

SPECIAL
NOT IN CODE

ORDINANCE NO. 701 N. S.

2 AN ORDINANCE OF THE CITY OF MODESTO APPROPRIATING THE SUM OF
3 \$1500.00, OR SO MUCH THEREOF AS MAY BE NECESSARY, OUT OF THE
4 WATER FUND OF SAID CITY, FOR THE PURPOSE OF PURCHASING PUMP BASE
5 WITH 10 INCH O. D. COLUMN AND APPURTENANCES, INCLUDING PULLING
6 PRESENT PUMP AND RE-INSTALLING SAME.

7 ---0000000---

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

9 SECTION 1. The sum of Fifteen Hundred (\$1500.00) Dollars,
10 or so much thereof as may be necessary, is hereby appropriated
11 from the Water Fund of the City of Modesto for the purpose of
12 purchasing the following described personal property, to-wit:

13 1. Pump Base with 10 inch O. D. Column and
14 8 inch Standard Discharge, including 1 75
15 H. P. 1200 R. P. M. 220 V. Hollow Shaft
16 Vertical Motor,

17 and for the further purpose of pulling present pump and re-install-
18 ing same.

19 SECTION 2. The City Council of the City of Modesto hereby
20 finds and declares that this ordinance is necessary for the im-
21 mediate preservation of the public health and safety of the citi-
22 zens of the City of Modesto, by reason of the following facts:

23 That the present pump now owned and operated by said City,
24 on account of excessive wear and deterioration of pump head is in-
25 sufficient and inadequate for the purpose of furnishing a suf-
26 ficient quantity of water for said City and particularly inadequate
27 for furnishing such supply of water during the summer season, and
28 that by reason of the existence of such state of facts, it is
29 seriously detrimental and hazardous for said City of Modesto in
30 case of fire occurring in said City.

31 This ordinance shall therefore take effect immediately
32 upon 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 "The Modesto Bee," the official newspaper of the City of

1 Modesto.

2 The foregoing ordinance was introduced at a special
3 meeting of the Council of the City of Modesto held on the 19th
4 day of May, 1943, by Councilman Morris, who moved its
5 adoption and passage to print, which motion being duly seconded,
6 was upon roll call carried and the ordinance ordered printed and
7 published as above by the following vote:

8
9 Ayes: Councilmen: Burge, Morris, Stanley, Neece, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None
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14 APPROVED:

15 *Carl W. Shannon*
16 CARL W. SHANNON, MAYOR.

17 ATTEST:

18 *Elmer J. Blum*
19 ELMER J. BLUM, CITY CLERK

20 By *Aune M. Collins*
21 *acting Assistant City Clerk*
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FINAL ADOPTION CLAUSE

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 19th day of May, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 26th, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Paul Shannon
MAYOR

ATTEST

Aune M. Collins
ACTING ASSISTANT CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO 702 N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF MODESTO

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

Section 1, The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows:

City Clerk, who likewise occupies the offices of Auditor and Assessor the sum of \$3720.00 per annum.

City Treasurer and Collector, the sum of \$3720.00 per annum

City Attorney, the sum of \$3120.00 per annum.

Chief of Police, the sum of \$4200.00 per annum

Fire Chief, the sum of \$4200.00 per annum,

Health Officer, the sum of \$1.00 per annum

City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$5520.00 per annum.

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials

Section 3. This ordinance shall take effect and be in full force and operation fifteen (15) days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit: the The Modesto Bee.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1943, by Councilman Neace, who moved its adoption and

1 passage to print as aforesaid, which motion being duly seconded,
2 was upon roll call carried and the ordinance ordered published as
3 above by the following vote:

4 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

5 Noes: Councilmen: None

6 Absent: Councilmen: None

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8 APPROVED

Carl W. Shannon
CARL W. SHANNON, MAYOR

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11 ATTEST

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 23rd day of June, 1943, and
5 subsequently printed and published as required by the Charter of the
6 City of Modesto, and coming on for final adoption at the regular
7 meeting of July 14, 1943, it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 APPROVED: *Carl H. Shannon*
14 MAYOR

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16 ATTEST *Red E. Gueffus*
17 CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE GRANTING TO PACIFIC GAS AND ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE TO USE, FOR TRANSMITTING AND DISTRIBUTING GAS WITHIN THE CITY OF MODESTO FOR ANY AND ALL PURPOSES OTHER THAN THOSE AUTHORIZED UNDER SECTION 19 OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AS SAID SECTION EXISTED PRIOR TO ITS AMENDMENT ON OCTOBER 10, 1911, ALL GAS PIPES AND APPURTENANCES WHICH ARE NOW OR MAY HEREAFTER BE LAWFULLY PLACED IN THE PUBLIC STREETS, WAYS AND PLACES WITHIN SAID CITY, AND TO LAY AND USE IN SAID PUBLIC STREETS, WAYS AND PLACES ALL PIPES AND APPURTENANCES NECESSARY OR PROPER FOR SAID PURPOSES.

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

Section 1. Whenever in this ordinance the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions (unless, in the given instance, the context wherein they are used shall clearly import a different meaning):

(a) The word "grantee" shall mean the corporation to which the franchise contemplated in this ordinance is granted and its lawful successors or assigns;

(b) The word "city" shall mean the City of Modesto, a municipal corporation of the State of California, in its present incorporated form or in any later reorganized, consolidated, enlarged or re-incorporated form;

(c) The word "streets" shall mean the public streets, ways, alleys and places as the same now or may hereafter exist within said city;

(d) The word "gas" shall mean natural or artificial gas, or a mixture of natural and artificial gas;

(e) The phrase "pipes and appurtenances" shall mean pipes, pipelines, mains, services, traps, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, appliances, attachments, appurtenances and any other property located or to be located in, upon, along, across, under or over the streets of the city, and used or useful in the transmitting and/or distributing of gas;

(f) The phrase "lay and use" shall mean to lay, construct, erect, install, operate, maintain, use, repair or replace.

(g) The phrase "constitutional franchise" shall mean the right acquired through acceptance by said grantee or its predecessor in estate of the offer contained in the provisions of Section 19 of Article XI of the Constitution of the State of California, as said section existed prior to its amendment on October 10, 1911.

Section 2. The franchise (a) to use, for transmitting and distributing gas within the City of

Modeste for any and all purposes other than those authorized under said constitutional franchise, all gas pipes and appurtenances which now are or may hereafter be lawfully placed in the streets within said city, and (b) to lay and use in said streets all pipes and appurtenances necessary or proper for said purposes, is hereby granted to Pacific Gas and Electric Company upon the terms and conditions set forth in the Franchise Act of 1937.

Section 3. Said franchise shall be indeterminate, that is to say, said franchise shall endure in full force and effect until the same shall, with the consent of the Railroad Commission of the State of California, be voluntarily surrendered or abandoned by the grantee, or until the state or some municipal or public corporation thereunto duly authorized by law shall purchase by voluntary agreement or shall condemn and take under the power of eminent domain, all property actually used and useful in the exercise of said franchise and situate in the territorial limits of the state, municipal or public corporation purchasing or condemning such property, or until said franchise shall be forfeited for noncompliance with its terms by the grantee.

Section 4. The grantee of said franchise shall during the term thereof pay to said city a sum annually which shall be equivalent to two per cent of the

gross annual receipts of said grantee arising from the use, operation or possession of said franchise; provided, however, that such payment shall in no event be less than a sum which shall be equivalent to one per cent of the gross annual receipts derived by grantee from the sale of gas within the limits of such city under said franchise and said constitutional franchise.

Section 5. The grantee shall file with the clerk of said city, within three months after the expiration of the calendar year, or fractional calendar year, following the date of the granting hereof, and within three months after the expiration of each and every calendar year thereafter, a duly verified statement showing in detail the total gross receipts of such grantee during the preceding calendar year, or such fractional calendar year, from the sale of gas within said city. Such grantee shall pay to said city within fifteen days after the time for filing such statement, in lawful money of the United States, the aforesaid percentage of its gross receipts for such calendar year, or such fractional calendar year, covered by such statement. Any neglect, omission or refusal by said grantee to file such verified statement, or to pay said percentage at the time and in the manner specified, shall be grounds for the declaration of a forfeiture of this franchise and of all rights of grantee hereunder.

Section 6. This franchise is granted under and in accordance with the provisions of said Franchise Act of 1937.

Section 7. This ordinance shall become effective thirty days after its final passage, unless suspended by a referendum petition filed as provided by law.

Section 8. The grantee of said franchise shall pay to the city a sum of money sufficient to reimburse it for all publication expenses incurred by it in connection with the granting thereof; such payment to be made within thirty days after the city shall have furnished such grantee with a written statement of such expenses.

Section 9. The franchise granted hereby shall not become effective until written acceptance thereof shall have been filed by the grantee with the City Clerk.

Section 10. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the "The Modesto Bee," the official newspaper of the City of Modesto, said newspaper being one of general circulation published and circulated in said city.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1943, by Councilman Morris, who moved its adoption and passage to print as aforesaid, which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST:

Rex E. Gailfus
REX. E. GAILFUS, CITY CLERK.

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FINAL ADOPTION CLAUSE

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 July, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 28, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED Chris W. Shannon Mayor

ATTEST Rev. E. Gierfus
City Clerk

CODE SEC:
NO. 4-1.501
4-1.504
4-1.513

ORDINANCE NO. 704 N. S.

2 AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 322 N. S. OF THE
3 CITY OF MODESTO ENTITLED: "AN ORDINANCE REGULATING AND FIXING A
4 LICENSE FEE FOR THE BUSINESS OF FORTUNE TELLING," AS THEREAFTER
5 AMENDED BY ORDINANCE NO. 679 N. S., BY INSERTING IN SAID SECTION
6 1 OF SAID ORDINANCE NO. 679 N. S. THE WORDS "PALMIST OR PALMISTRY,"
7 BY ADDING TO SAID ORDINANCE NO. 322 N. S. A NEW SECTION TO BE
8 NUMBERED 3 $\frac{1}{2}$ AND AMENDING SECTION 12 OF SAID ORDINANCE NO. 322 N. S.

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

11 SECTION 1. Section 1 of Ordinance No. 322 N. S. of the
12 City of Modesto entitled: "AN ORDINANCE REGULATING AND FIXING
13 A LICENSE FEE FOR THE BUSINESS OF FORTUNE TELLING," as thereafter
14 amended by Ordinance No. 679 N. S., is hereby amended to read as
15 follows:

16 "Section 1. It shall be unlawful for any person, firm,
17 association or corporation to engage in the City of Modesto in
18 the business of fortune telling, or as a seer, astrologer, clair-
19 voyant, phrenologist, palmist or palmistry for compensation or
20 otherwise, or to act as a fortune teller, seer, astrologer, clair-
21 voyant, phrenologist or in the business of palmist or palmistry,
22 without first obtaining a license therefor from the City Council
23 and paying the license fee required by this ordinance."

24 SECTION 2. Ordinance No. 322 N. S. of said City of
25 Modesto entitled: "AN ORDINANCE REGULATING AND FIXING A LICENSE
26 FEE FOR THE BUSINESS OF FORTUNE TELLING," is hereby amended by
27 adding a new section thereto to be numbered 3 $\frac{1}{2}$ and to read as
28 follows:

29 "Section 3 $\frac{1}{2}$. Before any application herein provided for
30 shall be granted, the applicant therefor shall be finger printed
31 in the usual and approved method for the identification of said
32 applicant; said finger prints shall be retained by the Police De-
partment of said City as part of its records; and a photograph
of said applicant shall be taken and made by said Police Department,
or under its direction, and said photograph shall be permanently

1 affixed to the license issued to said applicant, if the same is
2 issued; and in the event said photograph is removed from said
3 license or becomes defaced so that the original thereof cannot
4 be identified, then said license, at the option of said City
5 Council, may immediately be revoked."

6 SECTION 3. Section 12 of said Ordinance No. 322 N. S.
7 of said City of Modesto entitled: "AN ORDINANCE REGULATING AND
8 FIXING A LICENSE FEE FOR THE BUSINESS OF FORTUNE TELLING," is
9 hereby amended to read as follows:

10 "Section 12. The applicant shall with his application
11 deposit with the City Clerk a license fee of \$500.00 for the first
12 month, and in the event the license is granted, shall be renewed
13 for periods of one month at a time until revoked, upon payment
14 of a license fee for each month at the rate of \$500.00 per month,
15 payable in advance. In event the application is not granted, the
16 applicant shall have refunded to him the license fee paid for the
17 first month, save and except the costs of the investigation
18 hereinbefore referred to, including the cost of publishing the
19 notice of the application."

20 SECTION 4. Those portions of Ordinance No. 322 N. S.
21 and Ordinance No. 679 N. S. in conflict herewith are hereby ex-
22 pressly repealed.

23 SECTION 5. This ordinance shall be published in full at
24 least once at least three days prior to its final adoption in
25 the "The Modesto Bee," the official newspaper of the City of
26 Modesto.

27 SECTION 6. This ordinance shall go into force and be
28 in full force and effect from and after 15 days after its final
29 passage and adoption.

30 The foregoing ordinance was introduced at a regular
31 meeting of the Council of the City of Modesto held on the 14th
32 day of July, 1943, by Councilman Stanley, who moved its

1 adoption and publication as aforesaid, which motion being duly
2 seconded was upon roll call carried and the ordinance ordered
3 printed and published as above by the following vote:

4
5 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

6 Noes: Councilmen: None

7 Absent: Councilmen: None

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11 APPROVED:

Carl W. Shannon
12 CARL W. SHANNON, MAYOR

13 ATTEST:

Rex E. Gailfus
14 REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 July, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 28, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED Chas. W. Shannon Mayor

ATTEST Paul C. Gaultus
City Clerk

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AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS AND EQUIPMENT FOR THE CITY OF MODESTO AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO.

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

SECTION I. The sum of Twenty Two Hundred Dollars (\$2200.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of a Truck for the Department of Public Works.

SECTION II. The sum of One Thousand Two Hundred Dollars (\$1,200.00), or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the \$5.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487 N. S., entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES AND REPEALING CERTAIN ORDINANCES." Said sum is hereby appropriated for the purpose of promotion and for the general welfare of the citizens of the City of Modesto, under and by virtue of the power conferred on said City Council by Section 67, Article 5, Charter of the City of Modesto.

SECTION III. The sum of Eight Hundred Dollars (\$800.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the maintenance of the Stanislaus County Boys' Band.

SECTION IV. The City Engineer shall, upon the adoption of this Ordinance, from time to time, as required by the Council of the City of Modesto, file with the Council plans and specifications, where necessary, for the materials and construction work outlined above; and the City Clerk shall, from time to time as directed by

1 the Council, advertise for bids for said materials and construction
2 work, when necessary, and bids shall be received and accepted and
3 contracts awarded therefor as the Council may hereafter by
4 resolution determine and prescribe.

5 SECTION V.: This Ordinance shall go into effect from and
6 after fifteen days after its final passage and adoption. It shall
7 be published in full at least once, at least three days prior to
8 its final adoption in the Modesto Bee, the official Newspaper of
9 the City of Modesto.

10 The foregoing Ordinance was introduced at a regular meeting
11 of the Council of the City of Modesto held on August 4, 1943, by
12 Councilman Neece, who moved its adoption and passage
13 to print, which motion was duly seconded, was carried and the
14 Ordinance ordered printed and published by the following vote:

15 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

16 Noes: Councilmen: None

17 Absent: Councilmen: None

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20 APPROVED: Paul W. Shannon (SIGNED)
MAYOR

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22 ATTEST: Ray E. Gueffus (SIGNED)
CITY CLERK
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FINAL ADOPTION CLAUSE

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 4th day of August 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 11, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Lucas Shannon
MAYOR

ATTEST

Ray E. Gaeffus
CITY CLERK

SPECIAL
NO. IN CODE

ORDINANCE NO. 706-N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1943-1944

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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, 1943, and ending June 30, 1944, the rates of taxation, hereinafter specified, said rates being upon each One Hundred Dollars (\$100.00) of the valuation according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND-----\$.87
on each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND:

(a) Municipal Improvement Bonds of 1910-----\$.016

(b) Municipal Improvement Bonds of 1911----- .005

(c) Municipal Improvement Bonds of 1912----- .013

(d) Municipal Improvement Bonds of 1919----- .015

(e) Municipal Improvement Bonds of 1920 (Jan.) .065

(f) Municipal Improvement Bonds of 1920 (June) .011

(g) Municipal Improvement Bonds of 1923----- .015

BEING A TOTAL OF-----.14
For each One Hundred Dollars in valuation of property taxable for the redemption of bonds and the payments of interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND-----.09
On each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT----- \$1.10
On each One Hundred Dollars valuation as determined by the equalized assessment roll for the year 1943-44 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 to those required to be levied under the general laws of the State of California for the purpose of paying principal and interest on street improvement and interest on street improvement bonds in local improvement districts

SECTION 2

1 BE IT FURTHER PROVIDED that anything to the contrary hereto-
2 fore set forth, there shall be and there is hereby declared to be a
3 different rate of taxation levied upon certain property situate in
4 the City of Modesto, to-wit, Southern Campus Tract, Hawkins Tract,
5 that portion of the Leslie-Hugh Tract recently annexed to the City
6 of Modesto, La Linda Tract, John Muir Park, Northwood and Esgar
7 Tracts. Said tax rate for said Southern Campus Tract, Hawkins
8 Tract, that portion of the Leslie-Hugh Tract annexed, La Linda
9 Tract, John Muir Park, Northwood Tract and Esgar Tract, as afore-
10 said shall be and is hereby declared to be as follows:

11 FOR THE GENERAL FUND-----\$.87
12 On each one Hundred Dollars taxable valuation

13 FOR THE LIBRARY FUND----- .09
14 On each One Hundred Dollars of taxable valuation

15 THE AGGREGATE OF SAID SUMS, TO-WIT: \$.96
16 on each One Hundred Dollars valuation, as
17 determined by the equalized assessment
18 roll for the year 1943-44
19 1944-45

20 The tax rate upon said Southern Campus Tract, Hawkins Tract
21 That portion of the Leslie-Hugh Tract now a portion of the City of
22 Modesto, La Linda Tract, John Muir Park, Northwood Tract and Esgar
23 Tract is different from the tax rate herein set for the balance of
24 the property within the City of Modesto by reason of the fact that
25 said territory has recently been annexed to and made a part of the
26 City of Modesto under a provision of the State Law which does not
27 permit the said City to levy taxes upon said annexed property for
28 any past bonded indebtedness owed by said City and incurred before
29 said territory became a part of said City.

30 SECTION 3

31 This ordinance shall take effect immediately upon its
32 final passage and adoption.

SECTION 4

This ordinance shall be published in full at least once at
least three days prior to its final adoption in the The Modesto

1 Bee, the official newspaper of the City of Modesto.

2 The foregoing ordinance was introduced at a regular meeting
3 of the Council of the City of Modesto held on the 11th day of
4 August, 1943 by Commissioner Neece, who moved its adoption
5 and passage to print, which motion being duly seconded, the ordi-
6 nance was upon roll call ordered printed and published as required
7 by the Charter of the City of Modesto by the following vote:

8 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannen

9 Noes: Councilmen: None

Absent: Councilmen: None

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11 APPROVED Shannen
12 MAYOR

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14 ATTEST P. E. Gierfus
15 CITY CLERK

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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 11th day of August, 1943, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of August 25, 1943, it was upon roll call so finally adopted
9 by the following vote:

10 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen; None

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14 APPROVED: *Oliver Shannon*
MAYOR

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16 ATTEST: *Paul E. Gaidus*
CITY CLERK
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2 AN ORDINANCE AMENDING ORDINANCE NO. 506 N. S. OF THE CITY OF MO-
3 DESTO ENTITLED "AN ORDINANCE REGULATING THE INSTALLATION, REPAIR,
4 OPERATION, AND MAINTENANCE OF ELECTRICAL WIRING AND EQUIPMENT
5 WITHIN THE CITY OF MODESTO, PROVIDING FOR LICENSES, REGISTRATIONS,
6 PERMITS, INSPECTIONS AND APPROVAL OF ELECTRICAL WORK, THE PAYMENT
7 OF FEES THEREFOR AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF
8 THIS ORDINANCE," IN THE FOLLOWING RESPECTS: BY AMENDING PARAGRAPH
9 22 OF SECTION 7 OF SAID ORDINANCE NO. 506 N. S., BY AMENDING PARA-
10 GRAPH 2 OF "SERVICE EQUIPMENT PRINT NO. 1," BY AMENDING PARAGRAPH
11 2 OF "SERVICE EQUIPMENT PRINT NO. 2," BY AMENDING PARAGRAPH 2 OF
12 "SERVICE EQUIPMENT PRINT NO. 3," AS THE SAME ARE MENTIONED AND RE-
13 FERRED TO IN PARAGRAPH 1 OF SECTION 12 OF SAID ORDINANCE NO. 506
14 N. S., BY AMENDING SECTION 12 (A) OF SAID ORDINANCE NO. 506 N. S.,
15 AND BY AMENDING PARAGRAPH 1 OF SECTION 12 (B) OF SAID ORDINANCE.

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

12 SECTION 1. Paragraph 22 of Section 7 of Ordinance No. 506
13 N. S. of the City of Modesto entitled, "AN ORDINANCE REGULATING
14 THE INSTALLATION, REPAIR, OPERATION, AND MAINTENANCE OF ELECTRICAL
15 WIRING AND EQUIPMENT WITHIN THE CITY OF MODESTO, PROVIDING FOR
16 LICENSES, REGISTRATIONS, PERMITS, INSPECTIONS AND APPROVAL OF
17 ELECTRICAL WORK, THE PAYMENT OF FEES THEREFOR AND PROVIDING FOR
18 PENALTIES FOR THE VIOLATION OF THIS ORDINANCE," is hereby amended
19 to read as follows, to-wit:

20 "Convenience outlets in domestic installations shall be
21 wired on circuits not smaller than No. 12 gauge B. and S. wire
22 with a maximum of eight (8) outlets for each circuit, provided,
23 however, that on domestic services of not more than two (2) cir-
24 cuits, one of said circuits may have a maximum of nine (9) outlets."

25 SECTION 2. Paragraph 2 of "Service Equipment Print No. 1",
26 Paragraph 2 of "Service Equipment Print No. 2", Paragraph 2 of
27 "Service Equipment Print No. 3", as the same are mentioned and
28 referred to in Paragraph 1 of Section 12 of said Ordinance No. 506
29 N. S., entitled as aforesaid, is hereby amended to read as follows,
30 to-wit:

31 "2. This box shall be built from metal of not less than 20
32

1 gauge, or of asbestos or asbestos fibre and cement products in sheets
2 of not less than one-quarter ($\frac{1}{4}$) inch in thickness. The box
3 shall be made weather proof."

4 SECTION 3. Section 12 (A) of said Ordinance No. 506 N. S.
5 entitled as aforesaid is hereby amended to read as follows, to-wit:

6 "(A) Every service or sub-feed wires shall be installed in
7 rigid conduit, electric metallic tubing, or armored service
8 entrance cable."

9 SECTION 4. Paragraph 1 of Section 12 (B) of said Ordinance
10 No. 506 N. S. entitled as aforesaid is hereby amended to read as
11 follows, to-wit:

12 "(B) All wires larger than No. 10 B. and S. gauge shall be
13 run in rigid conduit, electric metallic tubing, or armored ser-
14 vice entrance cable. On domestic alterations where it becomes
15 necessary to move the service to another location on the same
16 premises and the equipment is already in an approved metal en-
17 closure, the same equipment may be used, providing it is in ac-
18 cordance with all other requirements of this Ordinance."

19 SECTION 5. This ordinance shall take effect and be in full
20 force and operation from and after fifteen (15) days after its
21 final passage and adoption.

22 SECTION 6. This ordinance shall be printed and published in
23 full at least once at least three days prior to its final adoption
24 in the "The Modesto Bee," the official newspaper of the City of
25 Modesto.

26 The foregoing ordinance was introduced at a regular meeting
27 of the Council of the City of Modesto held on the 11th day of
28 August, 1943, by Councilman MORRIS, who moved its
29 adoption and passage to print as aforesaid, which motion being
30 duly seconded, was upon roll call carried, and the ordinance
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ordered published as above by the following vote:

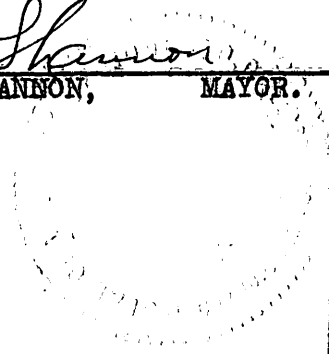
Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR.

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK



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FINAL ADOPTION CLAUSE

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 August, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 25, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen; None

APPROVED: *Clare Shannon*
MAYOR

ATTEST: *Paul E. Gault*
CITY CLERK

REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING ORDINANCE NO. 569 N. S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES" AS THEREAFTER AMENDED, BY ADDING A NEW SECTION THERETO TO BE NUMBERED 110.1.

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

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SECTION 1. Ordinance No. 569 N. S. of the City of Modesto entitled "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING CONFLICTING ORDINANCES," as thereafter amended, is hereby amended by adding a new section thereto to be numbered 110.1 and to read as follows:

"Section 110.1. A one-story dwelling unit containing 6 plumbing fixtures or less shall have at least one (1) three (3) inch vent stack, and no water closet or fixtures shall discharge into a house drain unless said drain is made of cast iron as provided for in this Ordinance and its inside diameter is not less than three (3) inches.

"All of the provisions of Ordinance No. 569 N. S. shall

1 remain in full force and effect, except those in conflict with
2 this section."

3 SECTION 2. This ordinance shall take effect and be in
4 full force and operation from and after fifteen (15) days after
5 its final passage and adoption.

6 SECTION 3. This ordinance shall be printed and published
7 in full at least once at least three days prior to its final
8 adoption in the "The Modesto Bee," the official newspaper of the
9 City of Modesto.

10 The foregoing ordinance was introduced at a regular meet-
11 ing of the Council of the City of Modesto held on the 11th day of
12 August, 1943, by Councilman Morris, who moved its
13 adoption and passage to print as aforesaid, which motion being
14 duly seconded, was upon roll call carried, and the ordinance or-
15 dered published as above by the following vote:

16
17 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

18 Noes: Councilmen: None

19 Absent: Councilmen: None
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23 APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

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25 ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK
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1 the City of Modesto.

2 SECTION 4. When and after said taximeters are installed,
3 and in any event not later than 180 days from the effective date
4 of this ordinance, an ordinance regulating the use and operation
5 of taxis and taxicabs upon the public streets of the City of
6 Modesto and its environs, and requiring the use and installation
7 of taximeters, with such additional and appropriate conditions as
8 may be deemed necessary, proper and expedient by said Council,
9 shall be enacted and passed by said Council, and shall become an
10 official ordinance of said City.

11 SECTION 5. Nothing herein contained is intended to mean
12 and it shall not be construed to mean that if it is impossible to
13 procure new taximeters within the time above limited, that good,
14 accurate, rebuilt taximeters in good, dependable mechanical condi-
15 tion, suitable for the purposes for which they were originally
16 intended, cannot be used or installed in such taxis or taxicabs
17 as hereinabove provided, but in such event such rebuilt taximeters
18 shall be of such type, style and design as shall be approved by
19 said City Council.

20 SECTION 6. The City Council of the City of Modesto hereby
21 finds and declares that this ordinance is necessary for the im-
22 mediate preservation of the welfare and safety and protection of
23 the citizens and residents of the City of Modesto by reason of
24 the following facts:

25 That it has come to the notice and attention of said
26 Council of said City that numerous and justifiable complaints have
27 been made for some time past and are now being made that excessive,
28 unfair and unjust charges and/or fares have been demanded and col-
29 lected by operators of taxis and/or taxicabs within said City and
30 its environs, to the damage, detriment and inconvenience and an-
31 noyance of divers persons patronizing said taxis or taxicabs.
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1 This ordinance shall therefore take effect immediately
2 upon its final passage and adoption.

3 SECTION 7. This ordinance shall be published in full at
4 least once, at least three days prior to its final adoption, in
5 the "The Modesto Bee," the official newspaper of the City of
6 Modesto.

7 The foregoing ordinance was introduced at a regular meet-
8 ing of the Council of the City of Modesto, held on the 9th day of
9 February, 1944, by Councilman Stanley, who moved its
10 adoption and publication as aforesaid, which motion being duly
11 seconded was upon roll call carried, and the ordinance ordered
12 printed and published as above, by the following vote:

13
14 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

15 Noes: Councilmen: None

16 Absent: Councilmen: None
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20 APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR.

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23 ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 9th day of February, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 11th day of August, 1943, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of August 25, 1943, it was upon roll call so finally adopted
9 by the following vote:

10 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen; None

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14 APPROVED: Carroll Shannon
MAYOR

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16 ATTEST: Ray E. Gaudin
CITY CLERK

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ORDINANCE NO. 709-N.S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF AN AUTOMOBILE OR AUTOMOBILES FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO

---oOo---

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

SECTION 1. The sum of Two Thousand (\$2000.00), Dollars or so much thereof as may be necessary is hereby appropriated from the General Fund of the City of Modesto for the purchase of an automobile or automobiles for the Police Department of said City

SECTION 2. The Council of the City of Modesto hereby finds and declares that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Modesto and persons therein by reason of the following facts:

That one of the automobiles belonging to the City and utilized by the Police Department of said city for the suppression of crime and apprehension of criminals has been in such a state of disrepair and it has been impossible to purchase the necessary parts to repair it that a new automobile to be used in such work is immediately necessary.

This ordinance shall therefore take effect immediately upon 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 The Modesto Bee, the official paper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 10th day of September, 1943 by Councilman Neece, 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:

1 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
2 Noes: Councilmen: None
3 Absent: Councilmen: None

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5 APPROVED *Carl W. Shannon*
6 CARL W. SHANNON, MAYOR

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8 ATTEST *Rex E. Gallfus*
9 REX E. GALLFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 September, 1943 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 22, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

C. J. Stanley
ACTING MAYOR

ATTEST

Ray C. Gailfus
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 710 N. S.

AN ORDINANCE REPEALING ORDINANCE NO. 690 N. S. OF THE CITY OF
MODESTO ENTITLED: "AN ORDINANCE OF THE CITY OF MODESTO RE-
LATING TO RESTRICTED LIGHTING."

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THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN AS FOLLOWS:

SECTION 1. Ordinance No. 690 N. S. of the City of Modesto, entitled: "AN ORDINANCE OF THE CITY OF MODESTO RELATING TO RESTRICTED LIGHTING" is hereby expressly repealed.

SECTION 2. This ordinance is required for the immediate preservation of the public peace, health and safety, and shall take effect immediately/ upon its final passage and adoption. The following is the statement of facts constituting such urgency: The United States of America is at war and by reason of the danger of enemy attacks upon war utilities, war materials and war premises, a military zone of restricted lighting was heretofore established. Because of recent developments, Lieutenant General Delos C. Emmons, Commanding General of the Western Defense Command, issued his Proclamation No. 19, dated October 10, 1943, modifying and changing certain restrictions in said military zone, in which the City of Modesto is situate; that said Proclamation No. 19 became effective on said October 10, 1943, and it is necessary that said Ordinance No. 690 N. S. of the City of Modesto entitled as above set forth be ~~immediately~~ repealed.

SECTION 3. This ordinance shall be published in full at least once at least three days prior to its final adoption in the "The Modesto Bee," the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 20th day of October, 1943, by Councilman Neece, 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:

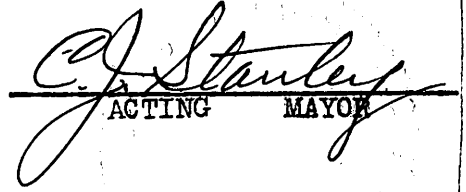
Ayes? Councilmen: Neece, Burge, Acting Mayor Stanley.

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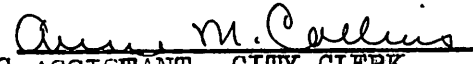
Noes: Councilmen: None

Absent: Councilmen: Morris and Mayor Shannon.

APPROVED:


ACTING MAYOR

ATTEST:


ACTING ASSISTANT - CITY CLERK

FINAL ADOPTION CLAUSE

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 20th day of October, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 27, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Neenan, Stanley, Mayors Shannon Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED: Carl W. Shannon
MAYOR

ATTEST: Ray E. Gaeffus
CITY CLERK

NOT SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE ALTERATION AND REMODELING OF A PORTION OF THE BUILDING AT 717 TENTH STREET.

--oOo--

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

SECTION I. The sum of Eighteen Hundred Dollars (\$1800.00) or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the alteration and remodeling of a portion of the City owned building at 717 Tenth Street.

SECTION II. The City Engineer shall, from time to time, as required by the Council of the City of Modesto, file with said Council plans and specifications, where necessary, and the City Clerk shall be directed by the Council to advertise for bids for the performing of the work herein stated, when necessary, and bids shall be received and accepted and contracts awarded therefor as the Council may hereafter by Resolution determine and prescribe.

SECTION III. This Ordinance is required for the immediate preservation of public peace, health and safety, and shall take effect immediately upon its final passage and adoption.

The following is the statement of facts constituting such urgency:

WHEREAS, the Health Officer of Stanislaus County is now performing the functions of the Health Department of the City of Modesto with certain exceptions, and

WHEREAS, the Attorney General of the State of California has rendered his opinion in writing to the effect that said Contract with the County of Stanislaus is in his opinion invalid, and

WHEREAS, the City Council of the City of Modesto has notified the Board of Supervisors of Stanislaus County to terminate said Contract, and

1 WHEREAS, it is the opinion of the City Council that
2 greater efficiency and service can be gained by operating the
3 Health Department along with its many other departments.

4 NOW, THEREFORE, BE IT RESOLVED by the City Council of
5 the City of Modesto that the Health Department be operated by
6 said Council from and after termination of the Contract with
7 the Board of Supervisors of Stanislaus County.

8 The foregoing ordinance was introduced at a special
9 meeting of the Council of the City of Modesto held on the 3rd
10 day of November, 1943, by Councilman Stanley ^{Berkeley}, who moved its
11 adoption and passage to print, which motion being duly seconded
12 was upon roll call carried and the ordinance ordered printed and
13 published as above by the following vote:

14 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

15 Noes: Councilmen: None

16 Absent: Councilmen: None

17 APPROVED

Carl W. Shannon
Carl W. Shannon, Mayor

18 ATTEST

Rex E. Gailfus
Rex E. Gailfus, City Clerk

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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 3rd day of November, 1943, and
6 subsequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of November 10, 1943, it was upon roll call so finally
9 adopted by the following vote:

10 Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Burge

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14 APPROVED: Ray W. Shannon
MAYOR

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17 ATTEST: Ray E. Gailford
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 712-N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF MODESTO

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

Section 1. The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows:

City Clerk, who likewise occupies the offices of Auditor and Assessor the sum of \$3720.00 per annum.

City Treasurer and Collector, the sum of \$3720.00 per annum

City Attorney, the sum of \$3120.00 per annum

Chief of Police, the sum of \$4200.00 per annum

Fire Chief, the sum of \$4200.00 per annum,

Health Officer, the sum of \$3600.00 per annum

City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$5520.00 per annum.

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials.

Section 3. This ordinance shall take effect and be in full force and operation fifteen (15) days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit: the The Modesto Bee.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1943 by Councilman Stanley, who moved its adoption and passage to print as aforesaid, which motion being duly seconded

1 was upon roll call carried and the ordinance ordered published as
2 above by the following vote:

3 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

6 APPROVED *Carl W. Shannon*
CARL W. SHANNON, MAYOR

7
8 ATTEST *Rex E. Gailfus*
9 REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 3rd day of November, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 10, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burge

APPROVED: Paul W. Shannon
MAYOR

ATTEST: Paul E. Gueffier
CITY CLERK

Received
by Ord 777-NS

ORDINANCE NO. 713 N. S.

AN ORDINANCE AMENDING ORDINANCE NO. 569 N. S. OF THE CITY OF
MODESTO ENTITLED: "AN ORDINANCE PROVIDING FOR THE PROTECTION OF
THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENS-
ING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING
AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION
OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OF-
FICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND
PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS: ESTABLISHING
MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF
PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVID-
ING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING
ORDINANCES," AS THEREAFTER AMENDED, BY ADDING A NEW SECTION THERETO
TO BE NUMBERED 48.1 AND AMENDING SECTION 132 AND SECTION 137 (a).

MUNICIPAL CODE

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

SECTION 1. Ordinance No. 569 N. S. of the City of Modesto
entitled: "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC
HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS
ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF
PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION
OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING
INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR
DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS
FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE
SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE
VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES," as there-
after amended, is hereby amended by adding a new section thereto
to be numbered 48.1 and to read as follows, to-wit:

REPEALED BY
MUNICIPAL CODE

"Section 48.1. FIBRE PIPE. All fibre pipe and fittings
shall be made of cellulose fibre 25% by weight and coal tar pitch
75% by weight.

Range of size and weight permitted:

Inside Diameter	Laying Length	Weight Per Foot
4"	6' to 8' Feet	2.7 Pounds

All joints when connecting to vitrified clay pipe or metal
pipe shall be made with approved hot poured jointing materials as
specified in Section 65."

1 SECTION 2. Section 132 of said Ordinance No. 569 N. S.
2 of the said City of Modesto is hereby amended to read as follows,
3 to-wit:

4 "Section 132. HOUSE SEWERS IN MADE GROUND. The house
5 sewer or any other drainage piping serving in the capacity of a
6 house sewer, when laid in made or loose filled in ground, the
7 said ground shall first be well puddled and tamped."

8 SECTION 3. Section 137 (a).of said Ordinance No. 569
9 N. S. of the said City of Modesto is hereby amended to read as
10 follows, to-wit:

11 "Section 137 (a). HOUSE DRAIN AND HOUSE SEWER MATERIALS.
12 The house sewer, beginning three (3) feet outside of the building
13 line, shall be cast iron pipe, vitrified clay pipe or fibre pipe
14 of approved standards. Fibre pipe shall not be used where it is
15 exposed to continuous and sustained high temperature."

16 SECTION 4. This ordinance shall take effect and be in
17 full force and operation from and after fifteen (15) days after
18 its final passage and adoption.

19 SECTION 5. This ordinance shall be printed and published
20 in full at least once at least three days prior to its final
21 adoption in the "The Modesto Bee," the official newspaper of the
22 City of Modesto.

23 The foregoing ordinance was introduced at a special
24 meeting of the Council of the City of Modesto held on the 17th
25 day of November, 1943, by Councilman Morris, who
26 moved its adoption and passage to print as aforesaid, which motion
27 being duly seconded, was upon roll call carried, and the ordinance
28 ordered published as above by the following vote:

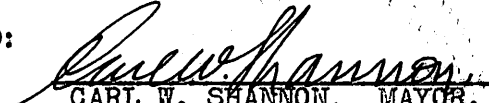
29
30 AYES: COUNCILMEN: Burge, Morris, Neece, Stanley, Mayor Shannon

31 NOES: COUNCILMEN: None
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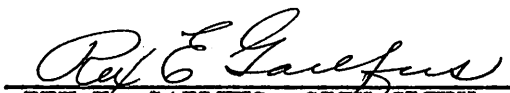
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ABSENT: COUNCILMEN: None

APPROVED:


CARL W. SHANNON, MAYOR.

ATTEST:


REX E. GAILFUS, CITY CLERK.

FINAL ADOPTION CLAUSE

3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 17th day of November, 1943, and
6 subsequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of November 24th, 1943, it was upon roll call, so finally
9 adopted by the following vote:

10 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

14 APPROVED: Charles Shannon
MAYOR

16 ATTEST: Ray E. Gausman
CITY CLERK

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Repealed by Ord 1044-N.S.

ORDINANCE NO. 714-N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 1-N.S. AS THEREAFTER AMENDED BY ORDINANCE NO. 108-N.S. RELATING TO THE AMOUNTS OF THE OFFICIAL BONDS REQUIRED TO BE FURNISHED BY CERTAIN PUBLIC OFFICERS OF THE CITY OF MODESTO

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SECTION 1: Section 1 of Ordinances No. 1-N.S. and 108-N.S. of the City of Modesto is hereby amended to read as follows:

"The respective public officers of the City of Modesto shall, before entering upon the duties of their respective offices, execute to the City of Modesto, a bond in the following penal sums, conditioned for the faithful performance of their respective duties, to-wit;

- City Clerk--a bond in the penal sum of Ten Thousand Dollars;
- City Auditor-a bond in the penal sum of Five Thousand Dollars;
- City Assessor-a bond in the penal sum of Twenty Five Hundred Dollars;
- City Treasurer-a bond in the penal sum of Eighty Thousand Dollars;
- City Collector-a bond in the penal sum of Fifteen Thousand Dollars;
- Chief of Police-a bond in the penal sum of Five Thousand Dollars;
- Health Officer-a bond in the penal sum of Five Thousand Dollars;
- City Engineer-a bond in the penal sum of Five Thousand Dollars;
- Police Judge-a bond in the penal sum of Twenty Five Hundred Dollars;

SECTION 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be printed and published in full at least once and at least three days prior to its final passage and adopted in the Modesto Bee;

SECTION 4: This ordinance shall take effect and be in force from and after fifteen days after its final passage.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of November, 1943 by Councilman Neece, who moved its adoption and passage to print as aforesaid, which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

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Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 November 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 8, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl H. Shannon
MAYOR

ATTEST: Ray E. Gaudin
CITY CLERK

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CODE SEC
NO. 8-1.701
8-1.104
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ORDINANCE NO. 715 N. S.

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AN ORDINANCE OF THE CITY OF MODESTO CREATING A FUND FOR CAPITAL OUTLAYS.

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

SECTION 1. A fund is hereby created for capital outlays under the provisions of that certain Act of the Legislature of the State of California, entitled: "AN ACT TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES AND ASSESSMENTS FOR THE PURPOSE OF CREATING A FUND FOR CAPITAL OUTLAYS BY CITIES, COUNTIES, CITIES AND COUNTIES OR DISTRICTS," approved July 1, 1937, and being Chapter 717 of the Statutes of 1937, as thereafter amended by Chapter 341, Statutes of 1941, page 1590.

SECTION 2. Such fund shall be known as "Special Fund for Capital Outlays" and it shall remain inviolate for the making of such capital outlays as the City Council shall direct to be made from such funds, and no moneys shall be disbursed therefrom excepting for such a purpose, excepting upon consent of the electors obtained, as provided in said Act.

SECTION 3. Taxes may be levied upon the taxable property in said City for the raising of moneys for said fund, but no levy so made shall exceed the limitation imposed by Section 51 of the Charter of the City of Modesto upon the right of said City to impose taxes, except as provided in Subdivision 17 of Section 4 of said Charter.

SECTION 4. The City Council may transfer to such fund any unincumbered surplus funds remaining on hand in the City at the end of any fiscal year.

SECTION 5. This ordinance shall take effect and be in full force and operation from and after 15 days after its final passage and adoption.

SECTION 6. This ordinance shall be published in full at

1 least once at least three (3) days prior to its final adoption in
2 the "The Modesto Bee," the official newspaper of the City of
3 Modesto.

4 The foregoing ordinance was introduced at a special meeting
5 of the Council of the City of Modesto held on the 15th day of
6 December, 1943, by Councilman Neece, who moved its
7 adoption and passage to print as aforesaid, which motion being
8 duly seconded, was upon roll call carried, and the ordinance
9 ordered published as above by the following vote:

10
11 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

12 Noes: Councilmen: None

13 Absent: Councilmen: None
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18 APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

19 ATTEST:

20 Rex E. Gailfus
21 REX E. GAILFUS, CITY CLERK.
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FINAL ADOPTION CLAUSE

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 15th day of December, 1943, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 22, 1943, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *W. E. Gifford*
CITY CLERK

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ORDINANCE NO. 716 N. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 10 N. S. OF THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE RELATING TO THE OFFENSE OF MISDEMEANOR; SPECIFYING ACTS AND OMISSIONS WHICH, WITHIN THE CITY OF MODESTO, CONSTITUTE THE SAME, AND FIXING THE PENALTIES THEREOF."

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

SECTION 1. Section 2 of Ordinance No. 10 N. S. of the City of Modesto, entitled: "AN ORDINANCE RELATING TO THE OFFENSE OF MISDEMEANOR; SPECIFYING ACTS AND OMISSIONS WHICH, WITHIN THE CITY OF MODESTO, CONSTITUTE THE SAME, AND FIXING THE PENALTIES THEREOF," is hereby amended to read as follows, to-wit:

Section 2. FIRE-ARMS, FIREWORKS, ETC. It shall be unlawful and a misdemeanor:

(a) For any person to fire or discharge any pistol, gun, rifle, fire-arm, cannon, anvil loaded with powder, bow, air gun, or other device whereby shot, bullet or other dangerous missile is discharged or projected within the corporate limits of the City of Modesto; provided, that with the permission of the Mayor of said City first had and obtained, cannon or anvils may be discharged at any point in such permission specified, and that any person may within or upon his own premises shoot dangerous or destructive beasts.

(b) To fire, discharge or set off, unless under and by virtue of the written permit of the Council first had and obtained, any cracker, rocket, boom, bomb, torpedo, squib, chaser, Roman candle or any other kind of fireworks.

(c) Provided, however, that nothing herein contained shall prohibit or prevent maintaining, conducting and/or carrying on shooting ranges or galleries within said City for rifle or pistol target practice where cartridges of the character and calibre commonly known as "22 ^{Calibre} ~~short~~", and of no other calibre or size are used in such target practice. Provided, also, that

1 consent, in writing, to the maintaining, conducting and/or carry-
2 ing on of such shooting ranges or galleries shall first be had
3 and obtained from the City Council of the City of Modesto, and
4 the opening, maintaining, conducting and/or carrying on thereof
5 shall at all times be subject to and under the control and direction
6 of said City Council.

7 (d) It is hereby expressly provided that nothing con-
8 tained in this ordinance shall in any manner affect or be con-
9 strued as affecting or changing the provisions of Section 114 of
10 Ordinance No. 487 N. S. of the City of Modesto (Business License
11 Ordinance).

12 SECTION 2. This ordinance shall go into effect and be in
13 full force and operation from and after 15 days after its final
14 passage and adoption.

15 SECTION 3. This ordinance shall be published in full at
16 least once at least three days prior to its final adoption in
17 the "The Modesto Bee," the official newspaper of the City of
18 Modesto.

19 The foregoing ordinance was introduced at a regular
20 meeting of the Council of the City of Modesto held on the 22^d
21 day of December, 1943, by councilman Stanley, who moved
22 its adoption and passage to print, which motion being duly seconded
23 was upon roll call carried and the ordinance ordered printed and
24 published as above by the following vote:

25 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
26 Noes: Councilmen: None
27 Absent: Councilmen: None

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30 ATTEST:

31 Carl E. Gailfus
32 REX E. GAILFUS, CITY CLERK

APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

Ordinance 716 N.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

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 22nd day of December, 1943 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 12, 1944, it was upon roll Call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burge

APPROVED:

Shannon

ATTEST:

Pat E. Gausfus

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ORDINANCE NO. 717 N. S.

AN ORDINANCE OF THE CITY OF MODESTO REGULATING THE SALE OR DISPOSAL OF ELECTRICAL MATERIALS, DEVICES AND APPLIANCES.

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

SECTION 1. SCOPE: From and after the effective date of this ordinance, no person, firm or corporation shall sell, offer for sale, loan, rent, dispose of by gift or premium, give or otherwise furnish, provide or make available for use any electrical material, device or appliance, designed or intended for attachment, directly or indirectly to any electrical system, circuit or electrical service for light, heat or power in the City of Modesto unless such electrical material, device or appliance complies with the provisions of this ordinance.

SECTION 2. RATING: All electrical materials, devices and appliances, designed or intended for attachment, directly or indirectly to any electrical system, circuit or electrical service for light, heat or power shall be only those which conform with the requirements of this ordinance and of rules and regulations adopted pursuant hereto. Each such article shall bear or contain the maker's name, trademark or identification symbol, together with such rating by the manufacturer as may be necessary to determine the intended use. The correct operating volts and amperes or volts and watts shall be stated and no person, firm or corporation shall remove, alter, deface or obliterate any such marking.

SECTION 3. ADOPTION OF STANDARDS: All electrical materials, devices and appliances covered by and intended to be regulated by this ordinance shall conform with the code of safety standards for such materials, devices and appliances hereby adopted and approved, entitled "Code of Standards for Electrical Materials, Devices and Appliances in the City of Modesto," which code is hereby adopted by reference as though herein set out in full. Three copies of

1 such code are on file for use and examination by the public in the
2 office of the City Clerk of said City.

3 SECTION 4. DECLARATION OF LEGISLATIVE POLICY AS TO SAFETY
4 STANDARDS: The City Council hereby declares that the national
5 safety standards for such materials, devices and appliances on
6 file in the office of the United States Bureau of Standards are
7 the minimum standards required to provide an adequate degree of
8 safety to life and property in said City, and further declares
9 that it has incorporated said national safety standards in its
10 "Code of Standards for Electrical Materials, Devices and Ap-
11 pliances in the City of Modesto."

12 The City Council hereby declares that there is need for
13 uniformity between national safety standards and local standards
14 and that it is one of the objects of this ordinance that as tech-
15 nological progress and refinements are made in national safety
16 standards that similar progress and refinements be made in local
17 safety standards, and to that end the City Council hereby declares
18 that it is necessary that certain administrative rule making power
19 be vested in the City Electrician or his duly authorized agent or
20 inspector of said City in order to carry out the intent and purpose
21 of this ordinance and to provide the City and its inhabitants with
22 the degree of safety required to adequately safeguard life and
23 property in said City.

24 SECTION 5. ADMINISTRATIVE POWERS OF THE CITY ELECTRICIAN
25 OR HIS DULY AUTHORIZED AGENT OR INSPECTOR: Whenever the City
26 Electrician or his agent or inspector of the City shall determine
27 that there is a lack of uniformity between the national safety
28 standards on file in the office of the United States Bureau of
29 Standards and the code of standards adopted by this ordinance, and
30 as and when refinements are made in the national safety standards
31 which have not been incorporated as a part of the code of standards
32 hereby adopted, the City Electrician or his agent or inspector is

1 hereby empowered to adopt and promulgate such rules and regula-
2 tions as he shall deem necessary to bring such code of standards
3 into harmony with the national safety standards. Before any rule
4 or regulation may be adopted hereunder, the proposed rule or
5 regulation, in writing, dated and signed by such officer, shall
6 be filed with the said "Code of Standards for Electrical Materials,
7 Devices and Appliances in the City of Modesto" hereby adopted.
8 Three copies of such rule or regulation shall be filed with the
9 three copies of the said code on file in the office of the City
10 Clerk. Such copies shall be available for use and examination
11 by the public. Thereupon and thereafter such rule or regula-
12 tion shall have full force and effect as though originally set
13 forth in the code of standards hereby adopted.

14 SECTION 6. EVIDENCE OF COMPLIANCE: Listing or labeling
15 of materials, devices and appliances by the Underwriters Labora-
16 tories, Inc. or other testing laboratory approved by the City
17 Electrician or his agent or inspector as complying with standards
18 on file with the United States Bureau of Standards may be accepted
19 by the City Electrician or his agent or inspector as prima facie
20 evidence of the conformity of such materials, devices and ap-
21 pliances with corresponding provisions of the code of standards of
22 said City or of corresponding rules and regulations adopted
23 hereunder.

24 SECTION 7. WHERE NO STANDARDS HAVE BEEN PROVIDED FOR:
25 Where no standards have been adopted for any such materials, de-
26 vices or appliances, the City Electrician or his agent or
27 inspector may require that such materials, devices or appliances
28 be submitted to a testing laboratory or laboratories deemed
29 qualified by him for testing same. Upon receipt of a report
30 from such laboratory or laboratories, he may designate a stand-
31 ard for each such article submitted and tested, which designation
32 shall be in writing and shall be adopted and promulgated as a

1 rule or regulation in the manner herein provided. Any such stand-
2 ards so prescribed shall be designed to provide as a minimum the
3 degree of safety to life and property as is required by the stand-
4 ards hereby adopted for materials, devices or appliances of similar
5 or related character or nature.

6 SECTION 8. REVOCATION OF APPROVAL: Any approval granted
7 by the City Electrician or his agent or inspector may be revoked
8 by him if the electrical materials, devices or appliances are
9 found to be hazardous to life and property for the purpose used
10 or intended, or do not conform with the standards under which
11 they were approved for use. Before any approval may be withdrawn,
12 the City Electrician or his agent or inspector shall give notice
13 in writing to the person to whom approval was granted of his in-
14 tention to withdraw approval and shall afford such person an
15 opportunity to be heard with respect thereto at a public hearing
16 to be held thereon. In the event that approval is withdrawn or
17 modified by the City Electrician or his agent or inspector after
18 such hearing, any person aggrieved thereby may appeal from the
19 ruling of the City Electrician or his agent or inspector to the
20 City Council in the manner provided in this ordinance for the con-
21 sideration by the Council of appeals.

22 SECTION 9. EXCEPTIONS: MATERIALS OTHERWISE COVERED: The
23 provisions of this ordinance shall not apply to electrical
24 materials, devices and appliances which are the subject matter
25 of regulation in City building and wiring ordinances heretofore
26 adopted and in effect as of the date hereof.

27 SECTION 10. EXCEPTIONS: VEHICLES: The provisions of
28 this ordinance shall not apply to motor vehicles or to motor
29 vehicle equipment.

30 SECTION 11. EXCEPTIONS: LOW VOLTAGE DEVICES: The pro-
31 visions of this ordinance shall not apply to electrical materials,
32 devices or appliances designed or intended for attachment directly

1 or indirectly to any electrical system, circuit or electrical
2 service for light, heat or power operating at a primary voltage
3 of not more than 25 volts or consuming not more than 50 watts.

4 SECTION 12. EXCEPTIONS: SPECIAL APPLIANCES: The pro-
5 visions of this ordinance shall not apply to those industrial or
6 commercial appliances which are to be used in a specific location
7 and which have been submitted to a laboratory for approval to
8 determine their conformity with the standards herein provided for
9 but with respect to which final approval by such laboratory is
10 still pending, providing that an exception is applied for and
11 granted in the manner herein prescribed. The person desiring to
12 make such installation shall submit an application in writing
13 for such exception to the City Electrician or his agent or
14 inspector accompanied by written evidence satisfactory to such
15 City Electrician indicating that laboratory approval has been ap-
16 plied for. Such exception if granted by the City Electrician or
17 his agent or inspector shall continue in force only during such
18 time as such City Electrician believes that the testing laboratory
19 will grant final approval certifying compliance to the prescribed
20 standards. If for any reason the City Electrician or his agent
21 or inspector believes that the testing laboratory has not made an
22 adequate test of materials, devices or appliances, he may require
23 that the same shall be submitted to some other laboratory, ap-
24 proved by him, for further tests.

25 SECTION 13. EXCEPTIONS: GENERATING DEVICES: The provisions
26 of this ordinance shall not apply to electrical materials, devices
27 and appliances installed by or for an electric utility for its
28 use in the generation, transmission, distribution or metering of
29 electrical energy.

30 SECTION 14. USED OR SECOND-HAND DEVICES: In the rebuild-
31 ing or repair of any such electrical materials, devices or ap-
32 pliances all parts replaced or repaired shall conform in all

1 particulars with the code of standards and the rules or regula-
2 tions hereby provided for.

3 SECTION 15. ENFORCEMENT: The City Electrician is hereby
4 directed to enforce the provisions of this ordinance. He is
5 hereby authorized to delegate any of his powers under this ordinance
6 to any of his assistants, with the sole exception of the power to
7 adopt and promulgate rules and regulations which power may not be
8 delegated by him.

9 SECTION 16. LIABILITY FOR DAMAGES: This ordinance shall
10 not be construed as relieving or limiting in any way the responsi-
11 bility or liability of any person owning and operating, controlling
12 or installing any electrical materials, devices or appliances for
13 personal injury or property damage resulting from the use thereof
14 by reason of any defect therein or for any other cause, nor shall
15 it be construed as imposing upon the City or its officers or
16 employees of any responsibility or liability by reason of the ap-
17 proval of any materials, devices or appliances under the provisions
18 of this ordinance.

19 SECTION 17. APPEALS: In the event that any person believes
20 that unreasonable restrictions or unnecessary and extraordinary
21 hardship or damage will be imposed upon him by the enforcement of
22 any of the provisions of this ordinance or by the application of
23 any of the standards hereby adopted or by the adoption or applica-
24 tion of any rules or regulations by the City Electrician, or from
25 any rulings or determinations of such City Electrician, such person
26 may appeal therefrom to the City Council in writing and request a
27 public hearing thereon by the City Council.

28 In the event of such appeal, the City Council shall fix a
29 time and place for a public hearing thereon and shall give notice
30 thereof in writing to the person requesting such hearing by mail,
31 postage prepaid to the address shown in such request, and shall
32 also give notice to the City Electrician. At the time fixed for

1 such hearing or at any later time to which such hearing may be ad-
2 journed, the City Council shall proceed to hear the testimony of
3 the appellant and of others in his behalf and of the City Electrician
4 and others in his behalf and of other competent persons who may be
5 present and desire to testify or who may be called by the City
6 Council to give testimony at such hearing. Upon the conclusion
7 of said hearing, said City Council shall by resolution declare its
8 findings and decision in the matter. If it finds that unreasonable
9 restrictions or unnecessary and extraordinary hardship or damage
10 will be imposed upon the appellant, then it may grant an exception
11 or variance from the application in whole or in part of such pro-
12 visions of this ordinance or of such standards, rules and regula-
13 tions, rulings or determinations, or it may modify, rescind or
14 otherwise alter such standards, rules and regulations, rulings or
15 determinations, provided that in granting such an exception or
16 variance or in taking such other action as it may deem justified,
17 it may do so only in the event that such action may be taken in
18 harmony with the general purposes and objectives of this ordinance
19 to preserve the public health, safety and welfare. The decision
20 of the City Council rendered after a hearing held in the manner
21 prescribed herein shall be final and conclusive.

22 SECTION 18. PENALTY: Any person, firm, or corporation, or
23 any partner, officer, agent or employee thereof, violating any of
24 the provisions of this ordinance or of the "Code of Standards for
25 Electrical Materials, Devices and Appliances in the City of
26 Modesto" hereby adopted, or of any rule or regulation adopted pur-
27 suant hereto, shall be guilty of a misdemeanor and upon conviction
28 thereof shall be punished by a fine of not more than three
29 hundred Dollars (\$ 300.00), or by im-
30 prisonment in the City jail of said City or in the County jail of
31 Stanislaus County, as the committing magistrate may direct, for a
32 period of not more than three (3) months, or by both such

1 fine and imprisonment.

2 SECTION 19. SEVERABILITY: If any provision of this
3 ordinance, or the application thereof, to any person or circum-
4 stances, is held invalid, the remainder of the ordinance, or the
5 application of such provision to other persons or circumstances,
6 shall not be affected thereby.

7 SECTION 20. This ordinance shall take effect and be in
8 full force and operation from and after 15 days after its
9 final passage and adoption.

10 SECTION 21. This ordinance shall be published in full at
11 least once at least three (3) days prior to its final adoption in
12 the "The Modesto Bee," the official newspaper of the City of
13 Modesto.

14 The foregoing ordinance was introduced at a regular
15 meeting of the Council of the City of Modesto held on the 22nd
16 day of December, 1943, by Councilman Morris
17 who moved its adoption and passage to print as aforesaid, which
18 motion being duly seconded, was upon roll call carried, and the
19 ordinance ordered published as above by the following vote:

20
21 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
22 Noes: Councilmen: None
23 Absent: Councilmen: None

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27 ATTEST:

28 REX E. GAILFUS
29 REX E. GAILFUS, CITY CLERK

APPROVED:

CARL W. SHANNON
CARL W. SHANNON, MAYOR.

FINAL ADOPTION CLAUSE

1 The foregoing ordinance, having been introduced
2 and ordered printed and published at a special meeting of
3 the Council of the City of Modesto held on the 22nd day of
4 December, 1943 and subsequently printed and published as
5 required by the Charter of the City of Modesto, and coming
6 on for final adoption at the regular meeting of January 12,
7 1944, it was upon roll call so finally adopted by the
8 following vote:

9 Ayes: Councilmen: Morris, Neece, Stanley and Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Burge

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14 APPROVED: *Shannon* Mayor

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16 ATTEST: *P. E. Gardner* City Clerk
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ORDINANCE NO. 718 N. S.

AN ORDINANCE OF THE CITY OF MODESTO PROHIBITING THE SOLICITATION FROM ANY PERSON UPON THE STREETS OR WITHIN DOORWAYS OR AREAS ADJACENT THERETO IN SAID CITY OF MAGAZINE SUBSCRIPTIONS AND LIKE PUBLICATIONS FOR FUTURE DELIVERY.

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

SECTION 1. It shall be unlawful for any person on any of the public streets or sidewalks in the City of Modesto, or in any area or doorway or entrance-way immediately abutting thereon, or in any park or other public place within said city, to solicit or attempt to effect or effect the sale of any subscription to any magazine, periodical or like publication for future delivery.

SECTION 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than 250.00, or by imprisonment in the county jail for a period of not more than 125 days, or by both such fine and imprisonment.

Each such person shall be deemed guilty of a separate offense for every day or portion thereof during which any violation of this ordinance is committed, continued or permitted by such person, and shall be punishable therefor as provided in this ordinance.

SECTION 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, or unconstitutional, such decision shall not effect 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, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.


1 SECTION 4. This ordinance shall go into effect and be
2 in full force and operation from and after fifteen (15) days
3 after its final passage and adoption.

4 SECTION 5. This ordinance shall be published in full at
5 least once at least three days prior to its final adoption in the
6 "The Modesto Bee," the official newspaper of the City of Modesto.

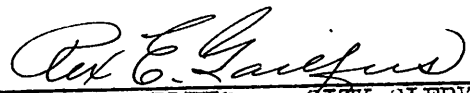
7 The foregoing ordinance was introduced at a regular meet-
8 ing of the Council of the City of Modesto held on the 9th day of
9 February, 1944, by Councilman W. Morris, who moved its
10 adoption and publication as aforesaid, which motion being duly
11 seconded, was upon roll call carried and the ordinance ordered
12 printed and published as above by the following vote:

13 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
14 Noes: Councilmen: None
15 Absent: Councilmen: None

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17 APPROVED:

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19 CARL W. SHANNON, MAYOR

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21 ATTEST:

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23 REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 9th day of February, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1944, it was upon roll call so finally adopted by the following vote:


Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

MAYOR

ATTEST 

CITY CLERK

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Repealed
by Ord 1053-N.S.

ORDINANCE NO. 719 N. S.

AN ORDINANCE AMENDING ORDINANCE NO. 146 N. S. OF THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO; FIXING LICENSE FEE TO BE PAID FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME," AS THEREAFTER AMENDED, BY ADDING TWO NEW SECTIONS THERETO TO BE KNOWN AND DESIGNATED AS SECTION 8 1/2 and SECTION 8 3/4, RESPECTIVELY.

REPEALED BY
MUNICIPAL CODE

---oooOooo---

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

SECTION 1. Ordinance no. 146 N. S. of the City of Modesto, entitled: "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO; FIXING LICENSE FEE TO BE PAID FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME," as thereafter amended, is hereby amended by adding a new section thereto to be known and designated as Section 8 1/2, and to read as follows, to-wit:

"Section 8 1/2. That certain printed document in pamphlet form, three (3) copies of which are on file in the office of the City Clerk of the City of Modesto, each being marked and designated as "MODESTO TAXI RATES EFFECTIVE SEPTEMBER 1, 1943," and each consisting of eighteen (18) pages, and setting forth and fixing the rates to be charged by taxis or taxicabs licensed by the City of Modesto to operate therein, and also a certain map of the City of Modesto, three (3) copies of which are on file in the office of the City Clerk of said City of Modesto, each of said copies of said Map being marked and designated as follows:

"CITY OF MODESTO
DEPARTMENT OF PUBLIC WORKS
F. J. ROSSI, CITY ENGINEER

(1 9 4 3)"

and being colored to designate zones and corresponding with the rates set forth in said documents in pamphlet form, hereinabove referred to, are hereby approved and adopted by the Council of the City of Modesto and made part of this ordinance as fully as if set forth at length herein, for the purpose of fixing and estab-

1 lishing the rates or fares to be charged by the owner and/or
2 operator of taxis or taxicabs; and said charges or fares or rates
3 for operating said taxis or taxicabs are hereby fixed and deter-
4 mined in accordance with the rates and charges fixed by said
5 documents hereinabove first referred to, for carrying, conveying
6 and transporting passengers in said taxis or taxicabs.

7 And it is unlawful for any firm, corporation or person
8 to charge fares in excess of those hereby fixed and determined
9 by the terms of this ordinance, or to fail or refuse to do or
10 comply with any of the other requirements of this Section, 8 $\frac{1}{2}$.
11 Each and every owner and/or operator of any such, or either of
12 them, charging rates in excess of the rates, charges or fares
13 fixed and set forth as hereinabove provided, shall be guilty of
14 a misdemeanor, and each violation of this ordinance in respect to
15 said rates, charges or fares shall be deemed to be and shall be
16 a separate and distinct offense, and upon conviction of such viola-
17 tion or violations of this ordinance, said owner and/or operator
18 of such taxi or taxicab shall be punishable as provided in Section
19 9 of this ordinance; and in addition to the punishment therein
20 provided, such violation or violations shall be grounds for the
21 immediate cancellation of the license and licenses of such operator
22 and/or owner, or either of them.

23 Every driver or operator of a taxi or taxicab licensed
24 in the City of Modesto shall at all times comply with the follow-
25 ing conditions:

26 (a) He shall keep in plain view in any taxi or taxicab
27 so licensed and driven or operated by him, and open to the in-
28 spection of any person then and there a passenger in said taxi
29 or taxicab or prospective passenger demanding to see the same, a
30 copy of said document in pamphlet form hereinabove first referred
31 to, three (3) copies of which are on file in the office of the
32 City Clerk of said City of Modesto, and such driver or operator

1 shall also keep in said taxi or taxicab so driven and/or operated
2 by him, a copy of said Map referred to in said Section 8 $\frac{1}{2}$, of
3 this ordinance, and shall allow inspection thereof by any person
4 then and there a passenger in said taxi or taxicab or prospective
5 passenger demanding to see the same.

6 (b) Said driver and/or operator of such taxi or taxicab
7 shall at all times while operating or driving a taxi or taxicab
8 have in his possession or in said taxi or taxicab a copy of said
9 documents hereinabove referred to, and upon request of a passenger
10 or a prospective passenger, he shall exhibit to him any portion
11 of the contents of said documents or either of them regarding any
12 rate, fare or charge therein contained."

13 SECTION 2. Said Ordinance No. 146 N. S. of the City of
14 Modesto is hereby further amended by adding thereto a new section
15 to be known and designated as Section 8 $\frac{3}{4}$, and to read as fol-
16 lows, to-wit:

17 "Section 8 $\frac{3}{4}$. If any section, sub-section, sentence,
18 clause or phrase of this ordinance is for any reason held to be
19 unconstitutional or void, such decision shall not affect the
20 validity of the remaining portions of this ordinance.

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

26 SECTION 3. It is further provided that on and after
27 180 days from the effective date of this ordinance, it shall be
28 unlawful and a misdemeanor and punishable as hereinabove provided,
29 for any owner and/or driver of a taxicab or taxi to operate or
30 drive within said City of Modesto or its environs any taxi or
31 taxicab unless such vehicle is equipped with a taximeter of such
32 type, style and design as may be approved by the City Council of

Amended
by Ord 962-N.S.
Ord 1041-N.S.

AN ORDINANCE PRESCRIBING SUBDIVISION REGULATIONS TO BE OBSERVED IN THE CITY OF MODESTO BY SUBDIVIDERS OF LAND AND PERSONS FILING MAPS OF SUBDIVISIONS OF LAND.

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

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3 SECTION 1. DEFINITIONS: For the purpose of this Ordinance
4 the following terms are defined as follows:

5 a. "City" shall be deemed to be the City of Modesto.

6 b. "City Engineer" shall be deemed to be the person
7 appointed by the City Council to discharge the duties of Engineer
8 for the City of Modesto.

9 c. "Tentative Map" shall mean a map prepared in accordance
10 with the provisions of "The Subdivision Map Act" of the State of
11 California made for the purpose of showing the design of a
12 proposed subdivision and the existing conditions in and around it
13 and need not be based on a detailed final survey of the property.

14 d. "Final Map" shall mean a map prepared in accordance with
15 the provisions of "The Subdivision Map Act" of the State of
16 California and with the provisions of this ordinance, which map is
17 designed to be placed on record in the office of the County
18 Recorder.

19 SECTION 2. TENTATIVE MAPS: All tentative maps made in
20 accordance with the provisions of "The Subdivision Map Act" of the
21 State of California shall in addition to the requirements of said
22 Act, be made and filed in the following manner:

23 (NOTE: Before preparation of Tentative Maps, subdividers
24 are urged to discuss preliminary subdivision layouts with the
25 Planning Commission office. Preliminary sketches will be prepared
26 by the Planning Commission when deemed necessary.)

27 a. All tentative maps shall consist of one or more sheets,
28 each of which shall be 26 inches in length and 18 inches in width,
29 including a margin one inch in width on all edges thereof.

30 b. All tentative maps shall show the following:
31 width and approximate grade of all streets, highways or
32 ways; dimensions of all lots and blocks; approximate locations of

REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 all water courses or areas subject to inundation or storm water
2 overflow; connections to adjoining subdivisions; and contours at
3 sufficient intervals to properly show the existing conditions at
4 elevations above the Modesto City datum when required by the City
5 Planning Commission.

6 c. Two copies of tentative maps shall be filed with the
7 Secretary of the City Planning Commission and such number of copies
8 in addition thereto as may be required by the said Secretary of the
9 City Planning Commission in each individual case.

10 d. The following certificates for signatures shall appear
11 upon the tentative maps:

12 1. Of filing with the Secretary of the City Planning
13 Commission.

14 2. Of recommendation of the City Engineer.

15 3. Of approval of the City Planning Commission.

16 4. Of return to the subdivider.

17 e. In the event that the City Planning Commission deems it
18 necessary to provide for drainage of the subdivision, the sub-
19 divider may be required to submit a plan for complete drainage,
20 which plan shall meet the approval of the City Planning Commission
21 and the City Engineer.

22 SECTION 3. FINAL MAPS: All Final Maps made in accordance
23 with the provisions of "The Subdivision Map Act" of the State of
24 California shall further meet the following requirements:

25 a. A certificate of recommendation of the City Planning
26 Commission shall appear on the map.

27 b. All final maps shall show an arrow indicating true north.

28 SECTION 4. SURVEYS: Surveys for Final Maps shall be made
29 from bearings which are true as determined by solar or polaris
30 observations or by reference to some known line. A note on said
31 map shall state the actual basis of bearings.

1 All permanent monuments set shall be durable. Nothing less
2 than galvanized iron pipe in sound condition, not less than one
3 inch overall diameter and thirty inches long, or four inch by four
4 inch all heart redwood, thirty inches long shall be considered
5 permanent.

6 SECTION 5. IMPROVEMENTS: Before the final map is recorded,
7 the subdivider shall grade all streets shown on said map to the
8 grades as approved by the City Planning Commission and the City
9 Engineer. In addition, the City Council may require the installation
10 of street and utility improvements meeting specifications and stan-
11 dards as established and adopted by the City Council.

12 The City Engineer may charge a reasonable fee for checking,
13 inspecting and approving said improvements.

14 In lieu of the completion of such street improvements
15 required herein and drainage improvements as required by Section
16 2-e hereof, or in lieu of submitting written evidence from the
17 City Council that a satisfactory agreement has been entered into
18 between the subdivider and the City Council for the installation
19 of such improvements, the subdivider may file a bond or make a
20 deposit with the City Clerk in an amount to be approved by the
21 City Council as being sufficient to cover all costs of all re-
22 quired improvements together with the fee for checking, inspecting
23 and approving of said improvements as herein provided and as
24 provided for in Section 20 of "The Subdivision Map Act" of the
25 State of California.

26 SECTION 6. STREETS AND HIGHWAYS: All streets and highways
27 shall have a minimum width of sixty feet measured between property
28 lines, or a width as shown on the Major Street plan, provided,
29 however, streets and highways wholly within a subdivision and not
30 main arteries of travel may be of less width if such width is
31 approved by the City Planning Commission, but in no event shall be
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1 of less width than forty-four feet. Alleys, if provided, shall be
2 not less than twenty feet wide.

3 SECTION 7. FIELD NOTES: The City Engineer may require a
4 copy of the field notes covering the survey of the tract of land as
5 shown on the map to be recorded to be submitted to him for the
6 purpose of aiding him in checking the said map.

7 SECTION 8. THE SUBDIVISION MAP ACT: The provisions of this
8 ordinance shall be in addition to and shall be considered as
9 supplementing the provisions of "The Subdivision Map Act" of the
10 State of California.

11 The Planning Commission shall prepare for distribution such
12 information as is felt necessary relating to detailed standards and
13 requirements as provided in said "Subdivision Map Act."

14 SECTION 9. VALIDITY: If any section, subsection, sentence,
15 clause, phrase or word of this ordinance, for any reason shall be
16 declared invalid or unconstitutional, such decision, declaration,
17 invalidity or unconstitutionality shall not affect the validity of
18 the remaining portions of the ordinance, and the City Council
19 hereby declare that it would have passed each provision, section,
20 subsection, sentence, clause, phrase and word of this ordinance
21 irrespective of the fact that one or more of the sections, sub-
22 sections, sentences, clauses, phrases or provisions hereof may be
23 declared unconstitutional or invalid.

24 The foregoing ordinance was passed, and adopted by the City
25 Council of said City of Modesto, State of California, at the
26 regular session of said Council held on the 23rd day of
27 February, 1944, by the following vote, to-wit:

28 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon
29 Noes: Councilmen: None
30 Absent: Councilmen: None
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Carl D. Johnson
Mayor of said City of Modesto,
State of California

(SEAL)

ATTEST:

Paul E. Gailford
City Clerk and ex-officio
Clerk of the City Council

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FINAL ADOPTION CLAUSE

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 February, 1944 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 8, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Carroll Shannon
MAYOR

ATTEST

P. E. Gaeffers
CITY CLERK

SPECIAL CODE

ORDINANCE NO. 721-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF AUTOMOBILES FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO

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

SECTION 1. The sum of Thirty Five Hundred (\$3500.00) 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 automobiles to be used by the Police Department of the City of Modesto.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the The Modesto Bee, 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 March, 1944 by Commissioner Neece, 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 by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burge

APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST

Rex E. Gallfus
REX E. GALLFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 March, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 22, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Shannon
MAYOR

ATTEST

Ray E. Gault
CITY CLERK

ORDINANCE NO. 722-N.S.

AN ORDINANCE REGULATING THE KEEPING OF CHICKENS, DUCKS, PIGEONS, GEESE, TURKEYS OR OTHER DOMESTIC FOWLS WITHIN THE CITY OF MODESTO, AND REPEALING ORDINANCE NO. 118-N.S.

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

SECTION 1. It shall be unlawful for any person owning or having control of any chickens, ducks, pigeons, geese, turkeys or other domestic fowls to permit the same to run or go upon any premises except those in control of or occupied by the person so owning said fowls, or upon any of the streets, alleys or public places within the City of Modesto.

SECTION 2. It shall be unlawful for any person, firm or corporation to keep upon any premises owned, occupied or controlled by him or it within the said City of Modesto any chickens, ducks, pigeons, geese, turkeys or other domestic fowls, except upon compliance with and subject to the following conditions:

All such fowls shall be kept in an enclosure sufficient in all respects to confine said fowls within said enclosure, and no part of said enclosure shall be within 25 feet of any dwelling house occupied by human beings, except such dwelling house as may be owned or occupied by the person, firm or corporation owning or having control of said fowls, provided that any of said fowls may be kept temporarily for purposes of sale at any shop or place of business where the same are bought, sold or dealt in.

Provided, however, that none of the provisions of this ordinance shall apply to any shop or place of business within said City where such fowls are bought, sold or dealt in, and which shop or place of business is operated and/or conducted for that purpose under a license duly issued by said City for conducting said business.

SECTION 3. It shall be unlawful for any person, firm or corporation to keep or have upon any premises owned, occupied or

1 controlled by him or it within the said City of Modesto chickens,
2 ducks, pigeons, geese, turkeys or other domestic fowls exceeding
3 at any one time 24 in number, which shall be construed to mean and
4 is intended to mean 24 in the aggregate or total number of such
5 fowls, regardless of the particular kind of fowls.

6 Provided, however, that when neighbors residing within
7 100 feet of where said chickens, ducks, pigeons, geese, turkeys or
8 other domestic fowls as hereinabove last set forth are kept, con-
9 sent, in writing, and such consent is filed with the City Clerk
10 of the said City of Modesto, the number of such fowls may be in-
11 creased accordingly, subject to the control of the City Council
12 of said City.

13 SECTION 4. All coops and enclosures in which such fowls
14 are kept must be kept in a sanitary manner and be regularly
15 cleaned, in order to prevent the accumulation of manure or offal,
16 and the giving off of offensive odors.

17 SECTION 5. No cocks or roosters shall in any event be
18 kept, maintained or permitted to be on any premises owned, used
19 or occupied by any person, firm or corporation within the City
20 of Modesto.

21 SECTION 6. Provided, however, that in any event, the
22 foregoing provisions of this ordinance limiting the number of fowls
23 which may be kept on premises within said City owned or controlled
24 by any person, firm or corporation, shall not have any application
25 to or affect any poultry dealer transacting business within the
26 said City of Modesto who has been duly licensed by said City to
27 carry on the business of buying, selling and/or dealing in poultry.

28 SECTION 7. Any person, firm or corporation who shall
29 violate any of the provisions of this ordinance shall be guilty of
30 a misdemeanor and upon conviction thereof shall be punished by a
31 fine of not to exceed One Hundred Dollars (\$100.00), or by imprison-
32 ment in the County Jail for a period not to exceed Five (5) days,

1 or by both such fine and imprisonment.

2 SECTION 8. Ordinance No. 118-N.S. of the said City of
3 Modesto is hereby expressly repealed.

4 SECTION 9. This ordinance shall take effect and be in
5 full force and operation from and after 15 days after its final
6 passage and adoption.

7 SECTION 10. This ordinance shall be printed and published
8 in full at least once at least three days prior to its final adoption
9 in the "The Modesto Bee," the official newspaper of the City of
10 Modesto.

11 The foregoing ordinance was introduced at a regular
12 meeting of the Council of the City of Modesto held on the 22nd day
13 of March, 1944, by Councilman Stanley, who moved its adoption, which
14 motion being duly seconded was upon roll call carried, and the ordi-
15 nance ordered printed and published as above by the following vote:

16 Ayes: Councilmen: Burge, Morris, Neece, Stanley, Mayor Shannon

17 Noes: Councilmen: None

18 Absent: Councilmen: None

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21 APPROVED: 
CARL W. SHANNON, MAYOR

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24 ATTEST: 
25 REX E. GAILFUS, CITY CLERK
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FINAL ADOPTION CLAUSE

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 March, 1944 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 12, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Lawrence Shannon*

MAYOR

ATTEST: *Ed E. Gaier*

CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 723 N. S.

AN ORDINANCE AMENDING ORDINANCE NO. 432 N. S. OF THE CITY OF MO-
DESTO ENTITLED: "AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION
OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES
AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER SER-
VICE," BY CONSOLIDATING SUBSECTIONS C AND D OF SECTION 5 (CHARGES
FOR WATER, AND BY RENUMBERING CERTAIN SECTIONS AND RESCINDING
ORDINANCE NO. 618 N. S.

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

SECTION 1. Section 5 of Ordinance No. 432 N. S. of the
City of Modesto entitled: "AN ORDINANCE TO PROVIDE FOR THE AD-
MINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ES-
TABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED
FOR WATER SERVICE," is hereby amended by consolidating Subsections
C and D under the subheading "Subsection C, Charges for Water,"
so that when so amended said subsection C shall read as follows:

"C. Anything to the contrary herein stated notwithstand-
ing, the City Council of the City of Modesto shall and does hereby
have the power to enter into contracts with governmental agencies,
including school districts, and any person, firm or corporation
outside of the corporate limits of the City of Modesto, to supply
water, water service and all things pertaining to the furnishing of
water to said agencies, person, firm or corporation at rates dif-
ferent than those heretofore set forth and on a basis that is fair
and equitable to all the parties concerned in said contracts."

Subsection E of said Section 5 of said ordinance No. 432
N. S. shall hereafter be relettered "D."

SECTION 2. The following sections of said Ordinance No.
432 N. S. are hereby renumbered by reason of the fact that there
occurs in said Ordinance No. 432 N. S. as now written two sections
each bearing the number 4 and two sections each bearing the number

5:

Section 4 (Rules and Regulations) is hereby renumbered
Section 6; that certain section now numbered 5, empowering the

1 Superintendent of Water Works to make interpretations of this
2 ordinance, is hereby renumbered Section 7; Section 6 is hereby
3 renumbered Section 8; Section 7 is hereby renumbered Section 9;
4 Section 8 is hereby renumbered Section 10; Section 9 is hereby
5 renumbered Section 11; and Section 10 is hereby renumbered Section
6 12.

7 SECTION 3. Ordinance No. 618 N. S. of the City of Mo-
8 desto is hereby expressly repealed.

9 SECTION 4. This ordinance shall go into effect from and
10 after fifteen days after its final passage and adoption.

11 SECTION 5. This ordinance shall be published in full at
12 least once at least three days prior to its final adoption in the
13 "Modesto Bee," the official newspaper of the City of Modesto.

14 The foregoing ordinance was introduced at a special
15 meeting of the Council of the City of Modesto, held on the 5th
16 day of April, 1944, by Councilman Morris, who
17 moved its adoption and passage to print, which motion being duly
18 seconded was upon roll call carried and the ordinance ordered
19 printed and published as above by the following vote:

20 Ayes: Councilmen: Neece, Morris, Acting Mayor Stanley

21 Noes: Councilmen: None

22 Absent: Councilmen: Mayor Shannon and Burge

23 APPROVED:

Carl W. Shannon
24 CARL W. SHANNON, MAYOR

25 ATTEST:

Rex E. Gailfus
26 REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 5th day of April, 1944 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 12, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Lucas Shannon*
MAYOR

ATTEST: *P. E. Gaudin*
CITY CLERK

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ORDINANCE NO. 724 N. S.

AN ORDINANCE PROVIDING FOR THE ISSUANCE, REVOCATION, DENIAL OR SUSPENSION OF PERMITS TO CARRY ON CERTAIN BUSINESSES, PROFESSIONS, OCCUPATIONS, TRADES OR CALLINGS IN THE CITY OF MODESTO, INCLUDING THE BUSINESS OF MAINTAINING, OPERATING AND/OR CONDUCTING APARTMENT HOUSES, HOTELS, LODGING HOUSES AND/OR ROOMING HOUSES IN SAID CITY, AS SUCH STRUCTURES ARE DEFINED BY THE STATE HOUSING ACT OF THE STATE OF CALIFORNIA, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ANY PORTIONS OF ANY ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. DEFINITION: For the purpose of this ordinance,

the term "Health Officer" shall mean the public health authority of the City of Modesto, County of Stanislaus, State of California, or his duly authorized representative.

SECTION 2. It shall be unlawful for any person, firm, as-

sociation or corporation owning, controlling or carrying on as principal or agent or otherwise in the City of Modesto, the business or occupation of manufacturing or bottling table water or other beverages, box lunch establishments, bakery establishments, wholesale candy or confectionery manufacturing, confectionery or soda fountain, fruit stand, wholesale fruit produce, food products establishment, restaurant, lunch stand, wholesale or retail poultry house, poultry peddler, poultry slaughter house, sausage factory, meat market, meat peddler, wholesale meat house, wholesale or retail fish market, fish peddler, public bath house, retail grocery store or wholesale grocery business, on sale liquor establishment, raviola and/or tamale factories, apartment houses, hotels, lodging houses and/or rooming houses, as such structures are defined by the State Housing Act of the State of California, to conduct or carry on such business, profession, occupation, trade or calling without first applying for and securing a permit in writing so to do from the Health Officer of said City.

SECTION 3. Such persons, firms, associations or corpora-

1 tions conducting such business or engaging in such occupations
2 doing any or all of the acts referred to in Section 2 of this
3 ordinance for charitable purposes only, and from which no profit
4 is derived either directly or indirectly, may, in the discretion
5 of the Health Officer, be exempted from the requirement of secur-
6 ing such permit.

7 SECTION 4. The owner, operator or manager of any place of
8 business or engaged in any of the occupations hereby required to
9 have a permit (said business or occupation being in existence at
10 the time this ordinance shall become effective), shall immediately
11 file with said Health Officer an application in writing upon a
12 form approved by said Health Officer and signed by said applicant
13 for permission to continue conducting such business or engaging in
14 such occupation, giving the name of the owner or owners, manager
15 or managers thereof, the location thereof, and such other informa-
16 tion as said Health Officer may require for the effective adminis-
17 tration of this ordinance.

18 Said application shall include a statement that such appli-
19 cant will observe the provisions of this ordinance and all sta-
20 tutes and laws of the State of California and rules and regula-
21 tions relating to conducting such business or following such
22 occupation; said application shall also contain a provision that
23 said applicant will within a reasonable time, in any event not to
24 exceed three (3) months from the date of the final passage of
25 this ordinance, make any and all changes and alterations that may
26 be required by said Health Officer in and about said place of
27 business, in accordance with the ordinances of the City of Modesto
28 or any rule or regulation provided by the statutes and laws of the
29 State of California.

30 Following receipt by said Health Officer, or his duly
31 authorized representative, of any application hereinabove referred
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1 to, such officer shall make or cause to be made an inspection of
2 the premises where said business is to be conducted, or is now
3 being conducted, and if the provisions of this ordinance and all
4 rules and regulations provided by said statutes and laws of the
5 State of California have been complied with, said Health Officer
6 or his duly authorized representative shall so certify such fact
7 to said applicant and shall issue a permit for operating or con-
8 ducting said business or engaging in such occupation, upon a form
9 approved by said Health Officer.

10 SECTION 5. Any person, firm, association or corporation
11 intending to operate or conduct any place of business herein re-
12 quired to have a permit which is not in existence on the effective
13 date of this ordinance shall, before opening or operating such
14 place of business, or engaging in such occupation, make applica-
15 tion to the Health Officer upon a form provided by such Health Of-
16 ficer, giving the name of the owner or owners and/or manager or
17 managers thereof, the location thereof and such other information
18 as the Health Officer may require for the effective administra-
19 tion of this ordinance. Said application shall include a state-
20 ment that such applicant will observe the provisions of the or-
21 dinances of the City of Modesto and any rule or regulation provided
22 by the statutes and laws of the State of California.

23 Immediately following receipt of said last mentioned applica-
24 tion by the Health Officer, he shall make, or cause to be made,
25 an inspection of the premises, and if the provisions of the
26 ordinances of the City of Modesto and all rules or regulations
27 provided by the statutes and laws of the State of California have
28 been complied with, he shall so certify that fact to the applicant
29 and issue a permit to operate and conduct said business or to en-
30 gage in such occupation, upon a form approved by said Health
31 Officer.
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1 SECTION 6. No permit to operate or conduct such place of
2 business or engage in such occupation shall be issued to any per-
3 son until all of the provisions of this ordinance and all other
4 ordinances of the City of Modesto and rules or regulations pro-
5 vided by the statutes and laws of the State of California have
6 been fully complied with.

7 Every permit issued hereunder shall recite and bear on
8 its face the date upon which said permit shall become effective.

9 Every permit shall be kept posted in a conspicuous place
10 in or on the establishment where such business is operated or
11 conducted or such occupation is carried on for which the permit
12 is issued.

13 SECTION 7. The Health Officer shall make periodic inspect-
14 ions of all places of business or of occupations operating under
15 a permit issued as hereinabove provided, and if he finds that
16 any holder of a permit is violating any of the provisions of
17 this ordinance or of any other ordinance of the said City of
18 Modesto or any rule or regulation provided by the statutes and
19 laws of the State of California, or the rules and regulations
20 of the Health Officer, said Health Officer shall serve a notice,
21 in writing on the holder of such permit, either in person or
22 by registered mail, ordering and directing such permit holder to
23 place the said building, premises, equipment, apparatus, vehicle
24 or reasonable facilities for the establishment, maintaining,
25 conducting or operating the business or institution for which a
26 permit is issued, in a condition so as to comply with the
27 ordinances of the City of Modesto and/or any rule or regulation
28 provided by the statutes and laws of the State of California,
29 within a reasonable time after serving said notice as aforesaid.
30 Said period of time within which to comply with the terms of said
31 notice to be fixed by said Health Officer as, in his discretion,
32 he shall determine, and in no event to exceed five (5) days.

1 from the date of the service of said notice.

2 If within the period of time fixed by said officer in
3 said notice, a permit holder fails or neglects or refuses to
4 comply with the terms and demands of said notice, said Health Of-
5 ficer shall immediately suspend said permit issued to said permit
6 holder; and said holder of said permit shall immediately cease
7 to do and/or perform any of the acts, or exercise and/or enjoy
8 any of the rights or privileges granted to him or her under and
9 by virtue of said permit until the City Council examines into the
10 matter of the suspension of said permit, as hereinafter set forth.

11 SECTION 8. The City Council at its next regular meeting
12 after the suspension of said permit (which shall not be less than
13 three (3) days nor more than seven (7) days after the service of
14 notice of suspension of said permit) shall examine into the matter
15 of said suspension of said permit and said Council, in its dis-
16 cretion, may continue in force the suspension of such permit for
17 such period of time as may by said Council be deemed necessary
18 under all the circumstances of the case; or, if said Council
19 elects so to do, it may revoke and cancel said permit, or dismiss
20 said proceedings.

21 SECTION 9. The owner, operator or manager of any place
22 of business required by this ordinance to have a permit (and
23 where said permit to operate as hereinabove provided, has been
24 revoked) shall be required to completely correct and remedy the
25 objectionable conditions upon which said Health Officer based his
26 reason for suspending or revoking said permit; and in such case
27 said permit holder shall be required to make a new application
28 for a permit as hereinabove provided and in the same manner as
29 herein provided for obtaining a permit to open, operate and con-
30 duct a place of business and/or to engage in an occupation not
31 opened, operated and/or conducted and/or engaged in at the time
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1 this ordinance becomes and is effective.

2 Such new application shall include a statement by the
3 applicant for such new permit that the condition theretofore
4 complained of by the Health Officer has been completely remedied
5 and corrected.

6 SECTION 10. Any permit, for which application is made
7 under the provisions of this ordinance, may be granted at any
8 time during the year, but all permits granted hereunder shall
9 expire on the 31st day of December of the year in which the same
10 became effective.

11 SECTION 11. The holder of any permit provided for by
12 the terms of this ordinance and which is subject to automatic ex-
13 piration on December 31st of each year, shall, if he or she de-
14 sires to continue to operate or conduct such business or engage in
15 such occupation for which the original permit was issued, prior to
16 the date of said automatic expiration, make application in writing
17 to the said City Health Officer for a new permit to so operate and
18 conduct said business or engage in such occupation covered by the
19 original permit.

20 Provided, that in the event said owner, operator or
21 manager of such business, or person engaged in such occupation
22 has not prior to filing said new application for renewal of permit,
23 and/or subsequent thereto, violated any of the provisions of this
24 ordinance, then his right to operate and conduct such business or
25 engage in such occupation shall not be affected or terminated until
26 such application for renewal of permit has been acted upon by said
27 Health Officer, or such renewal of said permit has been denied by
28 said City Council.

29 SECTION 12. It shall be unlawful for any person to
30 prepare, dispense or serve food or drink in any public eating place
31 in which any eating or drinking utensils used in such public eating
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1 place are not cleaned, washed and sanitized in a manner satis-
2 factory to the Health Officer.

3 SECTION 13. Any person, firm, association or corpora-
4 tion, whether as principal or agent, employer or employee, or
5 otherwise, who violates any of the provisions of this ordinance
6 shall be deemed guilty of a misdemeanor and upon conviction
7 thereof shall be punished by a fine of not more than Two Hundred
8 Fifty (\$250.00) Dollars, or by imprisonment in the County Jail
9 for a term not exceeding one hundred twenty-five (125) days, or
10 by both such fine and imprisonment.

11 Each such person, firm, association or corporation shall
12 be deemed guilty of a separate offense for every day during any
13 portion of which any violation of this ordinance is committed,
14 continued or permitted by such person, firm, association or
15 corporation, and shall be punishable therefor as provided in
16 this ordinance.

17 SECTION 14. Any portions of any ordinances of said City
18 of Modesto in conflict herewith are hereby expressly repealed.

19 SECTION 15. If any section, subsection, sentence, clause
20 or phrase of this ordinance is for any reason held to be invalid
21 or unconstitutional, such decision shall not affect the validity
22 of the remaining portions of this ordinance. The Council of the
23 City of Modesto hereby declares that it would have passed this
24 ordinance, and each section, subsection, clause and phrase thereof,
25 irrespective of the fact that any one or more sections, sub-
26 sections, sentences, clauses or phrases be declared invalid or
27 unconstitutional.

28 SECTION 16. This ordinance shall go into effect and be
29 in full force and operation from and after fifteen (15) days
30 after its final passage and adoption.

31 SECTION 17. This ordinance shall be published in full
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1 at least once at least three days prior to its final adoption
2 in the "Modesto Bee," the official newspaper of the City of
3 Modesto.

4 The foregoing ordinance was introduced at a special
5 meeting of the Council of the City of Modesto held on the 5th day
6 of July, 1944, by Councilman Wilson, who moved its
7 adoption and passage to print, which motion being duly seconded,
8 was upon roll call carried and the ordinance ordered printed and
9 published as above by the following vote:

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11 Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

12 Noes: Councilmen: None

13 Absent: Councilmen: None

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APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

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ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK.

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(200 copies)

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FINAL ADOPTION CLAUSE

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 5th day of July, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 12, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Charles Shannon
MAYOR

ATTEST

Earl E. Guefue
CITY CLERK

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SPECIAL
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ORDINANCE NO. 725-N.S.

AN ORDINANCE OF THE CITY OF MODESTO APPROPRIATING AND SETTING APART AND INCLUDING IN AND MAKING PART OF THE ANNUAL BUDGET OF SAID CITY FOR FISCAL YEAR 1944-1945 CERTAIN MONEYS FOR THE PREPARATION OF SURVEYS AND PLANS AND SPECIFICATIONS FOR PROPOSED POST WAR PUBLIC WORKS AND THE ACQUISITION OF RIGHTS OF WAY AND SITES FOR MAJOR PROJECTS AND OTHER IMPROVEMENTS IN SAID CITY, AS PROVIDED BY SENATE BILL NO. 48 OF THE STATE OF CALIFORNIA, STATUTES 1944

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

SECTION 1. That there be appropriated and set apart, and there is hereby appropriated and set apart out of the General Fund, the Water Fund and the Gas Tax Fund of the City of Modesto, the sum of TWENTY-FOUR THOUSAND, SEVEN HUNDRED SIXTEEN (\$24,716.00) DOLLARS.

SECTION 2. Said moneys are so appropriated, budgeted and set apart for the purpose of preparing surveys and plans and specifications for proposed post war public works and the acquisition of rights of way, and sites for major projects and other improvements in and about said City of Modesto, in accordance with the provisions of Senate Bill No. 48 of the State of California, entitled as follows: "AN ACT MAKING AN APPROPRIATION FOR ALLOCATION TO CITIES, COUNTIES, AND CITIES AND COUNTIES TO DEVELOP A POSTWAR PUBLIC WORKS PROGRAM COMPRISING THE PREPARATION OF SURVEYS AND PLANS AND SPECIFICATIONS FOR PROPOSED PUBLIC WORKS AND THE ACQUISITION OF RIGHTS-OF-WAY AND SITES FOR MAJOR STREETS, ROADS, BRIDGES, SEWERAGE AND OTHER PUBLIC FACILITIES, AND PROVIDING THE PROCEDURE FOR MAKING SUCH ALLOCATIONS."

SECTION 3. Said moneys so appropriated and set apart are hereby included in and made part of the Annual Budget of the said City of Modesto for the fiscal year 1944-1945.

Provided, however, that if the moneys hereby appropriated and set apart for the purposes aforesaid are not expended by June 30th, 1945, such portion thereof then remaining and unexpended for said purposes shall be considered and treated as being set up, included in, and made part of the Annual Budget of said City for

1 the fiscal year 1945-1946, and shall be used for the purposes
2 hereinabove set forth.

3 SECTION 4. This Ordinance shall take effect and be in
4 full force and operation from and after 15 days after its final
5 passage and adoption.

6 SECTION 5. This Ordinance shall be printed and published
7 in full at least once at least three days prior to its final
8 adoption in the "The Modesto Bee," the official newspaper of the
9 City of Modesto.

10 The foregoing Ordinance was introduced at a regular meet-
11 ing of the Council of the City of Modesto held on the 12th day of
12 July, 1944, by Councilman MORRIS, who moved its adoption,
13 which motion being duly seconded was upon roll call carried, and
14 the ordinance ordered printed and published as above by the
15 following vote:

16 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

17 Noes: Councilmen: None

18 Absent: Councilmen: None

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APPROVED:


CARL W. SHANNON, MAYOR

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ATTEST:

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REX E. GAILFUS, CITY CLERK

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 12th day of July, 1944, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of July 26, 1944, it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

10 Noes: Councilmen: None

11 Absent: Mayor Shannon

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14 APPROVED: *C. J. Stanley*

15 ACTING MAYOR

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18 ATTEST: *Ray C. Gaudin*

19 CITY CLERK
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ORDINANCE NO. 726 N. S.

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2 AN ORDINANCE PROHIBITING ANY PERSON FROM OFFERING OR AGREEING TO
3 COMMIT OR COMMITTING PROSTITUTION OR OFFERING TO SECURE OR SECUR-
4 ING ANOTHER FOR THE PURPOSE OF PROSTITUTION, FORNICATION, ASSIGNA-
5 TION OR ANY OTHER LEWD, IMMORAL OR LASCIVIOUS ACT, OR BEING IN OR
6 NEAR ANY PUBLIC PLACE FOR THE PURPOSE OF ENTICING OR PROCURING
7 ANOTHER TO COMMIT ANY SUCH ACT, OR KNOWINGLY TRANSPORTING ANY PER-
8 SON TO ANY PLACE FOR THE PURPOSE OF COMMITTING ANY SUCH ACT, OR
9 KNOWINGLY RECEIVING OR AGREEING TO RECEIVE ANY PERSON INTO ANY
10 PLACE OR BUILDING OR BUILDINGS FOR THE PURPOSE OF COMMITTING ANY
11 SUCH ACT, OR KNOWINGLY PERMITTING ANY PERSON TO REMAIN IN ANY
12 SUCH PLACE OR BUILDING FOR SUCH PURPOSES, OR DIRECTING ANY PERSON
13 TO A PLACE FOR THE PURPOSE OF COMMITTING ANY SUCH ACT OR IN ANY
14 WAY AIDING OR ABETTING OR PARTICIPATING IN THE DOING OF ANY SUCH
15 ACT AND MAKING REPUTATION ADMISSABLE AS EVIDENCE AND CONTAINING A
16 SEVERABILITY CLAUSE; DECLARING AN EMERGENCY TO EXIST, AND PROVID-
17 ING A PENALTY THEREFOR.

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19 WHEREAS, it is essential to the successful prosecution of
20 the war that the manpower of the United States be recruited, con-
21 served and utilized to its utmost limit; and,

22 WHEREAS, it is the policy of this body to co-operate to the
23 fullest degree with the Army, Navy and the Federal Agency in pro-
24 tecting the public health and welfare through the repression of
25 prostitution:

26 NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY
27 OF MODESTO:

28 SECTION 1. Every person who:

29 (a) Shall hire and/or use any apartment, room, or tenement
30 for the purpose of assignation or prostitution, or who shall let
31 any apartment, room or tenement, knowing, and/or under such cir-
32 cumstances that should cause a person of reasonable understanding
to know, that it is to be used for the purpose of assignation or
prostitution; or

(b) Who aids, offers or agrees to commit or commits any
lewd, immoral, lascivious or indecent act or any act of prostitu-
tion; or

(c) Offers to secure or secures another for the purpose of

1 committing any act of prostitution, fornication, assignation or
2 for any other lewd, immoral, lascivious or indecent act with any
3 other person; or

4 (d) Is in or near any thoroughfare or public place for the
5 purpose of inducing, enticing, encouraging or procuring another to
6 commit an act of lewdness, fornication or unlawful sexual inter-
7 course; or

8 (e) Knowingly transports any person to any place where he
9 may commit, or for the purpose of committing any lewd, immoral,
10 lascivious or indecent act or any act of prostitution; or

11 (f) Knowingly receives, offers or agrees to receive any
12 person into any place or building for the purpose of assignation
13 or of performing any act of lewdness or fornication, or knowingly
14 permits any person to remain there for any of such purposes; and

15 (g) Directs any person to any place for the purpose of
16 committing any lewd, immoral, lascivious or indecent act, or any
17 act of prostitution or fornication; or

18 (h) Conducts or behaves himself or herself in such a man-
19 ner as to be injurious to the health or morals of others; or

20 (i) In any manner aids or abets or participates in the
21 doing of any of the acts prohibited by subdivisions (a) to (h),
22 inclusive, of this ordinance, is guilty of a violation of this
23 ordinance and punishable upon conviction by imprisonment in the
24 County Jail for a term of not to exceed ninety (90) days or by a
25 fine not exceeding three hundred (\$300.00) dollars, or by both
26 such fine and imprisonment.

27 SECTION 2. The common repute of any person as a prostitute
28 or as a lewd, immoral, lascivious or dissolute person, or as a
29 person who has resided in a house of prostitution shall be admis-
30 sable and received as a circumstance of evidence in proving a
31 violation of this ordinance.
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1 SECTION 3. If any provision of this ordinance or the
2 application thereof to any person or citizen is held invalid,
3 such invalidity shall not affect any other provision or applica-
4 tion thereof, which can be given effect without the invalid pre-
5 vision or application, and to this end the provisions of this
6 ordinance are declared to be severable.

7 SECTION 4. The City Council of the City of Modesto hereby
8 finds and declares that the immediate operation of the provisions
9 of this ordinance is necessary for the preservation of the public
10 peace, health, and safety, and an emergency is hereby declared
11 to exist, and this ordinance shall therefore be in full force and
12 effect from and after its final passage and adoption.

13 SECTION 5. This ordinance shall be published in full at
14 least once at least three days prior to its final adoption in
15 the "Modesto Bee," the official newspaper of the City of Modesto.

16 The foregoing ordinance was introduced at a regular meeting
17 of the Council of the City of Modesto held on the 12th day of
18 July, 1944 by Councilman Stanley, who moved its adoption and passage
19 to print, which motion being duly seconded, was upon roll call
20 carried and the ordinance ordered printed and published as above
21 by the following vote:

22 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

23 Noes: Councilmen: None

24 Absent: Councilmen: None

25
26 APPROVED

Carl W. Shannon
CARL W. SHANNON, MAYOR

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28
29 **AFFEST**

30 *Rex E. Gailfus*
31 REX E. GAILFUS, CITY CLERK

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50 copies

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 12th day of July, 1944, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of July 26, 1944, it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

10 Noes: Councilmen: None

11 Absent: Mayor Shannon

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14 APPROVED: *C. Stanley*
15 ACTING MAYOR

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18 ATTEST: *Rex E. Gausman*
19 CITY CLERK
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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 727-N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE
CITY OF MODESTO

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

Section 1. The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows:

- City Clerk, who likewise occupies the offices of Auditor and Assessor, the sum of \$4200.00 per annum
- City Treasurer and Collector, the sum of \$4020.00 per annum
- City Attorney, the sum of \$3300.00 per annum
- Chief of Police, the sum of \$4500.00 per annum
- Fire Chief, the sum of \$4500.00 per annum
- Health Officer, the sum of \$3900.00 per annum
- City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$6000.00 per annum

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials.

Section 3. This ordinance shall take effect and be in full force and operation fifteen (15) days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit: the The Modesto Bee.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 19th day of July, 1944, by Councilman Neece, who moved its adoption and passage to print as aforesaid, which motion being duly seconded

1 was upon roll call carried and the ordinance ordered published as
2 above by the following vote:

3 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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8 APPROVED


CARL W. SHANNON, MAYOR

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11 ATTEST


REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 19th day of July, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of the Council of the City of Modesto of July 26, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilman: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

Stanley
Acting Mayor

ATTEST:

W. Clausen
CITY CLERK

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AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

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:

Approximately 5000 lbs. of scrap steel and iron; 500 lbs. of cast iron; 50 lbs. of brass; 225 lbs. of copper; and 100 lbs. of miscellaneous metals.

32 old storage batteries.

1 Roll of Hog Wire.

4 Boy's Bicycles.

2 Boy's Bicycle Frames.

1 Child's Small Tricycle.

3 Pair of Fender Skirts.

Small Assortment of Hub Caps.

SECTION II. Sale shall be made at public auction at 1107 Eighth Street after advertising for bids for the sale thereof for two days in the Modesto Bee, the official newspaper of the City of Modesto.

The sale shall be conducted by the City Engineer or his authorized representative at 1107 Eighth Street. 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 10:00 o'clock in the morning at the office of said City Engineer until the whole thereof is sold.

SECTION III. The foregoing 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. The foregoing Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

FINAL ADOPTION CLAUSE

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 19th day of July, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of the Council of the City of Modesto of July 26, 1944, it was upon roll call so finally adopted by the following vote:
Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

APPROVED:

E. J. Stanley
Acting Mayor

ATTEST:

Ray E. Hughes
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 729-N.S.

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AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE REMODELING,
ALTERING AND ENLARGING OF THE BUILDING OF THE CITY OF MODESTO LOCATED
AT 614-616 TENTH STREET, OCCUPIED BY THE WATER DEPARTMENT, POLICE
DEPARTMENT AND ENGINEERING DEPARTMENT.

---oOo---

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

Section 1. The sum of Five Thousand (\$5000.00) Dollars, or so
much thereof as may be necessary, is hereby appropriated out of the
Water Fund of the City of Modesto for the enlarging, altering and
remodeling of the building located at 614-616 Tenth Street, occupied
by the Water Department, Police Department and Engineering Department
of the City of Modesto.

Section 2. The City Engineer shall prepare and file with
the City Council plans for the remodeling and enlargement of the
said building, together with detail plans and specifications.

The City Clerk shall thereupon advertise for
bids for the furnishing of the material or the performance of the
labor or both, as may be hereafter directed by the Council, which
advertisement 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 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 portion of a bid and accept
the balance

Section 3. The Council shall have the right to reject any
and all bids and thereupon to either readvertise for bids or to pro-
vide and direct that the work shall be done by the Department of
Public Works.

SPECIAL
NOT IN CODE

1 Section 4. The Council shall have the right to authorize
2 by resolution, progressive payments on said contract as provided by
3 section 58 of Article X, entitled PUBLIC WORK AND SUPPLIES, of the
4 Charter of the City of Modesto

5 Section 5. This Ordinance shall go into effect fifteen days
6 after its final passage and adoption.

7 Section 6. This ordinance shall be published at least once
8 at least three days prior to its final adoption in the Modesto Bee,
9 the official newspaper of the City of Modesto.

10 The foregoing ordinance was introduced at a special meeting
11 of the Council of the City of Modesto on the 19th day of July, 1944
12 by Councilman Neece, who moved its adoption and passage to print,
13 which motion being duly seconded, was upon roll call carried by the
14 following vote:

15 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

16 Noes: Councilmen: None

17 Absent: Councilmen: None

18 APPROVED

Carl W. Shannon
CARL W. SHANNON, MAYOR

19
20 ATTEST

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

21
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23 10 copies
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FINAL ADOPTION CLAUSE

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 19th day of July, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of the Council of the City of Modesto of July 26, 1944, it was upon roll call so finally adopted by the following vote:
Ayes: Councilman: Morris, Neece, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

APPROVED:

E. J. Stanley
Acting Mayor

ATTEST:

Ray C. Gausman
CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 730 N. S.

2 AN ORDINANCE REGULATING THE BUSINESS OF CARRYING PASSENGERS FOR
3 HIRE AND THE OPERATION OF AUTOMOBILE BUSESSES, JITNEYS, TAXIS AND
4 TAXICABS WITHIN THE CITY OF MODESTO AND ITS ENVIRONS; REGULATING
5 AND FIXING THE RATES AND/OR FARES TO BE CHARGED PASSENGERS FOR USE
6 OF SUCH VEHICLES; PROVIDING PENALTIES FOR THE VIOLATION OF THE
7 PROVISIONS OF THIS ORDINANCE AND REPEALING ORDINANCE NO. 719 OF
8 SAID CITY OF MODESTO.

9 ---opocoooo---

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

11 In addition to the provisions of Ordinance No. 146 N. S.
12 and other ordinances of the City of Modesto, relating to the
13 business of carrying passengers for hire, and the operation of
14 automobile busses, jitneys and taxis and taxicabs within the
15 City of Modesto, all persons, firms, associations and/or corpora-
16 tions engaged in such business are required to comply with the
17 following provisions:

18 SECTION 1. That certain printed documents in pamphlet form,
19 three (3) copies of which are on file in the office of the City
20 Clerk of the City of Modesto, each being marked and designated
21 as "MODESTO TAXI RATES EFFECTIVE SEPTEMBER 1, 1943," and each
22 consisting of eighteen (18) pages, and setting forth and fixing
23 the rates to be charged by taxis or taxicabs licensed by the City
24 of Modesto to operate therein, and also a certain map of the
25 City of Modesto, three (3) copies of which are on file in the
26 office of the City Clerk of said City of Modesto, each of said
27 copies of said Map being marked and designated as follows:

28 "CITY OF MODESTO
29 DEPARTMENT OF PUBLIC WORKS
30 F. J. ROSSI, CITY ENGINEER

(1943)"

31 and being colored to designate zones and corresponding with the

1 rates set forth in said documents in pamphlet form, hereinabove
2 referred to, are hereby approved and adopted by the Council of
3 the City of Modesto and made part of this ordinance as fully as
4 if set forth at length herein, for the purpose of fixing and
5 establishing the rates or fares to be charged by the owner and/or
6 operator of taxis or taxicabs; and any rates and/or charges made
7 and/or paid in excess of the rates and/or charges so fixed shall
8 be unlawful.

9 Every driver or operator of a taxi or taxicab licensed in
10 the City of Modesto shall at all times comply with the following
11 conditions:

12 (a) He shall keep in plain view in any taxi or taxicab
13 so licensed and driven or operated by him, and open to the in-
14 spection of any person then and there a passenger in said taxi
15 or taxicab or prospective passenger demanding to see the same, a
16 copy of said document in pamphlet form hereinabove first re-
17 ferred to, three (3) copies of which are on file in the office of
18 the City Clerk of said City of Modesto, and such driver or
19 operator shall also keep in said taxi or taxicab so driven and/or
20 operated by him, a copy of said Map referred to in said Section 1
21 of this ordinance, and shall allow inspection thereof by any per-
22 son then and there a passenger in said taxi or taxicab or
23 prospective passenger demanding to see the same.

24 (b) Said driver and/or operator of such taxi or taxicab
25 shall at all times while operating or driving a taxi or taxicab
26 have in his possession or in said taxi or taxicab a copy of said
27 documents hereinabove referred to, and upon request of a passen-
28 ger or a prospective passenger, he shall exhibit to him any
29 portion of the contents of said documents or either of them re-
30 garding any rate, fare or charge therein contained.

31 SECTION 2. Notwithstanding anything to the contrary
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1 stated in this ordinance, all owners and/or operators of taxis
2 or taxicabs carrying, conveying or transporting passengers for
3 hire within said City of Modesto and/or its environs, shall at
4 their option have the right to install taximeters in their said
5 taxis and/or taxicabs; or, if said owners and/or operators shall
6 prefer to continue to operate their said taxis and/or taxicabs
7 within said City and/or its environs in accordance with the pro-
8 visions of Section 1 of this ordinance, then and in that event
9 said owners and/or operators shall have the right so to do,
10 without procuring or installing said taximeters.

11 Provided, however, that said owners and/or operators
12 shall prior to the effective date of this ordinance, notify the
13 City Council, in writing, of the choice of method of operation
14 of said owners and/or operators, as herein provided.

15 SECTION 3. It is further provided that when said
16 owners and/or operators shall have elected to adopt and do
17 adopt either of said methods of operation in respect to the
18 charging and collection of fares, said owners and/or operators
19 shall continue thereafter to operate their said taxis and/or
20 taxicabs under and in accordance with the method so adopted by
21 them in the first instance, unless and until said owners and/or
22 operators shall request said City Council, in writing, for per-
23 mission to change the method of operating their said taxis
24 and/or taxicabs to conform with the other or remaining method of
25 operation; and no change in the method of operation of said
26 taxis and/or taxicabs shall be made until said City Council gives
27 its consent so to do.

28 SECTION 4. In the event that the owners and/or operators
29 of taxis and/or taxicabs within said City of Modesto and its en-
30 vironns determine to and do procure and install and/or have in-
31 stalled in their said taxis and/or taxicabs taximeters in ac-
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1 cordance with the provisions of Section 2 of this ordinance, such
2 taximeter shall be of such type, style and design as may and shall
3 be approved by the City Council of said City of Modesto, and it
4 shall be the duty of every owner and/or operator of taxis and/or
5 taxicabs to keep such taximeter in perfect condition so that
6 said taximeter will, at all times, correctly and accurately indi-
7 cate the correct charge for the distance traveled and waiting
8 time, and such taximeter shall be at all times subject to in-
9 spection by the Chief of Police of the City of Modesto, and said
10 Chief of Police is hereby authorized at his instance or upon
11 complaint of any person to investigate or cause to be investigated
12 such taximeter, and upon the discovery of any inaccuracy in said
13 taximeter, to remove or cause to be removed such vehicle equipped
14 with such taximeter from the streets of the City of Modesto until
15 such time as said taximeter shall have been correctly adjusted.

16 SECTION 5. Nothing herein contained is intended to mean
17 and it shall not be construed to mean that if it is impossible to
18 procure new taximeters, good, accurate, rebuilt taximeters in
19 good, dependable mechanical condition, suitable for the purposes
20 for which they were originally intended, cannot be used or in-
21 stalled in such taxis and/or taxicabs as herein provided, but in
22 such event such rebuilt taximeters shall be of such type, style
23 and design as shall be approved by said City Council.

24 SECTION 6. Every such taximeter shall register the charge
25 to nearest ten (10) cents and be equipped with a flag or other
26 mechanical device with the words "For Hire" printed or stamped
27 thereon, and said flag shall be so attached and connected to the
28 mechanism of said taximeter as to cause said mechanism to operate
29 when said flag is in a position other than upright and to indicate
30 that the taxicab is not for hire, and which said flag shall, when
31 moved forward or downward, start the operation of said taximeter
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1 so that the same will operate in the manner defined in this
2 ordinance.

3 SECTION 7. It shall be unlawful for any driver or
4 operator of a taxi and/or taxicab while carrying passengers to
5 display the flag or device attached to such taximeter in such a
6 position as to denote that such vehicle is for hire, or is not
7 employed, or to have such flag or other attached device in such
8 a position as to prevent said taximeter from operating, and it
9 will and shall be unlawful for any driver and/or operator to
10 throw such flag or other device of a taximeter into a position
11 which causes said taximeter to record when such vehicle is not
12 actually employed, or to fail to throw said flag or other device
13 on such taximeter into a non-recording position at the termina-
14 tion of each and every service.

15 SECTION 8. All charges for transportation of passengers
16 in taxis and/or taxicabs operated in the City of Modesto must be
17 based on the charges indicated on said taximeters and it shall
18 be unlawful for any owner, driver and/or operator of any taxi
19 and/or taxicab to charge any passenger or passengers any sum in
20 excess of the sum indicated on said taximeter.

21 SECTION 9. The taximeter shall be so placed in said taxi
22 and/or taxicab that the reading dial showing the amount to be
23 charged shall be well-lighted and readily discernible by the
24 passenger riding in such taxi and/or taxicab.

25 SECTION 10. There shall be displayed in the passenger
26 compartment of each taxicab in full view of the passenger a card
27 not less than four inches by six inches in size, which shall have
28 plainly printed thereon the name of the owner, or the fictitious
29 name under which said owner operates, the business address and
30 telephone number of said owner, and the name of the driver of
31 said vehicle.
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1 SECTION 11. It shall be unlawful for the owner, driver
2 and/or operator of any taxi and/or taxicab equipped with a taxi-
3 meter operating within the City of Modesto and/or its environs
4 to fix, charge or collect a rate or fare in excess of the follow-
5 ing:

- 6 (a) For the first two-thirds ($2/3$) of a mile,
7 twenty-five (25¢) cents;
- 8 (b) For each additional one-third ($1/3$) mile,
9 ten (10¢) cents.
- 10 (c) No charge for extra passengers up to 4.
- 11 (d) When hauling passengers whose points of destination
12 are different, the meter shall be turned back to the
13 "for hire position" each time a passenger is dis-
14 charged and a fare collected.
- 15 (e) For waiting time, at request of patron, five (5¢)
16 cents for each one (1) minute
17 of waiting time after first three (3) minutes.

18 All of said taximeters shall be equipped with and be
19 operated as "receipt printing taximeters."

20 SECTION 12. Taximeters placed upon taxis and/or taxicabs
21 to replace broken or faulty meters, shall, under no condition or
22 circumstances, be operated more than twenty-four (24) hours prior
23 to being inspected, tested, approved, and sealed by an authorized
24 representative of the City Council of said City of Modesto.

25 SECTION 13. The Chief of Police of the City of Modesto, or
26 any member of the Police Department under his direction, shall
27 have the right, at any time after displaying proper identification,
28 to enter into or upon any taxi and/or taxicab for the purpose of
29 ascertaining whether or not any of the provisions of this or-
30 dinance are being violated.

31 SECTION 14. Any taxi and/or taxicab which is found, after
32 any such inspection, to be unsafe or in any way unsuitable for
33 taxicab service shall be immediately ordered out of service, and
34 before again being placed in service shall be placed in a safe
35 condition.

1 SECTION 15. The interior of every taxi and/or taxicab
2 shall be thoroughly cleaned at least once in every twenty-four
3 (24) hours.

4 SECTION 16. Any driver employed to transport passengers
5 to a definite point shall take the most direct route possible
6 that will carry the passenger to his destination safely and ex-
7 peditiously.

8 SECTION 17. Every driver shall, if requested, give a
9 correct receipt upon payment of the correct fare.

10 SECTION 18. All disputes as to fare shall be determined
11 by the officer in charge of the Police Station. Failure to comply
12 with such determination shall subject the offending party to a
13 charge of misdemeanor.

14 SECTION 19. It shall be unlawful for any person to re-
15 fuse to pay the lawful fare as fixed herein of any of the vehicles
16 regulated by this ordinance, after employing or hiring the same,
17 and any person so doing shall be guilty of a misdemeanor.

18 SECTION 20. It is hereby made unlawful for any owner,
19 operator or manager of a taxi and/or taxicab operating within the
20 said City of Modesto or its environs to engage, employ or permit
21 any woman driver to drive or operate any taxi and/or taxicab be-
22 longing to or under the control of such owner, operator or
23 manager, or for any woman driver to drive and/or operate any taxi
24 and/or taxicab within said City of Modesto and/or its environs
25 during the period or interval of time commencing one hour after
26 sunset and ending one hour before sunrise of the day immediately
27 following.

28 SECTION 21. Any person, licensee, operator and/or owner,
29 whether corporation, firm or individual, principal, agent, ser-
30 vant or employee, violating any of the terms, provisions or
31 sections of this ordinance, shall be deemed guilty of a misdemeanor,
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1 and upon conviction thereof shall be punished by a fine not exceed-
2 ing Five Hundred (\$500.00) Dollars, or by imprisonment in the
3 County Jail of Stanislaus County, California, for a term not
4 exceeding six (6) months, or by both such fine and imprisonment;
5 and any judgment for the payment of a fine shall provide that the
6 defendant shall be imprisoned until the fine shall have been paid,
7 at the rate of one day's imprisonment for every \$2.00 of the fine;
8 and in addition to the punishment herein provided, such conviction
9 shall be grounds for the immediate cancellation of the license or
10 licenses of such person, licensee, operator and/or owner, or
11 either of them.

12 Each such person, licensee, operator and/or owner,
13 whether corporation, firm or individual, principal, agent, servant
14 or employee, shall be deemed guilty of a separate offense for
15 every day during any portion of which any violation of this
16 ordinance is committed, continued or permitted by such person,
17 and shall be punishable therefor as provided in this ordinance.

18 Provided, however, that the City Council of said City
19 may, if it elects so to do, in the first instance, proceed against
20 such person, licensee, operator and/or owner by citing him to
21 appear before said City Council to show cause why the license
22 theretofore granted to said person, licensee, operator and/or
23 owner should not be terminated and cancelled, as provided by
24 Section 6 of Ordinance No. 146 N. S. of said City of Modesto.

25 SECTION 22. Ordinance No. 719 N. S. of the City of
26 Modesto is hereby expressly repealed.

27 SECTION 23. If any section, subsection, sentence, clause
28 or phrase of this ordinance is for any reason held to be unconsti-
29 tutional, or otherwise invalid by any court of competent juris-
30 diction, such decision shall not affect the validity of the re-
31 maining portions of this ordinance. The Council of the City of
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1 Modesto hereby declares that it would have passed this ordinance,
2 and each section, subsection, sentence, clause and phrase thereof,
3 irrespective of the fact that any one or more sections, sub-
4 sections, sentences, clauses or phrases be declared invalid or
5 unconstitutional.

6 SECTION 24. This ordinance shall take effect and be in
7 full force and operation from and after fifteen (15) days after
8 its final passage and adoption.

9 SECTION 25. This ordinance shall be published in full
10 at least once at least three days prior to its final adoption in
11 the "The Modesto Bee," the official newspaper of the City of
12 Modesto.


13 The foregoing ordinance was introduced at a special
14 meeting of the Council of the City of Modesto, held on the 2nd
15 day of August, 1944, by Councilman Stanley, who moved its
16 adoption and publication as aforesaid, which motion being duly
17 seconded, was upon roll call carried, and the ordinance ordered
18 printed and published as above by the following vote:

19
20 Ayes: Councilmen: Morris, Neece, Stanley, Wilson and Mayor
Shannon.
21 Noes: Councilmen: None.
22 Absent: Councilmen: None.
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25 APPROVED:

26 
CARL W. SHANNON, MAYOR.

27 ATTEST:

28 
29 REX E. GAILFUS, CITY CLERK.
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FINAL ADOPTION CLAUSE

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 August, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 9, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Shannon
MAYOR

ATTEST

[Signature]
CITY CLERK

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ORDINANCE NO. 731 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1944-1945

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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, 1944, and ending June 30, 1945, the rates of taxation, hereinafter specified, said rates being upon each One Hundred Dollars (\$100.00) of the valuation according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND-----\$.87
On each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND:

(a) Municipal Improvement Bonds of 1910-----\$.015

(b) Municipal Improvement Bonds of 1911----- .004

(c) Municipal Improvement Bonds of 1912----- .012

(d) Municipal Improvement Bonds of 1913----- .014

(e) Municipal Improvement Bonds of 1920 (Jan.) .061

(f) Municipal Improvement Bonds of 1920 (June) .011

(g) Municipal Improvement Bonds of 1923----- .013

BEING A TOTAL OF----- .13

For each One Hundred Dollars in valuation of property taxable for the redemption of bonds and the payments of interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND----- .10

On each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT-----\$1.10

On each One Hundred Dollars valuation as determined by the equalized assessment roll for the year 1944-45 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 to those required to be levied under the general laws of the State of California for the purpose of paying principal and interest on street improvement and interest on street improvement bonds in local improvement districts

SECTION 2

SPECIAL NOT IN CODE

1 BE IT FURTHER PROVIDED that anything to the contrary hereto-
2 fore set forth, there shall be and there is hereby declared to be a
3 different rate of taxation levied upon certain property situate in
4 the City of Modesto, to-wit, Southern Campus Tract, Hawkins Tract,
5 that portion of the Leslie-Hugh Tract recently annexed to the City
6 of Modesto, La Linda Tract, John Muir Park, Northwood and Esgar
7 Tracts, Said tax rate for said Southern Campus Tract, Hawkins
8 Tract, that portion of the Leslie-Hugh Tract annexed, La Linda
9 Tract, John Muir Park, Northwood Tract and Esgar Tract, as afore-
10 said shall be and is hereby declared to be as follows:

11	FOR THE GENERAL FUND-----	\$.87
	On each One Hundred Dollars taxable valuation	
12	FOR THE LIBRARY FUND-----	.10
	On each One Hundred Dollars of taxable valuation	
13		<hr/>
14	THE AGGREGATE OF SAID SUMS, TO-WIT:	\$.97
15	on each One Hundred Dollars valuation, as determined by the equalized assessment roll for the year 1944-45	

16 The tax rate upon said Southern Campus Tract, Hawkins Tract
17 That portion of the Leslie-Hugh Tract now a portion of the City of
18 Modesto, La Linda Tract, John Muir Park, Northwood Tract and Esgar
19 Tract is different from the tax rate herein set for the balance of
20 the property within the City of Modesto by reason of the fact that
21 said territory has recently been annexed to and made a part of the
22 City of Modesto under a provision of the State Law which does not
23 permit the said City to levy taxes upon said annexed property for
24 any past bonded indebtedness owed by said City and incurred before
25 said territory became a part of said City.

26 SECTION 3

27 This ordinance shall take effect immediately upon its
28 final passage and adoption.

29 SECTION 4

30 This ordinance shall be published in full at least once at
31 least three days prior to its final adoption in the Modesto

1 Bee, the official newspaper of the City of Modesto.

2 The foregoing ordinance was introduced at a regular meeting
3 of the Council of the City of Modesto held on the 16th day of
4 August, 1944 by Commissioner Neece, who moved its adoption
5 and passage to print, which motion being duly seconded, the ordi-
6 nance was upon roll call ordered printed and published as required
7 by the Charter of the City of Modesto by the following vote:

8 Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

9 Noes: Councilmen: None

10 Absent: Councilmen: Wilson

11 APPROVED

Eric H. Shannon
MAYOR

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14 ATTEST

R. E. Gueffus
CITY CLERK

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 16th day of August, 1944, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of August 23, 1944, it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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14 APPROVED: *Paul W. Shannon*
15 MAYOR

16
17 ATTEST: *Ray E. Lawrence*
18 CITY CLERK

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NOT SPECIAL IN CODE

ORDINANCE NO. 732-N.S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF AN AERIAL LADDER TRUCK FOR THE FIRE DEPARTMENT OF THE CITY OF MODESTO

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

SECTION 1. The sum of Twenty Thousand (\$20,000.00) Dollars or so much thereof as may be necessary is hereby appropriated from the General Fund of the City of Modesto for the purchase of an Aerial Ladder Truck, completely equipped with all appurtenances for the Fire Department of the City of Modesto.

SECTION 2. This ordinance shall go into effect from and after fifteen days after its final passage and adoption. It shall be published in full at least once, at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on September 6, 1944 by Councilman Neece, who moved its adoption and passage to print, which motion was duly seconded, was carried and the ordinance ordered printed and published by the following vote:

- Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 6th day of September, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 27, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: C. J. Stanley
ACTING MAYOR

ATTEST: [Signature]
CITY CLERK

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AN ORDINANCE AMENDING ORDINANCE NO. 644 N. S. OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE AMENDING ORDINANCE NO. 345 N. S. OF THE CITY OF MODESTO ENTITLED: 'AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO' AS THEREAFTER AMENDED, BY ADDING A NEW SECTION TO BE NUMBERED 36A," BY ADDING A NEW SECTION THERETO TO BE NUMBERED 36B.

---oooOooo---

REPEALED BY
MUNICIPAL CODE

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

SECTION 1. Ordinance No. 644 N. S. of the City of Modesto entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 345 N. S. OF THE CITY OF MODESTO ENTITLED: 'AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO' AS THEREAFTER AMENDED, BY ADDING A NEW SECTION TO BE NUMBERED 36A," is hereby amended by adding a new section thereto, which said Section shall be known and designated as 36B and shall read as follows, to-wit:

Section 36B. In addition to the streets and/or parts of streets within the said City of Modesto which are designated in Section 36A of said Ordinance 644 N. S. as "Unrestricted Traffic Streets," the following streets and/or parts of streets within said City of Modesto are hereby designated as "Unrestricted Traffic Streets," to-wit:

All that part of South Avenue inside the City Limits beginning at the easterly property line of Roselawn Avenue; thence westerly on said South Avenue to the westerly property line of Rosedale Avenue, extended and produced; thence northerly on said Rosedale Avenue to First Street; thence along said First Street to H Street;

All of Tuolumne Boulevard commencing at the westerly property line of Seventh Street; thence in a southwesterly direction on said Tuolumne Boulevard to the westerly property line of Neece Drive, extended and produced; thence southerly on said Neece Drive to Rouse Avenue and the City boundary limit;

all as more particularly shown and designated on City Map of the City of Modesto officially adopted by the City Council of the

1 City of Modesto at a regular meeting held November 25, 1942, on
2 file in the office of the City Engineer of said City.

3 SECTION 2. This ordinance shall go into effect and
4 be in full force and operation from and after fifteen (15) days
5 after its final passage and adoption.

6 SECTION 3. This ordinance shall be published in
7 full at least once at least three days prior to its final adoption
8 in the "The Modesto Bee," the official newspaper of the City of
9 Modesto.

10 The foregoing ordinance was introduced at a regular
11 meeting of the Council of the City of Modesto held on the 13th
12 day of September, 1944, by Councilman Morris, who
13 moved its adoption and passage to print, which motion being duly
14 seconded was upon roll call carried, and the ordinance ordered
15 printed and published as above by the following vote:

16 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

17 Noes: Councilmen: None

18 Absent: Councilmen: None

22 APPROVED:

23 
CARL W. SHANNON, MAYOR

24
25 ATTEST:

26 
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 13th day of September, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 27, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Present: " None

APPROVED: C. J. Stanley
ACTING MAYOR

ATTEST: Ray E. Gausman
CITY CLERK

1 REPEALED BY
2 MUNICIPAL CODE

ORDINANCE NO. 734 N. S.

3 AN ORDINANCE AMENDING SECTIONS 6, 7, 13 and 16 OF ORDINANCE NO.
4 559 N. S. OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE CREATING
5 A PENSION BOARD AND ENUMERATING ITS POWERS AND DUTIES; PROVIDING FOR
6 PENSION AND RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE
7 POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO AND FOR BENE-
8 FICIARIES OF DECEASED MEMBERS THEREOF; PROVIDING A PENSION AND RE-
9 LIEF FUND AND FOR ITS ADMINISTRATION BY THE PENSION BOARD," RE-
10 PEALING SECTION 8 OF SAID ORDINANCE NO. 559 N. S. AND ADDING A
11 NEW SECTION TO SAID ORDINANCE NO. 559 N. S. TO BE KNOWN AND DESIG-
12 NATED AS SECTION 14 $\frac{1}{2}$.

13 ---ooo0ooo---

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

15 SECTION 1. Section 6 of Ordinance No. 559 N. S. of the
16 City of Modesto entitled: "AN ORDINANCE CREATING A PENSION BOARD
17 AND ENUMERATING ITS POWERS AND DUTIES; PROVIDING FOR PENSION AND
18 RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND
19 FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES OF
20 DECEASED MEMBERS THEREOF; PROVIDING A PENSION AND RELIEF FUND AND
21 FOR ITS ADMINISTRATION BY THE PENSION BOARD" is hereby amended to
22 read as follows:

23 "Section 6 (a). In the event that a member of either
24 the fire or police department of the City of Modesto dies after
25 retirement and is receiving or is entitled to receive the pension
26 provided for in Section 5 of said Ordinance 559 N. S., the said
27 pension so paid or payable to him shall be paid to the beneficiary
28 of said deceased member.

29 "(b). That upon the death of a member after his retire-
30 ment and in addition to the pension benefits provided for in Sec-
31 tion 5 of said Ordinance No. 559 N. S. and Section 6(a) hereof,
32 for the purpose of paying the expenses of the deceased member's
funeral, the Board shall pay to the beneficiary or legal represent-
ative of said deceased member a sum not to exceed Five Hundred
(\$500.00) Dollars."

SECTION 2. Section 7 of said Ordinance No. 559 N. S.

1 entitled as aforesaid is hereby amended to read as follows:

2 "Section 7. The term "beneficiary" referred to in
3 Section 6 of this Ordinance, shall be construed to mean the surviving
4 widow, surviving but dependent husband, dependent, mother, depend-
5 ent father, or child or children of said deceased member under the
6 age of eighteen (18) years and unmarried. Distribution or pay-
7 ment of the amounts provided for by said Section 5 of said
8 Ordinance No. 559 N. S. shall be made to the beneficiary in the
9 following order, and subject to the following provisions:

10 "(a) To the surviving widow, or dependent but surviv-
11 ing husband of the deceased member, provided further that said
12 pension so payable to said surviving widow, or dependent husband,
13 will be discontinued in the event either surviving widow, or sur-
14 viving husband shall remarry, or should the surviving husband
15 cease to be dependent or is self-supporting.

16 "(b) If the deceased member was on retirement and leaves
17 no surviving widow or dependent husband surviving him or her,
18 then said pension payments as provided in said Section 5 of said
19 Ordinance No. 559 N. S. shall be paid to the child or children of
20 said deceased member, who are under the age of eighteen (18)
21 years and unmarried. In the event the deceased member leaves
22 surviving him more than one child qualified to receive the pension
23 herein provided for, then said pension shall be paid to said
24 children equally, share and share alike.

25 "(c) If the deceased member leaves no surviving widow
26 or dependent husband and no child, then said pension shall be paid
27 to the dependent mother or father, or to both of them equally,
28 share and share alike, if both are dependent, but not otherwise.

29 "In the event that the deceased member shall die,
30 leaving none of the dependents herein named in sub-paragraphs (a),
31 (b) and (c) of this Section, then the money deposited or paid into
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1 said Pension Fund by said member shall remain in said Pension
2 Fund to be disbursed thereafter to the benefit of such other mem-
3 bers as herein provided."

4 SECTION 3. Section 13 of said Ordinance No. 559 N. S.
5 entitled as aforesaid is hereby amended to read as follows:

6 "Section 13. Every person receiving any pension,
7 whether a disability pension or pension for service, shall obey
8 the requirements of this ordinance and of the Pension Board and
9 every rule or regulation promulgated by said Pension Board, or
10 any rule or regulation of the Police or Fire Department of the
11 City of Modesto with reference to the discipline or moral conduct
12 of its members.

13 "When and if the Pension Board determines to its satis-
14 faction that any member of the Police or Fire Department of the
15 City of Modesto has made any fraudulent claim to any of the bene-
16 fits provided for by this Ordinance and so certifies said findings
17 to the head of the department in which such member is or has been
18 employed, said member shall thereafter be expelled from said de-
19 partment, and all payments shall cease and end.

20 "For the failure to comply with the provisions of
21 this section, the Pension Board may discontinue the pension allow-
22 ance to said offender and all benefits accruing to him or his
23 beneficiary. Said Board shall also have the power to suspend for
24 such time as it deems fit and proper the pension allowance to
25 said offender for his failure to comply with said provisions."

26 SECTION 4. Section 16 of said Ordinance No. 559 N. S.
27 entitled as aforesaid is hereby amended to read as follows:

28 *make sec 8 + add 16* "Section 16. No spouse of a deceased member shall be
29 entitled to any of the benefits herein set forth who marries
30 said member after he becomes entitled to a pension, whether a
31 pension payable for service or for disability."
32

1 SECTION 5. Section 8 of said Ordinance No. 559 N. S.
2 entitled as aforesaid, is hereby expressly repealed.

3 SECTION 6. Said Ordinance No. 559 N. S. entitled as
4 aforesaid is hereby amended by adding a new section thereto, to
5 be numbered 14 $\frac{1}{2}$ and to read as follows, to-wit:

6 "Section 14 $\frac{1}{2}$: In the event that a member dies from
7 any cause whatsoever, before he actually goes on retirement as
8 provided in Section 5 of said Ordinance 559 N. S., the Pension
9 Board shall pay to the surviving spouse of the deceased member,
10 or if the deceased member leaves no surviving spouse, then to
11 his legal heirs or legal representatives, all sums of money con-
12 tributed or paid into said Pension Fund by the deceased member.
13 Said sum or amount of money shall be paid as in this section
14 provided, regardless of any sum that may be payable by reason of
15 Workmen's Compensation Insurance.

16 "The provisions of this section are not intended to
17 nor shall they be operative or effective in the event the de-
18 ceased member has retired or has actually received or enjoyed
19 any of the benefits of the pension provided in Section 5 of said
20 Ordinance No. 559 N. S., and in Sections 6 and 7 hereof."

21 SECTION 7. This Ordinance shall go into effect and
22 be in full force and operation from and after fifteen days after
23 its final passage and adoption.

24 SECTION 8. This Ordinance shall be published in full
25 at least once at least three days prior to its final adoption in
26 the "The Modesto Bee," the official newspaper of the City of
27 Modesto.

28 The foregoing Ordinance was introduced at a regular
29 meeting of the Council of the City of Modesto held on the 13th
30 day of September, 1944, by Councilman Stanley, who moved
31 its adoption and passage to print, which motion being duly
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1 seconded, was upon roll call carried, and the Ordinance ordered
2 printed and published as above by the following vote:

3 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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APPROVED:


CARL W. SHANNON, MAYOR.

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ATTEST:



REX E. GAILFUS, CITY CLERK.

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FINAL ADOPTION CLAUSE

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 13th day of September, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 27, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: *C. J. Stanley*
ACTING MAYOR

ATTEST *Ray E. Langmuir*
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 735 N. S.

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN EXCHANGE OF OTHER REAL PROPERTY TO BE USED FOR THE SAME PURPOSE.

WHEREAS, It appears to the Council of the City of Modesto, that the following described property:

That portion of Block 308A, as shown on Page 308A, in Block Maps of the City of Modesto, Stanislaus County, California, recorded in Maps, Volume 15, in records of County Recorder, Stanislaus County, California, and described as follows:

Beginning at the Northwest corner of Lot 6, Block 308A; thence Southerly along the Westerly boundary line of said Lot 6, a distance of 111.00 feet; thence Westerly on a line paralleling the Southerly boundary line of Tuolumne Boulevard, a distance of 11.26 feet; thence Northerly on a line paralleling the said Westerly boundary line of Lot 6, a distance of 111.00 feet to the said Southerly boundary line of Tuolumne Boulevard; thence Easterly along the said Southerly boundary line of Tuolumne Boulevard a distance of 11.26 feet to the point of beginning.

is no longer needed or adapted to the purpose for which it is being used, to wit, a golf course because of its position between buildings, and

WHEREAS, the following described property owned by Floyd E. Benson, of the City of Modesto:

The Southerly 25 feet of Lots 6 and 6, Block 308A, as shown on Page 308A, in Block Maps of the City of Modesto, Stanislaus County, California, and recorded in Maps, Volume 15, in records of County Recorder, Stanislaus County, California

is adapted to the use and purposes of a golf course and it will be beneficial to the City of Modesto to dispose of the property held by it and will be of benefit to the City of Modesto to acquire the property held by the said Floyd E. Benson, and the properties are of equal value;

NOW, THEREFORE, the Council of the City of Modesto do ordain as follows:

SECTION 1. That the City of Modesto sell and convey to Floyd E. Benson the following described property:

That portion of Block 308A, as shown on Page 308A,

1 in Block Maps of the City of Modesto, Stanislaus
2 County, California, recorded in Maps, Volume 15,
3 in records of County Recorder, Stanislaus County,
4 California, and described as follows:

5 Beginning at the Northwest corner of Lot 6, Block
6 308A; thence Southerly along the Westerly boundary
7 line of said Lot 6, a distance of 111.00 feet; thence
8 Westerly on a line paralleling the Southerly boundary
9 line of Tuolumne Boulevard, a distance of 11.26 feet;
10 thence Northerly on a line paralleling the said Westerly
11 boundary line of Lot 6, a distance of 111.00 feet
12 to the said Southerly boundary line of Tuolumne Boule-
13 vard; thence Easterly along the said Southerly bound-
14 ary line of the Tuolumne Boulevard, a distance of 11.26
15 feet to the point of beginning.

16 and take in consideration , therefore, the deed of Floyd E.
17 Benson to the following described property:

18 The Southerly 25 feet of Lots 5 and 6, Block 308A,
19 as shown on Page 308A, in Block Maps of the City of
20 Modesto, Stanislaus County, California, and recorded
21 in Maps, Volume 15, in records of County Recorder,
22 Stanislaus County, California.

23 SECTION 2. The Mayor and the City Clerk of the City of
24 Modesto are hereby authorized and directed to execute a deed con-
25 veying all of the right, title and interest of said City of
26 Modesto in and to said property to said Floyd E. Benson.

27 SECTION 3. The Mayor of the City of Modesto is hereby
28 authorized to accept from said Floyd E. Benson a deed to the
29 property described as follows:

30 The Southerly 25 feet of Lots 5 and 6, Block 308A,
31 as shown on Page 308A, in Block Maps of the City of
32 Modesto, Stanislaus County, California, and recorded
in Maps, Volume 15, in records of County Recorder,
Stanislaus County, California.

and to record the deed for said property taking title in the
name of the City of Modesto.

SECTION 4. This ordinance shall be published in full at
least once, at least three days prior to its final adoption in
the Modesto Bee, the official newspaper of the City of Modesto.

SECTION 5. This ordinance shall go into effect and be in
full force and operation from and after fifteen (15) days after
its final passage and adoption.

1 The foregoing ordinance was introduced at a regular meeting
2 of the Council of the City of Modesto held on the 20th day of
3 September by Councilman Morris who moved its adoption
4 which motion being duly seconded was, upon roll call, carried
5 and the ordinance ordered printed and published as above by the
6 following vote:

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9 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Stanley

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13 Approved:


14 CARL W. SHANNON , MAYOR

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16 Attest:


17 REX E. GAILFUS, CITY CLERK

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21 10 copies
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FINAL ADOPTION CLAUSE

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 13th day of September, 1944, and subsequently printed and published as required by the Charter of the City of Mode to, and coming on for final adoption at the regular meeting of September 27, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

C. J. Stanley
ACTING MAYOR

ATTEST

W. E. [Signature]
CITY CLERK

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Repealed
by Ord 1012-N.S.

ORDINANCE NO. 736 N. S.

1
2 AN ORDINANCE REGULATING SMOKING IN THEATRES, MOTION PICTURE
3 THEATRES, HALLS AND OTHER PLACES OF PUBLIC ASSEMBLY, PROVIDING
4 PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND REPEALING ORDI-
5 NANCE NO. 420 N. S. AND SUCH PORTIONS ONLY OF ANY OTHER ORDINANCE
6 OF SAID CITY OF MODESTO AS MAY BE IN CONFLICT HEREWITH.

---oooOooo---

REPEALED BY
MUNICIPAL CODE

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

7 SECTION 1. It shall be, and is hereby declared to be, un-
8 lawful for any person to smoke, or for the owner or manager of any
9 theatre to permit or allow smoking, in any theatre in the city,
10 and the word 'theatre', as used in this section, shall mean and
11 include not only the auditorium, or place where the audience
12 assembles, in any building, room or place in which operatic,
13 dramatic or vaudeville exhibitions are shown or given, or moving
14 pictures are shown, projected or screened, but also the stages,
15 wings, dressing rooms and projecting rooms operated in conjunction
16 therewith.

17 SECTION 2. It shall be, and is hereby declared to be, un-
18 lawful for any person in any operating or projecting room, or place
19 where celluloid or other inflammable films are projected, screened,
20 kept, handled or stored, in a theatre building or place of exhibit-
21 ion, to smoke, or make or use any open light, or for the owner or
22 manager thereof to permit any such act to be done.

REPEALED BY
MUNICIPAL CODE

23 SECTION 3. There shall be displayed in every theatre,
24 motion picture theatre, hall or other place of public assemblages
25 in which smoking is forbidden or prohibited by the terms of this
26 ordinance, in conspicuous places notices to the effect that smok-
27 ing is prohibited therein, with reference to this ordinance as
28 carrying such prohibition.

29 SECTION 4. The provisions of this ordinance with the
30 exception of Section 2 hereof, shall not apply to any open air
31 place of entertainment or assemblage, nor shall it, except as to
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1 the provisions of Section 2 hereof, apply to any place of enter-
2 tainment or assemblage where neither upholstered furniture, nor
3 carpets, nor draperies, nor curtains, nor flies, nor scenery is
4 used or employed.

5 SECTION 5. Any person, firm, association or corporation
6 who, either as principal, owner, agent, servant or employee,
7 violates any of the provisions of this ordinance, shall be guilty
8 of a misdemeanor and upon conviction thereof shall be punished by
9 a fine not exceeding TWO HUNDRED DOLLARS or by imprison-
10 ment in the County Jail of Stanislaus County, California, for a
11 period not exceeding Two months, or by both such fine and
12 imprisonment.

13 SECTION 6. This ordinance shall go into effect and be in
14 full force and operation from and after fifteen (15) days after
15 its final passage and adoption.

16 SECTION 7. Ordinance No. 420 N. S. and such portions only
17 of any other ordinances of said City of Modesto as may be in con-
18 flict herewith are hereby expressly repealed.

19 SECTION 8. If any section, subsection, sentence, clause
20 or phrase of this ordinance is for any reason held to be unconsti-
21 tutional, or otherwise invalid by any court of competent juris-
22 diction, such decision shall not affect the validity of the re-
23 maining portions of this ordinance. The Council of the City of
24 Modesto hereby declares that it would have passed this ordinance,
25 and each section, subsection, sentence, clause and phrase thereof,
26 irrespective of the fact that any one or more sections, sub-
27 sections, sentences, clauses or phrases be declared invalid or
28 unconstitutional.

29 SECTION 9. This ordinance shall be published in full at
30 least once at least three days prior to its final adoption in the
31 "The Modesto Bee," the official newspaper of the City of Modesto.
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1 The foregoing ordinance was introduced at a meeting of the
2 Council of the City of Modesto held on the 27th day of September,
3 1944, by Councilman Morris , who moved its adoption
4 and passage to print, 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:

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Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Councilmen: MAYOR SHANNON

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 27th day of September, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting October 11, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Charles Shannon
MAYOR

ATTEST:

Rex E. L. Jones
CITY CLERK

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS, EQUIPMENT, AND FOR THE CONSTRUCTION OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO.

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

SECTION I. The sum of One Thousand Two Hundred Dollars (\$1,200.00), or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the

\$5.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487 N.S., entitled "AN ORDINANCE

PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF

MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES AND REPEALING CERTAIN ORDINANCES." Said sum is hereby appropriated for the purpose of promotion and/or for the general welfare of the citizens of the City of Modesto, under and by virtue of the power conferred on said City Council by Section 67, Article 5, Charter of the City of Modesto.

SECTION II. The sum of Eight Hundred Dollars (\$800.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the maintenance of the Stanislaus County Boys' Band.

SECTION III. The sum of Fifteen Hundred Dollars (\$1500.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for promotion.

SECTION IV. The sum of Three Thousand Dollars (\$3,000.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the construction of a bridge at Johnson Street and Lucern Avenue.

SECTION V. The sum of Four Thousand Dollars (\$4,000.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for Storm Sewer construction and Sanitary Sewer Construction.

SPECIAL NOT IN CODE

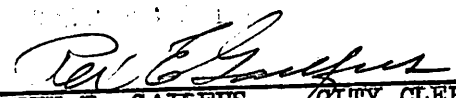
NOT IN CODE

1 Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley
2 Noes: Councilmen: None
3 Absent: Councilmen: Mayor Shannon

6 APPROVED:

7 
8 CARL W. SHANNON, MAYOR

11 ATTEST:

12 
13 REX E. GAILFUS, CITY CLERK

1
2
3 FINAL ADOPTION CLAUSE

4 The foregoing ordinance having been introduced and ordered
5 printed and published at a regular meeting of the Council of the City
6 of Modesto held on the 27th day of September, 1944, and subsequently
7 printed and published as required by the Charter of the City of
8 Modesto, and coming on for final adoption at the regular meeting of
9 October 11, 1944, it was upon roll call so finally adopted by the
10 following vote:

11 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

12 Noes: Councilmen: None

13 Absent: Councilmen: None

14 APPROVED

Carroll Shannon
MAYOR

15
16 ATTEST:

R. E. Gausman
CITY CLERK

CODE SEC:
NO. 8-1.201
8-1.204

ORDINANCE NO. 738 N. S.

AN ORDINANCE OF THE CITY OF MODESTO CREATING A FUND FOR
CAPITAL OUTLAYS.

--0000000--

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

SECTION 1. A fund is hereby created for capital outlays under the provisions of that certain Act of the Legislature of the State of California, entitled: "AN ACT TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES AND ASSESSMENTS FOR THE PURPOSE OF CREATING A FUND FOR CAPITAL OUTLAYS BY CITIES, COUNTIES, CITIES AND COUNTIES OR DISTRICTS," approved July 1, 1937, and being Chapter 717 of the Statutes of 1937, as thereafter amended by Chapter 341, Statutes of 1941, page 1590.

SECTION 2. Such fund shall be known as "The McHenry Library Special Fund for Capital Outlays" and it shall remain inviolate for the making of any capital outlays, and no moneys shall be disbursed therefrom excepting for such a purpose, excepting upon consent of the electors obtained, as provided in said Act.

SECTION 3. Taxes may be levied upon the taxable property in said City for the raising of moneys for said fund, but no levy so made shall exceed the limitation imposed by the general laws of the State of California and by Section 4, Subdivision 6 of the Charter of the City of Modesto upon the right of said City to impose taxes, without the assent of two-thirds (2/3rds) of the qualified electors of said City voting at any general or special election at which such proposition may be submitted.

SECTION 4. The City Council may transfer to such fund any unencumbered surplus funds remaining on hand in the McHenry Library Fund at the end of any fiscal year.

SECTION 5. This ordinance shall take effect and be in full force and operation from and after 15 days after its

final passage and adoption.

SECTION 6. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the "The Modesto Bee," the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of October, 1944, by Councilman Neece, who moved its adoption and passage to print as aforesaid, which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Nees: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl W. Shannon
CARL W. SHANNON MAYOR

ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 4th day of October, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 11, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

Paul G. Gierke
CITY CLERK

SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF
PROPERTY FOR A CITY HALL SITE.

--oOo--

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

SECTION 1. The sum of Seventeen Thousand Five Hundred
(\$17,500.00) is hereby appropriated from the general fund of the
City of Modesto for the purchase of lots 17, 18, 19, 20, 21, 22
and 23 and the South Easterly 13 feet of Lot 24 all in block 121
of the City of Modesto; said lots being purchased for the purpose
of supplementing the land heretofore acquired for the erection of
a City Hall and other Municipal buildings.

SECTION 2. This ordinance shall go into effect and be in
full force and operation from and after 15 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 Bee, 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
October, 1944, by Councilman MORRIS, 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: Morris, Neece, Stanley, Wilson, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

Approved: Carl W. Shannon
Mayor, Carl W. Shannon

Attest: Rex E. Gaillfus
Rex E. Gaillfus City Clerk.

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FINAL ADOPTION CLAUSE

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 October, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 25, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley
Noes; Councilmen: None
Absent: Mayor Shannon

APPROVED

C. J. Stanley
ACTING MAYOR

ATTEST

Tex E. Gueffus
CITY CLERK

REPEALED ORD 234CS

ORDINANCE NO. 740-N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO" BY REENACTING SECTION 10 OF ARTICLE III ENTITLED: "PEDESTRIAN'S LIMITED RIGHT TO USE OF ROADWAY"

---oOo---

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

Section 1. Section 10 of Article III of Ordinance No. 345-N.S. of the City of Modesto, entitled: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO", as thereafter amended is hereby reenacted

Section 2. The said section and article so reenacted reads as follows:

" Section 10. PEDESTRIAN'S LIMITED RIGHT TO USE OF ROADWAY. When within a business district, no pedestrian shall cross a road way other than by a crosswalk.

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

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.

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

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

4 The foregoing ordinance was introduced at a regular meeting
5 of the Council of the City of Modesto held on the 13th day of
6 December, 1944, by Councilman Stanley, who moved its adoption and
7 passage to print as aforesaid, which motion being duly seconded
8 was upon roll call carried, and the ordinance ordered published
9 as above by the following vote:

10 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13
14 APPROVED


CARL W. SHANNON, MAYOR

15
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17 ATTEST:


REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 13th day of December, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 27, 1944, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

NO 7 SPECIAL IN CODE

ORDINANCE NO. 741-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF A BRIDGE AT JOHNSON STREET AND LUCERN AVENUE IN ADDITION TO \$3000.00 APPROPRIATED UNDER SECTION IV OF ORDINANCE NO. 737-N.S. ENTITLED: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS, EQUIPMENT AND FOR THE CONSTRUCTION OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO"

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

SECTION I. The sum of Two Thousand Dollars (\$2,000.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the construction of a bridge at Johnson Street and Lucern Avenue.

SECTION II. Said appropriation is in addition to appropriation of Three Thousand Dollars (\$3,000.00), under section IV of Ordinance No. 737-N.S. entitled: "AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS, EQUIPMENT AND FOR THE CONSTRUCTION OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO"

SECTION III. This ordinance shall go into effect from and after fifteen days after its final passage and adoption. It shall be published in full at least once, at least three days prior to its final adoption in The Modesto Bee, 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 December 27, 1944, by Councilman Wilson, who moved its adoption and passage to print, which motion was duly seconded, was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 27th day of December, 1944, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 10, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Charles Shannon
MAYOR

ATTEST:

Rev. E. G. Gagnier
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 742-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A NEW MOTOR FOR THE ELGIN SWEEPER FOR THE CITY OF MODESTO

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

SECTION I. The sum of Seven Hundred Dollars (\$700.00) or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the purchase of a gasoline motor for the Elgin sweeper now owned by the City of Modesto.

SECTION II. This ordinance shall go into effect from and after fifteen days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, 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 January 24, 1945 by Councilman Stanley, who moved its adoption and passage to print, which motion was duly seconded, was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Stanley, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 January, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 14, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED: Raymond Shannon
MAYOR

ATTEST: Paul E. Emery
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 743 N. S.

---oOo---

ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF LAND
AND EQUIPMENT FOR SEWER SYSTEM

---oOo---

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

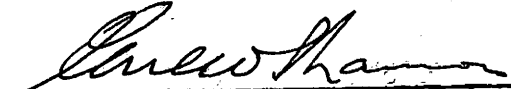
SECTION I - That Forty Thousand Dollars (\$40,000.00) be and the same is appropriated out of the General Fund of the City of Modesto for the purchase of real estate and equipment necessary and convenient for the extension of the sewer system of the City of Modesto.

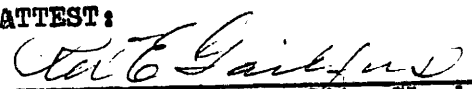
SECTION II - This ordinance shall go into effect and be in full force and operation from thereafter 15 days after its final passage and adoption.

SECTION III - This Ordinance shall be published in full at least 3 days prior to its final adoption in the "Modesto Bee" the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 31st day of January, 1945, by Councilman Neece who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the Ordinance ordered presented and published as above by the following votes:

- Ayes - Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
- Noes - Councilmen: None
- Absent-Councilmen: None


Mayor of the City of Modesto

ATTEST:

City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of January 31, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 14, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED:

Carroll Shannon
MAYOR

ATTEST

Patricia G. Gentry
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 744-N.S.

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF SAID CITY SEVEN PROPOSITIONS FOR INCURRING BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF EACH OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT: (1) SEWER SYSTEM, (2) FIRE PROTECTION, (3) WATER SYSTEM, (4) ADMINISTRATION BUILDING, (5) AUDITORIUM, (6) HOSPITAL, AND (7) AIRPORT; DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH THEREOF, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED FOR EACH THEREOF, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, PROVIDING FOR NOTICE THEREOF, AND CONSOLIDATING SAID ELECTION WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON APRIL 10, 1945.

- - - - -

WHEREAS, the City Council of the City of Modesto by resolution duly passed and adopted by affirmative vote of more than two-thirds of all of its members, did determine that the public interest and necessity demand the acquisition, construction and completion of the municipal improvements hereinafter mentioned, and each of them, and did further determine the cost of each of said proposed municipal improvements will be too great to be paid out of the ordinary annual income and revenue of said municipality, which resolution was duly entered on the minutes of said City Council and is now on file and of record in the City Clerk's office of said City; Now, therefore,

THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN AS

FOLLOWS:

Section 1. That a special municipal election be and is hereby ordered and will be held in said City of Modesto on TUESDAY, the 10th day of April, 1945, at which election there shall be submitted to the qualified electors of said City the question of incurring bonded indebtedness of said City for the objects and purposes set forth in the following propositions, and each of them, as follows, to wit:

PROPOSITION NO. 1: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$600,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the sewage disposal system of the City of Modesto, including the enlargement and extension of the present sewage disposal plant, industrial waste plant, storm sewers and sanitary sewers, pipes, pumps, machinery, equipment, apparatus and all lands, easements and other works, property or structures necessary or convenient for sanitary and storm sewer purposes?

PROPOSITION NO. 2: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$40,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the fire protection system, including new fire station, extension of fire alarm signal system, lands, rights of way and other works, property or structures necessary or convenient for the improvement of the fire protection system of the City of Modesto?

PROPOSITION NO. 3: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$100,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the existing municipal water system, including additional overhead storage tanks, pipes, pipelines, mains, pumps, machinery, apparatus, lands, rights and other works, property or structures necessary or convenient for improving and augmenting the water system of the City of Modesto?

PROPOSITION NO. 4: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$150,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: An administration building to be used as a City Hall, including furniture, fixtures, apparatus and other works, property or structures necessary or convenient for the carrying on of the public administration and government of the City of Modesto?

PROPOSITION NO. 5: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$400,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A civic auditorium, assembly and convention hall, including all lands, building, furniture, fixtures and equipment, works, property or structures necessary or convenient for civic auditorium, assembly and convention hall purposes?

PROPOSITION NO. 6: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$750,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A building to be used for a municipal hospital, including lands, furniture, fixtures, apparatus, X-ray equipment and other works, property or structures necessary or convenient for municipal hospital purposes?

PROPOSITION NO. 7: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$75,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the present municipal airport, including the acquisition of real and personal property for flying fields, hangars, mooring masts and all places for flying, take-off and landing of aircraft and the storage of the same when not in active use, together with signal lights, radio equipment, service shops, conveniences, appliances, air navigation facilities, and other works, property or structures necessary or convenient therefor?

That the estimated cost of the municipal improvement set forth in said Proposition No. 1 (Sewer System) is the sum of \$600,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$600,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 2 (Fire Protection) is the sum of \$40,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$40,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 3 (Water System) is the sum of \$100,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$100,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 4 (Administration Building) is the sum of \$150,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$150,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 5 (Auditorium) is the sum of \$400,000 and the amount

of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$400,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 6 (Hospital) is the sum of \$750,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$750,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 7 (Airport) is the sum of \$75,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$75,000.

Section 2. The said City Council does hereby submit to the qualified electors of said City of Modesto at said special municipal election the said propositions, and each of them, set forth in Section 1 of this ordinance, and designates and refers to said propositions, respectively, in the form of ballot hereinafter prescribed for use at said election. The said City Council proposes to issue and sell bonds of said City of Modesto in the amounts and for the objects and purposes specified in said propositions, and each thereof, if two-thirds of the qualified electors voting on each separate proposition at said special municipal election shall vote in favor of each of said propositions; provided, however, that the votes cast for and against each of said respective propositions shall be counted separately and when two-thirds of the qualified electors voting on any one of such propositions vote in favor thereof, such proposition shall be deemed adopted and bonds of the City of Modesto in the aggregate amount specified in the proposition or propositions which carried by the affirmative vote of two-thirds of the qualified electors of said City voting on such proposition or propositions at said election shall be issued and sold for the purposes specified in the proposition or propositions which received such affirmative two-thirds vote. Said bonds shall be general obligations of the

City, negotiable in form and of the character known as serial, and shall bear interest at a rate not exceeding five (5) per cent. per annum, payable semi-annually. Not less than one-fortieth part of the whole amount of the principal of said indebtedness created under any proposition or propositions which carried by such affirmative two-thirds vote shall be paid in each and every year; except that if Proposition No. 3 (Water System) shall carry by such affirmative two-thirds vote, the time of payment of said bonds authorized for that purpose may be extended and shall mature as provided by law.

Section 3. Said special municipal election shall be held and conducted, and the votes thereof canvassed, and the returns thereof made, and the result thereof ascertained and determined as herein provided, and in all particulars not prescribed by this ordinance said election shall be held as provided by law for the holding of municipal elections in said City.

Section 4. All persons qualified to vote at municipal elections in said City of Modesto upon the date of the election herein provided for shall be qualified to vote upon the propositions, and each of them, submitted at said special municipal election.

Section 5. The polls at the polling places hereinafter designated shall be opened at seven o'clock A. M. of said day of election and shall be kept open continuously thereafter until seven o'clock P. M. of said day of election, when the polls shall be closed (except as provided in Section 5734 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

Section 6. Said election shall be, and is hereby consolidated with the General Municipal Election to be held in said City of Modesto on said 10th day of April, 1945, pursuant to Section 5 of the Charter of said City and to the election proclamation thereof required by the provisions of Section 6 of said Charter, and pursuant to a resolution of the City Council of the City of Modesto, adopted February 7th, 1945, entitled, "RESOLUTION CONSOLIDATING ELECTION PRECINCTS, FIXING POLLING PLACES AND NAMING ELECTION OFFICERS FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF MODESTO ON TUESDAY, THE TENTH DAY OF APRIL, 1945," and reference to said resolution (a copy whereof, is now on file in the office of the City Clerk) is hereby specifically made for a designation of the precincts, polling places and officers of election therein set forth, which precincts, polling places and officers of election are hereby adopted for the election hereby called.

Section 7. The ballots to be used at said special municipal election shall, in addition to all other matters required by law, have printed thereon the following:

<p><u>PROPOSITION NO. 1:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$600,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the sewage disposal system of the City of Modesto, including the enlargement and extension of the present sewage disposal plant, industrial waste plant, storm sewers and sanitary sewers, pipes, pumps, machinery, equipment, apparatus and all lands, easements and other works, property or structures necessary or convenient for sanitary and storm sewer purposes?</p>	YES	
	NO	

<p>PROPOSITION NO. 2: Shall the City of Modesto (Fire Protection) incur a bonded indebtedness in the principal amount of \$40,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the fire protection system, including new fire station, extension of fire alarm signal system, lands, rights of way and other works, property or structures necessary or convenient for the improvement of the fire protection system of the City of Modesto?</p>	YES	
	NO	

<p>PROPOSITION NO. 3: Shall the City of Modesto (Water System) incur a bonded indebtedness in the principal amount of \$100,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the existing municipal water system, including additional overhead storage tanks, pipes, pipelines, mains, pumps, machinery, apparatus, lands, rights and other works, property or structures necessary or convenient for improving and augmenting the water system of the City of Modesto?</p>	YES	
	NO	

<p>PROPOSITION NO. 4: Shall the City of Modesto (Administration Building) incur a bonded indebtedness in the principal amount of \$150,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: An administration building to be used as a City Hall, including furniture, fixtures, apparatus and other works, property or structures necessary or convenient for the carrying on of the public administration and government of the City of Modesto?</p>	YES	
	NO	

<p><u>PROPOSITION NO. 5:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$400,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A civic auditorium, assembly and convention hall, including all lands, building, furniture, fixtures and equipment, works, property or structures necessary or convenient for civic auditorium, assembly and convention hall purposes?</p>	YES	
	NO	

<p><u>PROPOSITION NO. 6:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$750,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A building to be used for a municipal hospital, including lands, furniture, fixtures, apparatus, X-ray equipment and other works, property or structures necessary or convenient for municipal hospital purposes?</p>	YES	
	NO	

<p><u>PROPOSITION NO. 7:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$75,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the present municipal airport, including the acquisition of real and personal property for flying fields, hangars, mooring masts and all places for flying, take-off and landing of aircraft and the storage of the same when not in active use, together with signal lights, radio equipment, service shops, conveniences, appliances, air navigation facilities, and other works, property or structures necessary or convenient therefor?</p>	YES	
	NO	

Section 8. Each voter may vote on any or all of said propositions. Each voter to vote for any proposition hereby submitted and for incurring said bonded indebtedness shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said proposition, and to vote against any proposition and against incurring said indebtedness shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said proposition.

Section 9. The returns of said election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at said election; and this City Council shall meet at its usual meeting place and canvass said returns on Wednesday, the 18 day of April, 1945, at the hour of 4:00 P.M. o'clock, P.M., and declare the result of said election.

Section 10. The Clerk of the City of Modesto is hereby directed upon the passage and adoption of this ordinance to publish the same once a day for at least seven (7) days in the "Modesto Bee" (which is a newspaper published at least six (6) days a week in said City of Modesto), and such publication shall constitute notice of said election. No other notice of the election hereby called need be given.

Section 11. This ordinance shall be forthwith entered upon the minutes of this City Council and in the Ordinance Book of said City.

PASSED AND ADOPTED this 7th day of February, 1945, by the following vote:

AYES: Councilmen: Neece, Stanley, Wilson, Mayor Shannon

NOES: Councilman None

ABSENT: Councilman Morris



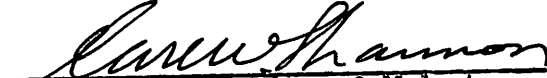
Mayor of the City of Modesto,
California.

Attest:



City Clerk

The foregoing ordinance is presented to me for
approval and is hereby approved this 8th day of February
1945.



Mayor of the City of Modesto,
California.

CLERK'S CERTIFICATE

I, Rex E. Gailfus, City Clerk of the CITY OF MODESTO, California, do hereby certify that the foregoing ordinance is a full, true and correct copy of an ordinance introduced and read at a ~~regular~~^{special} meeting of the City Council of the City of Modesto duly and regularly held on the 7th day of February, 1945, and that said ordinance was thereafter duly passed and adopted at a regular meeting of said City Council duly and regularly held at the regular meeting place thereof on the 14th day of February, 1945, of which meeting all of the members of said City Council had due notice and at which a majority of said members was present, by the following vote:


AYES: Councilmen Neece, Stanley, Wilson, Mayor Shannon

NOES: COUNCILMAN None

ABSENT: Councilman Morris

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said ordinance is duly entered of record in Book ____ of Minutes of said City Council at pages ____ to ____ and in Ordinance Book No. 6 of said City, and said ordinance is a full, true and correct copy of the original ordinance adopted at said meeting and entered in said Minutes and Ordinance Book. That said ordinance has not been amended, modified or rescinded since the date of its passage and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto this 8th day of February, 1945.



City Clerk of the City of Modesto,
California.

FINAL ADOPTION CLAUSE


The foregoing ordinance having been introduced and ordered printed and published at a special meeting of February 7, 1945 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption, at the regular meeting of February 14, 1945, it was upon roll call ~~so~~ finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 745 N.S.

AN ORDINANCE AMENDING SECTIONS 6, 14 $\frac{1}{2}$ AND 19 OF ORDINANCE 559 N.S. AS AMENDED BY ORDINANCE NO. 734 N.S.

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

Section 1 - Section 6 of Ordinance 559 N. S. of the City of Modesto as amended by Ordinance 734 N. S. of the City of Modesto is hereby amended to read as follows:

6 (a) - In the event that a member of either the fire or police department of the City of Modesto dies after reaching retirement age and becoming entitled to retirement, whether he has actually retired or not, the pension paid or payable under Section 5 of Ordinance 559 N.S. shall be payable to the beneficiary of said deceased member.

6 (b) - That upon the death of a member after he shall have become entitled to retirement and to receive the pension provided for in Section 5 of said ordinance 559 N.S. and Section 6 (a) thereof, for the purpose of paying the expenses of the deceased member's funeral, the board shall pay to the beneficiary or legal representative of said deceased member, a sum not to exceed \$500.00.

Section 2 - Section 14 $\frac{1}{2}$ of said Ordinance 559 N. S. of the City of Modesto as amended by Ordinance 734 N. S. of the City of Modesto is hereby amended to read as follows:

In the event that a member dies from any cause whatsoever before he becomes entitled to retirement as provided in Section 5 of said Ordinance 559 N. S., the Pension Board shall pay to the surviving spouse of the deceased member or if the deceased member leaves no surviving spouse, then to his legal heirs or legal representatives, all sums of money contributed or paid into said Pension Fund by the deceased member. Said sum or amount of money shall be paid as in this section provided, regardless of any sum that may be payable by reason of Workmen's Compensation Insurance.

The provisions of this section are not intended to nor shall they be operative or effective in the event the deceased member has become entitled to enjoy any of the benefits of the pension provided in Section 5 of said Ordinance 559 N. S. and in Section 6 and 7 thereof regardless of whether said member has actually retired or not.

1 Section 3 - Section 19 of Ordinance 559 N. S. of the
2 City of Modesto, is amended to read as follows:

3 No member retired on pension shall be
4 required to work in any department of the City of
5 Modesto other than the one from which he is retired,
6 and only then in case of public emergency, as herein-
7 above set forth, and such work and the earnings there-
8 from shall in no wise affect the amount of pension to
9 which he shall be entitled at the conclusion of said
10 work or the rights of his beneficiary or legal repre-
11 sentative in the event of his death during such
12 period of work.

13 Section 4 - This ordinance shall be printed and published
14 in full at least once at least three days prior to its final adop-
15 tion, in the "Modeste Bee", the official newspaper of the City of
16 Modesto.

17 The foregoing ordinance was introduced by Councilman _____
18 Stanley _____, who moved its adoption and passage to
19 print, which motion being duly seconded was upon roll call carried
20 at a regular meeting of the Council of the City of Modesto, held
21 on the 14th day of March, 1945, and the Ordinance was
22 ordered printed and published as above by the following vote:

23 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

24 Noes: Councilmen: None

25 Absent: Councilmen: None

26 ATTEST: Carl W. Shannon
27 CARL W. SHANNON, MAYOR

28 ATTEST: Rex E. Gailfus
29 REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 March, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 28, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

Gay E. Gailfus
CITY CLERK

1 Section III - This Ordinance shall go into effect and
2 be in full force and operation from and after 15 days after
3 its final passage and adoption.

4 Section IV - This ordinance shall be published in full
5 at least three (3) days prior to its final adoption in the
6 "Modesto Bee", the official newspaper of the City of Modesto.

7 The foregoing Ordinance was introduced at a regular
8 meeting of the Council of the City of Modesto, held on the
9 28th day of March, 1945 by Councilman Morris who
10 moved its adoption and passage to print. The motion, being
11 duly seconded, was, upon roll call carried and the Ordinance
12 ordered printed and published as above by the following vote:

13
14 **Ayes:** Councilmen Morris, Neece, Stanley, Wilson, Mayor Shannon

15 **Noes:** Councilmen None

16 **Absent:** Councilmen None

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18 APPROVED: *Earle Shannon*

MAYOR

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20 ATTEST: *Ray E. Gault*

CITY CLERK

FINAL ADOPTION CLAUSE

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 28th day of March, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 11, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Paul H. Shannon

MAYOR

ATTEST: Clara E. Gueffus

CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 747-N.S.

AN ORDINANCE AMENDING SECTION 105 OF ORDINANCE NO. 487-N.S. OF THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES, AS THEREAFTER AMENDED

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

SECTION 1. Section 105 of Ordinance No. 487-N.S. of the City of Modesto, entitled: "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES," is hereby amended to read as follows, to-wit:

"Section 105. For every person conducting, carrying on or managing a street carnival, the sum of \$3.00 per day for each and every separate show, entertainment, game, merry-go-round, ferris wheel, device, amusement, vaudeville or dramatic performance, game of chance or skill, for which a separate charge is made for admission, seats or standing room, or to operate or play at such game of chance or skill; or if only one charge is made for admission, or seat, or standing room, or to play at any such game of chance or skill, the license fee per day shall be ascertained by multiplying the number of each of such shows, exhibitions and entertainments by the amount fixed herein for each separate exhibition, show or game where a separate charge is made.

For the purpose of this section, the words "street carnival" are defined to mean and include a group of two or more shows, entertainments, games, devices amusements, vaudeville, dramatic or mistrel performances, or games, tricks, devices or wheels, the result of the operation of which is dependent upon chance or skill, and as a result of the operation of which things or representatives of value are given or paid, which are conducted in tents or temporary structures upon the public street, parks or upon vacant lots, not including circuses.

1 Provided that nothing in this section shall be construed to
2 license or authorize the conduct of any gambling or any game or
3 device prohibited by the laws of California or ordinances of the City.

4 Provided further that in event the use of any street, public
5 place or other place or property belonging to the City of Modesto,
6 is required, permission for the use of the same must be obtained
7 from the City Council.

8 SECTION 2. This ordinance shall go into effect and be in
9 full force and operation from and after fifteen days after its
10 final adoption.

11 SECTION 3. This ordinance shall be published in full at
12 least once at least three (3) days prior to its final adoption in
13 the "The Modesto Bee," the official newspaper of the City of
14 Modesto.

15 The foregoing ordinance was introduced at a regular
16 meeting of the Council of the City of Modesto held on the 11th day
17 of April, 1945 by Councilman Wilson, who moved its adoption and
18 passage to print as aforesaid, which motion being duly seconded,
19 was upon roll call carried, and the ordinance ordered published
20 as above by the following vote:

21 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

22 Noes: Councilmen: None

23 Absent: Councilmen: None

24
25 APPROVED


CARL W. SHANNON, MAYOR

26
27 ATTEST:


REX E. GAILFUS, CITY CLERK

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 11th day of April, 1945 and
5 subsequently printed and published as required by the Charter of the
6 City of Modesto, and coming on for final adoption at the regular
7 meeting of April 25, 1945, it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

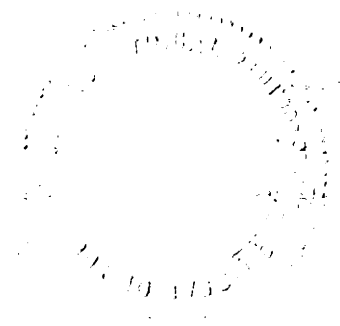
11 Absent: Councilmen: None

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13 APPROVED: Carroll Shannon

MAYOR

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16 ATTEST: Ray E. Gierke

CITY CLERK



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1 AN ORDINANCE ~~AMENDING ORDINANCE~~ AMENDING ORDINANCE NO. 700 N.S.
2 EXTENDING USE IN C-1 NEIGHBORHOOD BUSINESS DISTRICT

3 THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN AS FOLLOWS:

4 That hearings having been duly had before the Planning Com-
5 mission of the City of Modesto and the recommendation of the Plan-
6 ning Commission having been regularly forwarded to the City Council
7 of the City of Modesto and the City Council having considered the
8 recommendations of the Planning Commission and public hearings
9 having been had by the City Council all as provided by law; the
10 Zoning Ordinance of the City of Modesto, being Ordinance No. 700
11 N.S., and particularly Section 6 thereof, is hereby amended to
12 read as follows:

13 SECTION 6

14 SECTION 6 - C-1, NEIGHBORHOOD BUSINESS DISTRICT REGULATIONS
15 (For Convenience called C-1 District;

16 In Neighborhood Business Districts the following regulations
17 shall apply:

18 Uses Permitted: In Neighborhood Business Districts all build-
19 ings and land except as otherwise provided in this ordinance may
20 be used for any use permitted in the Multiple Family Districts,
21 (provided, however, that in any Neighborhood Business District
22 which is entirely surrounded by "R" Residence Districts or by
23 Residence Districts and the city limits, a use permit shall be
24 required for the establishment of any use for which a use permit
25 is required in the surrounding Residence District or for any use
26 for which a use permit is required in any Residence District which
27 is less restricted than the surrounding Residence District) or for
28 any use except the following:

- 29 1. Animal Hospitals.
- 30 2. Auto Repair Shops.
- 31 3. Automotive Service Station wherein repairing, washing,
32 or battery manufacture is included, except such stations
or portions thereof which might be objectionable by

reason of the emission of odor, dust, noise, smoke, vibration or electrical disturbances. Automotive Service Stations as permitted, shall be designed and arranged in such manner that vehicles being serviced will stand entirely on private property and all inlets to storage tanks shall be so located that the equipment discharging gasoline or other liquids, fluid or gas thereto shall stand entirely on private property.

4. Bakeries, except those whose products are to be sold upon the premises at retail only, without delivery service.
5. Blacksmith or horseshoeing shop.
6. Bottling Works.
7. Building material storage yard.
8. Carting, express, hauling or storage yard.
9. Coals, cokes, and wood yard except where such material is stored in sacks for retail trade in quantities not to exceed twenty five (25) sacks at any one time.
10. Dairy, or milk distribution station other than a retail business conducted on premises.
11. Dyeing and cleaning works using hazardous or inflammable or explosive materials.
12. Funeral Parlor, if within 200 feet of the frontage of property zoned for residential uses, (where permitted and when established funeral parlors shall be provided with adequate space on private property for parking of hearses, attendants' vehicles, etc.)
13. Public Garages, except upon securing a use permit as provided in Section 8.
14. Ice Plants or ice storage houses of more than five tons capacity.
15. Public Stables or Riding Academys.
16. Poultry dressing stations.

17. Restaurants in which dancing is provided for or permitted.

18. Stone monumental works.

19. Storage warehouse.

20. Wholesale business.

Any kind of manufacture or treatment other than manufacture of treatment of products clearly incidental to the conduct of retail business conducted on the premises.

All uses excluded from the C-2 - Central Business District.

LOT AREA AND VEHICULAR STORAGE OR STANDING SPACE REGULATIONS;

1. All regulations as to required lot area and percentage of lot coverage which are presented for Multiple Family Districts shall apply to all dwellings hereafter erected in C-1 Districts; provided, however, that in any C-1 District which is entirely surrounded by "R" Districts, or by "R" Districts and the city boundary, all regulations as to required lot area and percentage of lot coverage which are prescribed for such surrounding "R" Districts (or for the least restricted of them if they differ) shall apply to all dwellings hereafter erected.

2. On any lot in any C-1 District on which any family dwelling accommodations are hereafter established there shall be provided vehicle storage or standing space as required for Multiple Family Districts.

3. On every lot in any C-1 District on which is conducted any use permitted in a C-1 District but not in a more restricted district or on which is conducted any hotel or institutional use there shall be provided space, either outside or inside a building, for the unloading of goods and materials which space shall be not less than fifteen feet in width, nor less than twenty-five feet in length, nor less than fourteen feet in height, and which space shall be provided with access to an alley or street.

FRONT, SIDE AND REAR YARD REGULATIONS:

1. Every building or portion thereof which is designed or intended to be used for any purpose permitted in Multiple Family Districts or for any automobile courts shall comply with the provisions of this ordinance as to rear yards and side yards required in Multiple Family Districts; provided, that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required adjacent to a street line, except as herein provided in this section.

2. Except as hereinafter provided, where all the frontage on one side of the street between two intersecting streets is located in a C-1 district no front yard shall be required, and where the frontage on one side of the street between two intersecting streets is located in a C-1 district and a "R" district the front yard requirement of the "R" district shall apply to the C-1 district, provided, however no side yard shall be required on the street side of any corner lot.

3. In a C-1 district which is entirely surrounded by "R" districts or by "R" districts and the City boundary there shall be provided on each lot in that portion of such district which is located in any one block, a yard adjacent to each street bounding such block, which yard shall have a width or depth equal to that required for yards adjacent to the same side of the same street for the remaining property in the same block; except that on a corner lot in such C-1 district which is adjacent to a key lot the side yard adjacent to the street shall be of a width equal to not less than one-half the depth required for front yards on the lots to the rear of such corner lot. If any portion of such C-1 district occupies the entire length or width of any block, there shall be provided adjacent to each street bounding such block a yard of a depth or width equal to that required for yards adjacent to the same side of the same street in the next adjacent block of such surrounding "R" districts; provided that if the width or depth of yard required in the next adjacent block on one side of the block

under consideration varies from that required in the next adjacent block on the other side, the average of the widths or depths required in such adjacent blocks shall govern in the block under consideration.

4. There shall be a side yard along the side of every lot in a C-1 district, which side is bordering on property in any "R" district, which side yard shall be of a width not less than the minimum width of a side yard as required in said adjacent "R" district, but said side yard need not exceed ten (10) feet. There shall be a rear yard on the rear of every lot in a C-1 district which rear is bordering on property in any "R" district, which yard shall be of a depth equal to not less than twice the minimum width of a side yard as required in said adjacent "R" district, but said rear yard need not exceed twenty feet in depth.

5. No building shall hereafter be erected, nor shall any use of land be conducted except the use of land for agricultural or landscape ornamental purposes or for private driveways so that the same will be closer to the street right-of-way line than any future right-of-way line or future width line or building line which is established for such street by the provisions of any applicable ordinance.

BUILDING HEIGHT LIMIT:

Three stories but not to exceed forty five (45) feet.

SECTION 2. This Ordinance shall go into 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 Bee", 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 25th day of April, 1945, by Councilman Morris who moved its adoption and passage to print, which motion being duly seconded, was upon roll

call carried and the Ordinance ordered printed and passed as above
by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

Approved *Chas. H. Shannon*
Mayor of the City of Modesto

Attest *Ray E. Gaeffus*
City Clerk

FINAL ADOPTION CLAUSE

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 25th day of April, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 9, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carl A. Shannon
MAYOR

ATTEST:

Rev. E. J. Lauffer
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 749-N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF MODESTO

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

Section 1. The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows: City Clerk, who likewise occupies the offices of Auditor, Assessor, Treasurer and Collector, the sum of \$4200.00 per annum City Attorney, the sum of \$3300.00 per annum Chief of Police, the sum of \$4500.00 per annum Fire Chief, the sum of \$4500.00 per annum Health Officer, the sum of \$3900.00 per annum City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$6000.00 per annum

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials.

Section 3. This ordinance shall take effect and be in full force and operation fifteen (15) days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit; the The Modesto Bee.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 2nd day of May, 1945 by Councilman Neece, who moved its adoption, and passage to print as aforesaid, which motion being duly seconded, it was

1 upon roll call carried and the ordinance ordered published as above
2 by the following vote:

3 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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7 APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

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9
10 ATTEST REX E. GAILFUS
REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 May, 1945 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 9, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor, Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Paul W. Shannon
MAYOR

ATTEST:

W. E. Gausman
CITY CLERK

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ORDINANCE NO. 750 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 487 N.S. BY ADDING A NEW SECTION 105A AND REPEALING ORDINANCE 315N.S. AND 54 N.S.

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

SECTION I

Ordinance No. 487 N.S. is hereby amended by adding a new section, Section 105A, which section shall read as follows:
For every person conducting, carrying on, or managing a circus, the sum of \$300.00 per day for each day that such circus exhibits in Modesto; provided that before such circus is open for exhibit, 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

Section 204 of Ordinance 487 N.S. is hereby amended so as to read as follows:

Except as otherwise herein specifically provided, all ordinances and parts of ordinances in conflict herewith are hereby repealed; provided that such repeal shall not effect or prevent the prosecution and punishment of any person for any act done or committed in violation of any ordinance which may be repealed by this ordinance, nor prohibit civil actions for the collection of any unpaid license under any ordinance hereby repealed, and the same shall be continued in force and effect for the purpose of any prosecution, civil or criminal.

The following ordinances, or parts of ordinances, heretofore adopted, are not repealed but are continued in full force and effect, to-wit:

Ordinance No. 266 N.S. as amended by Ordinance No. 419 N.S. (Bottling works.)

- 1 O Ordinance No. 302 N.S. (Bill boards.)
2 Ordinance No. 312 O.S. (Driving livestock through town.)
3 Ordinance No. 316 N.S. (Curb pumps.)
4 Ordinance No. 482 N.S. (Dance halls.)
5 Ordinance No. 203 N.S. (Dogs.)
6 Ordinance No. 322 N.S. (Fortune Telling.)
7 Ordinance No. 424 N.S., as amended by Ordinance 425 N.S. and
8 by Ordinance 430 N.S. (Garbage.)
9 Ordinance No. 263 N.S., as amended by Ordinance 285 N.S.
10 (Retail milk.)
11 Ordinance No. 196 N.S., as amended by Ordinance 457 N.S.
12 (Pool halls.)
13 Ordinance No. 469 N.S. (Slot Machines.)
14 Ordinance No. 464 N.S., as amended by Ordinance 467 N.S.
15 (Wholesale peddling)
16 Ordinance No. 205 N.S. (Taxicabs.)
17 Ordinance No. 387 N.S. (Building Code.)

18 SECTION III

19 This Ordinance shall take effect and be in full force and
20 operation from and after 15ddgys after its final passage and adpp-
21 tion.

22 SECTION IV

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

26 This foregoing Ordinance was introduced at a regular meeting
27 of the Council of the City of Modesto held on the 9th day of May
28 1945, by Councilman WILSON, who moved its
29 adoption and passage to print which motion being duly seconded,
30 was upon roll call carried and the Ordinance ordered printed and
31 published as above by the following vote:
32

1 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
2 Noes: Councilmen: None
3 Absent: Councilmen: None

4
5 Approved *Greg Shannon*
6 Mayor of the City of Modesto

7
8 Attest: *Ray E. Jacobs*
9 City Clerk

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FINAL ADOPTION CLAUSE

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 9th day of May, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 23, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Ch. Shannon*
MAYOR

ATTEST: *W. E. Gausman*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

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AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION OF THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER SERVICE BY ADDING A NEW SUBSECTION D TO SECTION 5 TO PROVIDE RATES TO BE CHARGED FOR WATER FURNISHED TO CIRCUSES AND CARNIVALS.

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

SECTION 1. Section 5 of Ordinance No. 432 N.S. of the City of Modesto intituled: "AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION FOR THE WATER DEPARTMENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS AND FIXING THE RATES TO BE CHARGED FOR WATER SERVICES" as amended by Ordinance No. 723 N.S. is hereby amended by establishing a new section D under the subheading, "Charges for Circuses and Carnivals", so that when so amended said subsection D will read as follows:

"D. The rate to be charged for circuses in the City of Modesto shall be Twenty-five Dollars (\$25.00) per day for each day of any stay in the City.

The rate to be charged for Carnivals in the City of Modesto shall be Fifteen (\$15.00) Dollars per week or fraction thereof.

Subsection D as such subsection is established by Ordinance No. 723 N.S. shall hereafter be relettered "E".

SECTION 2. This Ordinance shall go into 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 Bee", 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

REPEALED BY
MUNICIPAL CODE

1 May, 1945, by Councilman Morris who moved its adoption
2 and passage to print, which motion being duly seconded, was upon
3 roll call carried and the Ordinance ordered printed and passed
4 as above by the following vote:

5 Ayes: Councilmen Morris, Neece, Stanley, Wilson, Mayor Shannon

6 Noes: Councilmen None

7 Absent: Councilmen None

8
9
10 Approved

Shannon
Mayor of the City of Modesto

11
12 Attest

W. E. ...
City Clerk

FINAL ADOPTION CLAUSE

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 9th day of May, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 23, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:

Shannon
MAYOR

ATTEST:

City Clerk
CITY CLERK

ORDINANCE NO. 752 N.S.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO

WHEREAS, a petition dated the 23rd day of February, 1945, was filed with the City Council by Mary A. Sanders, which petition was for the annexation of uninhabited territory under the Uninhabited Territory Act of 1939, and

WHEREAS, the City Council by resolution made on the 14th day of March, 1945, set for hearing said petition for the hour of 4 o'clock P.M. on the 18th day of April, 1945, in the Council Chambers of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said petition but the Council continued the hearing of said petition to the second day of May for the consideration of Conditions of Annexation and thereafter regularly continued the petition to this time, now therefore

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

SECTION I

That the petition of Mary A. Sanders be and the same is hereby granted and the territory described in said petition is hereby annexed and made a part of the City of Modesto.

SECTION II

That said annexation is subject to the requirements of that certain resolution heretofore passed on the 9th day of May, 1945, and entitled "a Resolution Establishing Policy for Annexation of Territory to the City of Modesto."

SECTION III

That the area of territory so annexed is particularly described as follows:

All that certain real property situate in the County of Stanislaus, State of California, and particularly described as follows:

Block 820 of the Campus Tract; also the north 41.83 feet of Lot 9, and all of Lots 10, 11, 12, 13, 14, 15, 16 and 17, in Block 813 of the Campus Tract; also all streets, alleys and public places within said blocks, not now a part

1 of the City of Modesto; also the entire area within the
2 boundaries of Stanford Avenue, which is adjacent to the
3 said Block 820 on the north, it being the intent to in-
4 clude as a part of the north boundary of the said Stanford
5 Avenue, a line commencing at a point on the south line of
6 Lot 17, in Block 822 of the Campus Tract, 85.09 feet
7 westerly along the south line of said lot from the inter-
8 section thereof with the westerly line of the alley in
9 said block, and extending thence southwesterly to a point
10 in the southeasterly line of Lot 1, in Block 821 of said
11 Campus Tract, which last mentioned point is 60.12 feet
12 southwesterly along the southerly line of said Lot 1 from
13 the northeasterly corner of said lot; also the easterly
14 40 feet of the public highway known as College Avenue
15 where the same abuts upon the westerly boundary of the
16 area hereinabove described; also the westerly 30 feet
17 of Mills Avenue where the same abuts upon the easterly
18 boundary of the area hereinabove described; all the said
19 lots, blocks, streets, highways and alleys being as shown
20 upon the map of the Campus Tract, filed in the office of
21 the County Recorder of the County of Stanislaus, State
22 of California, on October 11, 1937, and recorded in
23 Volume 11 of Maps, at page 37, of Stanislaus County
24 Records.

13 No

SECTION IV

14 This Ordinance shall go into effect and be in full force and
15 operation from and after 15 days after its final passage and adop-
16 tion.

SECTION V

18 This Ordinance shall be published in full at least once in the
19 Modesto Bee, the official newspaper of the City of Modesto, at
20 least 3 days prior to its final passage and adoption.

21 The foregoing Ordinance was introduced at a regular meeting
22 of the Council of the City of Modesto held on the 9th day of May,
23 1945, by Councilman MORRIS who moved its adop-
24 tion and passage to print, which motion being duly seconded was
25 upon roll call carried by the following vote:

26 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

27 Noes: Councilmen: None

28 Absent: Councilmen: None

29 Approved: Shannon
Mayor of the City of Modesto

30
31 Attest: Ray E. Gaudin
City Clerk

FINAL ADOPTION CLAUSE

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 9th day of May, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 23, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:

Carl Shannon
MAYOR

ATTEST:

P. E. Gaudin
CITY CLERK

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*Unrepealed
by Ord 844-N.S.
834-N.S.
Repealed
1053-N.S.*

ORDINANCE NO. 753 N.S.

1 AN ORDINANCE REGULATING THE USE AND OPERATION OF TAXICABS UPON THE
2 PUBLIC STREETS OF THE CITY OF MODESTO; PROVIDING FOR DRIVER'S
3 PERMITS, AND AUTHORIZING THE COUNCIL TO HOLD PUBLIC HEARINGS AND
4 TO GRANT OR DENY APPLICATIONS FOR OWNER'S PERMITS TO OPERATE
5 TAXICABS; REGULATING THE RATES OF FARES TO BE CHARGED FOR USE
6 OF TAXICABS; PROVIDING A PENALTY FOR THE VIOLATION OF THE PRO-
7 VISIONS OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF
8 ORDINANCES IN CONFLICT HEREWITH.

9 THE CITY COUNCIL OF THE CITY OF MODESTO DOES ORDAIN AS FOLLOWS:

10 SECTION 12 BY DEFINITIONS.

11 Unless otherwise expressly stated, whenever used in this arti-
12 cle the following terms shall respectively be deemed to mean:

13 (a) STREET, any place commonly used for the purpose of public
14 travel.

15 (b) OWNER, every person, firm or corporation having use or
16 control of any passenger-carrying automobile or motor-propelled
17 vehicle, as herein defined, whether as owner, lessee or otherwise.

18 (c) DRIVER, every person in charge of, or operating, any
19 passenger-carrying or motor-propelled vehicle, as herein defined,
20 either as agent, employee, or otherwise, of owner, as owner, or
21 under the direction of the owner, as herein defined.

22 (d) TAXIMETER, any mechanical instrument, appliance, device
23 or machine by which the charge for hire of a passenger carrying
24 vehicle is mechanically calculated and printed, either for dis-
25 tance traveled or time consumed, or both, and upon such instrument,
26 appliance, device or machine such charge is indicated by figures
27 and such figures imprinted upon a receipt which may be handed or
28 delivered to the patron of such passenger carrying vehicle.

29 (e) TAXICAB, every automobile or motor-propelled vehicle of
30 a distinctive color or colors, such as is in common usage in this
31 country for taxicabs, and/or operated at rates per mile, or for
32 wait-time, or for both, and equipped with a taximeter, used for
the transportation of passengers for hire over the public streets
of the City of Modesto and not over a defined route, and irrespec-

1 tive of whether the operations extend beyond the boundary limit
2 of said City, and such vehicle is routed under the direction of
3 such passenger or passengers, or of such persons hiring the same.

4 (f) COUNCIL, the Council of the City of Modesto.

5 (g) PERSON, any individual, partnership, association, corpora-
6 tion or other organization owning, operating or proposing to operate
7 any taxicab or taxicabs with the City of Modesto.

8 SECTION 2. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

9 A. No person shall engage in the business of operating any
10 taxicab within the City of Modesto without first having obtained
11 a certificate of public convenience and necessity from the Council
12 of the City of Modesto.

13 B. All persons applying to the Council for a certificate for
14 the operation of one or more taxicabs shall file with the Council
15 a sworn application therefor on forms provided by the Council
16 stating as follows:

17 (1) The name and address of the owner or person applying.

18 (2) The number of vehicles actually owned and the number of
19 vehicles actually operated by such owner on the date of applica-
20 tion, if any.

21 (3) The number of vehicles for which a certificate of public
22 convenience and necessity is desired.

23 (4) The make, type, year of manufacture and passenger seating
24 capacity of each taxicab for which application for a certificate
25 of public convenience and necessity is made.

26 (5) The make and type of taximeter intended to be installed
27 on each taxicab for which application for certificate is made.

28 (6) A description of the proposed color scheme, insignia,
29 trade style and/or any other distinguishing characteristics of the
30 proposed taxicab design.

31 (7) Such other information as the Council may require.
32

1 C. No certificate shall be granted until the Council shall
2 after hearing declare by resolution that the public convenience
3 and necessity require the proposed taxicab service.

4 D. In determining whether the public convenience and necessity
5 require the operation of a taxicab or taxicabs for which applica-
6 tion is made, the Council shall hold such public hearings as may
7 be necessary to determine that fact.

8 Before any application is acted upon the Chief of Police shall
9 cause an investigation to be made and shall report his findings,
10 in writing, to the Council on the following:

11 (1) The demand of the public for additional taxicab service;

12 (2) The adequacy of existing mass transportation and taxicab
13 service;

14 (3) The financial responsibility and experience of the appli-
15 cant;

16 (4) The number, kind and type of equipment and the color
17 scheme to be used;

18 (5) The effect which such additional taxicab service may
19 have upon traffic congestion and parking;

20 (6) Whether the additional taxicab service will result in a
21 greater hazard to the public;

22 (7) Such other relevant facts as the Council may deem advi-
23 sable or necessary.

24 E. Having declared that the public convenience and necessity
25 require the additional taxicab service, the Council shall grant
26 certificates of public convenience and necessity to those persons
27 applying therefor who in its opinion are entitled thereto. The
28 Council shall in its discretion determine the number of permits to
29 be granted to any applicant or applicants.

30 No certificate shall be issued to any person who shall not
31 have fully complied with all of the requirements of this ordinance
32 necessary to be complied with before the commencement of the opera-

1 tion of the proposed service.

2 F. The provisions of this section shall not affect the nu-
3 mber of taxicabs operating with valid permits on the effective date
4 hereof.

5 G. Every owner operating a licensed taxicab or taxicabs prior
6 to the effective date of this ordinance shall be presumed in the
7 absence of any contrary evidence and finding of the Council to
8 have established a prima facie evidence of public convenience and
9 necessity for the licensing of the taxicab or taxicabs actually in
10 operation and the Council, upon written application received by
11 the Council not later than 15 days after the effective date of
12 this ordinance, shall grant a certificate or certificates to said
13 owner for each such taxicab or taxicabs.

14 H. After the service for which a certificate is granted here-
15 under is discontinued, or if the person sells or discontinues his
16 or its business for a period of forty-five (45) days, the certifi-
17 cates granted hereunder shall be automatically cancelled and shall
18 be reissued only in accordance with the provisions of this section.

19 I. Whenever an owner sells or transfers title to a taxicab
20 or taxicabs for which a certificate or certificates have been
21 granted and within 30 days after such sale or transfer purchases
22 other taxicabs, the Council shall, as a matter of right, upon
23 written request of applicant within thirty (30) days of such pur-
24 chase, issue a new certificate or certificates for the operation of
25 no greater number of taxicabs than those sold or transferred, and
26 provided said owner has complied with all the provisions of this
27 ordinance.

28 J. Destruction of Taxicabs. Any owner whose taxicab or
29 taxicabs, for which a certificate or certificates have been granted,
30 have been destroyed in any manner, will, as a matter of right,
31 upon written application to the Council within thirty (30) days
32 after such destruction, be issued a new certificate or certificates

1 for the operation of no greater number of taxicabs than those so
2 destroyed, provided said owner has complied with all the provisions
3 of this ordinance.

4 K. Suspension and Revocation of Certificate. Certificates
5 may be suspended or revoked by the Council at any time in case:

6 (1) The Council finds the owner's past record to be unsatis-
7 factory;

8 (2) The owner fails to operate the taxicab or taxicabs in
9 accordance with the provisions of this ordinance;

10 (3) The owner shall cease to operate any taxicab for a period
11 of forty-five (45) consecutive days without having obtained permis-
12 sion for cessation of such operation from the Council.

13 (4) The taxicab or taxicabs are operated at a rate of fare
14 other than that approved by the Council.

15 L. Surrender of Certificate. Certificates which shall have
16 been suspended or revoked by the Council shall forthwith be surren-
17 dered to the Clerk of the City Council, and the operation of any
18 taxicab or taxicabs covered by such certificates shall cease and
19 be unlawful. Any owner who shall permanently retire any taxicab
20 or taxicabs from taxicab service and not replace same within forty-
21 five (45) days thereof, shall immediately surrender any certificate
22 or certificates granted for the operation of such taxicab or taxi-
23 cabs, to the Clerk of the City Council and said owner may not secure
24 additional certificates for the operation of any taxicab or taxi-
25 cabs without having first made application therefor in the manner
26 provided in this ordinance.

27 SECTION 3. RATES OF FARE.

28 A. Taxicabs. It shall be unlawful for any owner or driver
29 to operate any taxicab in the City of Modesto unless such vehicle
30 is equipped with a taximeter of such type, style and design as
31 may be approved by the City Council of said City, and it shall be
32 the duty of every owner operating a taxicab to keep such taximeter

1 in perfect condition so that said taximeter will, at all times,
2 correctly and accurately indicate the correct charge for the dis-
3 tance traveled and waiting time, and such taximeter shall be at
4 all times subject to inspection by the Chief of Police of the City
5 of Modesto and said Chief of Police is hereby authorized at his
6 instance or upon complaint of any person to investigate or cause
7 to be investigated such taximeter, and upon the discovery of any
8 inaccuracy in said meter, to remove or cause to be removed such
9 vehicle equipped with such taximeter from the streets of the City
10 of Modesto until such time as said taximeter shall have been
11 correctly adjusted.

12 Taxicabs not equipped with meters operating in the City of
13 Modesto, on the date this Ordinance is adopted shall be equipped
14 with new meters as soon as their delivery can be obtained. Under
15 no conditions shall the date of installation of said meters be
16 more than 45 days from the date on which such new meters can be
17 obtained as such date shall be determined by resolution by the
18 City Council of the City of Modesto.

19 B. Every such taximeter shall register the charge to nearest
20 ten (10) cents and be equipped with a flag or other mechanical
21 device with the words "For Hire" printed or stamped thereon, and
22 said flag shall be so attached and connected to the mechanism of
23 said taximeter as to cause said mechanism to operate when said
24 flag is in a position other than upright and indicate that the
25 taxicab is not for hire, and which said flag shall, when moved
26 forward or downward, start the operation of said taximeter so that
27 the same will operate in the manner defined in this ordinance.

28 C. It shall be unlawful for any driver of a taxicab while
29 carrying passengers to display the flag or device attached to such
30 taximeter in such a position as to denote that such vehicle is for
31 hire or is not employed, or to have such flag or other attached
32 device in such a position as to prevent said taximeter from opera-

1 ting, and it will be unlawful for any driver to throw such flag or
2 other device of a taximeter into a position which causes said
3 taximeter to record when such vehicle is not actually employed or
4 to fail to throw said flag or other device on such taximeter into
5 a non-recording position at the termination of each and every
6 service.

7 D. All charges for transportation of passengers in taxicabs
8 operated in the City of Modesto must be based on the charges indi-
9 cated on said taximeter and it shall be unlawful for any owner,
10 driver or operator of any taxicab to charge any passenger any sum
11 in excess of the sum indicated on said taximeter and on the receipt
12 printed thereby, and it shall be unlawful to make any charge with-
13 out delivering said receipt to the passenger or passengers.

14 E. The taximeter shall be so placed in said taxicab that the
15 reading dial showing the amount to be charged shall be well-lighted
16 and readily discernible by the passenger riding in such taxicab.

17 F. Posting of Fares. There shall be displayed in the passenger
18 compartment of each taxicab in full view of the passenger a card
19 not less than two inches by four inches in size, which shall have
20 plainly printed thereon the name of the owner, or the fictitious
21 name under which said owner operates, the business address and
22 telephone number of said owner and a correct schedule of the rates
23 to be charged for conveyance in said vehicle.

24 G. Rates. It shall be unlawful for the owner or driver of
25 any taxicab, as defined in Section 1 of this ordinance to fix or
26 charge or collect a rate in excess of the following:

27 (a) For the first two-thirds of a mile twenty-five (25) cents.

28 (b) For each additional one-third mile ten (10) cents.

29 (c) No charge for extra passengers up to four. This applies
30 only to those passengers whose point of pick-up and point of des-
31 tination are the same.

1 (d) When hauling passengers whose points of destination are
2 different, the points of destination are different, the meter shall
3 be turned back to the "for hire position" each time a passenger is
4 discharged and a fare collected.

5 (e) For waiting time at request of passenger, five (5) cents
6 for each one minute of waiting time.

7 (f) For each piece of luggage in excess of 50 lbs. average
8 size traveling bags or their equivalent 10¢ each.

9 H. For all taxicabs not equipped with meters operating in
10 the City of Modesto for such length of time as such operation may
11 be legal and while they are ^{not} equipped with taximeters it shall
12 be unlawful for the owner or driver of any taxicab as defined in
13 Section 1 of this ordinance to fix or charge or collect a rate in
14 excess of the rates as set forth in that certain printed document
15 in pamphlet form, three copies of which are on file in the office
16 of the City Clerk in the City of Modesto, each being designated
17 "Modesto Taxi Rates Effective September 1, 1943," and each consist-
18 ing of eighteen (18) pages, and setting forth and fixing the rates
19 to be charged by taxis or taxicabs licensed by the City of Modesto,
20 three copies of which are on file in the office of the City Clerk
21 of said City of Modesto, each of said copies of said Map being
22 colored to designate zones and to correspond with the rates set
23 forth in said documents in pamphlet form.

24 SECTION 4. TAXICAB SPECIFICATIONS AND EQUIPMENT.

25 A. Vehicles which may be licensed as Taxicabs. No vehicle
26 shall be granted a certificate unless it conforms with all the
27 provisions of this article, or unless said vehicle shall have been
28 granted a license to operate as a taxicab in this City prior to
29 the effective date of this ordinance.

30 B. Taximeters placed upon taxicabs, to replace broken or
31 faulty meters, shall, under no condition, be operated more than
32 twenty-four (24) hours prior to being inspected, tested, approved,

1 and sealed by an authorized representative of the City Council.

2 C. Each taxicab shall bear, at such places on the outside
3 of such vehicle as shall be prescribed by the City Council, the
4 number of the certificate granted for its operation and such
5 designation shall be of the type and design as shall be prescribed
6 by the City Council.

7 D. All taxicabs or other vehicles employed in the City of
8 Modesto for the purpose of transporting passengers for hire, except
9 vehicles operating from a fixed terminal over regular routes, shall
10 be equipped with and carry a sign in the rear and on the front part
11 of said vehicle bearing the word "Taxi", the letters of which may
12 be either Block or Gothic type and not less than five (5) inches
13 in height and the stems of which letters shall not be less than
14 three-fourths (3/4) of an inch in height, together with the tele-
15 phone Number of the concern, company, corporation or association
16 owning said taxicab, which said telephone number shall be in numer-
17 als either Block or Gothic type not less than two (2) inches in
18 height, with stems or lines one-fourth (1/4) of an inch in height;
19 in the event such taxicab is an extra or spare cab not in regular
20 use and being substituted for one of the taxicabs regularly licens-
21 ed hereunder, such taxicab must be identified in addition to the
22 foregoing signs by a card, placard or sign affixed to the rear and
23 to the front of said taxicab in like letters of either Block or
24 Gothic type at least five (5) inches high containing the word
25 "Extra" or "Spare".

26 SECTION 5. MAINTENANCE.

27 A. Before a certificate is issued to any owner, the taxicab
28 or taxicabs for which such certificate or certificates are request-
29 ed shall be delivered to a place designated by the City Council
30 for inspection, and the City Council shall designate agents to
31 inspect such taxicab or taxicabs, their equipment and taximeters
32 to ascertain whether such taxicab or taxicabs comply with the

1 provisions of this ordinance.

2 B. The Chief of Police of the City of Modesto, or any member
3 of the Police Department under his direction, shall have the right,
4 at any time after displaying proper identification, to enter into
5 or upon any certificated taxicab for the purpose of ascertaining
6 whether or not any of the provisions of this ordinance are being
7 violated.

8 C. Any taxicab which is found, after any such inspection,
9 to be unsafe or in any way unsuitable for taxicab service shall
10 be immediately ordered out of service, and before again being
11 placed in service shall be placed in a safe condition.

12 D. The interior of every taxicab shall be thoroughly cleaned
13 at least once in every twenty-four (24) hours.

14 SECTION 6. OPERATING REGULATIONS.

15 A. Any driver employed to transport passengers to a definite
16 point shall take the most direct route possible that will carry
17 the passenger to his destination safely and expeditiously.

18 B. Every driver shall, if requested, give a correct receipt
19 upon payment of the correct fare.

20 C. All disputes as to fare shall be determined by the officer
21 in charge of the Police Station. Failure to comply with such
22 determination shall subject the offending party to a charge of
23 misdemeanor.

24 D. It shall be unlawful for any person to refuse to pay the
25 lawful fare as fixed herein of any of the vehicles regulated by
26 this ordinance, after employing or hiring the same, and any person
27 so doing shall be guilty of a misdemeanor.

28 E. Unoccupied taxicabs shall not be operated over public
29 streets in search of, or soliciting, prospective passengers for
30 hire.

31 F. No driver of any taxicab shall accept, take into his ve-
32 hicle or transport any larger number of passengers than the rated

1 seated capacity of his vehicle, provided, however, that for the
2 duration of the present war, and for six months thereafter, the
3 driver of any taxicab may take into his vehicle, with the consent
4 of the passengers therein, one more passenger than the rated seat-
5 ing capacity of his vehicle.

6 G. It shall be unlawful for any taxicab to remain standing
7 in any established taxicab stand, unless said cab is attended by
8 a driver or operator, except when assisting passengers to load or
9 unload, or when answering his telephone.

10 SECTION 7. TAXICAB DRIVER'S LICENSES.

11 A. It shall be unlawful for any person to drive or operate
12 any of the vehicles mentioned in Section 1 of this ordinance with-
13 out first obtaining a permit in writing so to do from the Chief of
14 Police of the City of Modesto.

15 Permits issued will entitle the driver to work for only that
16 owner whose name appears on the permit. A new permit will be re-
17 quired for each subsequent employment.

18 B. Applicants for such permits shall file applications there-
19 for with the Chief of Police upon blanks to be furnished by the
20 City.

21 C. Said permit shall be in the form of a card which shall
22 bear signatures, photograph and fingerprints of the applicant.
23 Such cards shall be issued in duplicate and one copy with the
24 fingerprints, photograph and signature of the applicant shall be
25 placed on file with the Police Department of the City of Modesto
26 and the other card shall be conspicuously displayed in the cab of
27 the permittee during all times such cab is operated.

28 D. Said permit shall be filed with the Chief of Police as
29 part of the application for license.

30 E. No permit shall be issued to any of the following persons:

31 (1) Any person under the age of twenty-one (21) years;

32 (2) Any person not a citizen of the United States or who has

1 not lawfully declared his intention to become such;

2 (3) Any person who has been convicted of a felony or a crime
3 involving moral turpitude;

4 (4) Any person who has been convicted of driving a vehicle
5 recklessly or while under the influence of intoxicating liquors
6 or narcotics.

7 (5) Any person not possessing a valid chauffeur's license,
8 issued by the State of California.

9 F. No applicant may obtain a permit to drive or operate any
10 of the vehicles mentioned in this ordinance unless and until he
11 shall have been a continuous resident of the City of Modesto for
12 at least thirty (30) days immediately preceding the date of said
13 application, provided, however that a temporary permit only may be
14 granted for a period not to exceed sixty (60) days after which
15 time said license may be made permanent if, after investigation,
16 said applicant is found to be a fit and proper person.

17 G. Each applicant for a permit shall be examined by a person
18 designated by the Chief of Police as to his knowledge of the pro-
19 visions of this ordinance, the traffic regulations, and the geog-
20 raphy of the City, and if the result of the examination be unsatis-
21 factory he shall be refused a permit.

22 H. The Chief of Police may revoke or refuse to renew an
23 operator's license if the driver or applicant has since the grant-
24 ing of his permit:

25 (1) Been convicted of a felony or a crime involving moral
26 turpitude; pandering; using, possessing, selling or transporting
27 narcotics; or imparting information for obtaining narcotics;

28 (2) Been convicted of driving recklessly or while under the
29 influence of liquors or narcotics;

30 (3) Had his State driver's or chauffeur's license revoked or
31 suspended;

32 (4) Had two (2) or more convictions of any of the offenses

1 set forth in Sections 502, 505, 510 and/or 511 of the Vehicle
2 Code of the State of California and amendments thereto, or any
3 combination of either or any of said offenses, occurring during
4 any continuous period not exceeding twelve (12) months;

5 (5) When, for any reason, including, or other than, the above,
6 in the opinion of the Chief of Police, the applicant is unfit to
7 drive a taxicab;

(6) Violated any of the provisions of this ordinance.

SECTION 8. TAXICAB STANDS.

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11 A. The City Council of the City of Modesto may by resolution
12 locate and designate taxicab stands, which stands when so estab-
13 lished shall be appropriately designated "Taxis Only;" Such
14 stands and the permits heretofore issued and hereafter issued
15 to any person, individual, company or association, is non-trans-
16 ferable.

17 One stand only shall be issued to each taxicab company opera-
18 ting within the said City of Modesto.

19 B. It shall be unlawful for the owner, driver or operator of
20 any taxicab to park or leave standing or permit to leave standing
21 said taxicab except in a regularly established taxicab stand on
22 such streets of the City of Modesto as are provided with parking
23 spaces or to stop or leave said taxicab along the curb or portion
24 of street for the parking of vehicles on such streets as have been
25 designated as the parking space for the parking of vehicles, for
26 taking on or discharging passengers except in the regularly estab-
27 lished taxicab stand; providing further that between the hours of
28 10 o'clock P.M. and 8 o'clock A.M. of the following day, may stop,
29 stand or park in any place where the parking of vehicles is other-
30 wise permitted; provided further however, that said right to park
31 during said hours of 10 o'clock P.M. to 8 o'clock A.M. of the
32 following day shall not relieve the persons so parking said taxi-
cab or causing said taxicab to be parked, from liability for inter-

*Amended by
Ord # 854-151*

1 ferance with the street sweeper of the City of Modesto as set forth
2 in Ordinance No. 193 N. S.

3 SECTION 9. PUBLIC LIABILITY.

4 A. It shall be unlawful to operate any vehicle, as defined in
5 Section 1 of this ordinance, unless there shall be filed and de-
6 posited with the City Auditor of the City of Modesto, a policy of
7 insurance executed and delivered by a company authorized to carry
8 on an insurance business in the State of California the financial
9 responsibility of which company shall theretofore have been appre-
10 ved by the City Auditor, by the terms of which said insurance com-
11 pany assumes responsibility for injuries to persons caused by the
12 operation of said vehicle in the following amounts, to-wit:

13 \$10,000.00 for death or injuries to any one person in any one
14 accident;

15 \$20,000.00 for death or injuries to two or more persons in any
16 one accident;

17 Certificates of insurance will be accepted for a period not
18 to exceed one hundred eighty (180) days, during which time the
19 owner shall file the original policy of insurance as hereinbefore
20 provided.

21 B. The policy of insurance shall contain a provision against
22 cancellation except upon ten days prior written notice thereof to
23 the City Council.

24 SECTION 10. VIOLATIONS AND PENALTIES.

25 A.- Any person, firm or corporation violating any of the pro-
26 visions of this ordinance shall be deemed guilty of a misdemeanor,
27 and upon conviction thereof, shall be punished by forfeiture of
28 his permit, and by a fine not exceeding Five Hundred Dollars
29 (\$500.00), or by such forfeiture and imprisonment in the City Jail
30 for not more than six (6) months, or by both such forfeiture, fine
31 and imprisonment.

32 B. For the purpose of this ordinance it shall be considered

1 that each day during which any provision of this ordinance is vio-
2 lated shall constitute a separate and distinct offense.

3 SECTION II.

4 Ordinances No. 146 N.S., 206 N.S., 488 N.S., 522 N.S., 547 N.S.,
5 555 N.S., 681 N.S., and 730 N.S., are hereby expressively repeated.

6 SECTION 12.

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

10 SECTION 13.

11 This ordinance shall be published in full at least once at
12 least three days prior to its final adoption in the Modesto ^{Press}~~Tri-~~
13 ~~base~~, the official newspaper of the City of Modesto.

14 The foregoing Ordinance was introduced at a regular meeting of
15 the Council of the City of Modesto held on the 13th day of
16 June, 1945, by Councilman Stanley
17 who moved its adoption and passage to print, which motion, being
18 duly seconded was upon roll call carried and adopted by the follow-
19 ing vote.

20 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

21 Noes: Councilmen: None

22 Absent: Councilmen: None

23 APPROVED: Carl W. Shannon
City Mayor

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25 ATTEST: Way E. Gausman
Clerk

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FINAL ADOPTION CLAUSE

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 13th day of June, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 27, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl W. Shannon

MAYOR

ATTEST Ray E. Gausman

CITY CLERK

CODE SECT.
NO. 4-2.12
4-2.14

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ORDINANCE NO. 754 N.S.

AN ORDINANCE PROHIBITING DISPLAY, SALE OR GIFT OF BABY CHICKS, RABBITS, DUCK-
LINGS OR OTHER FOUL AS PETS OR NOVELTIES AND PROHIBITING LOOPADUCK.

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

Section 1. It shall be unlawful for any person, firm or corporation to display, sell, offer for sale, barter or give away any baby chicks, rabbits, ducklings, or other fowl, as pets or novelties, whether or not dyed, colored, or otherwise artificially treated.

Section 2. It shall be unlawful for any person, firm or corporation to offer to the public that game of chance known as Loopaduck whether for consideration or otherwise and regardless of whether merchandise, money or other premiums are given as a reward.

Section 3. This ordinance shall not be construed to prohibit the display or sale of natural chicks, rabbits, ducklings or other fowl, in proper facilities by dealers, hatcheries or stores engaged in the business of selling the same to be raised for food purposes.

Section 4. Any person guilty of a violation of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than 5⁰⁰ Dollars, or not more than 50⁰⁰ Dollars, or by imprisonment of not less than 3 days, or by not more than 30 days, or by both such fine and imprisonment.

Section 5. This ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, 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 June 1945, by Councilman Neece, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

1 Ayes: Councilmen: Morris, Neese, Stanley, Wilson, Mayor Shannon
2 Nays: Councilmen: None
3 Absent: Councilmen: None

4 APPROVED:

Charles Shannon
City Mayor

6 ATTEST:

W. B. [unclear]
City Clerk

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FINAL ADOPTION CLAUSE

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 27th day of June, 1945 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 11, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:


MAYOR

ATTEST:


CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO.755 N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE
CITY OF MODESTO

---oOo---

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

Section 1. The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows:

City Clerk, who likewise occupies the offices of Auditor, Assessor	
Treasurer and Collector, the sum of \$4500 00 per annum	5100
City Attorney, the sum of \$3600.00 per annum	4200
Chief of Police, the sum of \$4800.00 per annum	5400
Fire Chief, the sum of \$4800.00 per annum	5400
Health Officer, the sum of \$4200.00 per annum	4800
City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$6300.00 per annum	7200

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials.

Section 3. This ordinance shall take effect and be in full force and operation fifteen (15) days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit: the The Modesto Bee.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of July, 1945 by Councilman Neece, who moved its adoption

1 and passage to print as aforesaid, which motion being duly seconded,
2 it was upon roll call carried and the ordinance ordered published
3 as above by the following vote:

4 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

5 Noes: Councilmen: None

6 Absent: Councilmen: None

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8 APPROVED *Paul Shannon*
9 MAYOR

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11 ATTEST *Ray E. Gaudus*
12 CITY CLERK
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FINAL ADOPTION CLAUSE

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 25th day of July, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 8, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Chas Shannon
MAYOR

ATTEST:

Rex E. Gaudin
CITY CLERK

ORDINANCE CHANGING USE DISTRICTS AND REZONING FROM R-3 MULTIPLE FAMILY RESIDENTIAL TO C-1, NEIGHBORHOOD BUSINESS.

WHEREAS, a request has been made to the Modesto City Planning Commission by means of a duly executed petition asking a change in the use district, and

WHEREAS, after two public hearings as required by the City Ordinance and the State Planning Act and after due consideration, the Modesto City Planning Commission has recommended to the City Council the amending of the Zoning Ordinance of the City of Modesto to effect the changes requested, and

WHEREAS, a public hearing has been had by the Council of the City of Modesto as provided by law,

NOW, THEREFORE, the City Council of the City of Modesto do ordain as follows:

SECTION I - That the public interest, necessity and general welfare requires a change in the use districts as requested in said petition.

SECTION II - Ordinance 700-N.S., the Zoning Ordinance of the City of Modesto, is hereby amended as follows:

Block 113, lots 5 to 16, incl.
Block 114, lots 1 to 4, incl.
Block 120, lots 1 to 3 incl., and lots 30 to 32 incl.
Block 121, lots 5 to 28 incl.
Block 126, lots 13 to 28 incl.
Block 127, lots 1 to 4 inc. and lots 29 to 32 incl.
Block 129, lots 1 to 5 incl. and lots 29 to 32 incl.
Block 130, South 100 feet.

As said lots and blocks are shown in Vol. 15 of Maps at pages 113, 114, 120, 121, 126, 127, 129, and 130. Said Volume on file and on record in the Office of the County Recorder of Stanislaus County are hereby taken and removed from the R-3 Multiple Family Residential to C-1, Neighborhood Business use zone.

SECTION III - 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 IV - This ordinance shall be published in full at
2 least three (3) days prior to its final adoption in the "Modesto
3 Bee," the official newspaper of the City of Modesto.

4 The foregoing ordinance was introduced at a regular meeting
5 of the Council of the City of Modesto, held on the 25th day of
6 July, by Councilman MORRIS who moved
7 its adoption and passage to print. The motion, being duly
8 seconded, was, upon roll call carried and the ordinance ordered
9 printed and published as above by the following vote:

10 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13 APPROVED: Charles Shannon
14 Mayor.

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16 ATTEST: Ray E. Gaudin
17 Clerk.
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FINAL ADOPTION CLAUSE

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 25th day of July, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 8, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED Shannon
MAYOR

ATTEST: Clayton
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 757 N.S.

2 AN ORDINANCE ~~DELY~~ SUSPENDING THE OPERATION OF PART OF THE PLUMBING
3 CODE.

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

5 SECTION 1 - That there exists a critical shortage of certain
6 materials which are required by the Plumbing Code to be used with-
7 in the City limits of the City of Modesto.

8 SECTION 2 - For the duration of the critical shortage of
9 materials, the termination of which shortage shall be determined
10 by Resolution of the City Council, but in no event for a period
11 longer than six months from the adoption of this Ordinance, the
12 requirements as to materials to be used in plumbing fixtures with-
13 in the City of Modesto insofar as they affect the installation of
14 sinks, wash basins, showers, bathtubs and laundry tubs, as such
15 requirements are set forth in Sections 59, 87, and 108, are hereby
16 suspended and such substitute materials as may be specifically
17 approved by the Plumbing Inspector, may be substituted for the
18 materials required by those Sections to be used, provided, however,
19 that the suspension of such requirements as to Section 108 shall
20 only apply to materials for waste pipes from the outlets of sinks,
21 wash basins, and laundry tubs to the cast iron house main or
22 branches of that main at the floor line immediately below, or
23 from shower drains and bath tub outlets to the cast iron trap
24 immediately below the floor.

25 SECTION 3 - That an emergency exists by reason of the fact
26 that building called for by war time shortage of housing within
27 the City of Modesto is being delayed at a time when such housing
28 is essential and that by reason of said emergency this Ordinance
29 shall take effect and be in full force immediately upon its final
30 adoption.

31 SECTION 4 - This ordinance shall be printed and published in
32

1 ~~in~~ full at least once at least three (3) days prior to its final
2 adoption in the Modesto Bee the official newspaper of the City of
3 Modesto.

4 The foregoing Ordinance was introduced by Councilman Morris
5 at a special meeting of the Council of the City of Modesto held
6 on the 25th day of July, 1945, and was adopted and passed to
7 print by the following vote:

8 Ayes: Councilmen: Wilson, Morris, Neece, Stanley, and
9 Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12 APPROVED: Carl W. Shannon,
13 CARL W. SHANNON, Mayor.

14 ATTEST: Rex E. Gallifus,
15 REX E. GALLIFUS, City Clerk.

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FINAL ADOPTION CLAUSE

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 25th day of July, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 8, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neese, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

Charles Shannon
MAYOR

ATTEST:

Rev. Eugene
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 758 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1945-1946

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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, 1945, and ending June 30, 1946, the rates of taxation, hereinafter specified, said rates being upon each One Hundred Dollars (\$100.00) of the valuation according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND-----\$.90
on each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND:

(a) Municipal Improvement Bonds of 1910-----\$.014

(b) Municipal Improvement Bonds of 1911----- .004

(c) Municipal Improvement Bonds of 1919----- .012

(d) Municipal Improvement Bonds of 1920 (Jan.) .058

(e) Municipal Improvement Bonds of 1923----- .012

BEING A TOTAL OF----- .10
For each One Hundred Dollars in valuation of property taxable for the redemption of bonds and the payments of interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND----- .10
On each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT----- \$1.10
On each One Hundred Dollars valuation as determined by the equalized assessment roll for the year 1945-1946 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 to those required to be levied under the general laws of the State of California for the purpose of paying principal and interest on street improvement and interest on street improvement bonds in local improvement districts

SECTION 2

1 BE IT FURTHER PROVIDED that anything to the contrary hereto-
2 fore set forth, there shall be and there is hereby declared to be a
3 different rate of taxation levied upon certain property situate in
4 the City of Modesto, to-wit, Southern Campus Tract, Hawkins Tract,
5 that portion of the Leslie-Hugh Tract recently annexed to the City
6 of Modesto, La Linda Tract, John Muir Park, Northwood and Esgar
7 Tracts. Said tax rate for said Southern Campus Tract, Hawkins
8 Tract, that portion of the Leslie-Hugh Tract annexed, La Linda
9 Tract, John Muir Park, Northwood Tract and Esgar Tract, as afore-
10 said shall be and is hereby declared to be as follows:

11	FOR THE GENERAL FUND-----	\$.90
12	On each One Hundred Dollars taxable valuation	
13	FOR THE LIBRARY FUND-----	.10
	On each One Hundred Dollars of taxable valuation	
14	THE AGGREGATE OF SAID SUMS, TO-WIT:	\$1.00
15	on each One Hundred Dollars valuation, as	
16	determined by the equalized assessment	
	roll for the year 1945-1946	

17 The tax rate upon said Southern Campus Tract, Hawkins
18 Tract, that portion of the Leslie-Hugh Tract now a portion of the
19 City of Modesto, La Linda Tract, John Muir Park, Northwood Tract and
20 Esgar Tract is different from the tax rate herein set for the
21 balance of the property within the City of Modesto by reason of the
22 fact that said territory has recently been annexed to and made a
23 part of the City of Modesto under a provision of the State Law
24 which does not permit the said City to levy taxes upon said annexed
25 property for any past bonded indebtedness owed by said City and
26 incurred before said territory became a part of said City.

27 SECTION 3

28 This ordinance shall take effect immediately upon its
29 final passage and adoption.

30 SECTION 4

31 This ordinance shall be published in full at least
32 once at least three days prior to its final adoption in the Modesto

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Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 16 day of August, 1945 by Commissioner Neece who moved its adoption and passage to print, which motion being duly seconded, the ordinance was upon roll call ordered printed and published as required by the Charter of the City of Modesto by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Lucas W. Shannon
MAYOR

ATTEST: Carl E. Gumpus
CITY CLERK

1 FINAL ADOPTION CLAUSE

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4 The foregoing ordinance, having been introduced and
5 ordered printed and published at a special meeting of the Council
6 of the City of Modesto held on the 16th day of August, 1945, and
7 subsequently printed and published as required by the Charter of the
8 City of Modesto, and coming on for final adoption at the regular
9 meeting of August 22, 1945, it was upon roll call so finally
10 adopted by the following vote:

11 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

12 Noes: Councilmen: None

13 Absent: Councilmen: None

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15 APPROVED: *Rud Shannon*
MAYOR

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17 ATTEST: *Rex E. Gault*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE 759 N.S.

3 AN ORDINANCE SUSPENDING FOR A LIMITED TIME, THE OPERATION OF SUB-
4 DIVISION E OF SECTION 3 OF ORDINANCE NO. 521-N.S. IN SO FAR AS
5 SAID SUBDIVISION OF SAID SECTION OF SAID ORDINANCE APPLIES TO
6 CHARGES FOR COLLECTION OF GARBAGE WITHIN THE CITY LIMITS OF THE
7 CITY OF MODESTO.

8 WHEREAS, a petition has been made to the City Council by the
9 Modesto Garbage Company, asking for an adjustment in rates and
10 matter of pick-up, of garbage for domestic users, and

11 WHEREAS, it appears to the City Council that such petition
12 should be granted because of the present inability of the Modesto
13 Garbage Company to obtain competent help,

14 NOW THEREFORE, the City Council of the City of Modesto, do
15 ordain as follows:

16 SECTION I: That portion of Subdivision E, of Section 3, of
17 Ordinance 521, N.S. which deals with the collection and rates for
18 collection of domestic garbage within the city limits of the City
19 of Modesto, is hereby suspended for a period of 120 days or such
20 shorter time as the Council may determine is required by the pre-
21 sent labor shortage.

22 SECTION II: During the time this Ordinance remains in effect,
23 the rates for garbage collection shall be seventy-five cents a
24 month for each family unit, and the garbage shall be collected for
25 each family unit once a week and all garbage from such family unit
26 shall be included in said seventy-five cent rate.

27 SECTION III: The Council of the City of Modesto hereby finds
28 and declares that an emergency exists by reason of the shortage of
29 help available and that it is necessary for the continued collec-
30 tion of garbage, that this Ordinance go into effect immediately
31 upon its adoption.

32 SECTION IV: This Ordinance shall be printed and published in
full at least three days prior to its final adoption in the Modesto
Bee, the official newspaper of the City of Modesto.

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The foregoing Ordinance was introduced by Councilman Stanley,
at a regular meeting of the Council of the City of Modesto, held
on the 22nd day of August, 1945, who moved its adoption and pass-
age to print, which motion was passed by the following vote:

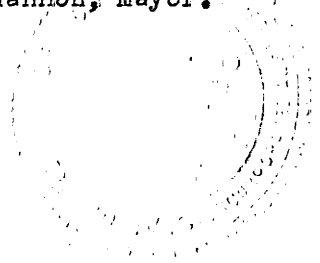
Ayes: Councilmen: Morris, Neece, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Wilson

APPROVED: *Carl W. Shannon*
Carl W., Shannon, Mayor.

ATTEST: *Rex E. Gallifus*
Rex E. Gallifus, City Clerk.



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FINAL ADOPTION CLAUSE

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 August, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 12, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

W. E. Griffin
CITY CLERK

SPECIAL
NOT IN CODE

3 AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS,
4 EQUIPMENT, and CONSTRUCTION, and MAINTENANCE OF MUNICIPAL
5 FACILITIES FOR THE CITY OF MODESTO, and APPROPRIATING MONEY FOR
6 PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF
7 MODESTO.

---oOo---

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

8 SECTION I. The sum of One Thousand Two Hundred Dollars
9 (\$1,200.00), or so much thereof as may be necessary, is hereby
10 appropriated out of that particular part of the General Fund of
11 the City of Modesto supplied and created by the payment of the
12 \$5.00 registration fee required of all persons doing business in
13 the City of Modesto under and by virtue of the provisions of
14 Section 101 of Ordinance No. 487 N.S., entitled "AN ORDINANCE
15 PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN
16 PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF
17 MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES AND
18 REPEALING CERTAIN ORDINANCES." Said sum ~~is~~ hereby appropriated
19 for the purpose of promotion and/or ~~for~~ the general welfare of
20 the citizens of the City of Modesto, under and by virtue of the
21 power conferred on said City Council by Section 67, Article 5,
22 Charter of the City of Modesto.

23 SECTION II. The sum of Eight Hundred Dollars (\$800.00),
24 or so much thereof as may be necessary, is hereby appropriated
25 out of the General Fund for the maintenance of the Stanislaus
26 County Boys' Band.

27 SECTION III. The sum of Fifteen Hundred Dollars
28 (\$1500.00), or so much thereof as may be necessary, is hereby
29 appropriated out of the General Fund for promotion and general
30 welfare.

31 SECTION IV. The sum of Three Thousand Three Hundred
32 Dollars (\$3,300.00), or so much thereof as may be necessary, is

1 hereby appropriated out of the General Fund, to be used by the
2 Modesto Citizens Planning and Finance Committee for the payment
3 of services to be rendered by Charles Gilman Hyde, Sanitary and
4 Hydraulic Engineer.

5 SECTION V. The sum of One Thousand ^{EIGHT} Two Hundred
6 (^{1,800.00}\$1,200.00), or so much thereof as may be necessary, is hereby
7 appropriated out of the General Fund for office equipment in the
8 Clerk's office.

9 SECTION VI. The sum of Seven Hundred Fifty Dollars
10 (\$750.00), or so much thereof as may be necessary, is hereby
11 appropriated out of the General Fund for the painting of Fire
12 Stations No. 1 and No. 2.

13 SECTION VII. The sum of Two Thousand Two Hundred Dollars
14 (\$2,200.00), or so much thereof as may be necessary, is hereby
15 appropriated out of the General Fund for the purchase of two (2)
16 sedan automobiles for the Fire Department.

17 SECTION VIII. The sum of Three Thousand Five Hundred
18 Dollars (\$3,500.00), or so much thereof as may be necessary, is
19 hereby appropriated out of the General Fund for automobiles and
20 motorcycles for the Police Department.

21 SECTION IX. The sum of Two Thousand Five Hundred Dollars
22 (\$2,500.00), or so much thereof as may be necessary, is hereby
23 appropriated out of the General Fund for the purchase of a dump
24 truck for the Parks Department.

25 SECTION X. The sum of Four Thousand Five Hundred Dollars
26 (\$4,500.00), or so much thereof as may be necessary, is hereby
27 appropriated out of the General Fund for the purchase of a 2-ton
28 truck for the Parks Department.

29 SECTION XI. The sum of Four Thousand Five Hundred
30 Dollars (\$4,500.00), or so much thereof as may be necessary, is
31 hereby appropriated out of the General Fund for the purchase of
32 a 2-ton truck for the Public Works Department.

1 SECTION XII. The sum of Eight Hundred Eighty Dollars
2 (\$880.00), or so much thereof as may be necessary, is hereby
3 appropriated out of the General Fund for a five gang lawn mower
4 for the Parks Department.

5 SECTION XIII. The sum of Seven Hundred Dollars (\$700.00),
6 or so much thereof as may be necessary, is hereby appropriated out
7 of the General Fund for a triplex law/mower for the Parks Depart-
8 ment.

9 SECTION XIV. The sum of One Thousand Five Hundred Dollars
10 (\$1,500.00), or so much thereof as may be necessary, is hereby
11 appropriated out of the General Fund for a fire alarm cable for
12 the Public Works Department.

13 SECTION XV. The sum of Eight Thousand Dollars (\$8000.00),
14 or so much thereof as may be necessary, is hereby appropriated out
15 of the General Fund for storm/and sanitary sewer pipe for the Public Works
16 Department.

17 SECTION XVI. The sum of Fifteen Thousand Dollars
18 (\$15,000.00), or so much thereof as may be necessary, is hereby
19 appropriated out of the "Special Fund for Capital Outlays" for
20 the construction of the sanitary sewer digester.

21 SECTION XVII. The sum of Two Thousand Dollars (\$2,000.00),
22 or so much thereof as may be necessary, is hereby appropriated out
23 of the Monetti Bequest Fund for playground equipment in the Parks
24 Department.

25 SECTION XVIII. The sum of Ten Thousand Dollars
26 (\$10,000.00), or so much thereof as may be necessary, is hereby
27 appropriated out of Water Fund for the construction of a pump
28 station, and purchase of a pump, electrical equipment and appur-
29 tenances.

30 SECTION XIX. The sum of Five Thousand Five Hundred Dollars
31 (\$5,500.00), or so much thereof as may be necessary, is hereby
32 appropriated out of the Water Fund for the purchase of water pipe

1 and fittings.

2 SECTION XX. The sum of Three Thousand Dollars (\$3,000.00),
3 or so much thereof as may be necessary, is hereby appropriated
4 out of the Water Fund for the purchase of electric wire and cable.

5 SECTION XXI. The City Engineer shall, upon the adoption
6 of this Ordinance, from time to time as required by the Council
7 of the City of Modesto, file with the Council plans and specifi-
8 cations where necessary, for the materials and/or equipment and/or
9 construction work outlined above; and the City Clerk shall, from
10 time to time as directed by the Council, advertise for bids for
11 said materials and/or equipment and/or construction work, when
12 necessary, and bids shall be received and accepted, and contracts
13 awarded therefor as the Council may hereafter by resolution deter-
14 mine and prescribe.

15 SECTION XXII. This ordinance shall go into effect from
16 and after fifteen days after its final passage and adoption. It
17 shall be published in full at least once, at least three days
18 prior to its final adoption in The Modesto Bee, the official news-
19 paper of the City of Modesto.

20 The foregoing ordinance was introduced at a regular
21 meeting of the Council of the City of Modesto held on September
22 12, 1945, by Councilman Morris, who moved its adoption
23 and passage to print, which motion was duly seconded, was carried
24 and the ordinance ordered printed and published by the following
25 vote.

26 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

27 Noes: Councilmen: None

28 Absent: Councilmen: None

29 APPROVED:

30 
Carl W. Shannon, Mayor.

31 ATTEST:

32 
Rex E. Gailfus, City Clerk.

FINAL ADOPTION CLAUSE

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 12th day of September, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 26, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Shannon*
MAYOR

ATTEST: *W. E. ...*
CITY CLERK

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ORDINANCE NO. 761 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 487 N.S. BY ADDING SECTION 123a TO SAID ORDINANCE TO PROVIDE FOR THE LICENSING OF TAXICABS.

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

SECTION I. That a new Section shall be and is hereby added to Ordinance No. 487 N.S., No. 123 a, which shall read as follows:

For every person, firm, or corporation who operates, conducts, or carries on the business of operating taxicabs for hire on the streets of the City of Modesto, registration fee of \$100.00 for the first car, to be paid upon registration of said car, as provided in Ordinance No. 753 N.S. and a registration fee of \$5.00 for each additional car so registered thereafter, and a license fee in the sum of \$20.00 for each car per quarter.

SECTION II. Ordinance 205 N.S. is hereby expressly repealed.

SECTION III. This Ordinance shall take effect and be in full force and operation from and after 15 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 Bee, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a special meeting of the City Council of the City of Modesto, on the 3rd day of October, 1945, by Councilman Stanley who moved its adoption and passage to print, which motion being duly seconded was upon roll call carried by the following vote:

- Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

APPROVED: Ernest Shannon
Mayor.

ATTEST: Paul G. Gaudin
City Clerk.

FINAL ADOPTION CLAUSE

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 3rd day of October, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 10, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilsday, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: *C. J. Stanley*
ACTING MAYOR

ATTEST: *P. E. Gueffus*
CITY CLERK



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SPECIAL
NOT IN CODE

ORDINANCE NO. 762 N.S.

2 AN ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF LAND FOR AIRPORT
3 PURPOSES

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

5 SECTION I. That the sum of \$25,000.00 or so much thereof as
6 may be necessary, is hereby appropriated out of the Capital Outlay
7 Fund for the purchase of the land set forth in that option granted
8 FRANKLIN BEARD and FLORENCE M. BEARD, his wife, to the City of
9 Modesto, being 18.75 acres, more or less, and the purchase price
10 being \$1250.00 per acre.

11 SECTION II. This Ordinance shall be published in full at
12 least once at least three days prior to its final passage and
13 adoption in the Modesto Bee, the official newspaper of the City
14 of Modesto.

15 This Ordinance was introduced at a special meeting of the
16 City Council of the City of Modesto, held on the 3rd day of October
17 1945, by Councilman Morris, who moved its adoption and passage to
18 print, which motion being duly seconded, was upon roll call carried
19 by the following vote:

- 20 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
- 21 Noes: Councilmen: None
- 22 Absent: Councilmen: None

23
24 APPROVED: *Shannon*
City Mayor

25 ATTEST:
26 *W. E. Gaudin*
27 City Clerk

FINAL ADOPTION CLAUSE

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 3rd day of October, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 10, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

C. J. Stanley
ACTING MAYOR

ATTEST:

Paul E. Shannon
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 763-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR AIRPORT PURPOSES

---oOo---

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

SECTION I. That the sum of Eight Thousand Seven Hundred Fifty and no/100 (\$8750.00) Dollars or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto for the maintenance and improvement of the Modesto Municipal Airport.

SECTION II. This Ordinance shall be published in full at least once at least three days prior to its final passage and adoption in the Modesto Bee, 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 October, 1945 by Commissioner Morris, 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: Morris, Neece, Wilson, Acting Mayor Stanley
Noes: Councilmen: None
Absent: Mayor Shannon

APPROVED: C. J. Stanley
C. J. STANLEY, Acting Mayor

ATTEST Rex E. Gailfus
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

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 October, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 24, 1945, it was upon roll call so finally adopted by the following vote:

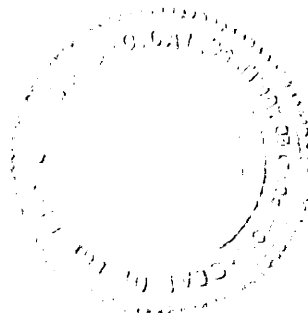
Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Crew Shannon*
MAYOR

ATTEST: *Pat E. Guegan*
CITY CLERK



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CODE SEC.
NO. 3-5.01
3-5.02

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ORDINANCE NO. 764 N.S.

AN ORDINANCE ADOPTING PROPOSED LAW ENFORCEMENT MUTUAL AID PLAN AND AUTHORIZING PARTICIPATION IN THE PLAN BY OFFICERS AND EMPLOYEES OF THE CITY OF MODESTO.

WHEREAS, there has been submitted to the City Council of the City of Modesto, a proposed plan for receiving and dispatching law enforcement mutual aid between and among the various political subdivisions and municipal corporations of this State in times of emergency, as defined in the plan; and

WHEREAS, such plan has been reported on by a committee consisting of the Police Chief, Fire Chief, and City Engineer, and it is deemed in the interest of and for the protection of the citizens of this community and their properties that such a plan be adopted and approved;

NOW, THEREFORE, the City Council of the City of Modesto, do ordain as follows:

Section I. That that certain plan designated "State of California Law Enforcement Mutual Aid Plan", a copy of which is on file with the City Clerk of the City of Modesto, and is hereby made a part hereof, by reference, as though set forth herein in full, be and the same is hereby approved and adopted;

Section II. That the Chief of Police or Acting Chief of Police of the City of Modesto, be and he is, hereby authorized and empowered to order the performance of such law enforcement mutual aid services, including the use of personnel and facilities, as may be requested and he may deem available without unnecessarily depleting the City's agencies, outside the territorial limits of this jurisdiction in accordance with and pursuant to said Law Enforcement Mutual Aid Plan, and subject to all provisions of law governing such extra-territorial service.

Section III. This ordinance shall be published at least once at least three days prior to its final adoption in the Modesto

1 Beo, the official newspaper of the City of Modesto.

2 The foregoing Ordinance was introduced at a regular meeting
3 of the Council of the City of Modesto, on the 24th day of October,
4 1945, by Councilman Stanley, who moved
5 its adoption and passage to print, which motion upon roll call was
6 carried by the following vote:

7 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

8 Noes: Councilmen: None

9 Absent: Councilmen: None

10
11 APPROVED: Carroll Shannon
12 City Mayor

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14 ATTEST:

15 Rex C. Gagnier
16 City Clerk
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FINAL ADOPTION CLAUSE

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 October, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 14, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

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Amended
by Ord. 918

ORDINANCE NO. 765 N.S.

1
2 AN ORDINANCE AMENDING ORDINANCE NO. 658 N.S. BY INCREASING THE
REQUIREMENTS FOR PASTEURIZATION AND ELIMINATING THE SALE OF RAW
MILK IN THE CITY OF MODESTO,

CODE SEC.
NO. 5-3.034

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

SECTION 1. Section 2 is hereby amended to read as follows:

3
4 "SECTION 2. It shall be unlawful for any person, firm or corpora-
5 tion or agent or employee of any person, firm or corporation,
6 to sell, offer for sale, distribute or have in possession for sale
7 or distribution, any milk or cream for human consumption as milk
8 or cream, unless it conforms to the standards of grading and to
9 the requirements for the production of milk and cream established
10 by the Agriculture Code, being Chapter 25, Statutes of 1933 of the
11 State of California, and amendments thereto, and the rules and
12 regulations of the State Department of Agriculture for its enforce-
13 ment.
14
15

STANDARDS

16
17 a. Grade A milk intended for distribution or sale in the
18 City of Modesto shall contain not less than 3.5 per cent milk fat
19 and 8.5 per cent solid not fat and shall be pasteurized.
20

21 b. Grade A milk for pasteurization shall contain not more
22 than fifty thousand (50,000) bacteria per milliliter before pas-
23 teurization and not over ten thousand (10,000) bacteria per milli-
24 liter at the time of delivery to the consumer. Grade A milk for
25 pasteurization shall be pasteurized at not less than one hundred
26 and forty-three (143°) degrees Fahrenheit for thirty minutes with-
27 in thirty hours after production and immediately placed in a final
28 package.

29 c. Grade A pasteurized cream shall contain not more than
30 seventy-five thousand (75,000) bacteria per milliliter before
31 pasteurization, and not more than twenty-five thousand (25,000)
32

1 bacteria per milliliter at the time of delivery to the consumer.
2 Grade A cream for pasteurization shall be cooled to fifty (50°)
3 degrees Fahrenheit, or below, immediately after separation and so
4 maintained until the process of pasteurization begins.

5 d. Skim milk intended for human consumption in fluid form
6 shall be derived from Grade A pasteurized milk. Skim milk may be
7 pasteurized before or after separation, and shall contain not
8 over seventy-five thousand (75,000) bacteria per milliliter before
9 pasteurization and not over fifteen thousand (15,000) bacteria
10 per milliliter at the time of delivery to the consumer.

11 e. Chocolate milk shall be made from Grade A milk and Choco-
12 late Dairy Drink and similar chocolate drinks shall be made from
13 Grade A milk or skim milk derived from Grade A milk, and shall
14 contain not more than twenty-five (25,000) thousand bacteria per
15 milliliter at the time of delivery to the consumer. It shall be
16 pasteurized after all ingredients have been added.

17 f. Every milk shake shall be made of Grade A pasteurized milk
18 and all other mixed milk drinks and all skim milk drinks in which
19 are combined fruit, fruit juices, chocolate, chocolate syrup or
20 other harmless syrups shall be made of Grade A pasteurized milk or
21 skim milk derived from Grade A pasteurized milk.

22 g. Homogenized milk shall not be mixed with any other fluid
23 dairy product that has not been homogenized. Homogenized milk
24 must meet all the requirements for market milk. There shall ap-
25 pear in letters not less than six point bold face capital type in
26 plain view on every final package of homogenized milk the word
27 "Homogenized."
28

29 SECTION 2. Section 5 is hereby amended to read as follows:
30 "SECTION 5. Every person engaged in the production, sale or
31 distribution of market milk shall pay an inspection fee to the
32

1 City Treasurer of the City of Modesto. Said inspection fees are
2 hereby fixed as follows;

3 a. For producers who sell market milk at wholesale to be
4 sold as graded market milk in the City of Modesto, a monthly in-
5 spection fee equal to one-tenth of one cent per gallon of market
6 milk produced by said producer and distributed in said City.

7 b. For distributors of graded milk a monthly inspection
8 fee of three (\$3.00) Dollars, which shall entitle the said distri-
9 butor to distribute an average of twenty-five gallons or less of
10 market milk per day. Should said distributor of said graded pas-
11 teurized milk distribute more than an average of 25 gallons of
12 said milk per day, a minimum monthly fee of Five (\$5.00) Dollars,
13 which entitles said distributor to the production, sale or dis-
14 tribution of twenty-five hundred gallons of graded pasteurized
15 milk per month. For each gallon of graded pasteurized milk pro-
16 duced, distributed or sold over twenty-five hundred gallons per
17 month, a fee of two mills (.002) per gallon shall be paid by the
18 producer, seller or distributor in addition to the minimum fee of
19 Five (\$5.00) Dollars per month, as set forth herein.
20

21 c. For processors of graded pasteurized milk for distribution
22 in the City of Modesto the same fee as set forth in subdivision
23 b. of Section 5 hereof.

24 d. For processing plants that process market cream for dis-
25 tribution in the City of Modesto a fee of one (1) cent per gallon
26 of cream sold."

27 SECTION 3. Section 6 is hereby amended to read as follows:
28 "SECTION 6. The inspection fee as required by this article to be
29 paid by a milk producer shall be collected from the producer
30 for the City of Modesto by the processor or by the milk distributor
31 in the case of milk to be consumed. The processor or milk dis-
32

1 tributor, as the case may be, is hereby made liable for the collec-
2 tion of such inspection fee and for the transmission of the same
3 to the City of Modesto. Such inspection fee shall be transmitted
4 by the processor or milk distributor, as the case may be, to the
5 City Treasurer on or before the 10th day of each calendar month
6 for the preceding calendar month. The processor or milk distri-
7 butor, as the case may be, shall at the time of remitting such
8 inspection fee, transmit a written report giving the name of each
9 milk producer or milk distributor from whom he received and pro-
10 cessed market milk during the preceding calendar month, together
11 with the number of gallons of milk received from each, which report
12 shall be on a printed form provided by the Health Officer.

13 Every inspection fee required by this article which has not
14 been paid at the time it becomes delinquent shall thereupon have
15 added thereto a penalty equal to ten (10%) per cent of the delin-
16 quent fee and an additional penalty of ten (10%) per cent of the
17 delinquent fee shall be added for each month or fraction thereof
18 thereafter during such delinquency until the fee and penalty
19 thereon are fully paid. Non-payment of any delinquent inspection
20 fee due shall constitute cause for suspension or revocation of any
21 permit issued under this article."

22 SECTION 4. This ordinance shall go into effect and be in
23 full force and operation from and after 15 days after its final
24 passage and adoption and shall be published in full at least once
25 at least three days prior to its final adoption in the Modesto Bee,
26 the official newspaper of the City of Modesto.

27 The foregoing ordinance was introduced at a regular meeting
28 of the Council of the City of Modesto held on the 24th day of
29 October, 1945, by Councilman Stanley who
30 moved its adoption and passage to print, which motion being duly
31 seconded was upon roll call carried, and the ordinance ordered
32

1 printed and published as above by the following vote:

2 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

3 Noes: Councilmen: None

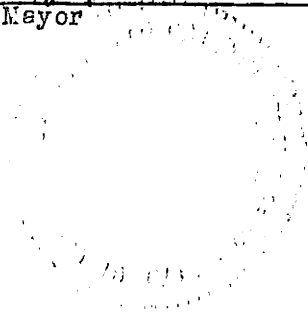
4 Absent: Councilmen: None

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6 APPROVED:

Ernest Shannon
Mayor

7
8 ATTEST:

W. E. Gifford
City Clerk



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FINAL ADOPTION CLAUSE

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 October, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 14, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

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Repealed
by Ord 1007-N.S.

ORDINANCE NO. 766-N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 602-N.S. OF THE CITY OF MODESTO
(CIVIL SERVICE ORDINANCE)

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

SECTION 1. Section 5 of Ordinance No. 602-N.S. of the City of Modesto entitled: "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL PRESCRIBING ITS DUITES, SETTLING THE STATUS OF PRESENT EMPLOYEES AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF", as thereafter amended by Ordinance No. 639-N.S. and Ordinance No. 687-N.S. is hereby amended by adding new classifications of City employees to those classifications heretofore set forth in said Section 5 of said Ordinance and which said Section 5 as amended herein shall read as follows:

"SECTION 5. COMPETITIVE SERVICE. The provisions of this ordinance shall not apply to persons occupying the following offices, positions, and employments in the service of the city:

- (a) Elective offices
- (b) Positions on appointive boards, commissions, and committees
- (c) Judge of the Police Court and clerk thereof
- (d) Chief officials of city
- (e) Unclassified laborers
- (f) Persons having contract with the City for renditions of services
- (g) Chief Deputy in General Administrative office

Within the meaning of this ordinance, an unclassified laborer is hereby declared to be an unskilled workman, unqualified to proceed independently to lay out and perform work, and who prosecutes his duties under the immediate direction of a more highly qualified workman or foreman. Janitors are hereby declared to be unclassified laborers.

The following offices, positions, and employments in the City of Modesto shall constitute the competitive service of said City and said positions and employments are subject to the provisions hereof.

DEPARTMENT OF PUBLIC WORKS

Assistant City Engineer
Secretary
Stenographer
Surveyor
Assistant Surveyor
Engineering Aids
Chief Draftsman
Junior Draftsman
Planning Engineer
Plumbing Inspector
Senior Engineering Aid
Under Engineering Aid
Draftsman
Assistant Superintendent of Streets
Equipment Operators, Grades (1) and (2)
Street Repair Foreman
Assistant Superintendent of Electricity
Electrician
Lineman
Fire Alarm Technician
Electrical Inspector
Assistant Building Inspector
Water Service Foreman
Assistant Water Service Foreman
Pipe Fitters
Pump Operators (Grades 1 and 2)
Superintendent of Construction
Assistant Superintendent of Construction
Sewage Disposal Plant Operator
Assistant Sewage Disposal Plant Operator
Assistant Superintendent of Parks
Horticulturist
Nurseryman
Tree Trimmers
Park Supervisors
Limited Laborer
Greenskeeper
Groundsman
Assistant Superintendent Corporation Yard
Machinist
Auto Mechanic
Storekeeper and service man
Traffic Line Painter
Construction Laborers

CITY CLERK'S OFFICE

Assistant Clerk
Assistant Auditor
Assistant Assessor
Assistant License Collector
Assistant Tax Collector
Assistant Treasurer
Deputy License Collector
Deputy Auditor
Secretary
Cashier-Clerk
Assistant Cashier-Clerk
Typist-Clerk

1 POLICE DEPARTMENT

2 Captain
3 Sergeants
4 Secretary
5 Clerk
6 Traffic Officers
7 Patrolmen

8 FIRE DEPARTMENT

9 Assistant Chiefs
10 Operators
11 Drivers
12 Relief Driver

13 DEPARTMENT OF PUBLIC HEALTH

14 Food and Drink Inspector
15 Sanitary Inspector

16 SECTION 2. This ordinance shall go into effect and be
17 in full force and operation from and after 15 days after its final
18 passage and adoption.

19 SECTION 3. This ordinance shall be published in full at
20 least once at least three days prior to its final passage and
21 adoption in the "The Modesto Bee," the official newspaper of the
22 City of Modesto.

23 The foregoing ordinance was introduced at a special meet-
24 ing of the Council of the City of Modesto held on the 7th day of
25 November, 1945 by Councilman Morris, who moved its adoption and
26 passage to print, which motion being duly seconded was carried and
27 the ordinance ordered printed and published by the following vote:

28 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

29 Noes: Councilmen: None

30 Absent: Councilmen: None

31 APPROVED

Carl W. Shannon
CARL W. SHANNON

32 ATTEST:

Rex E. Gallfus
REX E. GALLFUS, CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and order-
ed printed and published at a special meeting of the Council of the
City of Modesto held on the 7th day of November, 1945 and subse-
quently printed and published as required by the Charter of the City
of Modesto, and coming on for final adoption at the regular meeting
of November 14, 1945, it was upon roll call so finally adopted by
the following vote:

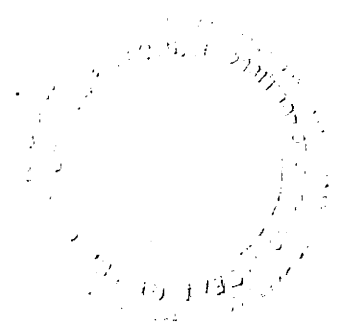
Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Hex E. Gailfus*
HEX E. GAILFUS, CITY CLERK



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2 AN ORDINANCE AMENDING ORDINANCE NO. 487 N.S., AN ORDINANCE PROVID-
3 ING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PRO-
4 FESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF
5 MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND
6 REPEALING THE OTHER ORDINANCES BY AMENDING SECTION 101 THEREOF
7 TO CHANGE THE REGISTRATION FEE PAYABLE THEREUNDER.

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

9 SECTION 1. That Section 101 shall be amended to read as
10 follows:

11 For every person conducting, carrying on or managing at a
12 fixed place of business in said City of Modesto any business as
13 in Section 1 hereof defined, the fee shall be the sum of \$10.00
14 per year or a fraction thereof as a registration fee, the year
15 beginning on the first of each July, payable in advance, and in
16 addition thereto a license fee equal to two (2) mills of each
17 dollar of the gross income, receipts or sales resulting from the
18 operation of said business, payable quarterly, the first payment
19 to be made within fifteen (15) days after the expiration of the
20 first quarter.

21 Provided, however, that the provisions of this section shall
22 not extend to or include:

23 (1) Any business expressly defined or otherwise provided
24 for in subsequent sections of this ordinance.

25 (2) The business of merchandising at wholesale, except where
26 specifically mentioned herein.

27 (3) The business of manufacturing, provided the products
28 are sold at wholesale, unless specifically mentioned herein.

29 (4) Businesses carried on under licenses pursuant to ordi-
30 nances not repealed by this ordinance.

31 (5) Any business exempt from the imposition of a license
32 fee by the Constitution of the State of California or the Constitu-
tion of the United States.

1 (6) Persons employed by other persons for a fixed wage or
2 compensation, or who work for wages only.

3 Provided, further, that all license fees, except the \$10.00
4 registration fee, paid on account of any business in said City of
5 Modesto pursuant to this section shall be credited as a payment
6 against the personal property tax of the owner of said business
7 upon the fixtures, equipment and stock in trade of the business
8 so licensed; and provided further, that every person who begins
9 the operation of a new business which is subject to the terms of
10 this section shall, when he applies for a license, deposit with the
11 collector an additional sum in the amount of \$50.00 as a guaran-
12 tee that the license fee for the first two quarters following the
13 commencement of said business will be paid, said sum of \$50.00
14 to be refunded to such person at the expiration of six (6) months
15 from the first of the next ensuing quarter, provided said business
16 is still operating, and all charges imposed upon the same under the
17 terms of this ordinance have been paid; and provided further in
18 this respect, that every change of ownership of a business shall be
19 construed as the commencement of a new business by the owner, and
20 shall require the deposit of the \$50.00 as above stated.

21
22 The provisions of this ordinance requiring a deposit of
23 \$50.00 as aforesaid shall have no application to an applicant for
24 license to do business in the City of Modesto when and if the said
25 applicant is the owner of the building in which or the property
26 upon which said applicant intends to carry on the business for
27 which said applicant seeks said license. Said provisions requiring
28 said deposit of \$50.00 as aforesaid shall not apply to any appli-
29 cant for license who is able to and does give to the City Clerk
30 satisfactory evidence of the fact that said applicant is the valid
31 lessee for the period of not less than one year holding by written
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1 lease the property in and/or upon which he intends to carry on
2 said business for which said license is sought.

3 The word "owner" as used in this ordinance shall mean the
4 person, corporation, partnership, firm or association in whose
5 name said property is recorded in the Office of the County Recorder
6 of Stanislaus County, California."

7 SECTION 2. This ordinance shall go into effect and be in
8 full force and operation from and after 15 days after its final
9 passage and adoption.

10 SECTION 3. This ordinance shall be published in full at
11 least once in the Modesto Bee, the official newspaper of the City
12 Modesto, at least three days prior to its final passage and
13 adoption.

14 The foregoing ordinance was introduced at a regular meeting
15 of the Council of the City of Modesto held on the 14th day of
16 November, 1945, by Councilman Wilson

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: Morris, Wilson, Stanley, Mayor Shannon

20 Noes: Councilmen: None

21 Absent: Councilmen: Neece

22 APPROVED: Carl W. Shannon
23 Carl W. Shannon, Mayor

24 ATTEST:
25 Rex E. Gailfus
26 Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 14th day of November, 1945, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regu-
8 lar meeting of November 28, 1945, it was upon roll call so finally
9 adopted by the following vote:

10 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED: *Shannon*
MAYOR

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16 ATTEST: *P. E. Gairfus*
CITY CLERK

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1 (c) Before the first hearing on any such procedure,
2 a proposed building lines maps shall be filed in the office of
3 City Clerk and shall remain in file of said office during
4 a period of public hearing. After public hearings by the
5 Planning Commission and City Council as above set forth, the
6 said proposed building lines maps may be adopted by the City
7 Council as an amendment to the Zoning Ordinance and upon such
8 adoption no buildings nor any part thereof (except as provided
9 for in the Modesto Building Code for projections into street
10 areas) may be constructed nearer the street than the established
11 Building Lines.

12 Section 3: Those certain proposed building lines maps
13 relating to McHenry Avenue, Maze Boulevard and Jennie Street,
14 which have been on file in the office of the City Clerk during
15 the period of public hearing on the establishment of building
16 lines on said streets, are hereby adopted and the lines shown
17 on said maps are established as building lines and said maps
18 are made a part of the City Zoning Ordinance, being Ordinance
19 No. 700 N.S., and no buildings, nor any part thereof (except
20 as provided for in the Modesto Building Code for projections
21 into street areas) may be constructed nearer the street than
22 the established building lines.

23 Section 4: This Ordinance shall go into effect from
24 and after fifteen days after its final passage and adoption.

25 This Ordinance shall be published at least once at least
26 three days prior to its final adoption in the "Modesto Bee",
27 the official newspaper of the City of Modesto.

28 The foregoing Ordinance was introduced at a special
29 meeting of the Council of the City of Modesto, held on the 5th
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1 day of December, 1945, by Councilman Morris who moved its
2 adoption and passage to print, which motion being duly seconded,
3 was upon roll call carried and the Ordinance ordered printed
4 and passed as above by the following vote:

5 Ayes: Councilman Wilson
6 Councilman Morris
7 Councilman Neece
8 Councilman Stanley
9 Mayor Shannon

10 Noes: None

11 Absent: None

12 Approved:

13 
14 Mayor of the City of Modesto

15 Attest: 
16 City Clerk

FINAL ADOPTION CLAUSE

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 5th day of December, 1945, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of December 26, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris and Neece

APPROVED: Eric W. Shannon
MAYOR

ATTEST: W. E. G. G. G.
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 769 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 414 N.S.,
BY CHANGING THE NUMBER OF MEMBERS OF THE
PLANNING COMMISSION OF CITY OF MODESTO AND
MAKING PROVISION FOR THEIR CHOICE.

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

Section 1. Section 1 of Ordinance No. 414 N.S., is
hereby amended to read as follows:

A Planning Commission in and for the City of Modesto is
hereby created. Said Commission shall consist of seven
members, five of whom shall be appointed by the Mayor with the
approval of the City Council. The other two members of said
Commission shall be ex-officio members and shall consist of a
representative of the City Engineer's Office and one member
of the City Council, to be appointed by the Mayor with the
approval of the Council. Of the members of the Planning
Commission first appointed pursuant to this Ordinance, two shall
be appointed for the term of one year, two for the term of two
years, one for the term of three years, and one for the term
of four years from and after their appointment respectively.
Their successors shall be appointed for terms of four years
each. If a vacancy shall occur otherwise than by the
expiration of term, it shall be filled by appointment for the
unexpired portion of the terms. The terms of ex-officio members
shall correspond to their respective official tenures.

Section 2. Those members of the City Planning Commission,
who are members at the time of the adoption of this Ordinance
shall continue to be members of the City Planning Commission
until their term shall expire with the exception of the City
Attorney, who shall no longer be a member of said Commission.

Section 3. This Ordinance shall go into effect and be in

1 full force and operation from and after fifteen days after
2 its final passage and adoption.

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


7 The foregoing Ordinance was introduced at a special
8 meeting of the Council of the City of Modesto held on the
9 5th day of December , 1945, by Councilman Morris,
10 who moved its adoption and passage to print, which motion
11 being duly seconded was upon roll call carried and the Ordinance
12 ordered printed and published as above by the following vote:

13
14 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

15 Noes: Councilmen: None

16 Absent: Councilmen: Stanley

17 
18 Mayor

19 ATTEST: 
20 City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of December 5, 1945, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 12, 1945, it was upon roll call carried and so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Shannon*
MAYOR

ATTEST: *R. E. G...*
CITY CLERK

ORDINANCE No. 770 N.S.

AN ORDINANCE AMENDING ORDINANCE No 521 N.S.
WHICH IS AN ORDINANCE AMENDING ORDINANCE
No. 430, N.S., WHICH IS AN ORDINANCE
REGULATING THE COLLECTION AND DISPOSAL OF
GARBAGE.

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

SECTION 1. Subdivision e, of Section 18 of Ordinance No.
430, N.S., as amended Ordinance No 521, N.S., is hereby
amended to read as follows:

e. There is hereby fixed by the City Council of the City
of Modesto, the rates that may be charged and collected by
licensed collectors of garbage from residents of the City of
Modesto living and residing in dwelling houses, apartment
houses, duplex houses, flats or from any other places of
collection:

One (1) collection per week--75 cents (75¢) per month--
each collection consisting one 30 gallon can of garbage
from one household unit.

Two (2) collections per week--\$1.00 (\$1.00) per month --
each collection consisting of all of the garbage produced
by one family unit.

In the event that more than the amount of garbage specified
above is collected each week by the collector, said collector
shall make his or their own financial arrangements with the pro-
ducer of said garbage for the collections of the same.

A different rate shall be charged and collected by a
licensed garbage collector for collections of garbage outside the
corporate limits of the City of Modesto as follows, to-wit:

Ten cents (10¢) per month for the collection of one 30
gallon can of waste or garbage, or fraction thereof,
per week.

Twenty cents (20¢) per month for the collection of two
30 gallon cans of waste or garbage, per week.

Thirty cents (30¢) per month for the collection of
three 30 gallon cans of waste or garbage, per week.

1 Forty cents (40¢) per month for the collection of four
2 30 gallon cans of waste or garbage, per week.

3 Ten cents (10¢) per month for the collection of each
4 30 gallon can per week in excess of the number herein
5 set forth.

6 Said rates herein set forth shall be in addition to the amounts
7 agreed upon by the collector and the producer for the collection
8 of garbage and waste by said licensed collector.

9 The collector shall make receipts in triplicate for all
10 moneys received from producers of garbage and waste matter outside
11 the corporate limits of the City of Modesto, one of which receipts
12 shall be given to the producer, one of which shall be deposited
13 with the City Clerk of the City of Modesto, and one of which shall
14 be retained by the collector. All moneys collected by the gar-
15 bage collector from persons residing outside of the corporate
16 limits of the City of Modesto as set forth in this Ordinance, and
17 which are in excess of the amount agreed upon by the collector
18 and the producer shall be deposited with the City Clerk of the
19 City of Modesto each quarter, together with a copy of receipt
20 given by said collector to said producer, and shall be and
21 become money belonging to the City of Modesto.

22 SECTION 2: This Ordinance shall be printed and published
23 in full at least once at least three days prior to its final
24 adoption in the Modesto Bee, the official newspaper of the City
25 of Modesto.

26 SECTION 3: This Ordinance shall go into effect and be in
27 full force and operation from and after 15 days after its final
28 passage and adoption.

29 The foregoing Ordinance was introduced at a special meeting
30 of the Council of the City of Modesto held on the 19th day
31


1 of December, 1945 by Councilman Wilson, who moved
2 its adoption and passage to print, which motion being duly
3 seconded was upon roll call carried and the Ordinance ordered
4 printed and published as above By the following vote:

5
6 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

7 Noes: Councilmen: None

8 Absent: Councilmen: Stanley

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10 
Mayor

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12 ATTEST: 
13 City Clerk

FINAL ADOPTION CLAUSE

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 19th day of December, 1945 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 26, 1945, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Morris and Neece

APPROVED: *Dave W. Shannon*
MAYOR

ATTEST: *[Signature]*
CITY CLERK

ORDINANCE CLASSIFYING NEWLY ANNEXED
TERRITORY AS TO USE DISTRICT AND AMENDING
ZONING ORDINANCE NO. 700 N.S. BY ADDING
ADDITIONAL MAP TO BE INCORPORATED BY
REFERENCE.

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

SECTION 1. That that certain area heretofore annexed to
the City of Modesto, commonly referred to as Campus Tract No. 2,
be and the same is established as single family residence district.

SECTION 2. The Zoning Ordinance of the City of Modesto,
being Ordinance No. 700, N.S., is hereby amended by annexing
thereto that certain map titled "Use District Map 1-A", copy
of which is hereto annexed, and said map is hereby incorporated
into said Zoning Ordinance by reference.

SECTION 3. This Ordinance shall go into effect and be in
full force and operation 15 days after its final passage and
adoption.

SECTION 4. This Ordinance shall be published at least
once at least three days before its final passage and adoption
in the Modesto Bee, the official newspaper of the City of
Modesto.

This Ordinance was introduced at a regular meeting of the
City Council of the City of Modesto, held on the 26th day of
December 1945, by Councilman Wilson, who moved its
adoption and passage to print, which motion upon roll call was
duly carried by the following vote:

AYES: Councilmen: Stanley, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Morris, Neece

Lawrence Shannon
Mayor

ATTEST: Ed E. Gaffney
City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and order-
ed printed and published at a regular meeting of the Council of the
City of Modesto held on the 26th day of December, 1945, and subse-
quently printed and published as required by the Charter of the City
of Modesto, and coming on for final adoption at the regular meeting
of January 9, 1946, it was upon roll call so finally adopted by the
following vote:

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:

Carroll Shannon
MAYOR

ATTEST:



Ray E. Gaudin
CITY CLERK

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USE DISTRICT MAP

NO. 1A.

DISTRICTS

-  R-1 SINGLE FAMILY
-  R-2 TWO FAMILY

BY ORD. NO. 771-N.S.

GRISWOLD AVE.

MILLS

AVE.

CORPORATE CITY LIMITS

LIMITS

AVE.

AVE.

LIMITS

CITY

820

813

STANFORD

PRINCETON

CORPORATE

PREVIOUS

CORPORATE

CORPORATE CITY LIMITS

COLLEGE

AVE.

AN ORDINANCE LICENSING THE CARRYING ON OF CERTAIN BUSINESS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, CALIFORNIA, FOR THE PURPOSE OF RAISING MUNICIPAL REVENUE, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF.

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

SECTION I. This ordinance is enacted solely to raise revenue for municipal purposes, and is not intended for the purpose of regulation.

There is hereby imposed upon the businesses, trades, callings and occupations in this ordinance enumerated, a license tax or fee in the amounts hereinafter specified, and it shall be unlawful to conduct, manage or carry on any such business, trade, calling or occupation without having first secured a license so to do as herein provided.

SECTION 2. The license tax or fee imposed by this ordinance, is in addition to all other license taxes or fees provided for under the provisions of Ordinance No. 467 N.S. of the City of Modesto, and all amendments thereto.

SECTION 3. PROVISIONS APPLICABLE TO ORDINANCE.

(a) VALIDITY OF ORDINANCE. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Council of this City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

(b) VIOLATIONS, A MISDEMEANOR. It shall be unlawful for any

Amended by Ord 1047-72

CODE SEC. NO. 8-2.201 8-2.227

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1 person to violate any provision or to fail to comply with any of
2 the requirements of this ordinance. Any person violating any of
3 the provisions or failing to comply with any of the mandatory re-
4 quirements of this ordinance shall be guilty of a misdemeanor under
5 the provisions of this ordinance, unless provision is otherwise
6 herein made, shall be punishable by a fine of not more than FIVE
7 HUNDRED (\$500.00) DOLLARS, or by imprisonment in the County Jail
8 for a period of not more than six (6) months, or by both such
9 fine and imprisonment. Each such person shall be guilty of a
10 separate offense for each and every day during any portion of which
11 any violation of any provision of this ordinance is committed, con-
12 tinued, or permitted by such person and shall be punishable accord-
13 ingly. In addition to the penalties hereinabove provided, any con-
14 dition caused or permitted to exist in violation of any of the pro-
15 visions of this ordinance shall be deemed a public nuisance and may
16 be, by this City, summarily abated as such, and each day that such
17 condition continues shall be regarded as a new and separate offense.

18 SECTION 4. DEFINITIONS AND INTERPRETATION:

19 (a) The following words and phrases whenever used in this
20 ordinance shall be construed as defined in this section unless
21 from the context a different meaning is intended, or unless a dif-
22 ferent meaning is specifically defined and more particularly direct-
23 ed to the use of such words and phrases:

24 "City" shall mean the area within the territorial city limits
25 of the City of Modesto and such territory outside of this City
26 over which the City has jurisdiction or control by virtue of any
27 Constitutional or Charter provisions, or any law.

28 "Council" shall mean the City Council of this City.

29 "Oath" includes affirmation.

30 "Office". The use of the title of any officer, employee, or
31 any office, ordinance or Charter of the City of Modesto, unless
32

1 otherwise specifically designated.

2 "Shall" and "May". "Shall" is mandatory; "May" is permis-
3 sive.

4 "Written" shall include printed, typewritten, mimeographed or
5 multigraphed.

6 (b) GRAMMATICAL INTERPRETATION:

7 "Genders". Any gender includes the other genders.

8 "Singular and Plural". The singular number includes the plural
9 and the plural the singular.

10 "Tenses". Words used in the present tense include the past
11 and future tenses and vice versa.

12 "Use of Words and Phrases". Words and phrases used in this
13 ordinance and not specifically defined shall be construed accord-
14 ing to the context and approved usage of the language.

15 SECTION 5. LICENSE TAXES, DEFINITIONS.

16 The following words and phrases whenever used in this ordin-
17 ance shall be construed as defined in this section, unless from
18 the context a different meaning is intended or unless a different
19 meaning is specifically defined and more particularly directed to
20 the use of such words or phrases:

21 (a) "DANCE HALL". The words "Dance Hall" shall mean any
22 place where the business of holding or conducting public dances
23 is regularly carried on, provided that nothing in this section
24 shall be deemed or construed to require the holder of a license
25 to conduct the business of a public dance hall, to procure any
26 additional license to conduct a dancing academy in the event that
27 such dancing academy is conducted in the same location and under the
28 same management as said public dance hall.

29 (b) "ENGAGED IN BUSINESS". The words "Engaged in Business"
30 shall mean the conducting, managing or carrying on of any profession
31

1 trade, calling, occupation or commercial enterprise in the City
2 licensed under the provisions of this ordinance as owner, officer,
3 agent, manager, employee, servant or lessee of any of them.

4 (c) "PERSON". The word "Person" shall mean all domestic and
5 foreign corporations, associations, syndicates, joint stock com-
6 panies, partnerships of every kind, clubs, Massachusetts business
7 or common law trusts, societies and individuals engaged in any
8 business as defined herein, in the City of Modesto.

9 SECTION 6. No person shall engage in any business required
10 to be licensed under the provisions of this ordinance until such
11 license is first obtained, and in the event such person holds a
12 license under the provisions of any of the ordinances of the City
13 of Modesto, such persons shall obtain a further license or certi-
14 ficate from the City of Modesto showing compliance with the re-
15 quirements of this ordinance.

16 SECTION 7. SUIT FOR RECOVERY OF UNPAID SUMS.

17 Any sum required to be paid hereunder shall be deemed a debt
18 to the City and any person who engages in any business required
19 to be licensed without first obtaining a license so to do, shall
20 be liable to an action by and in the name of the City of Modesto
21 in any court of competent jurisdiction for the recovery of any
22 such amount.

23 SECTION 8. LICENSES, CONTENTS OF.

24 All licenses shall be prepared and issued by the City Tax
25 Collector upon the payment of the sum required to be paid here-
26 under. Each license so issued shall state upon the face thereof
27 the following:

- 28 (a) The person to whom same is issued;
29 (b) The kind of business licensed thereby;
30 (c) The amount paid therefor;
31 (d) The location of such business;
32 (e) The date of expiration of such license.

1 SECTION 9. AMENDED LICENSES - FEES:

2 No license issued pursuant to this ordinance shall be trans-
3 ferable, provided that where a license is issued authorizing a
4 person to conduct a business at a particular place, such licensee
5 may upon application therefor and paying a fee of fifty cents
6 (50¢), have the license previously issued amended so as to author-
7 ize the conduct of such business from some other location.

8 SECTION 10. POSTING AND KEEPING LICENCES.

9 Except as otherwise specifically provided by the provisions
10 of this ordinance, all licenses must be kept and posted in the
11 following manner:

12 (a) Subject to other provisions of this ordinance, any licen-
13 see engaged in business at a fixed place of business shall keep
14 the license issued posted in a conspicuous place upon the premises
15 where such business is conducted;

16 (b) Any person engaged in business in the City of Modesto,
17 but not operating from a fixed place of business, shall keep the
18 license issued to him upon his person at all times while engaging
19 in such business.

20 SECTION 11. ENFORCEMENT.

21 It shall be the duty of the City Tax Collector, and he is here-
22 by directed to enforce each and all of the provisions of this
23 ordinance, and the Chief of Police shall render such assistance
24 in the enforcement of this ordinance as may from time to time be
25 required by the City Tax Collector.

26 Said City Tax Collector, in the exercise of the duties im-
27 posed upon him, and acting through his deputies or duly authorized
28 employees, shall examine all places of business in the City to
29 ascertain whether or not the provisions of this ordinance have
30 been complied with.

31 Said City Tax Collector and his deputies and duly authorized
32

1 employees shall have the power to examine all necessary books and
2 records of any person doing business in the City required to be
3 licensed by the terms of this ordinance, for the purpose of ascer-
4 taining the amount of license fee required to be paid by the
5 provisions hereof. The City Tax Collector and each and all of
6 his deputies and duly authorized employees shall have the power
7 and authority to enter, free of charge, at any reasonable time any
8 place of business required to be licensed by the provisions of
9 this ordinance, and to demand an exhibition of such license. Any
10 person having any such license theretofore issued in his possession
11 or under his control who fails to exhibit the same on demand shall
12 be guilty of a misdemeanor and subject to the penalty provided
13 for by the provisions of this ordinance.

14 It shall be the duty of the City Tax Collector and each of
15 his deputies to cause a complaint to be filed against any and all
16 persons found to be a violator of any of the provisions of this
17 ordinance.

18 SECTION 12. All license fees shall be paid in advance to
19 the City Tax Collector in lawful money of the United States.

20 SECTION 13. Except as herein otherwise provided, licenses
21 required hereunder shall be due and payable at the following
22 times:

- 23 (a) Annual licenses on the first day of January of each year;
24 (b) Semi-annual licenses on the first day of January and the
25 first day of July of each year;
26 (c) Quarterly licenses on the first days of January, April,
27 July and October of each year;
28 (d) Monthly licenses on the first day of each and every month;
29 (e) Daily licenses in advance on each day.

30 All such licenses shall be valid for the period issued.

31 SECTION 14. No person charged with the enforcement of any of
32

1 fees required to be paid hereunder shall be due and payable on
2 the first day of January of each year, and shall be delinquent
3 thirty (30) days after the same become due. In cases where a
4 portion of the license period has lapsed prior to application
5 for a license, the amount of the fee payable shall be apportioned
6 on a quarterly basis, and the applicant shall pay three-quarters,
7 two-quarters or one-quarter, as the case may be, of the total
8 annual license fee.

9 Any person who fails to file any required statement, or fails
10 to pay the amount required hereunder within the time fixed hereby,
11 shall be assessed a penalty of ten per cent (10%) on the amount
12 unpaid at such time, which sum shall become a part of the license
13 fee required to be paid hereunder.

14 No such statement shall be conclusive as to the matters set
15 forth therein, nor shall the filing of the same preclude the City
16 of Modesto from collecting by appropriate action such sum as is
17 actually due and payable hereunder. Such statement and each of
18 the several items therein contained shall be subject to audit and
19 verification by the City Auditor, who is hereby authorized to
20 examine, audit and inspect such books and records of any licensee
21 or applicant for license as may be necessary in his judgment to
22 ascertain the correct amount of license due.

23 All licensees, applicants for licenses and persons engaged
24 in business, are hereby required to permit an examination of such
25 books and records for the purposes aforesaid.

26 The information or data obtained from such examination or
27 audit or from any statement required hereunder shall be used for
28 the purpose of enforcing the provisions of this ordinance and for
29 no other purpose.

30 SECTION 18. FAILURE TO FILE STATEMENT OR CORRECTED STATEMENT.

31 If any person fails to file any statement required hereby
32

1 within the time prescribed hereby, or if after demand therefor made
2 by the City Tax Collector, fails to file a corrected statement,
3 the City Tax Collector may determine the amount of license fee
4 due from such person from such information as he may be able to
5 obtain and if necessary may estimate the fee required to be paid
6 hereunder upon the basis of external indices such as dividends
7 paid, sales or other taxes paid, or by considering other facts.
8 In case such a determination is made, the City Tax Collector shall
9 give notice of the amount so assessed by serving the same per-
10 sonally or by depositing same in the United States Postoffice at
11 Modesto, California, postage prepaid thereon, addressed to the
12 person so assessed at his last known address. Such person may,
13 within ten (10) days after the mailing or serving of such notice,
14 make application in writing to the City Tax Collector for a hear-
15 ing on the amount of the tax. If such application is not so made
16 within the time prescribed the assessment shall become final. If
17 such an application is filed, the City Tax Collector must cause
18 the matter to be set for hearing within fifteen (15) days before
19 a Board meeting consisting of the City Mayor, the City Auditor
20 and the City Attorney, or the duly appointed deputy of each.
21 Such board shall consider all evidence produced and shall make
22 written findings thereon, a copy of such findings to be served
23 upon the applicant, in the manner prescribed above for the service
24 of notice of assessment. Such findings shall become final at the
25 expiration of five (5) days from the date of service within which
26 time exceptions may be filed by the applicant. If filed, the
27 Board so appointed shall consider same and make such modification
28 as may be deemed necessary; thereupon the final assessment shall
29 be made.

30 SECTION 19. ADDITIONAL POWERS OF CITY TAX COLLECTOR.

31 The City Tax Collector shall have, in addition to all other
32

1 powers conferred upon him, for good cause shown, the power to ex-
2 tend the time for filing any such statement for a period of not
3 to exceed thirty (30) days, and in such case waive any penalty
4 that would have otherwise accrued; and with the written approval
5 of the City Mayor, and subject to the provisions of the City
6 Charter, to compromise any claim for license fee amounting to less
7 than One Hundred Dollars (\$100.00); and with the approval of the
8 City Mayor, and the City Attorney, to compromise any claim for
9 license fee amounting to One Hundred Dollars (\$100.00) or more.

10 SECTION 20. Every person conducting, managing, or carrying
11 on any show, performance, display or exhibitions, to which an
12 admission fee is charged or for which any remuneration is received,
13 and whether for amusement or education, and including, but not
14 limited to basketball, softball, baseball, football, or football
15 games, boxing or wrestling exhibits, circuses, carnival or other
16 similar exhibits, public dance halls, public dances, ice or roller
17 skating rinks, enclosure or park, museum, store show, or theatre or
18 vaudeville performances in any public hall, club room, assembly
19 hall or theatre where movable scenery or theatrical appliances are
20 used, concert halls where entertainment is given or held for pay,
21 theatre or moving picture theatre, horse shows, rodeos, air shows,
22 shall pay a license tax of a sum of money equal to \$.03 for each
23 ticket sold, payable monthly on or before the 10th day of the
24 succeeding month or at such other time as may be directed by the
25 City Tax Collector, and in the event of daily entertainment or
26 exhibits payable on the dates of such exhibition or entertainment.

27 SECTION 21. For purposes of this ordinance, a "pass" or
28 "complimentary" ticket shall be considered the same as a ticket.

29 SECTION 22. The provisions of Section 20 of this ordinance
30 shall not apply to persons in the enlisted military personnel
31 of the United States of America, when appearing in uniform.

1 SECTION 23. Tickets to persons under 12 years of age shall
2 not be included in the tickets or passes mentioned in Section
3 20.

4 SECTION 24. This ordinance shall go into effect and be in
5 full force and operation from and after 15 days after its final
6 passage and adoption.

7 SECTION 25. This ordinance shall be published in full at
8 least once in the Modesto Bee, the official newspaper of the City
9 of Modesto, at least three days prior to its final passage and
10 adoption.

11 The foregoing ordinance was introduced at a special meeting
12 of the Council of the City of Modesto held on the 16th day of
13 January, 1946, by Councilman MORRIS,
14 who moved its adoption and passage to print, which motion being
15 duly seconded, was upon roll call carried by the following vote:

16 AYES: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

17
18 NOES: Councilmen: None

19
20 ABSENT: Councilmen: None

21
22 APPROVED: 
23 Mayor

24
25 ATTEST:

26 
27 City Clerk

FINAL ADOPTION CLAUSE

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 16th day of January, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 13, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *Ray E. Lawrence*
CITY CLERK

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AN ORDINANCE AMENDING ORDINANCE NO. 700-N.S. AND REZONING FROM R-3 MULTIPLE FAMILY RESIDENCE DISTRICT TO M-1 INDUSTRIAL DISTRICT.

- - - -

WHEREAS, a request has been made to the Modesto City Planning Commission by means of a duly executed petition asking a change in the use district, and

WHEREAS, after two public hearings, as required by the City Ordinance and the State Planning Act, and after due consideration, the Modesto City Planning Commission has recommended to the City Council the amending of the Zoning Ordinance of the City of Modesto to effect the changes requested, and

WHEREAS, a public hearing has been had by the Council of the City of Modesto as provided by law,

NOW, THEREFORE, the City Council of the City of Modesto do ordain as follows:

SECTION I - That the public interest, necessity and general welfare requires a change in the use districts as requested in said petition.

SECTION II - Ordinance 700-N.S., the Zoning Ordinance of the City of Modesto, is hereby amended as follows:

Block 39, Lots 17 to 28, inclusive, and

Block 40, Lots 17 to 32, inclusive,

as said lots and blocks are shown in Vol. 15 of Maps, at pages 39 and 40, said volume being on file and on record in the office of the County Recorder of Stanislaus County, are hereby taken and removed from the R-3 Multiple Family Residence District use zone and placed in the M-1 Industrial District use zone.

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

SECTION IV - This ordinance shall be published in full

at least three (3) days prior to its final adoption in the "Modesto Bee", the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto, held on the 6th day of February, 1946, by Councilman Wilson, who moved its adoption and passage to print. The motion being duly seconded, was, upon roll call, carried and the ordinance ordered printed and published as above by the following votes:

AYES: Councilmen: Morris, Neece, Stanley, Wilson,
Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Chas Shannon
Mayor

ATTEST: Rev E Gausman
City Clerk

February _____, 1946.

FINAL ADOPTION CLAUSE

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 6th day of February, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 13, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Paul Shannon
MAYOR

ATTEST:

P. E. Grogan
CITY CLERK

SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE TAKING OF CENSUS OF THE CITY OF MODESTO BY THE DEPARTMENT OF COMMERCE, BUREAU OF CENSUS OF THE UNITED STATES

---oOo---

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

SECTION I. That the sum of Four Thousand and no/100 (\$4000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purpose of taking of census of the City of Modesto by the United States Department of Commerce, Bureau of Census

SECTION II This ordinance shall be published in full at least once at least three days prior to its final passage and adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of February, 1946 by Commissioner Neece, 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: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

Final Adoption Clause

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 6th day of February, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 13, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Sam Shannon
MAYOR

ATTEST:

Ray E. Gaudin
CITY CLERK

N OT SPECIAL
IN CODE

ORDINANCE NO. 775-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE IMPROVEMENT OF THE BUILDING
LOCATED IN ENSLEN PARK OF THE CITY OF MODESTO

---oOo---

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

SECTION I. That the sum of Fifteen Hundred and no/100
(\$1500.00) Dollars or so much thereof as may be necessary, is hereby
appropriated out of the General Fund of the City of Modesto for
the improvement of the building located in Enslen Park of the City
of Modesto.

SECTION II. This ordinance shall be published in full at
least once at least three days prior to its final passage and
adoption in The Modesto Bee, 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
February, 1946 by Commissioner Wilson, 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: Morris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 27th day of February, 1946 and
5 subsequently printed and published as required by the Charter of the
6 City of Modesto, and coming on for final adoption at the regular
7 meeting of March 13th, 1946 it was upon roll call so finally adopted
8 by the following vote:

9 Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

10 Nones: Councilmen: None

11 Absent: Councilmen: Neece

12
13 APPROVED: *Carl W. Shannon*
14 CARL W. SHANNON, MAYOR

15
16 ATTEST: *Rex E. Gallfus*
17 REX E. GALLFUS, CITY CLERK
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2 SPECIAL
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AN ORDINANCE PROVIDING FOR THE LEASING OF CERTAIN PREMISES, FACILITIES, RIGHTS, LICENSES, SERVICES, AND PRIVILEGES IN CONNECTION WITH AND ON THE MODESTO MUNICIPAL AIRPORT.

4
5 WHEREAS, there has been submitted to the City Council of the
6 City of Modesto a proposed lease to be entered into between the
7 City of Modesto; a municipal corporation of the State of
8 California; and the United Air Lines, Inc., a corporation
9 organized and existing under the laws of the State of Delaware;
10 and

11 WHEREAS by the terms of said proposed lease said City of
12 Modesto as lessor leases to the United Air Lines, Inc., as lessee
13 certain premises, facilities, rights, licenses, services and
14 privileges in connection with and on the Modesto Municipal Air-
15 port; for a term of twenty years; and

16 WHEREAS it is the intention of the City Council to lease
17 said premises as above set forth and to accept the lease as pro-
18 posed;

19 NOW, THEREFORE, the City Council of the City of Modesto do
20 ordain as follows:

21 SECTION I. That the City of Modesto shall lease to the
22 United Air Lines, Inc. certain premises, facilities, rights,
23 licenses, services and privileges in connection with and on the
24 Modesto Municipal Airport for a term of twenty years;

25 SECTION II. That that certain lease, a copy of which is on
26 file with the City Clerk of the City of Modesto, and is hereby
27 made a part hereof by reference, as though set forth herein in
28 full, be and the same is hereby accepted and adopted;

29 SECTION III. That the Mayor of the City of Modesto and the
30 City clerk of the City of Modesto be and they are hereby auth-
31 orized and empowered to sign said lease upon this ordinance
32

1 becoming effective.

2 SECTION IV. This ordinance shall be published at least once
3 at least three days prior to the final adoption in The Modesto
4 Bee, the official newspaper of the City of Modesto.

5 The foregoing ordinance was introduced at a regular meeting
6 of the Council of the City of Modesto on the 6th day of
7 March, 1946, by Councilmen Morris

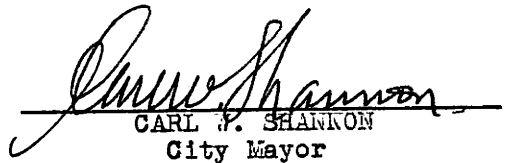
8 _____ who moved its adoption and passage to
9 print, which motion upon roll call was carried by the following
10 vote:

11 Ayes: Councilmen Morris, Stanley, Wilson, Mayor Shannon

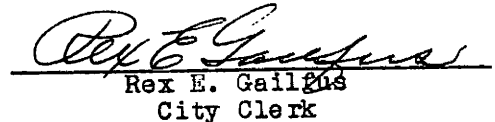
12
13 Noes: Councilmen None

14
15 Absent: Councilmen Neece

16
17 Approved:


CARL P. SHANNON
City Mayor

18
19
20
21 Attest:


Rex E. Gailgas
City Clerk

22
23 March 8, 1946.

24
25 1 T 15 copies

FINAL ADOPTION CLAUSE

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 6th day of March, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 13, 1946, it was upon roll call so finally adopted by the following vote;

Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon


Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GALLFUS, CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 777 N.S.

AN ORDINANCE REPEALING ORDINANCES NO. 574 N. S. AND NO. 713 N. S. OF THE CITY OF MODESTO, AND AMENDING ORDINANCE NO. 569 N. S. OF THE CITY OF MODESTO BY ADDING A NEW SECTION THERETO, NO. 19 $\frac{1}{2}$.

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

SECTION 1. Ordinance No. 713 N. S. of the City of Modesto, which was an ordinance amending Ordinance No. 569 N. S. of the City of Modesto, is hereby repealed.

SECTION 2. Ordinance No. 574 N. S. of the City of Modesto which was an ordinance amending Ordinance No. 569 N. S. of the City of Modesto, is hereby repealed.

SECTION 3. Section 18 of Ordinance No. 569 N. S. of the City of Modesto is hereby amended to read as follows:

That Article 10, Section 110, paragraph 5, be amended to read as follows: Every building in which plumbing fixtures are installed shall have a soil or waste vent stack or stacks extending through the roof and if water closets are installed, at least one four (4) inch pipe extending through the roof, such vent pipe to serve a water closet. Other water closets in the same building may be vented with a two (2) inch pipe in accordance with Table No. 3, Article 10.

SECTION 4. Section 19 of Ordinance No. 569 N. S. of the City of Modesto is hereby amended to read as follows:

That Article 10, Section 123, be amended to read as follows: All vent and branch vent pipes shall be free from drops or sags and be so graded and connected as to drip back to the soil or waste pipe by gravity. Where vent pipes connect to a horizontal soil or waste pipe, the vent pipe shall be taken off above the center line of such pipe, ahead of the trap being served, and unless prohibited by structural conditions, shall rise vertically to a point not less than six (6) inches above the extreme overflow

REPEALED BY
MUNICIPAL CODE

1 level of the fixtures served, before offsetting horizontally. All
2 vents and branch vents shall be vertical, whenever practical so to
3 do.

4 SECTION 5. Ordinance No. 569 N. S. of the City of
5 Modesto is hereby amended by adding thereto a new section to be
6 numbered 19 $\frac{1}{2}$, reading as follows:

7 Section 19 $\frac{1}{2}$: The Plumbing Inspector shall act as secre-
8 tary of the Board of Plumbing Examiners, performing such duties
9 and keeping such records as they may require.

10 SECTION 6. This Ordinance shall take effect and be in
11 full force from and after fifteen (15) days after its final
12 adoption.

13 SECTION 7. This Ordinance shall be printed and published
14 in full at least once at least three days prior to its final adop-
15 tion, in the Modesto Bee, the official newspaper of the City of
16 Modesto.

17 The foregoing Ordinance was introduced by Councilman
18 Morris at a regular meeting of the Council of the
19 City of Modesto held on the 27th day of March, 1946, and was
20 adopted and passed to print by the following vote:

21 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

22 NOES: Councilmen: None

23 ABSENT: Councilmen: Neece

24
25 Approved: Shannon
Mayor

26
27 Attest: Ed G. Gausman
City Clerk

28 March 28, 1946.

29
30 200 copies

31

32

FINAL ADOPTION CLAUSE

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 27th day of March, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 10, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

*amended by
Ord 1812-N.S.
Ord 2880-N.S.
Ord 1013-N.S.
Ord 1021-N.S.*

REPEALED ORD 234CS

ORDINANCE NO. 778 N.S.

AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC STREETS IN THE CITY OF MODESTO, DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES, REGULATING AND PROVIDING FOR INSPECTION OF THE PARKING OF VEHICLES THEREIN BY THE USE OF PARKING METERS; PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER ZONES, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

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

SECTION 1: Definitions:

(a) Wherever any term is defined in this ordinance it shall be deemed and construed to have the meaning ascribed to it herein.

(b) The definition of any term used in this ordinance not otherwise herein defined shall be the same as such term is defined and described in the Vehicle Code of the State of California and amendments thereto.

(c) The word "vehicle" as used herein shall mean any device in, upon or by which any person or property may be transported upon a street or highway, except those operated upon rails or tracks.

(d) The word "park" or "parking," when used herein, shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading passengers or merchandise.

SECTION 2: The following portions of streets within the City of Modesto are hereby established as parking meter zones:

- Both sides of Tenth Street from "G" Street to "L" Street;
- Both sides of Eleventh Street from "G" Street to "L" Street;
- Both sides of Twelfth Street from "H" Street to "K" Street;
- Both sides of "H" Street from Ninth Street to Twelfth Street;
- Both sides of "I" Street from Ninth Street to Twelfth Street;
- Both sides of "J" Street from Ninth Street to Twelfth Street;

1 Both sides of "K" Street from Ninth Street to Twelfth Street.
2 And from time to time hereafter, as traffic conditions re-
3 quire, any such other streets and avenues as are selected by
4 resolution of the Council of the City of Modesto for the location
5 of such zones.

6 SECTION 3: The City Engineer of the City of Modesto is
7 hereby authorized and directed to install meters in all parking
8 meter zones hereby established or hereafter created by the Council
9 of the City of Modesto, for the purpose of and in such numbers and
10 at such places as in his judgment may be necessary to the regula-
11 tion, control and inspection of the parking of vehicles therein.
12 The time limitations for legal parking in parking meter zones
13 shall be those established by resolution of the Council of the
14 City of Modesto, and the time limitations shall be indicated by
15 appropriate signs posted in said zones.

16 SECTION 4 : The City Engineer is authorized to cause signs
17 which fulfill the requirements of the ordinances and resolutions
18 of the City pertaining thereto to be placed in the various parts
19 of such zones to so indicate.

20 SECTION 5: The City Engineer shall have lines or markings
21 painted or placed upon the curb or street adjacent to each parking
22 meter designating the parking space for which said meter is to be
23 used, and each vehicle parked adjacent or next to any parking
24 meter shall park within the lines or markings so established. It
25 shall be unlawful to park any vehicle across any such line or
26 marking or to park a vehicle in such a position that the same shall
27 not be entirely within the space designated by such lines or
28 markings.

29 SECTION 6: It shall be unlawful for any person between the
30 hours of 9:00 A.M. and 6:00 P.M. of any day to cause, allow,
31 permit, or suffer any vehicle registered in his name or operated
32 or controlled by him to be parked in any parking space upon any

1 streets within a parking meter zone adjacent to which a parking
2 meter is established for more than the time indicated by proper
3 signs placed in such parking meter or zone indicating the maximum
4 parking time allowed in such parking space, or any time during
5 which the meter is displaying a signal indicating that that space
6 is illegally in use, except during the time necessary to set the
7 said meter to show legal parking, and excepting also during the
8 time from 6:00 P.M. to 9:00 A.M., and on Sundays.

9 SECTION 7: Parking meters, when installed, shall be so
10 adjusted as either to show legal parking during a period of twelve
11 minutes upon and after the deposit of a United States one cent
12 coin therein, or twenty-four minutes upon and after the deposit of
13 two United States one cent coins therein, or thirty-six minutes
14 upon and after the deposit of three United States one cent coins
15 therein, or forty-eight minutes upon and after the deposit of
16 four United States one cent coins therein, or sixty minutes upon
17 and after the deposit of five United States one cent coins or one
18 United States five cent coin therein, or one hundred and twenty
19 minutes upon and after the deposit of five one cent coins and one
20 United States five cent coin or two United States five cent coins.
21 Within the limits as set forth hereinabove each individual meter
22 shall be adjusted to show legal parking only for that length of
23 time applicable to the parking space where the meter is installed.
24 Payment of the aforesaid amounts shall be made for parking in the
25 areas set forth hereinabove, and in such other areas as may be
26 hereafter established by the Council of the City of Modesto for
27 the location of such zones, the amount to be paid to be determined
28 by the time limitation applicable to the space being occupied.

29 SECTION 8: When any vehicle shall be parked in any space
30 along side of or next to which a parking meter is located in
31 accordance with the provisions of this ordinance, the operator of
32 said vehicle upon so parking shall, and it shall be unlawful to
33 fail to, deposit immediately one or more one cent coins or one or
34 two five cent coins of the United States in such parking meter.

35 SECTION 9: It shall be unlawful to deposit or cause to be
36 deposited in any parking meter any slug, device or metallic
37 substitute for one cent or five cent coins of the United States.
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1 SECTION 10: It shall be unlawful for any person to deface,
2 injure, tamper with, open, or wilfully break, destroy, or impair
3 the usefulness of any parking meter installed pursuant to this
4 ordinance.

5 SECTION 11: It shall be the duty of each police officer to
6 take the number of any meter at which any vehicle is over-parked,
7 as provided in this ordinance, the State vehicle license of such
8 vehicle; the time and date of such over-parking, and the make of
9 such vehicle; and issue, in writing and attach to such vehicle
10 a citation for illegal parking in the same form and subject to
11 the same procedure provided for by the laws of the State of
12 California applicable to the traffic violations within said City.

13 Any operator or owner of a vehicle to whom a citation has
14 been issued may, within twenty-four hours of the time of the
15 issuance of said citation, pay to the Police Judge or Clerk of
16 the Police Court of said City as a penalty for and in full satis-
17 faction of such violation the sum of Fifty Cents (50¢). The
18 failure of such owner or operator to make such payment within
19 said twenty-four hours shall render such owner or operator sub-
20 ject to the penalties hereinafter provided for violation of the
21 provisions of this ordinance.

22 SECTION 12: Commercial trucks may park in the parking
23 zones to load or to unload merchandise without depositing coins
24 for a period not to exceed fifteen (15) minutes. Should any
25 truck or delivery car be parked longer than fifteen minutes
26 said violator will be given a ticket and classed as a violation
27 and the regular penalty imposed.

28 SECTION 13: Vehicles owned or operated by the City of
29 Modesto shall be exempted from the provisions of this ordinance
30 when said vehicles are being used in line of duty.

31 SECTION 14: Any person violating any provision of this or-
32 dinance shall be deemed guilty of a misdemeanor, and upon con-

1 viction thereof, shall be punishable by a fine not exceeding
2 Five Hundred Dollars (\$500.00), or by imprisonment in the County
3 jail of Stanislaus County for a period not exceeding six (6)
4 months, or by both such fine and imprisonment.

5 SECTION 15: The coins deposited in parking meters as pro-
6 vided herein are hereby levied and assessed as fees to provide
7 for the cost of supervising, regulating and inspecting the park-
8 ing of vehicles in the parking meter zones created thereby and
9 to cover the cost of the purchase, supervision, protection, in-
10 spection, installation, operation, maintenance, control, and use
11 of the parking meters installed therein, and the fund created
12 thereby shall be devoted exclusively to those purposes, except
13 that any surplus funds shall be used for the purpose of ac-
14 quiring off street parking areas for the use of the public within
15 the City of Modesto.

16 SECTION 16: This ordinance, so far as consistent therewith,
17 shall be deemed to be in addition and supplementary to, and not
18 in conflict with nor a repeal of prior or existing ordinances of
19 this City, but shall be an additional provision for the regulation
20 of traffic and parking in the parking meter zones provided for
21 herein.

22 SECTION 17: If any section, sub-section, sentence, clause,
23 or phrase of this ordinance is for any reason held to be un-
24 constitutional, such decision shall not affect the validity of
25 the remaining portions of this ordinance. The Council of the
26 City of Modesto hereby declares that it would have passed this
27 ordinance and each section, sub-section, sentence, clause and
28 phrase thereof irrespective of the fact that any one or more
29 sections, sub-sections, sentences, clauses or phrases be de-
30 clared unconstitutional.

31 SECTION 18: All ordinances or parts of ordinances or
32 resolutions in conflict with the provisions of this ordinance are

1 hereby repealed.

2 SECTION 19: This ordinance shall be published in full at
3 least once at least three (3) days prior to its final adoption
4 in the Modesto Bee, the official newspaper of the City of Modesto.

5 ...

6 The foregoing ordinance was introduced at a regular meeting
7 of the Council of the City of Modesto held on March 27th, 1946,
8 by Councilman Morris, who moved its adoption
9 and passage to print as aforesaid, which motion being duly
10 seconded was upon roll call carried and the ordinance ordered
11 published as above by the following vote:

12 AYES: Councilmen Morris, Stanley, Wilson, Mayor Shamon

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14 NOES: Councilmen None

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16 ABSENT: Councilmen Neece

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18 ATTEST:


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REX E. GAILFUS, CITY CLERK.

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200 copies

FINAL ADOPTION CLAUSE

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 27th day of March, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 10, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

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SPECIAL
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ORDINANCE NO. 779-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF CASH REGISTER
FOR THE TRAFFIC BUREAU OF THE POLICE COURT OF THE CITY OF MODESTO

---oOo---

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

Section I That Six Hundred Dollars (\$600 00) be and the
same is hereby appropriated out of the General Fund of the City
of Modesto for the purchase of a cash register for the Traffic
Bureau of the Police Court of the City of Modesto.

Section II This ordinance shall go into effect from and
after fifteen days after its final passage and adoption. It shall
be published in full at least once, at least three days prior
to its final adoption in The Modesto Bee, 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 April 10, 1946 by
Councilman Stanley, who moved its adoption and passage to print,
which motion was duly seconded, was carried and the ordinance
ordered printed and published by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED:


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GALLFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 April, 1946, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of the Council of April 24, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST: *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

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ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY
TO THE CITY OF MODESTO

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WHEREAS ~~whereas was~~ on the 11th day of January, 1946,
under and by virtue of the terms of Sections 1702 and 1703 of the
Elections Code of the State of California, there was printed
and/or caused to be printed in The Modesto Bee, a newspaper of
general circulation published daily in the City of Modesto,
County of Stanislaus, State of California, a Notice of Intention
to circulate a petition for annexation of the territory herein-
after described, said notice containing a statement not exceeding
five hundred words setting forth the reason for the proposed
petition; and,

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WHEREAS thereafter, to-wit: on the 6th day of
February, 1946, there was received by the City Council of the
City of Modesto, a municipal corporation, which said City Council
is the legislative body of said municipal corporation, a written
petition signed by not less than one fourth in number of all
the qualified electors residing within the territory therein
and hereafter described as shown by the registration of voters
in the county of which said territory is situated, asking
that such territory be annexed to the City of Modesto, and
asking that the question to be submitted to the electors residing
in the territory proposed by said petition to be annexed to
said City of Modesto shall be whether such new territory shall
be annexed to, incorporated in and made a part of such municipal
corporation, and the property therein be not, after such
annexation, subject to taxation equally with the property within
such municipal corporation to pay the bonded indebtedness of said
City of Modesto outstanding at the date of filing of such
petition theretofore authorized; and,

1 WHEREAS the petition for annexation of said territory
2 as filed with the City Council of the said City of Modesto was
3 so filed more than twenty one days after the publication in said
4 The Modesto Bee of said notice of intention to circulate said
5 petition; and,

6 WHEREAS thereafter and pursuant to said petition,
7 an election was called to submit to the qualified electors in
8 the territory proposed by said petition and notice to be
9 annexed to the said City of Modesto the said question as here-
10 inbefore stated, which said election was thereafter, to-wit, on
11 the 30th day of April, 1946, held in accordance with the said
12 order and resolution herein referred to, and in accordance with
13 the statutes in such case made and provided; and,

14 WHEREAS the proper officers of said election
15 did thereupon and thereafter deliver the ballots, tally sheets
16 and returns of said election to and deposit the same with the
17 Clerk of the legislative body of the municipal corporation, to-wit,
18 the Clerk of the City Council of the City of Modesto, and the
19 said City Council did thereafter and at the time provided by
20 law meet and proceed to canvass said returns and did find
21 therefrom that within the said election precinct which constituted
22 the whole of said territory proposed to be annexed, the total
23 number votes cast was 3 votes; that the total number of
24 votes cast in favor of said proposition was 3 votes, and
25 that no votes were cast against said proposition, and that
26 said proposition carried. That no absentee ballots were cast.
27 The said City Council did thereupon immediately upon the com-
28 pletion of said canvass cause a record thereof to be made and
29 entered upon its minutes, stating the proposition submitted,
30 and showing the whole number of votes cast thereon in the
31 territory proposed to be annexed, the number of votes cast therein
32

1 in favor of annexation, and that no votes were cast therein against
2 annexation, and that all of the matters and things required by law
3 to be done in the premises have been done and complied with, and
4 that a majority of all the votes cast in such outside territory
5 on the question of annexation, as hereinabove stated were cast in
6 favor of such annexation:

7 NOW, THEREFORE the Council of the City of Modesto
8 DO ORDAIN AS FOLLOWS:

9 Section 1. That the annexation of the following
10 described territory lying and being in the County of Stanislaus,
11 State of California and contiguous to the City of Modesto and
12 particularly described as follows, to-wit:

13 All that certain lot, piece or parcel of
14 land situate in the County of Stanislaus,
15 State of California, and bounded and
particularly described as follows, to-wit:

16 All of that portion of Lot 8 of the Spencer
17 Colony according to the map thereof filed
18 in the office of the County Recorder of
19 Stanislaus County, California, on December
20 16, 1904, in Volume 2 of Maps at Page 3,
21 described as follows: Beginning at the
22 southeast corner of said Lot 8; running
23 thence west along the south line of said
Lot 8 of said Spencer Colony to the south-
west corner of said Lot 8; thence north
along the west line of said Lot 8, 81.591
feet; thence east, parallel to the south
line of said Lot 8 to the East line of
said Lot 8; thence south along the east
line of said Lot 8 to the place of be-
ginning;

24 be approved.

25 SECTION 2. That the said territory hereinabove de-
26 scribed be, and the same is, hereby annexed to, incorporated in
27 and made a part of the said City of Modesto, to be effective upon
28 the filing with the Secretary of State of the State of California
29 of a copy of the record of the canvass of the returns of said
30 election in such new territory and a certified copy of this
31 ordinance.
32

1 SECTION 3. The Clerk of the City of Modesto is hereby
2 authorized and directed to make and certify, under the seal of the
3 City of Modesto, and transmit to the Secretary of State of the
4 State of California, a copy of the record of the canvass of the
5 returns of said election in such new territory, and a copy of this
6 ordinance, giving the date of its passage in accordance with the
7 statutes providing therefore.

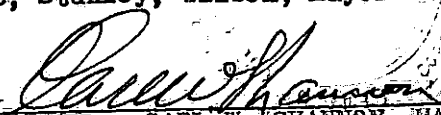
8 SECTION 4. That the said territory hereinabove de-
9 scribed shall not, after such annexation, be subject to taxation
10 equally with the property within such municipal corporation to pay
11 the bonded indebtedness of said municipal corporation outstanding
12 at the date of said annexation or indebtedness theretofore
13 authorized.

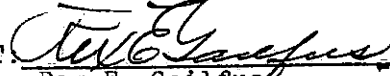
14 SECTION 5. This ordinance shall take effect and be in
15 full force and operation upon the filing of a certified copy there-
16 of, together with a copy of the record of said canvass as
17 specified in Section 2 hereof, with the Secretary of State of the
18 State of California, but in any event not less than fifteen days
19 after its final passage and adoption.

20 SECTION 6. IT IS FURTHER ORDERED that this ordinance
21 be published in full at least once at least three days prior to its
22 final passage and adoption in the The Modesto Bee, the official
23 newspaper of the City of Modesto.
24

25
26 The foregoing ordinance was introduced by Councilman
27 Wilson, who moved its adoption and passage to print,
28 which motion being duly seconded, was upon roll call carried and
29 the ordinance ordered printed and published as above by the following

30 vote:
31 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
32 Noes: Councilmen: None
Absent: Councilmen: None


APPROVED CARL W. SHANNON, MAYOR

ATTEST 
Rex E. Gailfus
City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 8th day of May,
5 1946, and subsequently printed and published as required by the
6 Charter of the City of Modesto, and coming on for final adoption
7 at the regular meeting of May 22, 1946, it was upon
8 roll call so finally adopted by the following vote:

9 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12 Carl W. Shannon
13 APPROVED: CARL W. SHANNON, MAYOR

14 Rex E. Gailbus
15 ATTEST: REX E. GAILBUS, CITY CLERK
16

17
18 State of California)
19 County of Stanislaus) ss.
City of Modesto)

20 I, Rex E. Gailbus, Clerk of the City of Modesto do
21 hereby certify that the foregoing is a full, true and correct copy
22 of an Ordinance introduced at a regular meeting of May 8, 1946,
1946, and adopted at a regular meeting of May 22, 1946, 1946,
of the Council of the City of Modesto, and that the same is now in
full force and effect.

23 IN WITNESS WHEREOF, I have hereunto set my hand
24 and affixed the official seal of the City of Modesto this
24th day of May, 1946.

25
26 Signed: Rex E. Gailbus
27 Clerk of the City of
28 Modesto, California
29 (seal)
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ORDINANCE NO. 781-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF SANITARY
SEWER LINE ON FRANKLIN STREET BETWEEN H STREET AND VINE STREET
IN THE CITY OF MODESTO

---o0o---

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

SECTION I. That the sum of Fifteen Thousand and no/100 (\$15,000.00) 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 of sanitary sewer line on Franklin Street between H Street and Vine Street in the City of Modesto.

SECTION II This ordinance shall be published in full at least once at least three days prior to its final passage and adoption in The Modesto Bee, 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 22nd day of May, 1946 by Commissioner Wilson, 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: Morris, Stanley, Wilson, Nease and Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST: Rex E. Gallfus
REX E. GALLFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 May, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 12, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 782-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF CASH REGISTER FOR THE TRAFFIC BUREAU OF THE POLICE COURT OF THE CITY OF MODESTO AND RESCINDING ORDINANCE NO. 779-N. S. ENTITLED: "AN ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF CASH REGISTER FOR THE TRAFFIC BUREAU OF THE POLICE COURT OF THE CITY OF MODESTO"

---o0o---

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

Section 1 Ordinance No. 779-N.S. entitled "AN ORDINANCE APPROPRIATING MONEY FOR PURCHASE OF CASH REGISTER FOR THE TRAFFIC BUREAU OF THE POLICE COURT OF THE CITY OF MODESTO" adopted by the Council of the City of Modesto on April 10, 1946 is hereby rescinded.

Section 21 That seven hundred Dollars (\$700.00) be and the same is hereby appropriated out of the General Fund of the City of Modesto for the purchase of a cash register for the Traffic Bureau of the Police Court of the City of Modesto.

Section III This ordinance shall go into effect from and after fifteen days after its final passage and adoption. It shall be published in full at least once, at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on June 5, 1946 by Commissioner Wilson, who moved its adoption and passage to print, which motion was duly seconded, was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Morris, Wilson, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST: Rex E. Gallfus
REX E. GALLFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 5th day of June, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 12, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carroll Shannon
MAYOR

ATTEST:

W. E. [Signature]
CITY CLERK

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SPECIAL
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ORDINANCE NO. 783-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF PARKING METERS FOR THE CITY OF MODESTO

---oOo---

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

SECTION I. That the sum of Thirty Three Thousand and no/100 Dollars (\$33,000.00) 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 parking meters to be used on certain streets in the City of Modesto

SECTION II This ordinance shall go into effect from and after fifteen days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on June 5, 1946 by Commissioner Neece, who moved its adoption and passage to print, which motion was duly seconded, was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Morris, Wilson, Neece, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

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 5th day of June, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 12, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Sam Shannon
MAYOR

ATTEST:

P. E. Gueffus
CITY CLERK

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AN ORDINANCE AMENDING ORDINANCE NUMBER 700 N. S. and REZONING CERTAIN AREAS.

WHEREAS, the Modesto City Planning Commission has been requested to make certain changes in use districts and by means of a Resolution has initiated proceedings for a change in the use district of certain areas and

WHEREAS, after two public hearings as required by the City Ordinance and the State Planning Act and after due consideration, the Modesto City Planning Commission has recommended to the City Council the amending of the Zoning Ordinance of the City of Modesto to effect the changes as hereinafter set forth, and

WHEREAS, a public hearing has been had by the Council of the City of Modesto as provided by law,

NOW, THEREFORE, the City Council of the City of Modesto do ordain as follows:

SECTION I - That the public interest, necessity and general welfare requires a change in the use districts as recommended in said Resolution.

SECTION II - Ordinance No. 700 N. S., the Zoning Ordinance of the City of Modesto, is hereby amended as follows:

All of Block A, except Southeasterly 100 feet parallel to H Street

Block C, lots 1 to 9 inclusive

All of Block Z

Block 1, lots 21 to 32 inclusive

Block 2, lots 5 to 28 inclusive

Block 3, lots 1 to 4 inclusive and lots 29 to 32 inclusive

Block 4, lots 5 to 28 inclusive

Block 10, lots 5 to 28 inclusive

1 The Northwesterly 100 feet of Block 11
2 Block 14, lots 1 to 4 inclusive, and lots 29 to
3 32 inclusive
4 Block 15, lots 5 to 28 inclusive
5 Block 24, lots 17 to 28 inclusive
6 Block 25, lots 29 to 32 inclusive
7 Block 95, lots 5 to 16 inclusive
8 Block 96, lots 1 to 16 inclusive
9 Block 97, lots 1 to 16 inclusive
10 Block 98, lots 1 to 4 inclusive
11 Block 101, lots 1 to 4 inclusive, and lots 29
12 to 32 inclusive
13 Block 102, lots 1 to 32 inclusive
14 Block 103, lots 1 to 32 inclusive
15 Block 104, lots 5 to 28 inclusive
16 Block 114, lots 5 to 28 inclusive
17 Block 115, lots 1 to 32 inclusive
18 Block 116, lots 1 to 32 inclusive
19 Block 117, lots 1 to 16 inclusive and lots 29
20 to 32 inclusive
21 Block 118, lots 17 to 32 inclusive
22 Block 119, lots 17 to 32 inclusive
23 Block 120, lots 17 to 28 inclusive
24 Block 213, lot 9, lots 26 to 29 inclusive, lots 30
25 to 33 inclusive, lots 50 to
26 53 inclusive and lots 54 to
27 57 inclusive
28 Block 214, Southerly 100 feet of lot 1
29 Block 215, lots 13 to 16 inclusive
30 Block 216, lots 15 to 20 inclusive
31 Block 217, lots 15 to 18 inclusive
32

- 1 Block 61, lots 5 to 16 inclusive
- 2 Block 96, lots 17 to 28 inclusive
- 3 Block 97, lots 17 to 32 inclusive
- 4 Block 98, lots 5 to 11 inclusive and ^{lots} /22 to
- 5 32 inclusive
- 6 Block 101, lots 5 to 11 inclusive and ^{lots} /22 to
- 7 28 inclusive
- 8 Block 117, lots 22 to 28 inclusive
- 9 Block 125, lots 5 to 16 inclusive
- 10 Block 126, lots 1 to 12 inclusive
- 11 Block 433, lots 11 to 14 inclusive
- 12 Block 434, lots 1 to 14 inclusive
- 13 Block 437, lots 15 to 28 inclusive
- 14 Block 438, lot 15

15 as said lots and blocks are shown in Volume 15 of Maps, said
 16 Volume being on file and on record in the Office of the County
 17 Recorder of Stanislaus County, State of California, are hereby
 18 taken and removed from the R-3 Multiple Family Residence District
 19 use zone and placed in the C-2 Central Business District use
 20 zone.

- 21 Block 79, lots 12 and 13
- 22 Block 98, lots 12, 13, 20 and 21
- 23 Block 101, lots 12, 13, 20 and 21
- 24 Block 117, lots 20 and 21
- 25 Block 438, lots 19 to 28 inclusive

26 as said lots and blocks are shown in Volume 15 of Maps, said
 27 Volume being on file and on record in the office of the County
 28 Recorder of Stanislaus County, State of California, are hereby
 29 taken and removed from the R-3 Multiple Family Residence District
 30 use zone and placed in the M-1 Industrial District use zone.

1 All of Block K
2 All of Block L
3 Block 1, lots 13 to 20 inclusive
4 Block 2, lots 1 to 4 inclusive and lots 29 to
5 32 inclusive
6 Block 4, lots 1 to 4 inclusive and ^{lots} 29 to
7 32 inclusive
8 Block 5, lots 13 to 20 inclusive
9 Block 9, lots 13 to 20 inclusive
10 Block 10, lots 1 to 4 inclusive and lots 29 to
11 32 inclusive
12 Block 15, lots 1 to 4 inclusive and lots 29 to
13 32 inclusive
14 Block 16, lots 17 to 20 inclusive
15 Block 17, lots 13 to 16 inclusive
16 Block 19, lots 5 and 6
17 Block 22, lots 12 to 20 inclusive
18 Block 24, lots 1 to 4 inclusive and lots 29 to
19 32 inclusive
20 Block 32, lots 29 to 32 inclusive
21 Block 34, lots 17 to 21 inclusive
22 Block 91, lots 14 to 16 inclusive
23 Block 92, lots 1 to 16 inclusive
24 Block 93, lots 1 to 16 inclusive
25 Block 94, lots 1 to 16 inclusive
26 Block 95, lots 1 to 4 inclusive
27 Block 104, lots 1 to 4 inclusive and lots 29 to
28 32 inclusive
29 Block 105, lots 1 to 32 inclusive
30 Block 106, lots 1 to 32 inclusive
31 Block 107, lots 13 to 32 inclusive
32

1 Block 108, lots 17 to 19 inclusive
2 Block 111, lots 13 to 20 inclusive
3 Block 112, lots 1 to 32 inclusive
4 Block 113, lots 1 to 32 inclusive
5 Block 114, lots 1 to 4 inclusive and lots 29 to
6 32 inclusive
7 Block 120, lots 1 to 3 inclusive and lots 30 to
8 32 inclusive
9 Block 121, lots 1 to 32 inclusive
10 Block 122, lots 1 to 32 inclusive
11 Block 123, lots 13 to 20 inclusive
12 Block 124, lots 16 to 20 inclusive
13 Block 125, lots 1 to 4 inclusive and lots 17 to
14 32 inclusive
15 Block 126, lots 13 to 32 inclusive
16 Block 127, lots 1 to 4 inclusive and lots 29 to
17 32 inclusive
18 Block 129, lots 1 to 4 inclusive and lots 28 to
19 32 inclusive
20 The Southeasterly 100 feet of Block 130
21 Block 132, lots 12 to 21 inclusive
22 Block 133, City property and lots 2 to 11 inclusive
23 and lots 29 to 32 inclusive
24 Block 418, lots 1 to 14 inclusive
25 Block 419, lots 1 to 14 inclusive
26 Block 420, lots 1 to 14 inclusive
27 Block 421, lots 15 to 28 inclusive
28 Block 422, lots 15 to 28 inclusive
29 Block 423, lots 15 to 28 inclusive
30 Block 4095, lots 1 to 12 inclusive
31 as said lots and blocks are shown in Volume 15 of Maps, said
32 Volume being on file and on record in the office of the County

County
1 Recorder of Stanislaus, State of California, are hereby taken and
2 removed from the C-1 Neighborhood Business District use zone and
3 placed in the C-2 Central Business District use zone.

4 All of Block P

5 Block 98, lots 14 to 16 inclusive

6 Block 101, lots 14 to 19 inclusive

7 Block 117, lots 17 to 19 inclusive

8 as said lots and blocks are shown in Volume 15 of Maps, said
9 Volume being on file and on record in the office of the County
10 Recorder of Stanislaus County, State of California, are hereby
11 taken and removed from the C-1 Neighborhood Business District use
12 zone and placed in the M-1 Industrial District use zone.

13 Block 438, lots 1 to 12 inclusive

14 Block 439, lots 1 to 28 inclusive

15 as said lots and blocks are shown in Volume 15 of Maps, said
16 Volume being on file and on record in the office of the County
17 Recorder of Stanislaus County, State of California, are hereby
18 taken and removed from the C-2 Central Business District use zone
19 and placed in the M-1 Industrial District use zone.

20 SECTION III - This Ordinance shall go into effect and
21 be in full force and effect from and after fifteen (15) days after
22 its final passage and adoption.

23 SECTION IV - This Ordinance shall be published in full at
24 least three (3) days prior to its final adoption in the Modesto Bee,
25 the official newspaper of the City of Modesto.

26 The foregoing Ordinance was introduced at a special
27 meeting of the Council of the City of Modesto held on the 5th
28 day of June, 1946, by Councilman Morris, who
29 moved its adoption and passage to print. The motion being duly
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1 seconded was upon roll call carried and the Ordinance ordered
2 printed and published as above by the following votes:
3

4 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

5 Noes: Councilmen: None


6 Absent: Councilmen: Stanley
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8 APPROVED:



CARL W. SHANNON, Mayor

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11 ATTEST:


12 REX E. GAILFUS, City Clerk
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FINAL ADOPTION CLAUSE

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 5th day of June, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 12, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

1
2
3 AN ORDINANCE AMENDING ORDINANCE NUMBER 700 N. S. AND REZONING
4 CERTAIN AREAS.

5
6 WHEREAS, the Modesto City Planning Commission has been
7 requested to make certain changes in use districts and by means of
8 a Resolution has initiated proceedings for a change in the use
9 district of certain areas and

10 WHEREAS, after two public hearings as required by the
11 City Ordinance and the State Planning Act and after due consideration,
12 the Modesto City Planning Commission has recommended to the City
13 Council the amending of the Zoning Ordinance of the City of
14 Modesto to effect the changes as hereinafter set forth, and

15 WHEREAS, a public hearing has been had by the Council
16 of the City of Modesto as provided by law,

17 NOW, THEREFORE, the City Council of the City of
18 Modesto do ordain as follows:

19 SECTION I - That the public interest, necessity and
20 general welfare requires a change in the use districts as
21 recommended in said Resolution.

22 SECTION II - Ordinance No. 700 N. S., the Zoning
23 Ordinance of the City of Modesto, is hereby amended as follows:

24 Block 451, Lots 1 to 14 inclusive
25 as said lots and blocks are shown in Volume 15 of Maps, said Volume
26 being on file and on record in the Office of the County Recorder
27 of Stanislaus County, State of California, are hereby taken and re-
28 moved from the R-1, Single Family Residence District use zone and
29 placed in the R-2 Two Family Residence District use zone.
30

1 Block 516, Lots 21 and 22, and
2 Block 527, Lots 15, 16, 21, and 22 and
3 . Block 528, Lots 15, 16, 19 and 20 and
4 Block 534, Lots 14, 15, 20 and 21 and
5 Block 549, Lots 14, 15, 20 and 21 and
6 Block 550, Lots 14 and 15

7 as said lots and blocks are shown in Volume 15 of Maps, said Volume
8 being on file and on record in the office of the County Recorder
9 of Stanislaus County, State of California, are hereby taken and
10 removed from the R-1 Single Family Residence District use zone
11 and placed in the R-3 Multiple Family District use zone.

12 Block 569, Lots 6 to 9, inclusive, and
13 Block 579, Lots 1 to 9, inclusive,

14 as said lots and blocks are shown in Volume 15 of Maps, said
15 Volume being on file and on record in the office of the County
16 Recorder of Stanislaus County, State of California, are hereby
17 taken and removed from the R-2, Two Family Residence District
18 use zone and placed in the R-3 Multiple Family use zone.

19 Block 506, the Northerly 90 feet of lots 13 to 18,
20 inclusive and lots 19 to 22 inclusive
21 Block 509, Lots 15 and 16, the Northerly 5.6 feet
22 of Lot 17, and the Northerly 4 feet of
23 Lots 20, 21, and 22

24 Block 510, Lots 15 and 16, the Northerly 3.6 feet of
25 Lot 17, and the Northerly 2 feet of Lots
26 20, 21 and 22

27 Block 515, Lot 14 to the Northerly 1.6 feet of Lot 17
28 inclusive, and Lots 21, 22 and 23

29 Block 516, the Northerly 24.8 feet of Lot 16,

30 as said lots and blocks are shown in Volume 15 of Maps, said
31 Volume being on file and on record in the Office of the County
32

1 Recorder of Stanislaus County, State of California, are hereby
2 taken and removed from the R-2 Two Family Residence District
3 use zone to C-1 Neighborhood Business District use zone.

4 All of Block 505

5 as said lots and block are shown in Volume 15 of Maps, said
6 Volume being on file and on record in the Office of the County
7 Recorder of Stanislaus County, State of California, and which is
8 not now in M-1 Industrial District use zone, are hereby taken and
9 removed from R-2 Two Family Residence District use zone and C-2
10 Central Business District use zone and placed in the M-1 Industrial
11 District use zone.

12 All of Block Eye

13 Block J, Lots 17 to 22 inclusive

14 Block 86, Lots 1 to 13 inclusive

15 Block 87, Lots 1 to 16 inclusive

16 Block 88, Lots 10 to 16 inclusive

17 Block 89, Lots 9 to 23 inclusive

18 All of Block 90

19 Block 91, Lots 1 to 13 inclusive, and Lots 20 to 32

20 inclusive

21 Block 107, Lots 1 to 12 inclusive

22 Block 108, Lots 1 to 16 inclusive and Lots 20 to 32

23 inclusive

24 Block 109, Lots 4 to 32 inclusive

25 Block 110, Lots 1 to 32 inclusive

26 Block 111, Lots 1 to 12 inclusive and Lots 21 to 32

27 inclusive

28 Block 123, Lots 1 to 12 inclusive and Lots 21 to 32

29 inclusive

30 Block 124, Lots 21 to 26 inclusive

31 Block 447, Lots 4 and 5

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1 as said lots and blocks are shown in Volume 15 of Maps, said Volume
2 being on file and on record in the Office of the County Recorder
3 of Stanislaus County, State of California, are hereby taken and
4 removed from the R-3 Multiple Family Residence District use zone and
5 placed in the C-1 Neighborhood Business District use zone.

6 SECTION III - This Ordinance shall go into effect and
7 be in full force and effect from and after fifteen (15) days after
8 its final passage and adoption.

9 SECTION IV - This Ordinance shall be published in full at
10 least three (3) days prior to its final adoption in the Modesto Bee,
11 the official newspaper of the City of Modesto.

12 The foregoing Ordinance was introduced at a special
13 meeting of the Council of the City of Modesto held on the 5th day
14 of June, 1946, by Councilman Morris , who
15 moved its adoption and passage to print. The motion being duly
16 seconded was upon roll call carried and the Ordinance ordered
17 printed and published as above by the following votes:
18

19
20 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon
21 Noes: Councilmen: None
22 Absent: Councilmen: Stanley

23
24 APPROVED:

Carl W. Shannon

CARL W. SHANNON, Mayor

25
26 ATTEST:

Rex E. Gailfus

REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

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 5th day of June, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 12, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carroll Shannon
MAYOR

ATTEST:

R. L. G. [Signature]
CITY CLERK

Repealed
By Ord 876-N

1 AN ORDINANCE AMENDING ORDINANCE NO. 569 N.S. OF THE CITY OF MODESTO
2 ENTITLED "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC
3 HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS
4 ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF
5 PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF
6 PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING
7 INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR
8 DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS FOR
9 THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE
10 SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE
11 VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES," AS THERE-
12 AFTER AMENDED, BY ADDING A NEW SECTION THERETO TO BE NUMBERED
13 ARTICLE I, SECTION 10A.

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REPEALED
MUNICIPAL CODE

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

1.

11 SECTION 1. Ordinance No. 569 N. S. of the City of Modesto
12 entitled "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC
13 HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS
14 ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF
15 PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION
16 OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING
17 INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR
18 DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGULATIONS
19 FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE
20 SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE
21 VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES," as
22 thereafter amended, is hereby amended by adding a new section there-
23 to to be numbered Article I, Section 10 and to read as follows:

REPEALED BY
MUNICIPAL CODE

24 "Article I, Section 10 A. A Special Permit may be
25 issued to any Appliance Dealer to install appliances which require
26 connection to the water distribution system for their operation,
27 such as evaporative air coolers, air conditioners, water softeners,
28 or other appliances not regularly classed as plumbing fixtures,
29 which are approved by the City Engineer and the Plumbing Inspector
30 and which will not contaminate or pollute the water system by
31 reason of such installation; and provided further that all such
32

1 appliance dealers shall have passed a satisfactory examination,
2 or have in their employ such person or persons who shall have
3 passed such examination, and have issued to them a Certificate of
4 Competency as applies to such installations by the Board of
5 Plumbing Examiners. The issuance of such permit shall not be
6 construed as allowing the installation of any water heaters or
7 any waste discharging device whatsoever.

8 "All of the provisions of Ordinance No. 569 N. S. as
9 amended shall remain in full force and effect except those in con-
10 flict with this section."

11 SECTION 2. This ordinance shall take effect and be in
12 full force and operation from and after fifteen (15) days after
13 its final adoption in the "The Modesto Bee," the official news-
14 paper of the City of Modesto.

15 The foregoing ordinance was introduced at a regular
16 meeting of the Council of the City of Modesto held on the 12th
17 day of June, 1946, by Councilman Morris,
18 who moved its adoption and passage to print as aforesaid, which
19 motion being duly seconded, was upon roll call carried, and the
20 ordinance ordered published as above by the following vote:

21 Ayes: Councilmen: **Morris, Neece, Stanley, Wilson, Mayor Shannon**


22 Noes: Councilmen: **None**

23 Absent: Councilmen: **None**

24 APPROVED:

25 
26 **CARL W. SHANNON, MAYOR**

27 ATTEST:

28 
29 **REX E. GAILFUS, CITY CLERK**

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting on June 12, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 26, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Charles Shannon*

MAYOR

ATTEST: *R. E. Searles*

CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 787 N. S.

AN ORDINANCE OF THE CITY OF MODESTO
(~~Name of Public Agency~~)

AUTHORIZING A CONTRACT BETWEEN CITY COUNCIL OF
(~~Name of Governing Body~~)

CITY OF MODESTO AND THE BOARD OF ADMINISTRATION,
(~~Name of Public Agency~~)

CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, PROVIDING FOR THE PARTICI-
PATION OF SAID PUBLIC AGENCY IN SAID STATE EMPLOYEES' RETIREMENT SYSTEM,
MAKING ITS EMPLOYEES MEMBERS OF SAID SYSTEM.

The City Council of the City of Modesto
(~~Name of Governing Body~~) (~~Name of Public Agency~~)
do hereby ordain as follows:

Section 1. That a contract is hereby authorized between the City Council of City of Modesto and the Board
(~~Name of Governing Body~~) (~~Name of Public Agency~~)
of Administration, California State Employees' Retirement System, a copy of
said contract being attached hereto marked exhibit "A," and by such reference
made a part hereof as though herein set out in full.

Section 2. The Mayor of the City of Modesto is
(~~Name of Executive Officer~~) (~~Name of Public Agency~~)
hereby authorized, empowered, and directed to execute said contract for and on
behalf of said Agency.

Section 3. This ordinance shall take effect 15 days after ~~its~~ ^{its final} passage
and ~~its~~ ^{final} adoption, and prior to the expiration of 3 days from the passage
thereof shall be published at least ONCE in the The Modesto Bee
(~~Name of Newspaper~~)
a newspaper of general circulation, published and circulated in the City of Modesto
(~~Name of City~~)
(~~Name of Public Agency~~), and thenceforth and thereafter the same
shall be in full force and effect.

The foregoing Ordinance was introduced at a special meeting
of the Council of the City of Modesto held on the 3rd day of July,
1946, by Councilman Stanley, who moved its adoption and
passage to print, which motion being duly seconded, was upon roll
call carried and the Ordinance ordered printed and passed as above
by the following vote:

Ayes: Councilmen: MORRIS - Neece - Stanley - Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: Shannon
Mayor of the City of Modesto

ATTEST: City Clerk
City Clerk

787

STATE EMPLOYEES' RETIREMENT SYSTEM

Sacramento 14, California

C O N T R A C T

between

CITY COUNCIL

Name of Legislative Body

of

CITY OF MODESTO

Name of City, County, School District, or
other Public Agency

and the

B O A R D O F A D M I N I S T R A T I O N

of the

C A L I F O R N I A S T A T E E M P L O Y E E S ' R E T I R E -
M E N T S Y S T E M

THIS AGREEMENT made this 27th day of July,
1946, by and between the Legislative Body of CITY OF MODESTO,
hereafter referred to as "Public Agency," and the Board of
Administration, California State Employees' Retirement System,
hereafter referred to as "Board."

WITNESSETH:

In consideration of the covenants and agreements
hereinafter contained and on the part of both parties to be
kept and performed, Public Agency and Board hereby agree as
follows:

1. Public Agency is to participate in the State
Employees' Retirement System, subject to the provisions of the
State Employees' Retirement Law.

2. Public Agency shall participate in said Re-
tirement System, making its employees members of said System,
from and after August 1, 1946.

3. Employees of Public Agency in the following
classes shall become members of said Retirement System in
accordance with the provisions of said Retirement Law, governing
membership in said Retirement System, and subject to the
further exclusions from membership in the next following
sentence:

	Number of Employees Eligible for Membership	
Classes of Employees	on <u>May 1, 1946</u>	
	<u>0</u>	<u>Retired</u>
a. Local Firemen, as defined in the State Employees' Retirement Law	<u>23</u>	<u>Active</u>

b. Local Policemen, as defined in the	2	Retired
State Employees' Retirement Law	23	Active
c. Employees other than Local Firemen and Local Policemen	0	

In addition to the employees excluded from membership by said Retirement Law, the following employees shall not become members of the Retirement System:

MISCELLANECUS EMPLOYEES EXCLUDED

Board and Public Agency agree that, except as provided in paragraph 9, no adjustment shall be made in the amount of contributions provided in paragraph 9a on account of prior service, or in the percentage provided in paragraph 9b, because of variations in the numbers of employees who become members of said Retirement System on the effective date hereof, from the number listed above, due to termination of service by such causes as death, resignation or discharge, or the employment of individuals not included in said number.

4. Age -- shall be the normal minimum age for retirement for service, of miscellaneous members employed by public agency, that is, members other than Local Firemen and Local Policemen, and -- shall be the fraction of final compensation, as defined in said Retirement Law, to be provided on the average, for each year of service as a member, by the members' and Public Agency's normal contributions, upon retirement at said minimum age.

5. Benefits on account of prior service, that is, service credited hereunder as rendered to Public Agency prior to the effective date of participation, to respective members employed by Public Agency as Local Firemen or Local Policemen, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be 100 per cent of the fraction of final compensation, as defined in the State Employees' Retirement Law, for each year of service rendered after said date, as determined for said respective members under said law, for retirement for service at age 55, or upon qualification for service retirement at a higher age. If a member retires for service before attaining age 55, his prior service pension shall be reduced to that amount which the value of the pension as deferred to age 55 will purchase at the actual age of retirement.

6. Prior service benefits to miscellaneous members employed by Public Agency, that is, members other than Local Firemen and Local Policemen, upon retirement for service at the normal minimum age entered in paragraph 4 hereof, shall be allowed only as a percentage of the average salary specified in said Retirement Law, for each year of such service, and said percentage shall be -- per cent of --. If a member retires for service before attaining the normal minimum age in item 4, his prior service pension shall be reduced to that amount which the value of the pension as deferred to said minimum age will purchase at the actual age of retirement.

7. The provisions of Section -- of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions -- apply to employees of Public Agency who become members of said Retirement System.

8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to employees of Public Agency who become members of said Retirement System.

9. Public Agency shall contribute to said Retirement System as follows:

- a. The sum of \$ 4,717.87 per annum, payable in equal monthly or less frequent installments as Board shall require, for a period of 25 years, on account of the liability for benefits based on service rendered to Public Agency prior to the effective date hereof.
- b. 15.071 per cent of total salaries paid by Public Agency each month to its employees who are members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries, and the employees who are members of said System shall include employees who become members upon the effective date hereof and employees who become members thereafter.
- c. A reasonable amount per annum, as fixed by Board, payable in equal monthly or less frequent installments, as Board shall require, to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
- d. A reasonable amount as fixed by the Board, payable in one installment from time to time as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and the costs of the periodical investigation into the experience under said Retirement System, as it affects said employees, and the valuation of the assets and liabilities of said System on account of said employees.

FINAL ADOPTION CLAUSE

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 3rd day of July, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 10, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Stanley, Neece, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


MAYOR OF THE CITY OF MODESTO

ATTEST:


CITY CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. BY ADOPTING BUILDING LINES MAP RELATING TO H STREET.

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

SECTION 1. That the Council finds that hearings have been duly had before the Planning Commission of the City of Modesto as required by the Zoning Ordinance and that a report of the Planning Commission has been filed with the City Council recommending the establishment of official building lines on H Street, and public hearing has been held by the City Council as provided by law.

SECTION 2. The Zoning Ordinance of the City of Modesto, being Ordinance No. 700 N. S. is hereby amended as follows: That certain proposed building lines map relating to H Street, which is now and has been on file in the Office of the City Clerk during the period of public hearing on the establishment of building lines on said street is hereby adopted and the lines shown on said map are established as building lines and said map is made a part of the City Zoning Ordinance, being Ordinance No. 700 N. S., and no building nor any part thereof (except as provided for in the Modesto Building Code for projections into street areas) may be constructed nearer the street than the established building line.

SECTION 3. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption.

This Ordinance shall be published at lease once at least three days prior to its final adoption in the "Modesto Bee" the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 3rd day of July, 1946, by Councilman Morris, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the Ordinance ordered printed and passed as above by the following vote.

Ayes: Councilmen: Wilson, Morris, Neece, Stanley, Mayor Shannon


Noes: None

Absent: None

APPROVED:


Mayor of the City of Modesto

ATTEST


City Clerk

FINAL ADOPTION CLAUSE

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 3rd day of July, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 24, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

Wilson
CHIEF DEPUTY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 789-N.S.

AN ORDINANCE FIXING THE COMPENSATION OF THE CITY OFFICIALS OF THE CITY OF MODESTO

---oOo---

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

Section 1. The compensation to be paid by the City of Modesto to the chief officials of said city shall be as follows:

City Clerk, who likewise occupies the offices of Auditor, Assessor Treasurer and Collector, the sum of \$5100 00 per annum

City Attorney, the sum of \$4200 00 per annum

Chief of Police, the sum of \$5400 00 per annum

Fire Chief, the sum of \$5400 00 per annum

Health Officer, the sum of \$4800 00 per annum

City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of \$7200 00 per annum

Section 2. The compensation of the various officials hereinabove set forth shall be in full for the proper performance of the duties assigned to them in the various offices occupied by said officials.

Section 3. This ordinance shall take effect and be in full force and operation fifteen days after its final passage and adoption.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be published in full at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit: The Modesto Bee.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of July, 1946 by Commissioner Neece, who moved its adoption, and passage to print as aforesaid, which motion being duly seconded it was upon

REPEALED BY
MUNICIPAL CODE

1 roll call carried and the ordinance ordered published as above by
2 the following vote:

3 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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7 APPROVED: *Chris Shannon*
Mayor

8 ATTEST: *Pete Gardner*
9 City Clerk

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FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 17th day of July, 1946 and sub-
6 sequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of July 24, 1946, it was upon roll call so finally adopted
9 by the following vote:

10 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED: *Shannon*
MAYOR

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17 ATTEST: *A. Olsen*
CHIEF DEPUTY CLERK

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1 AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. AND CHANGING USE
2 DISTRICTS AND REZONING FROM R-1 SINGLE FAMILY RESIDENTS DISTRICT
TO R-3 MULTIPLE FAMILY RESIDENCE DISTRICT.

3
4 WHEREAS the Modesto City Planning Commission has been
5 requested to make certain changes in use districts and by means of
6 a Resolution has initiated proceedings for a change in the use
7 district of certain areas, and

8 WHEREAS after two public hearings as required by the
9 City Ordinance and the State Planning Act, and after due consideration,
10 the Modesto City Planning Commission has recommended to the City
11 Council the amending of the Zoning Ordinance of the City of Modesto
12 to effect the changes requested, and

13 WHEREAS a public hearing has been had by the Council
14 of the City of Modesto as provided by law,

15 NOW, THEREFORE, the City Council of the City of
16 Modesto do ordain as follows:

17 SECTION I - That the public interest, necessity and
18 general welfare requires a change in the use districts as
19 recommended in said Resolution.

20 SECTION II - Ordinance No. 700 N. S., the Zoning Ordinance
21 of the City of Modesto, is hereby amended as follows:

22 The West 118.85 feet of the East 253.85
23 feet of Block 707 and the West 114.57
24 feet of the East 254.57 feet of Block
701.

25 as said lots and blocks are shown in Volume 15 of Maps at Pages 707
26 and 701 respectively, said Volume being on file and on record in
27 the office of the County Recorder of the County of Stanislaus,
28 State of California, are hereby taken and removed from the R-1
29 Single Family Residence District Use Zone and placed in the R-3
30 Multiple Family Residence District Use Zone.

1 SECTION III - This Ordinance shall go into effect and
2 be in full force and operation from and after fifteen (15) days
3 after its final passage and adoption.

4 SECTION IV - This Ordinance shall be published in full
5 at least three (3) days prior to its final adoption in the
6 "Modesto Bee" the official newspaper of the City of Modesto.

7 The foregoing Ordinance was introduced at a regular
8 meeting of the Council of the City of Modesto, held on the 24th
9 day of July, 1946, by Councilman Morris, who
10 moved its adoption and passage to print. The motion being duly
11 seconded was upon roll call carried and the Ordinance ordered
12 printed and published as above by the following votes:

13
14 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

15 Noes: Councilmen: None

16 Absent: Councilmen: None

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18 APPROVED: 

CARL W. SHANNON, Mayor

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21 ATTEST:

22 REX E. GAILFUS, City Clerk
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FINAL ADOPTION CLAUSE

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 24th day of July, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 14, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: _____

REX E. GAILFUS, CITY CLERK

*Repealed
by Ord 1007-MS*

AN ORDINANCE AMENDING ORDINANCE NO. 602 N. S. OF THE CITY OF MODESTO (CIVIL SERVICE ORDINANCE) AS THEREAFTER AMENDED BY ORDINANCE NO. 639 N. S., 687 N. S. and 766 N. S. BY ELIMINATING ONE OF THE CLASSIFICATIONS OF EMPLOYMENT THEREIN.

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REPEALED BY
MUNICIPAL CODE

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

SECTION-1. Section 5 of Ordinance No. 602 N. S. of the City of Modesto entitled: "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL, PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF", as thereafter amended by Ordinance No. 639 N. S., and Ordinance No. 687 N. S., and Ordinance No. 766 N. S. is hereby amended by abolishing and eliminating from said section as a civil service employee the "Assistant Superintendent of Streets". Said section as amended shall read as follows:

"SECTION 5. COMPETITIVE SERVICE. The provisions of this ordinance shall not apply to persons occupying the following offices, positions, and employments in the service of the city:

- (a) Elective offices
- (b) Positions on appointive boards, commissions, and committees.
- (c) Judge of the Police Court and clerk thereof
- (d) Chief officials of city
- (e) Unclassified laborers
- (f) Persons having contract with the City for rendition of services
- (g) Chief Deputy in General Administrative Office

Within the meaning of this ordinance, an unclassified laborer is hereby declared to be an unskilled workman, unqualified to proceed independently to lay out and perform work, and who prosecutes his duties under the immediate direction of a more highly qualified workman or foreman. Janitors are hereby declared to be unclassified laborers.

The following offices, positions, and employments in the City of Modesto shall constitute the competitive service of said City and said positions and employments are subject to the

1 provisions hereof.

2 DEPARTMENT OF PUBLIC WORKS

3 Assistant City Engineer

4 Secretary

5 Stenographer

6 Surveyor

7 Assistant Surveyor

8 Engineering Aids

9 Chief Draftsman

10 Junior Draftsman

11 Planning Engineer

12 Plumbing Inspector

13 Senior Engineering Aid

14 Under Engineering Aid

15 Draftsman

16 Equipment Operators, Grades (1) and (2)

17 Street Repair Foreman

18 Assistant Superintendent of Electricity

19 Electrician

20 Lineman

21 Fire Alarm Technician

22 Electrical Inspector

23 Assistant Building Inspector

24 Water Service Foreman

25 Assistant Water Service Foreman

26 Pipe Fitters

27 Pump Operators (Grades 1 and 2)

28 Superintendent of Construction

29 Assistant Superintendent of Construction

30 Sewage Disposal Plant Operator

31 Assistant Sewage Disposal Plant Operator

32 Assistant Superintendent of Parks

Horticulturist

Nurseryman

Tree Trimmers

Park Supervisors

Limited Laborer

Greenskeeper

Groundsman

Assistant Superintendent Corporation Yard

Machinist

Auto Mechanic

Storekeeper and service man

Traffic Line Painter

Construction Laborers.

33 CITY CLERK'S OFFICE

34 Assistant Clerk

35 Assistant Auditor

36 Assistant Assessor

37 Assistant License Collector

38 Assistant Tax Collector

39 Assistant Treasurer

40 Deputy License Collector

41 Deputy Auditor

42 Secretary

43 Cashier-Clerk

44 Assistant Cashier-Clerk

45 Typist-Clerk

1 POLICE DEPARTMENT

2 Captain
3 Sergeants
4 Secretary
5 Clerk
6 Traffic Officers
7 Patrolmen

8 FIRE DEPARTMENT

9 Assistant Chiefs
10 Operators
11 Drivers
12 Relief Driver

13 DEPARTMENT OF PUBLIC HEALTH

14 Food and Drink Inspector
15 Sanitary Inspector

16 SECTION 2. Said position of Assistant Superintendent
17 of Streets is hereby eliminated and abolished for the reason that
18 the duties of the Assistant Superintendent of Streets can be
19 consolidated with and performed by the Superintendent of Con-
20 struction and the necessity for the position of Assistant
21 Superintendent of Streets no longer exists and for that reason
22 and in the interest of economy said position of Assistant Super-
23 intendent of Streets is therefore eliminated and abolished and
24 the duties of said Assistant Superintendent of Streets are
25 hereby transferred to the position of Superintendent of Con-
26 struction and will hereafter be performed by said Superintendent
27 of Construction.

28 SECTION 3. This ordinance shall go into effect and be
29 in full force and operation from and after 15 days after its final
30 passage and adoption.

31 SECTION 4. This ordinance shall be published in full
32 at least once at least three days prior to its final passage and
33 adoption in the "The Modesto Bee," the official newspaper of the
34 City of Modesto.

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The foregoing ordinance was introduced at a ^{Special} regular meeting of the Council of the City of Modesto held on the ^{7th} 2nd day of August, 1948, by Councilman Wilson, 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: Morris, Wilson, Stanley, Neece, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Carl W. Shannon*
CARL W. SHANNON, MAYOR

ATTEST REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

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 7th day of August, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 14, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


CARL W. SHANNON, MAYOR

ATTEST:

REX E. GALLFUS, CITY CLERK

NOT SPECIAL
IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS, EQUIPMENT, AND CONSTRUCTION, AND MAINTENANCE OF MUNICIPAL FACILITIES FOR THE CITY OF MODESTO, AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS' OF MODESTO.

---oOo---

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

SECTION I. The sum of Four Thousand Two Hundred Dollars (\$4,200.00), or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the \$16.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487 N. S., entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES AND REPEALING CERTAIN ORDINANCES." Said sum is hereby appropriated for the purpose of promotion and/or for the general welfare of the citizens of the City of Modesto, under and by virtue of the power conferred on said City Council by Section 67, Article 5, Charter of the City of Modesto.

SECTION II. The Sum of Twelve Hundred Dollars (\$1200.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for the maintenance of the Stanislaus County Boys' Band.

SECTION III. The sum of Eleven Hundred Dollars (\$1100.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund for promotion and general welfare.

SECTION IV. The sum of Three Thousand Three Hundred (\$3,300.00) or so much thereof as may be necessary, is hereby appropriated out of the General Fund for office equipment in the Clerk's office.

SECTION V. The sum of Twelve Thousand Six Hundred Dollars (\$12,600.00) or so much thereof as may be necessary, is hereby

1 appropriated out of the General Fund for the purchase of two (2)
2 Sedan Automobiles and One Fire Truck for the Fire Department.

3 SECTION VI. The sum of Five Thousand and Seven Hundred
4 Dollars (\$5,700.00), or so much thereof as may be necessary, is
5 hereby appropriated out of the General Fund for automobiles for
6 the Police Department.

7 SECTION VII. The sum of Four Thousand One Hundred Dollars
8 (\$4,100.00), or so much thereof as may be necessary, is hereby
9 appropriated out of the General Fund for the purchase of dump
10 truck and Tractor with hydraulic hoist for the Parks Department.

11 SECTION VIII. The sum of Six Thousand Dollars (\$6,000.00),
12 or so much thereof as may be necessary, is hereby appropriated
13 out of the General Fund for the purchase of Automobiles for the
14 Public Works Department.

15 SECTION IX. The sum of One Thousand Seven Hundred Fifty
16 Dollars (\$1,750.00), or so much thereof as may be necessary, is
17 hereby appropriated out of the General Fund for a Milling Machine
18 for the Public Works Department.

19 SECTION X. The sum of Three Thousand Dollars (\$3,000.00),
20 or so much thereof as may be necessary, is hereby appropriated
21 out of the General Fund for a Fire Alarm Cable for the Public
22 Works Department.

23 SECTION XI. The sum of Thirty One Thousand Five Hundred
24 Sixty Dollars (\$31,560.00), or so much thereof as may be necessary,
25 is hereby appropriated out of the General Fund for Storm Water
26 and Sanitary Sewer Pipe for the Public Works Department.

27 SECTION XII. The sum of Twenty-Eight Thousand Dollars
28 (\$28,000.00) or so much thereof as may be necessary, is hereby
29 appropriated out of the Water Fund for the purchase of Water Pipe
30 Fittings and a water well for the Public Works Department.

1 SECTION XIII. The sum of One Thousand Four Hundred Dollars
2 (\$1,400.00) or so much thereof as may be necessary is hereby
3 appropriated out of the General Fund for Incandescent Lamps for
4 City use.

5 SECTION XIV. The sum of One Thousand Five Hundred Dollars
6 (\$1,500.00) or so much thereof as may be necessary is hereby
7 appropriated out of the General Fund for the purchase of Play-
8 ground Equipment for Parks.

9 SECTION XV. The sum of Eleven Thousand Dollars (\$11,000.00)
10 or so much thereof as may be necessary is hereby appropriated out
11 of the General Fund for Sewage Treatment Plant extensions.

12 SECTION XVI. The sum of Five Thousand Dollars (\$5,000.00)
13 or so much thereof as may be necessary is hereby appropriated out
14 of the General Fund for Special Attorneys Fees and Court Costs.

15 SECTION XVII. The sum of Twenty Five Thousand Six Hundred
16 Dollars (\$25,600.00) or so much thereof as may be necessary is
17 hereby appropriated out of the General Fund for the paving of
18 Taxi Stairs, Parking Areas, Service Apron and Grading at the Air-
19 port.

20 SECTION XVIII. The sum of Six Thousand Dollars (\$6,000.00),
21 or so much thereof as may be necessary is hereby appropriated
22 out of the General Fund for a Pump Station, Well and appurtenances
23 at the Airport.

24 SECTION XIX. The sum of Three Thousand Seven Hundred Fifty
25 Dollars (\$3,750.00) or so much thereof as may be necessary is
26 hereby appropriated out of the General Fund for the Airport for
27 completion of work on Unused Concrete Building and New Toilets
28 and Rest Rooms for two hangars.

29 SECTION XX. The sum of one Thousand Five Hundred Dollars
30 (\$1,500.00), or so much thereof as may be necessary, is hereby
31 appropriated out of the General Fund for purchase of Cement for
32 the Department of Public Works.

1 SECTION XXI. The sum of Twenty Two Thousand Five Hundred
2 Dollars (\$22,500.00) is hereby appropriated out of the General
3 Fund for Electroliers and appurtenances for Street Lighting.

4 SECTION XXII. The sum of Seven Thousand Two Hundred Dollars
5 (\$7,200.00), is hereby appropriated out of the General Fund for
6 Asphalt Products for street repairs.

7 SECTION XXIII. The sum of Six Thousand Eight Hundred Dollars
8 (\$6,800.00), is hereby appropriated out of the General Fund for
9 Paving Route 109 (L Street 5th to 7th).

10 SECTION XXIV. The sum of Eight Thousand Five Hundred Dollars
11 (\$8,500.00), is hereby appropriated out of the General Fund for
12 Street Sweeper for the Department of Public Works.

13 SECTION XXV. The sum of Six Thousand Dollars (\$6,000.00)
14 is hereby appropriated out of the General Fund for Widening and
15 altering the Laurel Street Bridge.

16 SECTION XXVI. The sum of Five Thousand Two Hundred Fifty
17 Dollars (\$5,250.00), is hereby appropriated out of the General
18 Fund for Mechanical Traffic Signals on Streets of Major Importance.

19 SECTION XXVII. The sum of Thirteen Thousand One Hundred
20 Dollars (\$13,100.00), is hereby appropriated out of the General
21 Fund for Mechanical Traffic Signals on Highways.

22 SECTION XXVIII. The sum of Three Thousand Dollars (\$3,000.00)
23 is hereby appropriated out of the General Fund for a Mechanical
24 Loader for Department of Public Works.

25 SECTION XXIX. The sum of Twenty Eight Thousand Dollars
26 (\$28,000.00) is hereby appropriated out of the General Fund for
27 the improvement of J Street from 9th Street to Downey Avenue.

28 SECTION XXX. The City Engineer shall, upon the adoption
29 of this Ordinance, from time to time as required by the Council
30 of the City of Modesto, file with the Council plans and specifi-
31 cations where necessary, for the materials and/or equipment and/or
32 construction work outlined above; and the City Clerk shall, from
time to time as directed by the Council, advertise for bids for

1 said materials and/or equipment and/or construction work, when
2 necessary, and bids shall be received and accepted, and contracts
3 awarded therefor as the Council may hereafter by resolution
4 determine and prescribe.

5 SECTION XXXI. This Ordinance shall go into effect from and
6 after fifteen days after its final passage and adoption. It shall
7 be published in full at least once, at least three days prior to
8 its final adoption in The Modesto Bee, the official newspaper of
9 the City of Modesto.


10 The foregoing ordinance was introduced at a special meeting
11 of the Council of the City of Modesto held on August 7, 1946, by
12 Councilman NEECE, who moved its adoption and passage to
13 print, which motion was duly seconded, was carried and the ordinance
14 ordered printed and published by the following vote:

15 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

16 Noes: Councilmen: None

17 Absent: Councilmen: None

18 APPROVED:

19 
20 Carl W. Shannon, Mayor.

21 ATTEST:

22
23 Rex E. Gailfus, City Clerk.

FINAL ADOPTION CLAUSE

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 7th day of August, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 14, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GALFUS, CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 793 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1946 - 1947

---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 1, 1946, and ending
June 30, 1947, the rates of taxation, hereinafter specified, said
rates being upon each One Hundred Dollars (\$100.00) of the Valuation
according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND-----\$.90
On each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND:

- (a) Municipal Improvement Bonds of 1910-----\$.014
- (b) Municipal Improvement Bonds of 1911----- .004
- (c) Municipal Improvement Bonds of 1919----- .012
- (d) Municipal Improvement Bonds of 1920 (Jan.) .058
- (e) Municipal Improvement Bonds of 1923----- .012

BEING A TOTAL OF----- .10
For each One Hundred Dollars in valuation of property
taxable for the redemption of bonds and the payments of
interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND----- .10
On each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT----- \$1.10
On each One Hundred Dollars valuation as determined
by the equalized assessment roll for the year 1946-1947
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
to those required to be levied under the general laws
of the State of California for the purpose of paying
principal and interest on street improvement and interest
on street improvement bonds in local improvement districts.

SECTION 2

1 BE IT FURTHER PROVIDED that anything to the contrary
2 heretofore set forth, there shall be and there is hereby declared
3 to be a different rate of taxation levied upon certain property
4 situate in the City of Modesto, to-wit, Southern Campus Tract,
5 Hawkins Tract, that portion of the Leslie-Hugh Tract annexed to
6 the City of Modesto, La Linda Tract, John Muir Park, Northwood
7 Tract, Esgar Tract, Crane Tract, and Campus Tract #2. Said tax
8 rate for said Southern Campus Tract, Hawkins Tract, that portion
9 of the Leslie-Hugh Tract annexed, La Linda Tract, John Muir Park,
10 Northwood Tract, Esgar Tract, Crane Tract, and Campus Tract #2,
11 as aforesaid shall be and is hereby declared to be as follows:

12 FOR THE GENERAL FUND-----\$.90
13 On each One Hundred Dollars taxable valuation

14 FOR THE LIBRARY FUND----- .10
15 On each One Hundred Dollars of taxable valuation

16 THE AGGREGATE OF SAID SUMS, TO-WIT: \$1.00
17 On each One Hundred Dollars valuation, as
18 determined by the equalized assessment
19 roll for the year 1946 - 1947

20 The tax rate upon said Southern Campus Tract, Hawkins
21 Tract, that portion of the Leslie-Hugh Tract now a portion of the
22 City of Modesto, La Linda Tract, John Muir Park, Northwood Tract,
23 Esgar Tract, Crane Tract, and Campus Tract #2 is different from
24 the tax rate herein set for the balance of the property within
25 the City of Modesto by reason of the fact that said territory
26 has recently been annexed to and made a part of the City of Modesto
27 under a provision of the State Law which does not permit the said
28 City to levy taxes upon said annexed property for any past bonded
29 indebtedness owed by said City and incurred before said territory
30 became a part of said City.

31 SECTION 3

32 This ordinance shall take effect immediately upon its
final passage and adoption.

SECTION 4

This ordinance shall be published in full at least

1 once at least three days prior to its final adoption in the Modesto
2 Bee, the official newspaper of the City of Modesto.

3 The foregoing ordinance was introduced at a regular
4 meeting of the Council of the City of Modesto held on the 14 day
5 of August, 1946, by Commissioner Neece who moved its adoption
6 and passage to print, which motion being duly seconded, the ordi-
7 nance was upon roll call ordered printed and published as required
8 by the Charter of the City of Modesto by the following vote:

9 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 APPROVED: *Shannon*
14 MAYOR

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16 ATTEST *[Signature]*
17 CITY CLERK
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FINAL ADOPTION CLAUSE

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 August, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 28, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED:

Carroll Shannon
MAYOR

ATTEST:

R. E. Gaudin
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 794-N.S.

AN ORDINANCE OF THE CITY OF MODESTO AUTHORIZING THE TRANSFER OF ASSETS AS PROVIDED IN SECTION 20522 OF THE STATE EMPLOYEES' RETIREMENT LAW

---oOo---

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

Section 1 That the transfer of cash and securities to the credit of the Modesto Fire and Police Department Pension Fund to the State Employees' Retirement System is hereby authorized.

Section 2. The City Clerk of the City of Modesto is hereby authorized, empowered, and directed to take any steps necessary to consummate said transfer.

Section 3. This ordinance shall take effect fifteen days after its final passage and adoption, and prior to the expiration of three days from the final passage thereof, there shall be published at least once in the Modesto Bee, a newspaper of general circulation, published and circulated in the City of Modesto, and thenceforth and thereafter the same shall be in full force and effect.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 21st day of August, 1946, by Councilman Neece, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the ordinance ordered printed and passed as above by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST: REX E. GAILFUS
REX E. GAILFUS, CITY CLERK

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10 copies

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 21st day of August, 1946, and
6 subsequently printed and published as required by the Charter
7 of the City of Modesto, and coming on for final adoption at the
8 regular meeting of August 28, 1946, it was upon roll call so
9 finally adopted by the following vote:

10 Ayes: Councilmen: Morris, Neece, Wilson, Mayor Shannon

11 Nocs: Councilmen: None

12 Absent: Councilmen: Stanley

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15 APPROVED: *Shannon*

MAYOR

16
17 ATTEST: *P. E. Gaus*

CITY CLERK

*Amended
by Ord. 800-N.S.
Rescinded by Ord # 891-N.S.*

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS FOR THE USE AND CONDUCT OF MODESTO MUNICIPAL AIRPORT, DECLARING VIOLATIONS OF SAID RULES AND REGULATIONS TO BE A MISDEMEANOR AND PROVIDING PUNISHMENT THEREFOR, AND FIXING LANDING, RENTAL AND OTHER FEES TO BE PAID FOR USING SAID AIRPORT AND PROVIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES NO. 321 N. S., 328 N. S. and 519 N. S. OF THE CITY OF MODESTO.

**REPEALED BY
MUNICIPAL CODE**

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

SECTION 1: The following rules and regulations for the use and conduct of Modesto Municipal Airport are hereby declared and adopted:

GENERAL REGULATIONS.

(a) Modesto Municipal Airport shall be conducted as a terminal facility for the promotion and accommodation of air commerce, and as a public air terminal.

(b) The airport shall be under the supervision of an airport manager appointed by the City Council in accordance with the provisions of the Charter, ordinances of the City of Modesto and Resolution 2857 N. S. It shall be his duty to enforce the provisions of this ordinance.

(c) The airport shall be open for public use at all hours of the day and night subject to the rules and regulations set forth herein, the payment of fees, and subject to such restrictions due to inclement weather, the condition of the landing area, the presentation of special events and like causes, as may be determined by the airport manager.

(d) Special services may be rendered or special facilities may be provided thereat on such terms as the Council may prescribe from time to time. No person shall use the airport for any purpose or as a base for the carrying on of commercial activities, for the carrying for hire of passengers, freight, express or mail, for

**REPEALED BY
MUNICIPAL CODE**

1 instruction in aviation in any of its branches, for the sale of fuels,
2 refreshments, aircraft, or any commodity, or for any other commercial
3 purpose unless a permit has been granted theretofore by the Council,
4 and the fees paid in accordance with Section 2 hereof. The Council
5 may restrict the number of persons using said airport to such
6 number as the Council may deem necessary to protect the public
7 health, safety and welfare.

8 (e) The privilege of using the airport and its
9 facilities shall be conditioned on the assumption of full re-
10 sponsibility and risk by the user thereof, and he shall release,
11 hold harmless and indemnify the City, the Council, their officers
12 and employees from any liability or loss resulting from such use
13 as well as against claims of third persons against the person using
14 the airport.
15

16 (f) All persons, firms or corporations at said air-
17 port operating aircraft for instruction, commercial purposes and/or
18 carrying passengers or cargo for hire must file and deposit with the
19 City Auditor of the City of Modesto a policy of insurance executed
20 and delivered by a company authorized to carry on an insurance business
21 in the State of California, the financial responsibility of which
22 company shall theretofore have been approved by the City Auditor, by
23 the terms of which said insurance company assumes responsibility for
24 injuries to persons or property injured by the operation of aircraft
25 in the following amounts, to-wit:

26 Ten Thousand (\$10,000.00) Dollars for death or
27 injuries to any one person in any one accident;

28 Twenty Thousand (\$20,000.00) Dollars for death
29 or injuries to two or more persons in any one
30 accident;

31 Ten thousand (\$10,000.00) for damage to property.

32 Certificates of insurance will be accepted for a period
not to exceed one hundred eighty (180) days during which time the

1 owner shall file the original policy of insurance as hereinbefore
2 provided.

3 The policy of insurance shall contain a provision
4 against cancellation except upon ten days prior written notice thereof
5 to the City Council. No permit to use the airport shall be granted
6 without compliance with this section. In the event a permit to use
7 the airport is granted and thereafter the insurance carrier withdraws
8 its insurance or becomes insolvent or passes into receivership or
9 the hands of the insurance commissioner or has its license to do
10 business revoked, the permit previously granted shall be suspended
11 until there has been compliance with this section.

12 (g) The air traffic rules promulgated by Civil Aeronau-
13 tics Administration of the United States of America and presently
14 in effect are hereby referred to, adopted and made a part of these
15 regulations as fully in all respects as if particularly set forth
16 at this place.

17 (h) No person, not properly certificated by Civil Aero-
18 nautics Administration, and no aircraft not similarly certificated,
19 shall operate on or over the airport; provided, that this restriction
20 shall not apply to public aircraft belonging to the government of
21 the United States or to a state, territory, possession or any
22 political subdivision, nor to any aircraft of a foreign county
23 operated under permission of the federal government.

24 (i) No person shall navigate any aircraft over, land
25 upon or take off from, or service, repair or maintain any aircraft
26 on the airport or conduct any operation on or from the airport
27 otherwise than in conformity with these rules and regulations and
those of Civil Aeronautics Administration.

28 (j) Every person stationed or employed at the airport or
29 receiving instruction thereon or operating therefrom shall register
30 at the office of the airport manager and shall state his name, address,
telephone number and the nature of his business or occupation.

31 (k) The airport manager shall have authority to take such
32 steps as may be necessary for the handling, policing and protection
of the public while present at the airport, subject to the review
of the Council.

1 (1) No person shall take or use any aircraft, parts or
2 accessories thereof, or tools or other equipment owned or con-
3 trolled by any other person and stored or otherwise left at the
4 airport, without the consent of the owner or operator thereof, or
5 other satisfactory evidence of his right so to do.

6 (m) The Modesto Municipal Airport shall be a division
7 of the Department Public Works of the City of Modesto. The Airport
8 Manager shall carry out his duties under the supervision and direction
9 of the City Engineer.

10 (n) No signs shall be placed upon said airport until
11 approved and permission therefor has been granted by the Airport
12 Manager.

13 (o) A dead line shall also be designated by the Airport
14 Manager and no person, excepting the pilot or mechanic attached
15 to the airport or employed by the owner of a plane or an
16 operator on said airport or an owner of such plane, or duly author-
17 ized officers or officials charged with the duty of enforcing local,
18 state, or federal laws or regulations shall cross the dead line or
19 enter upon the flying field unless he is to participate in a flight.

20 (p) Damage beyond reasonable wear and reasonable depreciation
21 to municipal facilities, buildings and installations shall be paid
22 for by the person responsible for such damage.

23 GENERAL TRAFFIC RULES

24 (a) No aircraft shall land or take off in such manner
25 as to clear any public street at an altitude of less than 100 feet,
26 nor land or take off on the taxiway or over hangars or other
27 structures, automobile parking areas or groups of spectators.

28 (b) A flashing red beacon on the control tower and a
29 red flag hanging from the control tower flagstaff shall mean that
30 all contact flight activities shall be suspended and the field
31 cleared.
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1 (c) A white flag hanging from the control tower railing
2 shall mean that contact flights may be carried on.

3 (d) All aircraft shall have chocks in front of wheels
4 and a competent operator at controls before starting.

5 (e) At no time shall an aircraft be left with engine
6 running unless a competent operator is at the controls.

7 (f) Normally, aircraft shall be started on parking lines,
8 and at no time shall they be started while turned in such a
9 direction as to blow dust and dirt into the hangars or on spectators.

10 (g) Aircraft carrying mail and regularly scheduled
11 aircraft shall be given right of way at all times.

12 LANDINGS AND TAKE-OFFS

13 (a) All aircraft approaching the airport for landing
14 shall fall in the line of traffic and skirt the field to a point
15 where a landing can be made in the direction indicated by the traffic
16 direction indicator and with a straight glide beginning at least
17 1000 feet distant from the leeward end of the landing area.

18 (b) So far as is practicable, no aircraft taking off
19 shall make any turn at a distance of less than 1000 feet horizontally
20 from the nearest edge of the airport.

22 TAXIING RULES

23 (a) All aircraft shall be taxied at a slow and reasonable
24 speed, and when not equipped with adequate brakes, shall have an
25 attendant beside at least one wing when taxied in the vicinity of
26 a hangar or other building.

27 (b) When in the vicinity of aircraft landing or taking
28 off, an aircraft being taxied shall be brought to a complete stop.

29 (c) No aircraft shall be taxied in or out of hangars
30 at any time.

TRAFFIC PATTERN.

1 (a) The Traffic Patterns shall be to the left for
2 east east
3 South/takeoffs, and to the right for North/Takeoffs, or to the east
4 side of the runway and airport buildings at all times.

5 (b) The traffic direction indicator shall be prom-
6 inently displayed in a conspicuous place and shall control the
7 direction of traffic during hours of daylight and darkness.

PARKING OF AIRCRAFT.

8 (a) Aircraft shall be parked as directed in areas
9 designated for that purpose by the airport manager.

REFUELING OF AIRCRAFT.

10 (a) Aircraft shall be refueled only by methods and
11 in areas approved for that purpose by the airport manager.

MISCELLANEOUS TRAFFIC RULES.

12 (a) No person shall take any aircraft from the
13 landing area or hangars, or operate such craft, while under the
14 influence of or using any intoxicating liquor or habit-forming drug.

15 (b) No aircraft shall be permitted to remain on any
16 part of the landing or take-off area for the purpose of repairs; and
17 all repairs shall be effected at the places designated therefor.

18 (c) Every aircraft owner, his pilot and agents,
19 severally shall be responsible for the prompt removal, under the direc-
20 tion of the airport manager, of wrecked aircraft.

21 (d) The airport manager may refuse clearance to any
22 aircraft until all charges for storage, supplies or services rendered
23 to it shall have been paid.

24 (e) No aircraft equipped with skids shall use the
25 airport except by special permission obtained in advance and in
26 areas prescribed.

27 (f) The use of the airport shall be governed by
28 such further rules and regulations as the Council may hereafter, from
29 time to time, establish by resolution, and such additional rules
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1 shall be posted at the airport by the airport manager.

2 INSTRUCTION AND PRACTICE FLYING

3 (a) Every person instructing students in flying at
4 the airport shall acquaint them with the rules and regulations in
5 effect thereat.

6 (b) Any aircraft being soloed by a student on his
7 first supervised solo shall display a plainly visible white streamer
8 in a conspicuous place.

9 (c) The airport manager, by appropriate notices, may
10 restrict practice flights and student training to portions of the
11 airport designated by him.

12 (d) No aircraft shall remain on the landing or take-
13 off area for the purpose of instructing students between flights.

14 RUNNING ENGINES

15 (a) No aircraft engine shall be started on an aircraft
16 not equipped with adequate brakes which are fully set, unless the
17 wheels have been set with chocks that are equipped with ropes or
18 other suitable means for removing them.

19 (b) No aircraft engine shall be started or run unless
20 a competent operator shall be at the controls of the aircraft.

21 (c) No aircraft engine shall be run or warmed up un-
22 less the aircraft is in such position that the propellor blast shall
23 clear all buildings, groups of people in the observation areas and the
24 flight path of landing aircraft.

25 (d) No aircraft engine shall be started in or run
26 within 100 feet of a hangar or other building.

28 FIRE REGULATIONS

29 (a) Every person using the airport or its facilities
30 in any way shall use the utmost caution to prevent fire. The minimum
31 amount of fire extinguishing equipment needed for each building or
32 structure shall be as specified by the Fire Chief of the City of

Modesto.

1 (b) No aircraft shall be fueled or drained while its
2 engine is running, or while in a hangar or other enclosed place.

3 Fueling shall be done in such manner and with such equipment that
4 adequate connections for the grounding of static electricity shall be
5 continuously maintained during such time.

6 (c) No cylinder or flask of compressed flammable gas
7 shall be kept or stored except at a place designated by the airport
8 manager and the Fire Chief of the City of Modesto for that purpose.

9 (d) The cleaning of motors or other parts of air-
10 craft shall not be carried on in any hangar, except with nonflammable
11 substances. If flammable liquids shall be employed for this purpose,
12 the operation shall be carried on in the open air.

13 (e) No person shall smoke or ignite any match or
14 cigarette lighter around aircraft which are being filled with gasoline
15 or in any hangar or building, except in offices, waiting rooms or
16 buildings in which smoking is authorized specifically by the airport
17 manager.

18 (f) Repairs on storage floors of hangars primarily
19 used for aircraft storage shall be limited to inspection and re-
20 placement of parts. Changing of motors or major overhaul of motor
21 is prohibited.

22 (g) Hangar entrances shall be kept clear at all times.

23 (h) Floors shall be kept clean and free from oil, and
24 no volatile flammable solvent shall be used for cleaning floors.

25 (i) No boxes, crates, rubbish, paper or other litter
26 shall be permitted to accumulate in or about any hangar, and all oil,
27 paint and varnish cans, bottles or other containers shall be removed
28 from the hangar immediately upon being emptied.

29 (j) No solvents, paints, dopes, or other highly in-
30 flammable liquids shall be sprayed, stored or used in any hangar
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1 primarily used for the storage of aircraft, unless a storage room
2 is provided for said purpose.

3 SECTION II: FEES.

4 (a) The charges or fees to be paid to the airport
5 manager for use of the airport shall be as follows:

6 Item 1: For hangars or other buildings in which
7 aircraft are stored or kept, excepting individual space hangars,
8 thirty-five (35) cents per foot per month per wing span, tip to tip,
9 plus 10 feet; providing, however, that no fee shall be less than
10 \$15.00 per aircraft per month.

11 Item 2: Aircraft stored in individual hangars:

12 Aircraft wing span 38 feet or less . . . \$12.00 per month;

13 Aircraft wing span 39 feet to 48 feet. \$15.00 per month;

14 Aircraft wing span 49 feet to 58 feet. \$20.00 per month;

15 Item 3: Daily storage:

16 Aircraft wing span 50 feet or less . \$1.50 per day;

17 Aircraft wing span 51 feet to 60 feet . \$1.80 per day;

18 Aircraft wing span 61 feet to 70 feet . \$2.10 per day;

19 Aircraft wing span over 70 feet, four (4) cents per
20 linear foot per day.

21 Item 4: Tie down for aircraft:

22 \$1.00 per day, with a maximum charge of \$5.00 per month
23 for aircraft with less than a 50-foot wing span.

24 Aircraft over 51 foot wing span, a maximum of \$7.50
25 per month.

26 Item 5: Office space:

27 Eight (8) cents per month per square foot.

28 Item 6: Hangars and/or lean-tos:

29 One (1) cent per month per square foot.

30 Item 7: Other structures:

31 Rents for other structures not mentioned herein shall
32

1 be determined and based upon the cost of the structure.

2 Item 8: Rent for land:

3 Land rented without City improvements thereon, for
4 areas less than one acre, one (1) cent per square foot per annum;

5 For areas greater than one acre, \$0.006 per square
6 foot per annum.

7 Item 9: Non-scheduled/^{transient} aircraft carrying passengers
8 and/or cargo for hire:

9 Aircraft landing at the airport shall pay \$2.00 per
10 day for each landing, plus twenty (20) cents per seat occupied by
11 passengers.

12 Aircraft landing at the airport carrying cargo or
13 freight, shall pay \$2.00 per landing, plus fifteen (15) cents per
14 one hundred (100) pounds of freight or cargo loaded or discharged.

15 Item 10: Scheduled airlines:

16 (1) For each of the first three scheduled trip
17 arrivals \$45.00 per month.

18 (2) For each scheduled trip arrival from the fourth
19 to and including the sixth \$35.00 per month.

20 (3) For the seventh and each of all additional
21 scheduled trip arrivals \$25.00 per month.

22 (4) The fees mentioned above in Item 10 shall apply
23 to aircraft with a gross weight of between 20,000 and 26,000 pounds.
24 For aircraft weighing more than 26,000 pounds an additional fee of
25 \$1.00 per each additional 1000 pounds shall be assessed. For air-
26 craft weighing less than 20,000 pounds the fee shall be reduced at
27 the rate of \$1.00 for each 1000 pounds less than 20,000 pounds
28 provided that no deduction shall be made below 10,000 pounds.

29 Item 11: Non-resident or transient for hire aircraft:

30 Operators of such aircraft shall pay to the City of
31 Modesto \$10.00 per day for each plane used and, in addition thereto,
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1 a fee of twenty (20) cents per day for each seat used for pay load.
2 This type of operation shall be limited to six days during each
3 calendar month. Such rates are to be applicable to any person, firm
4 or corporation.

5 Item 12: Oil company leases:

6 Oil companies entering into leases with the City of
7 Modesto for the use of said airport or privileges thereon shall
8 pay to the City of Modesto \$5.00 per month, plus an additional charge
9 of one (1) cent per gallon for all gasoline or fuel stored, delivered
10 or sold at said airport and an additional sum of five (5) cents per
11 gallon for all oil stored, delivered or sold at said airport.

12 No gasoline, fuel or oil shall be delivered to or
13 hauled or carted or stored at said airport by any company, corporation,
14 co-partnership or individual unless said company, corporation, co-
15 partnership or individual has a lease or agreement with the City of
16 Modesto authorizing such to be done.

17 Item 13: Gasoline and fuel:

18 All persons, firms or corporations using said airport
19 shall pay to the City one-half ($\frac{1}{2}$) cent per gallon for gasoline
20 purchased for their operation or use.

21 Retail prices for aviation gasoline, auto gasoline,
22 oils or similar products sold at said airport shall at all times be
23 the same as those posted by the major oil companies.

24 Item 14: Operators of schools for flying instruction or

25 chartered trips and all permanently based commercial service:
26 Any person, firm or corporation desiring to operate
27 a school for flying instruction, chartered trips and all other
28 permanently based commercial services shall first pay to the City
29 of Modesto a license fee of \$200.00 per year. For each aircraft used
30 in flight training, ^{for chartered trips} or for any other commercial purpose, there shall be
31 paid, in addition to the license, a fee of \$25.00 per month.
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1 Item 15: Operators of shops and maintenance service
2 or any other type of concession:

3 Operators of shops and maintenance service or any other
4 type of concession shall pay those fees to be established by agree-
5 ment between the City and said operators. Such operators shall be
6 subject to all other rents herein provided.

7 Where concessions are granted to operators the fee to
8 be paid to the City shall be between five and eight per cent of the
9 gross income from said concessions.

10 Item 16: In addition to the fees herein mentioned,
11 all persons, firms or corporations shall pay for their own utilities.

12 Item 17: Any person, firm or corporation having a
13 lease with the City of Modesto shall pay the rentals accruing there-
14 under to the Office of the City Clerk, City of Modesto.

15 Item 18: All charges and fees not enumerated herein
16 shall be fixed by resolution of the City Council and the fees
17 hereinabove set may be hereafter changed from time to time by
18 resolution of the City Council.

19 Section III: LEASES:

20 (a) The City Council may enter into agreements with
21 airlines, firms, individuals, corporations and partnerships to
22 operate flying schools, to use the airport as a base for the carry-
23 ing on of commercial activities, for the carrying for hire of
24 passengers, freight, express or mail, for instruction in aviation
25 in any of its branches, for private non-commercial flying, for the
26 sale of fuels, refreshments, aircraft, aircraft supplies, or any
27 commodity and for other commercial purposes, may lease land at said
28 airport and may lease buildings situated thereon.

29 SECTION IV: PENALTIES.

30 (a) Any person operating or handling an aircraft in
31 violation of these rules, or additional rules established by resolution
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1 of the City Council, or refusing to comply therewith, may be removed
2 or ejected from the airport or may be temporarily "grounded" by or
3 under the authority of the airport manager; and upon the order of the
4 Council may be deprived of the further use of the airport and its
5 facilities for such length of time as may be deemed necessary to
6 insure the safeguarding of the same and the public and its interest
7 therein.

8 (b) Any person, firm or corporation who shall violate
9 or refuse to abide by any of the provisions of this ordinance or any
10 of the rules and regulations set forth in Section 1 of this ordinance,
11 or such additional rules established by resolution of the City
12 Council, or any of the provisions of law incorporated therein or
13 herein, shall be guilty of a misdemeanor and upon conviction thereof
14 shall be punishable by a fine not exceeding the sum of \$200.00, or
15 by imprisonment in the County Jail in the County of Stanislaus,
16 State of California, for not more than 3 months, or by both such
17 fine and imprisonment.
18

19 SECTION V: VALIDITY.

20 (a) If any section, sentence, clause or phrase of
21 this ordinance is, for any reason, held to be unconstitutional, such
22 decision shall not affect the validity of the remaining portions of
23 this ordinance. The City Council of the City of Modesto hereby
24 declares that it would have passed this ordinance, and each section,
25 sentence, clause or phrase thereof, irrespective of the fact that any
26 one or more other sections, sentences, clauses or phrases be declared
27 unconstitutional.

28 SECTION VI: REPEALING.

29 (a) Ordinance No. 321 N. S. and No. 328 N. S., and
30 No. 519 N. S. and all other ordinances in conflict herewith are hereby
31 repealed.
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SECTION VII: EFFECTIVE.

This ordinance shall be in full force and effect fifteen (15) days from and after its final passage and adoption.


SECTION VIII: PUBLICATION

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


The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on August 21, 1946, by Councilman Morris, who moved its adoption and passage to print as aforesaid, which motion, being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST:


REX E. GAILFUS, CITY CLERK

APPROVED:


CARL W. SHANNON, MAYOR

FINAL ADOPTION CLAUSE

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 21st day of August, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 11, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK



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REPEALED BY
MUNICIPAL CODE

1 ORDINANCE AMENDING ORDINANCE NO. 569 N. S. BY ADDING PARAGRAPHS
2 d AND e TO ARTICLE 6, SECTION 80, WHICH AMENDMENTS PROVIDE FOR THE
3 INSTALLATION OF GREASE TRAPS OR INTERCEPTORS.

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

6 SECTION 1. Article 6, Section 80 of Ordinance No. 569
7 N. S. of the City of Modesto entitled: "AN ORDINANCE PROVIDING FOR
8 THE PROTECTION OF THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION
9 AND LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR
10 LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE
11 INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING
12 THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS,
13 AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS, ESTABLISHING
14 MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF
15 PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING
16 PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING
17 ORDINANCES" as amended, is hereby amended by adding to Article 6,
18 Section 80 of said Ordinance No. 569 N. S., Sections d and e to
19 read as follows:

20 (d) Every dish washing sink, dish washing machine,
21 and every fixed receptacle or plumbing fixture, designed, intended
22 or used for the purpose of washing dishes or cooking utensils in a
23 restaurant, cafe, cafeteria, lunch room, hotel kitchen, hospital
24 kitchen, sanitarium kitchen and/ or similar establishments that
25 serve meals (except dwellings) shall be connected to and shall drain
26 or discharge into an approved grease trap or interceptor.

27 (e) Every drain from any stock kettle, soup kettle,
28 meat or fish, or fowl cooking equipment from which considerable
29 amounts of grease are likely to be discharged into any plumbing
30 system or sewer system of any building or place whatsoever, shall
31 drain or discharge into an approved grease trap or interceptor.
32

FINAL ADOPTION CLAUSE

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 September, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 25, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: C. J. Stanley
ACTING MAYOR

ATTEST: R. E. Gump
CITY CLERK



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1 ORDINANCE AMENDING ORDINANCE NO. 700 N. S., CHANGING USE DISTRICT
2 AND REZONING FROM R-2 TWO FAMILY RESIDENCE DISTRICT TO C-1 NEIGHBOR-
HOOD BUSINESS DISTRICT.

3
4 WHEREAS, a request has been made to the Modesto City
5 Planning Commission by means of a duly executed petition asking a
6 change in the use district, and

7 WHEREAS, after two public hearings as required by the
8 City Ordinance and the State Planning Act, and after due consider-
9 ation, the Modesto City Planning Commission has recommended to the
10 City Council the amending of the Zoning Ordinance of the City of
11 Modesto to effect the change requested, and

12 WHEREAS, a public hearing has been had by the Council of
13 the City of Modesto as provided by law,

14 NOW, THEREFORE, the City Council of the City of Modesto
15 do ordain as follows:

16 SECTION 1. That the public interest, necessity and
17 general welfare requires a change in the use district as requested
18 in said petition.

19 SECTION 2. Ordinance No. 700 N. S., the Zoning Ordinance
20 of the City of Modesto, is hereby amended as follows:

21 The West 150 feet of Lot 1 of Block 204 as said lot and
22 block is shown in Volume 15 of Maps at Page 204, said Volume being
23 on file and on record in the Office of the County Recorder of
24 Stanislaus County, State of California, is hereby taken and re-
25 moved from the R-2 two family residence district use zone and
26 placed in the C-1 neighborhood business district use zone.

27 SECTION 3. This ordinance shall go into effect and
28 be in full force and operation from and after fifteen (15) days
29 after its final passage and adoption.
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1 SECTION 4. This ordinance shall be published in full
2 at least three (3) days prior to its final adoption in the Modesto
3 Bee, the official newspaper of the City of Modesto.
4

5 The foregoing ordinance was introduced at a regular
6 meeting of the Council of the City of Modesto held on the 25th
7 day of September, 1946, by Councilman Morris, who
8 moved its adoption and passage to print. The motion being duly
9 seconded was upon roll call carried and the ordinance ordered
10 printed and published as above by the following vote.
11

12 AYES: Councilmen: Morris, Neece, Wilson, Acting Mayor Shanley

13 NOES: Councilmen: None

14 ABSENT: Mayor Shannon

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16 APPROVED: Carl W. Shannon
17 Carl W. Shannon, Mayor

18 ATTEST:

19 Rex E. Gailfus
20 Rex E. Gailfus, City Clerk
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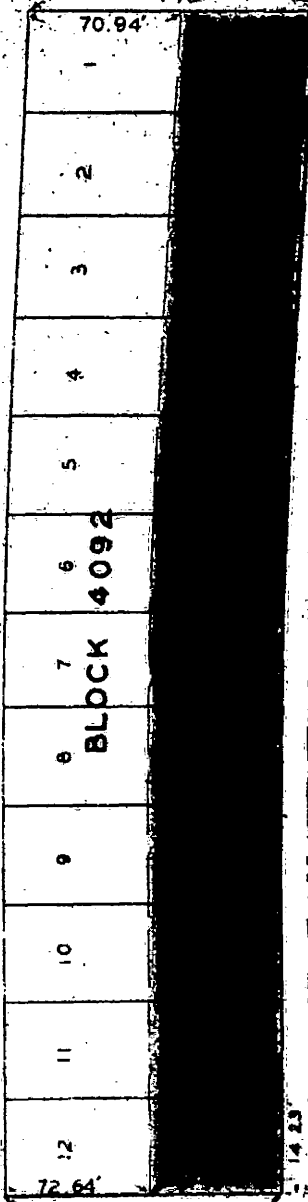
409

FRANKLIN

CORPORATE CITY LIMITS ST.

ST.

PINE



LAND
USE DISTRICT
MAP No. 4-A

CITY OF MODESTO
CALIFORNIA

OCTOBER 1946
SCALE 1 INCH = 80 FT.

PROPERTY TO BE ZONED
R-1 SINGLE FAMILY DISTRICT
BY ORD. NO. 797 N.S.
SHOWN BY SHADED AREA

APPROVED:

BY PLANNING COMMISSION
SEPT. 3 1946 *James B. ...*
CHAIRMAN

BY CITY COUNCIL
SEPT 25 1946 *L. J. Stanley*
ACTING MAYOR
Cliff Gaudin
CLERK

CORPORATE CITY LIMITS

FINAL ADOPTION CLAUSE

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 25th day of September, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 9, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Neece and Mayor Shannon

APPROVED: C. J. Stanley
ACTING MAYOR C. J. STANLEY

ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

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1 SPECIAL
NOT IN CODE

ORDINANCE NO. 798-N.S.

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

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

SECTION I. The Chief of Police 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:

1 used Addressograph Machine

1 used Graphotype machine

Miscellaneous assortment of auto accessories, consisting of tools, lights, fenders, skirts, hub caps, bumper guards steering wheel knobs, shift knobs, tail lights

14 full bicycles and an assortment of parts of bicycles

SECTION II Sale shall be made at public auction at 614 Tenth Street, The Police Department, after advertising for bids for the sale thereof for two days in the Modesto Bee, the official newspaper of the City of Modesto.

The sale shall be conducted by the Chief of Police or his authorized representative at 614 Tenth Street. 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 10:00 o'clock in the morning at the office of said Chief of Police until the whole thereof is sold.

SECTION III The foregoing ordinance shall be in full force and operation from and after fifteen days after its final passage and adoption.

SECTION IV The foregoing ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, 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 25th day of September, 1946 by Councilman Morris, who moved its adoption and

1 and passage to print as aforesaid, which motion being duly second-
2 ded, was upon roll call carried and the ordinance ordered printed
3 and published as above by the following vote:

4 Ayes: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon

5 Noes: Councilmen: None

6 Absent: Councilmen: None

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8 APPROVED:

Carl W. Shannon
Carl W. Shannon, Mayor

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11 ATTEST:

Rex E. Gailfus
Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE,

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 25th day of September, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 9, 1946, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Neece, and Mayor Shannon

APPROVED:

C. J. Stanley
Acting Mayor C. J. Stanley

ATTEST:

W. E. Guep
City Clerk

1 ORDINANCE CLASSIFYING NEWLY ANNEKED TERRITORY AS TO USE DISTRICT
2 AND AMENDING ZONING ORDINANCE NO. 700 N. S. BY ADDING ADDITIONAL
3 MAP TO BE INCORPORATED BY REFERENCE.

4

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

7 SECTION 1. That that certain area heretofore annexed to
8 the City of Modesto, commonly referred to as Crane Tract be, and
9 the same is established as R-1 Single Family Residence District.

10 SECTION 2. The Zoning Ordinance of the City of
11 Modesto, being Ordinance No. 700 N. S. is hereby amended by
12 annexing thereto that certain map titled "Use District Map 4-A,
13 City of Modesto," a copy of which is hereto annexed, and said map
14 is hereby incorporated into said Zoning Ordinance by reference.

15 SECTION 3. This Ordinance shall go into effect and be
16 in full force and operation fifteen (15) days after its final
17 passage and adoption.

18 SECTION 4. This Ordinance shall be published at least
19 once (1) at least three (3) days before its final passage and
20 adoption in the Modesto Bee, the official newspaper of the City of
21 Modesto.

22 This Ordinance was introduced at a regular meeting of
23 the City Council of the City of Modesto held on the 9th day of
24 October, 1946, by Councilman Morris, who moved its adoption
25 and passage to print, which motion, upon roll call was duly carried
26 by the following vote.

27 AYES: Councilmen: Morris, Wilson, Acting Mayor Stanley

28 NOES: Councilmen: None

29 ABSENT: Councilmen: Neece and Mayor Shannon

30 APPROVED Shannon
Acting Mayor of the City of Modesto

31 ATTEST:

32 Cliff Gault
City Clerk of the City of Modesto.

1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 9th day of October, 1946 and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of October 23, 1946, it was upon roll call so finally adopt-
9 ed by the following vote:

10 Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

11 Nones: Councilmen: None

12 Absent: Councilmen: Neece

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14 APPROVED: Carl W. Shannon
CARL W. SHANNON, MAYOR

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17 ATTEST: Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

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Rescinded

by

Ord 891-15

AN ORDINANCE AMENDING ORDINANCE NO. 795 N. S. BY CHANGING CERTAIN FEES ENUMERATED THEREIN AND BY AMENDING SECTION II, ITEM 6, ITEM 14 and ITEM 15 THEREOF.

REPEALED BY MUNICIPAL CODE

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

SECTION 1.

Section II, Item 6, Section II, Item 14 and Section II, Item 15 of Ordinance No. 795 N. S. of the City of Modesto entitled: "AN ORDINANCE PRESCRIBING RULES AND REGULATIONS FOR THE USE AND CONDUCT OF MODESTO MUNICIPAL AIRPORT, DECLARING VIOLATIONS OF SAID RULES AND REGULATIONS TO BE A MISDEMEANOR AND PROVIDING PUNISHMENT THEREFOR, AND FIXING LANDING, RENTAL AND OTHER FEES TO BE PAID FOR USING SAID AIRPORT AND PROVIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES NO. 321 N. S., 328 N. S. and 519 N. S. OF THE CITY OF MODESTO," are hereby amended so that when so amended said sections will read as follows:

"Section II: FEES

Item 6: Hangars and/or lean-tos:

Three (3¢) cents per month per square foot on all hangars and/or lean-tos owned by the City of Modesto. Said three (3¢) cents per square foot per month shall include the complete area within the hangar or lean-to regardless of the use to which such area is placed, and shall include office space therein. On all hangars or lean-tos constructed and owned by persons other than the City of Modesto, the rate shall be either one (1¢) cent per square foot per annum or five (5%) per cent of the gross income per annum received from rentals for aircraft stored in said hangar or lean-to, and payment shall be made of whichever sum is the largest. In any event there shall be a minimum payment made to the City of at least one (1¢) cent per square foot per annum.

Item 14: All permanently based commercial services or activities:

1 Any person, firm or corporation engaging in commercial
2 enterprise permanently based at the Modesto Municipal Airport shall
3 first pay to the City of Modesto a license fee of Two hundred and
4 no/100 (\$200.00) Dollars per year. For aircraft used for any
5 commercial purpose other than aircraft sales and demonstration, and
6 dusting and/or spraying, each person, firm or corporation shall pay
7 Twenty and No/100 (\$20.00) Dollars per month for the first air-
8 craft, Fifteen and no/100 (\$15.00) Dollars per month for the
9 second aircraft and Ten and no/100 (\$10.00) Dollars per month for
10 the third and each of all additional aircraft.

11 Item 15: Operators of commercial services and con-
12 cessions:

13 Operators of services or activities other than aircraft
14 sales, aircraft sales demonstration, renting or hiring of aircraft
15 and crop dusting and/or spraying may be termed a concession upon
16 Resolution of the City Council. Operators of such concessions
17 shall be subject to all other rents herein provided and shall
18 pay in addition to the City of Modesto those fees to be established
19 between the City and said operators, which fees shall be between
20 five (5%) per cent and eight (8%) per cent of the gross monthly
21 income from said concessions."

22 SECTION 2. This ordinance shall go into effect from and
23 after fifteen (15) days after its final passage and adoption.

24 SECTION 3. This ordinance shall be published in full
25 at least once at least three days prior to its final adoption in the
26 Modesto Bee, the official newspaper of the City of Modesto.

27 The foregoing ordinance was introduced at a regular
28 meeting of the Council of the City of Modesto, held on the 9th
29 day of October, 1946, by Councilman Morris, who moved
30

1 its adoption and passage to print, which motion being duly
2 seconded, was upon roll call carried and the ordinance ordered
3 printed and passed as above by the following vote:

4 AYES: Councilmen: Morris, Wilson, Acting Mayor Stanby

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Neece and Mayor Shannon

7 ed by the following vote:

8 APPROVED: Carl W. Shannon
9 Carl W. Shannon, Mayor of the
10 City of Modesto

11 ATTEST:
12 Rex E. Gailfus
13 Rex E. Gailfus, City Clerk

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 9th day of October, 1946, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of October 23, 1946, it was upon roll call so finally adopt-
8 ed by the following vote:

9 Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Neece

12 APPROVED: 
13 CARL W. SHANNON, MAYOR

14 ATTEST: 
15 REX E. GAILFUS, CITY CLERK

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