7 roll as so directed by said ~~board~~^{Council}. After such reassessment shall
8 be returned to said board by the assessor, the said board shall
9 appoint a day for hearing thereon and such time must be at least
10 twenty days after the re-assessment is so returned. The clerk shall
11 then advertise the time of such hearing before said board by
12 publishing a notice, for two insertions, in some newspaper des-
13 ignated by said board and published and circulated in said ~~town~~^{City},
14 provided that if no newspaper be published or circulated therein
15 then such notice shall be posted for two weeks on or near the
16 council chamber door of said board and in two other public places
17 in said town. At the time fixed for such hearing, or at such time
18 or times to which the same may be thereafter adjourned, said board
19 shall meet and sit as a board of equalization and may equalize
20 the values shown on said roll and may revise, correct or modify
21 such re-assessment or direct a new re-assessment to be made in
22 such manner as is most equitable. When such re-assessment shall
23 have been so revised, corrected or modified, or the amount there-
24 of equalized so as to comply with the judgment of said board, said
25 board shall pass a resolution confirming such re-assessment.
26 Thereupon the same rates of taxation for the respective year for
27 which the assessment, for which re-assessment is made, shall be
28 extended upon such roll, including any other amounts required by
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1 law or this ordinance to be extended upon the original assessment
2 roll. The amount of such taxes and amounts shall thereupon be col-
3 lected in the same manner as provided in this ordinance and after
4 notices herein provided but without respect to the years herein
5 provided for the collection of such taxes and amounts.
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1 Section XXXX.

2 The assessment roll or delinquent list, or a copy thereof,
3 certified by the clerk, showing unpaid taxes against any person
4 or property, is prima facie evidence of the assessment, the prop-
5 erty assessed, the delinquency, the amount of taxes or charges
6 due and unpaid, and that all the forms of law in relation to the
7 assessment and levy of such taxes or charges have been complied with.

8 Section XXXXI.

9
10 Any taxes, charges, penalties or costs erroneously collected
11 may, by order of the council, be refunded.

12 When the tax collector discovers that any property has been
13 assessed more than one for the same year, he shall collect only
14 the tax justly due, and shall make return of the facts to the
15 auditor by affidavit.
16

17 Section XXXXII.

18 In case the collector shall discover before any sale that
19 by reason of irregular assessment or any other error, any land
20 ought not to be sold, he shall not offer it for sale, but the
21 council in each such case shall cause the assessor to enter the
22 uncollected taxes upon the assessment list of the next succeeding
23 year, to be collected as other taxes entered thereon.
24

25 Section XXXXIII.

26 When land shall have been sold as the property of a designat-
27 ed person for taxes correctly imposed, no misnomer of the owner
28 or other mistake relating to the ownership of such property shall
29 affect the validity of the sale.
30

31 Section XXXXIV.

32 In case property entered upon the assessment book is sold

1 to the City as provided for in this ordinance, it shall be assessed
2 each year subsequent thereto for taxes until a deed is made to
3 the City therefor in the same manner as if it had not been so
4 sold, but no sale shall be had thereunder where such property
5 has not been redeemed. In case property has been so sold to the
6 City and is subsequently assessed as herein provided, no person
7 shall be permitted to redeem from such sale, except upon payment
8 of the amount of such subsequent assessments, costs, fees, penal-
9 ties, charges and interest.

11 Section XXXIV.

12 As far as applicable, and when not otherwise provided for
13 in and by this ordinance, the provisions of the Political Code
14 of the State of California, and all amendments thereto hereafter
15 made, governing the assessment, levy, and collection of county
16 taxes, shall be construed to govern the assessment, levy and
17 collection of taxes within the City of Modesto, and are hereby
18 adopted and made a part of this ordinance.

20 The provisions of this ordinance setting forth the time or
21 times that, or within which, a certain act or acts shall be
22 performed, shall be construed to be merely directory and not
23 mandatory, and the failure of any person or officer to perform
24 any act or acts on the date, or within the time, provided in
25 this ordinance shall not invalidate the assessment, levy,
26 or collection of any tax, or the sale of any property for delin-
27 quent taxes, providing there has been a substantial compliance
28 with ~~the~~ such provisions of this ordinance.

Section XXXVI.

This ordinance shall go into effect from and after fifteen days after its final passage and adoption; provided, however, that the assessment, levy and collection of the taxes of the City of Modesto for the fiscal year beginning July 1, 1931, shall be governed by the terms of this ordinance; and provided, further, that it shall not apply to the collection of any taxes for the fiscal year beginning July 1, 1930, or any year prior thereto, in respect to which the ordinances of the City now in force shall control.

Section XXXVII.

This ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto News Herald, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced by Councilman Falger at a regular meeting of the Council of the City of Modesto, held on the 11th day of March, 1931, said Councilman Falger at said time moving its adoption and publication as aforesaid, which motion being duly seconded was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias

Noes: Councilmen: None

Absent: Councilmen: None

Attest:

H. E. Guss
City Clerk

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The foregoing Ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1931, coming on for final adoption this 25th day of March, 1931, it was finally adopted by the following vote:
Ayes: Councilmen Boundey, Brown, Blaine, Falger, and Mayor Elias
Noes: Councilmen None
Absent: Councilmen None



Approved: Elias
Mayor

Attest: H. E. Gray
City Clerk

AN ORDINANCE PROHIBITING THE MAINTENANCE OF UNUSED
POLES AND FIXTURES UPON THE PUBLIC STREETS
AND ALLEYS.

----oOo----

The Council of the City of Modesto do ordain
as follows:

Section 1.

It shall be unlawful for any Power Company or Telephone Company or Telegraph Company, firm or corporation, or any other public service company or corporation to maintain upon any street or alley in the City of Modesto any poles or lighting power, telephone or telegraph fixture for a period of more than one year after such corporation, company or firm shall discontinue the use of said pole, wire or fixture for the purposes for which it was originally installed and used.

It shall also be unlawful for any such company or corporation or firm to keep suspended over any part of any public street or alley any wires leading from any such pole or fixture to other premises for a period of more than one year after such company, firm or corporation shall have discontinued the use of such wires for power, lighting or communication purposes.

Where such a pole is owned jointly with another corporation, the corporation or company owning or controlling wires or fixtures, the use of which shall have been discontinued for more than one year, shall remove such wires and fixtures from such pole.

1.

7/21/31
advised
Paul Owen
to June 10-1931

3/21/31

See Minutes June 10-1931
21-225

1 section II.

2 The Department of Public Works shall make a
3 survey ~~in the months of~~ at least twice in
4 ~~and~~ each year to determine the poles, wires and fixtures which are
5 no longer used , and at the expiration of one year from the ces-
6 sation of such use, said Department shall notify the owner of
7 such poles, fixtures or wires to remove the same within ten days
8 after such notice. In event of the failure of such company, firm
9 or corporation to comply with such notice, it shall be the duty
10 of the Department of Public Works to remove the same at the ex-
11 pense of such company , firm or corporation, and the cost thereof
12 may be recovered in a civil action.
13

14 Section III.

15 Any company, firm or corporation, or the em-
16 ployees thereof, who shall violate any of the provisions of this
17 Ordinance, or who shall fail to remove such poles, wires and fix-
18 tures within ten days after notice to that effect has been rec-
19 eived from the Department of Public Works, shall be guilty of a
20 misdemeanor and shall be punishable by a fine of not exceeding
21 Five Hundred (\$500.00) Dollars, or imprisonment in the County
22 Jail (if an individual) for not exceeding ninety days, or both
23 such fine and imprisonment.
24

25 Section IV.

26 This Ordinance shall go into effect and be in
27 full force and operation from and after fifteen days after its
28 final passage and adoption.
29

30 Section V.

31 This Ordinance shall be published in full at
32

1 least once at least three days prior to its final passage and
2 adoption in the Modesto News-Herald, the official newspaper of
3 the said City of Modesto.
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8 The foregoing Ordinance was introduced at a reg-
9 ular meeting of the Council of the City of Modesto held on the
10 11th day of March, 1931, by Mayor Elias who moved
11 its adoption and passage to print as aforesaid, which motion
12 being duly seconded, was upon roll call carried and the Ordinance
13 ordered printed and published as above by the following vote: of
14 Ayes: Councilmen: Blaine, Boundey, Brown, Falger, and Mayor Elias
15 Noes: Councilmen: None
16 Absent: Councilmen: None
17
18

19 Attest:

20 City Clerk
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*Created at
General Municipal, 4-1931
Collection of*

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INITIATIVE

ORDINANCE NO. 398 - N.S.

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF MAIN TRUNK LINE
STORM SEWERS IN THE CITY OF MODESTO AND APPROPRIATING MONEY THERE-
FOR

— oOo —

THE PEOPLE OF THE CITY OF MODESTO DO ORDAIN AS FOLLOWS:

SECTION 1.

The sum of Twenty Five Thousand (\$25,000.00) Dollars
is hereby appropriated annually on the first day of July of each
year, the first appropriation to be made on July 1, 1931, out of
money derived from the sale and distribution of water, commonly
called the water fund, for the erection, construction and complet
ion of Main Line Trunk Storm Sewers for the City of Modesto to be
located and built to serve such portions of the City of Modesto
where needed.

SECTION 2.

The City Council shall immediately, following the adop-
tion of this ordinance, cause surveys to be made and plans and
specifications to be prepared, subject to the approval of the said
council, for the location and construction of said main trunk line
storm sewers, and thereupon immediately proceed with the construct-
ion of the same with the money available for each year.

SECTION 3.

All ordinances or parts of ordinances in conflict here-
with are hereby repealed.

SECTION 4.

This Ordinance shall take effect immediately upon its
adoption by the people of the City of Modesto at the general mun-

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icipal election held in the City of Modesto on April 14, 1931.

Approved: _____

Mayor

Attest: H. E. Gray

City Clerk

AN INITIATIVE ORDINANCE PROVIDING FOR THE LEVYING OF A SPECIAL TAX ON THE TAXABLE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF MODESTO, FOR CERTAIN USES AND PURPOSES, AND PROVIDING FOR THE COLLECTION OF THE SAME, AND REGULATING THE EXPENDITURE OF THE FUNDS TO BE RAISED THEREBY.

---oOo---

The People of the City of Modesto do ordain as follows:

lowe;

Section I.

For the fiscal year beginning July 1, 1931, there shall be and is hereby levied upon all the taxable real and personal property within the City of Modesto, a special tax, pursuant to subdivision 17 of Section 4, article III of the Charter of the City of Modesto, at the rate of ten cents on each one hundred dollars of the assessed value of the taxable real and personal property within said City of Modesto. Said tax shall be collected at the same time and in the same manner as other taxes of the City of Modesto for the fiscal year, beginning July 1st, 1931, are collected. The provisions of the Charter and the Ordinances of the City of Modesto relating to the levy and collection of taxes are hereby made applicable to the levy and collection of the tax hereby authorized.

Section II.

The moneys collected from the said tax herein provided for shall be expended for the purpose of improving the rivers, streams and channels flowing through the City of Modesto, or adjoining the same, and of widening, straightening and deepening said channels, and removing obstructions therefrom, and con-

*Defeated at
General Municipal
Collection April 14-1931*

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1 trolling and improving the water front of the City of Modesto,
2 and to acquire lands for, and to construct and maintain thereon,
3 upon any navigable river or creek within the limits of the City,
4 or contiguous thereto, wharves, piers or bath-houses, and in par-
5 ticular, to acquire the site for, and to construct and maintain
6 thereon a dam across the Tuolumne River at a point where said
7 stream is contiguous to the City of Modesto. The expenditure of
8 said moneys when collected shall be made, subject to the limita-
9 tions herein specified, in such manner as the City Council may
10 hereafter by resolution direct.
11

12 Section III.

13 In event, in the judgment of the said City Council,
14 the public necessity requires the expenditure of the sum author-
15 ized to be levied and collected by this Ordinance before the next
16 succeeding tax levy, (being the tax levy for the fiscal year be-
17 ginning July 1st, 1931) the City Council may issue warrants there-
18 for, and provide for their payment, with interest at not to ex-
19 ceed five per cent per annum from the collection of the special
20 tax hereby authorized.
21

22 Section IV.

23 This Ordinance shall take effect when it has been
24 approved by at least two thirds of the qualified electors who
25 vote thereon.
26

27 Approved: _____

28 Sol. P. Elias
29 Mayor

30 Attest: _____

31 H. E. Gragg
32 City Clerk

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Handwritten notes:
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INITIATIVE

ORDINANCE NO. 400-N.S.

AN INITIATIVE ORDINANCE PROVIDING FOR THE LEVYING OF A SPECIAL TAX AT THE RATE OF TEN CENTS ON EACH ONE HUNDRED DOLLARS ON THE TAXABLE REAL AND PERSONAL PROPERTY WITHIN THE SAID CITY FOR THE FISCAL YEAR, BEGINNING JULY 1ST, 1931 ONLY, FOR THE PURPOSE OF CONSTRUCTING A DAM IN THE TUOLUMNE RIVER

--- oOo ---

The People of the City of Modesto do ordain as follows:

Section 1.

For the fiscal year beginning July 1, 1931, there shall be and is hereby levied upon all the taxable real and personal property within the City of Modesto, a special tax, pursuant to subdivision 17 of Section 4, Article III of the Charter of the City of Modesto, at the rate of ten cents on each one hundred dollars of the assessed value of the taxable real and personal property within said City of Modesto. Said tax shall be collected at the same time and in the same manner as other taxes of the City of Modesto for the fiscal year, beginning July 1st, 1931, are collected. The provisions of the Charter and the Ordinances of the City of Modesto relating to the levy and collection of taxes are hereby made applicable to the levy and collection of the tax hereby authorized.

Section 11.

The moneys collected from the said tax herein provided for shall be expended for the purpose of improving the river, streams, and channels flowing through the City of Modesto or adjoining the same, and of widening, straightening and deepening said channels, and removing obstructions therefrom, and

1 controlling and improving the water front of the City of Modesto,
 2 and to acquire lands for, and to construct and maintain thereon:
 3 upon any navigable river or creek within the limits of the City,
 4 or contiguous thereto, wharves, piers, or bath-houses, and in
 5 particular, to acquire the site for, and to construct and main-
 6 tain thereon a dam across the Tuolumne River at a point where
 7 said stream is contiguous to the City of Modesto. The expend-
 8 iture of said moneys when collected shall be made, subject to
 9 the limitations herein specified, in such manner as the City
 10 Council may hereafter by resolution direct.

11
 12 Section III.

13 In event, in the judgment of the said City Council, the
 14 Public necessity requires the expenditure of the sum authorized
 15 to be levied and collected by this Ordinance before the next
 16 succeeding tax levy, (being the tax levy for the fiscal year
 17 beginning July 1st, 1931) the City Council may issue warrants
 18 therefor, and provide for their payment, with interest at not
 19 to exceed five per cent per annum from the collection of the
 20 special tax hereby authorized.

21 Section IV.

22 This Ordinance shall take effect when it has been
 23 approved by at least two-thirds of the qualified electors who
 24 vote thereon.

25
 26 Approved: _____

27 Sol. P. Elias
 Mayor

28
 29 Attest: _____

30 H. E. Gragg
 City Clerk
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