

17-N.S.  
952-N.S.

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ORDINANCE NO. 901 N.S.

Repealed by  
Ord. 1100 N.S.

AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY, AND THE EXAMINATION, REGISTRATION, 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 OFFICIAL 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 INSPECTION THEREOF; PROVIDING PENALTIES FOR ITS VIOLATION AND REPEALING CONFLICTING ORDINANCES.

REPEALED BY  
MUNICIPAL CODE

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

SECTION 1 - That certain documents, three (3) copies of which are on file in the Office of the City Clerk of the City of Modesto, being marked and designated as The Uniform Plumbing Code, 1948, Edition adopted by the Western Plumbing Officials Association, which Uniform Code provides for the protection of the public health and the examination, registration, and licensing of the 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 Official 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 hereinafter amended, deleted, and added to, be and the same is hereby adopted as the Plumbing Code of the City of Modesto.

REPEALED BY  
MUNICIPAL CODE

SECTION 2 - That the name Modesto and/or California be inserted in the appropriate places provided therefore in each and every section of said code wherein either the name of the city or state is left blank.

SECTION 3 - That Section 102, Chapter 1 of this code be

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1 amended to read as follows: To provide for the administration or  
2 enforcement of this ordinance, the office of Plumbing Official  
3 is hereby created. The City Engineer of the City of Modesto  
4 shall be the Plumbing Official, and shall have the power to  
5 appoint assistants to aid him in the discharge of the duties of  
6 his office.

7 SECTION 4 - That Section 103, Chapter 1 of said code be  
8 amended by this ordinance to read as follows: All assistant  
9 plumbing officials appointed to assist the City Engineer in his  
10 capacity as Plumbing Official shall be practical plumbers,  
11 having not less than five (5) years actual experience as Journey-  
12 men and/or Master Plumbers. They shall hold office in accordance  
13 with the ordinance or charter provisions of the City of Modesto,  
14 or any ordinances or resolutions hereafter regularly adopted by  
15 the City Council of the City of Modesto.

16 SECTION 5 - That Section 104, Chapter 1 of said code be  
17 amended by this ordinance to read as follows: The office of  
18 Plumbing Official is hereby made a part of the Public Works  
19 Department.

20 SECTION 6 - That paragraph two (2) and nine (9) of  
21 Section 105, Chapter 1 be deleted from said code as adopted by  
22 this ordinance.

23 SECTION 7 - That Section 108, Chapter 1 be amended to  
24 read as follows, to-wit: Any person, firm, or corporation  
25 violating any of the provisions of this Code shall be deemed  
26 guilty of a misdemeanor and upon conviction thereof shall be  
27 punishable by a fine of not to exceed \$500.00 or by imprisonment  
28 in the City or County Jail for not to exceed six (6) months, or  
29 by both such fine and imprisonment. Each separate day or any  
30 portion thereof during which any violation of this Code occurs or  
31 continues shall be deemed to constitute a separate offense, and  
32 upon conviction thereof shall be punishable as herein provided.

1           The issuance or granting of a permit or approval of plans  
2 and specifications shall not be deemed or construed to be a  
3 permit for, or an approval of, any violation of any of the pro-  
4 visions of this Code. No permit presuming to give authority to  
5 violate or cancel the provisions of this Code shall be valid,  
6 except insofar as the work or use which it authorizes is lawful.

7           The issuance of a permit upon plans and specifications  
8 shall not prevent the Plumbing Official from thereafter requiring  
9 the correction of errors in said plans and specifications or  
10 from preventing construction operations being carried on there-  
11 under when in violation of this Code or of any other ordinance  
12 of the City.

13           Every permit issued by the Plumbing Official under the pro-  
14 visions of this Code shall expire by limitation and become null  
15 and void, if the work authorized by such permit is not commenced  
16 within 60 days from the date of such permit, or if the work  
17 authorized by such permit is suspended or abandoned at any time  
18 after the work is commenced for a period of 60 days. Before  
19 such work can be recommenced a new permit shall be first obtained  
20 so to do.

21           SECTION 8 - That Section 202, Chapter II of said Code be  
22 amended by this Ordinance to read as follows: At the next  
23 meeting of the Council of the City of Modesto held after the  
24 effective date of this Ordinance, the City Council shall appoint  
25 a Board of Plumber Examiners, Consisting of five members; one of  
26 the members to be the City Health Officer, one a Master Plumber,  
27 one a Journeyman Plumber, and the fourth member shall be the  
28 Plumbing Official; the other member need not be a plumber. At the  
29 first regular meeting of said board of Plumber Examiners all of the  
30 members of said board, save and except the Plumbing Official, shall  
31 draw lots for the purpose of determining which member of said  
32 board shall serve for two years, which member shall serve for

1 three years, and which member shall serve for four years on said  
2 board. After the expiration of the term of office of any member  
3 of said board first appointed, appointments thereafter  
4 shall be made for a term of three years for each member there-  
5 after appointed to said Board of Plumber Examiners.

6 All of the members appointed to said Board of Plumber  
7 Examiners shall hold office for their respective terms, unless  
8 sooner revoked for malfeasance in office, neglect of duty,  
9 incapacity or for any reason that the City Council deems to the  
10 best interest of the City of Modesto. Said removal may be made  
11 by the City Council without granting to the person so removed a  
12 hearing, either public or private, and without the necessity of  
13 there being filed with said City Council or any other Official  
14 or body of Officials in said City any written charges. The  
15 dismissal by said Council of any member of said Board for any of  
16 the reasons herein stated shall be final and conclusive.

17 SECTION 9 - That Section 213, Chapter II be amended to read  
18 as follows: Before any Master Plumber's license shall be issued  
19 or renewed the applicant therefor shall pay to the City Clerk a  
20 fee as provided in Ordinance No. 487 N. S. of the City of Modesto.

21 SECTION 10 - That paragraph "d" be added to Section 303,  
22 Chapter III to read as follows: A special permit may be issued  
23 to any appliance dealer to install appliances which require  
24 connection to the water distribution system; such as, Evaporative  
25 Coolers, Air Conditions, Water Softners, Automatic and Non-  
26 Automatic Clothes Washers, Dish Washers, or any other appliance  
27 (except garbage disposal units and/or Garbage Grinders) not  
28 regularly classed as plumbing fixtures which are approved by the  
29 City Engineer and/or the Plumbing Official, and which will not  
30 contaminate or pollute the potable water system by reason of such  
31 installation; and provided further that all such appliance  
32 dealers shall have passed a satisfactory examination, or have in

1 their employ such person or persons who shall have passed such  
2 examination and have issued to them a Certificate of Competency  
3 by the Board of Plumber Examiners. The issuance of such permit  
4 shall not be construed as allowing the installation of any waste  
5 pipe beyond the opening to receive the fixture trap, and no  
6 trap or piping shall exceed a distance of two (2) feet from the  
7 vent pipe serving such trap.

8 SECTION 11 - That Section 305, Chapter III of said code  
9 be amended by this ordinance to read as follows: The City Clerk  
10 shall assist the Plumbing Official as follows: All fees herein-  
11 after set forth in this Ordinance shall be collected by the City  
12 Clerk. The Plumbing Official shall not perform any duty for  
13 which a fee is required, unless an application in writing has  
14 first been made at the Office of the City Clerk and a fee  
15 collected by said Clerk and a receipt issued therefor. Said City  
16 Clerk shall make all receipts in triplicate, the original receipt  
17 shall be given to the applicant, one copy shall be transmitted  
18 to the Plumbing Official, and one copy shall be retained by the  
19 City Clerk. Every Applicant for a Permit to install, add to,  
20 alter, relocate or replace a Plumbing or Drainage System, or part  
21 thereof, shall state in writing on the application form provided  
22 for that purpose, the character of the work proposed to be done  
23 and the amount and kind in connection therewith, together with  
24 such information pertinent thereto as the Plumbing Official may  
25 require. Such applicant shall pay to the City Clerk for each  
26 Permit issued and at the time of issuance, a fee in accordance  
27 with the following schedule, and at the rate provided for in  
28 each classification shown therein. Any person who shall commence  
29 any plumbing work for which a permit is required by this Code  
30 without first having obtained a permit therefor shall, if sub-  
31 sequently permitted to obtain a permit, pay double the permit fee  
32 fixed by this section for such work, provided, however, that this

1 provision shall not apply to emergency work when it shall be  
 2 proved to the satisfaction of the Chief Plumbing Official that  
 3 such work was urgently necessary and that it was not practical  
 4 to obtain a permit therefor before the commencement of work.  
 5 In all such cases a permit must be obtained as soon as it is  
 6 practical to do so, and if there be an unreasonable delay in  
 7 obtaining such permit a double fee as herein provided shall be  
 8 cnarged.

9 SCHEDULE OF FEES

10	For each Plumbing and Waste discharging device. . . \$	.50
11	For each House Drain . . . . .	1.00
12	For each house Sewer (other than fee zones) . . .	2.50
13	For each Leader to sewer or street. . . . .	.25
14	For each Water Distribution System. . . . .	.50
15	For each Swimming Pool:	
16	Public . . . . .	20.00
17	Private. . . . .	10.00
18	For each Water Treating or water using equipment.	.50
19	For each Evaporative cooler or Compressor	
20	(using water as a cooling medium) . . . . .	1.00
21	Minimum fee for any permit requiring inspection .	1.00

22 SECTION 12 - That Section 701A of said code be amended by  
 23 this Ordinance to read as follows: All soil and waste pipes  
 24 shall be cast iron soil pipe with cast iron soil fittings, or lead,  
 25 brass, or copper pipe with cast iron or brass drainage fittings  
 26 or hard drawn copper tubing of "K" or "L" type with copper or  
 27 brass drainage fittings.

28 SECTION 13 - That Section 707 of said code be amended by  
 29 this Ordinance to read as follows: Every horizontal soil or  
 30 waste pipe shall be provided with a cleanout at its upper  
 31 terminal; and every such run of piping, which is more than fifty  
 32 (50) feet in length, shall be provided with a cleanout for each  
 fifty (50) feet or fraction thereof in the length of such piping,  
 or a cleanout shall be installed directly at the upper end of  
 every turn or bend in any soil or waste piping.

Every cleanout shall be installed so that the cleanout

1 opens in a direction opposite to the flow of the soil or waste,  
2 or at right angles thereto. Every cleanout for a sand box shall  
3 be outside the sandbox.

4 Every cleanout shall be so installed that there is a  
5 clearance of not less than eighteen (18) inches in front of the  
6 cleanout, so that such cleanout is readily accessible.

7 Every cleanout under any portion of a building, which is  
8 within eighteen (18) inches of the ground, shall be extended up  
9 to or above the finished floor level directly above the place  
10 where the cleanout is required or the cleanout shall be extended  
11 outside of the building.

12 Every cleanout shall be located so as to be readily  
13 accessible, and so located as to serve the purpose for which it  
14 is intended.

15 All changes in horizontal lines shall be served by a  
16 cleanout if such change of direction exceeds twenty-two and one-  
17 half degrees ( $22\frac{1}{2}^{\circ}$ ) from a straight line.

18 Cleanouts shall be placed in every house connection  
19 sewer, at the junction with the house drain at the building, and  
20 a cleanout immediately inside of the property line, and shall be  
21 installed in a wye (Y) branch fitting extended to finished grade.

22 Cleanouts which serve a sewer line to a building located  
23 on the property line, abutting a street or alley may be installed  
24 in the sidewalk or alley; provided, however, that the cleanout is  
25 installed not more than six (6) inches below grade, and provided  
26 with an approved sidewalk box and cover made for that purpose.

27 Cleanouts in driveways shall be provided with a traffic  
28 type box and cover, and all such boxes shall be set flush with  
29 the finished grade.

30 Cleanouts shall be placed at all changes in alignment and  
31 grade above and below the point of change; and at intervals of  
32 not to exceed fifty (50) feet. Cleanouts in straight runs longer

1 than fifty (50) feet shall be uniformly spaced.

2 Cleanout fittings shall be of the same nominal size as  
3 the pipes they serve up to and including four (4) inch pipe, and  
4 not less than four (4) inches in larger pipes.

5 SECTION 14 - That Section 716 of this Code be amended by  
6 this Ordinance to read as follows: All vents and branch vents  
7 shall be free from drops or sags and be so graded and connected  
8 as to drip back to the soil or waste pipe by gravity. Where vent  
9 pipes connect to a horizontal soil or waste pipe, the vent pipe  
10 shall be taken off above the center line of such pipe ahead of  
11 the trap being served.

12 Unless prohibited by structural conditions, all vents  
13 shall rise vertically to a point not less than six (6) inches  
14 above the extreme overflow level of the fixtures served before  
15 offsetting horizontally, or whenever two or more vent pipes  
16 converge or are joined together, the connection shall be made by  
17 means of a wye (Y) fitting and each such vent pipe shall rise to  
18 a point six (6) inches in height above the plumbing fixture it  
19 serves. All vents and branch vents shall be vertical whenever  
20 practicable to do so.

21 SECTION 15 - That Section 722 be amended by this Ordinance  
22 by adding the following paragraphs:

23 A. No overflow from a cistern, tank, expansion tank, drip  
24 pan, or other device shall be directly connected to any soil  
25 waste or vent pipe, house drain, or house sewer.

26 B. Rain water from roofs or other approved areas exposed  
27 to rain water, may be drained into the storm water drainage  
28 system, but shall not drain into any sewer intended for sanitary  
29 sewage. A permit shall be procured in all cases to connect rain  
30 water drainage to the storm water drainage system.

31 Rain water from roofs, or other approved areas may drain  
32 into the public street gutter; provided, that such gutter is

1 paved and runs to a catch basin connected to the Public Sewer  
2 System.

3 Rain water from roofs, or other approved areas may drain  
4 into a system of drainage piping designed to allow such drainage  
5 to be absorbed by the soil of the premises, or may discharge upon  
6 the premises outside the building walls.

7 C. No rain water from roofs or other rain water drainage  
8 of premises shall discharge upon a public sidewalk. When it is  
9 desired to conduct rain water from a building or premises to a  
10 public street gutter, the outside underground piping shall be  
11 cast iron soil pipe. Water leaders connecting to such underground  
12 drainage piping, which are on the outside of a building wall  
13 that abuts on a public thoroughfare, shall be constructed of cast  
14 iron soil pipe for a distance of five (5) feet vertically above  
15 official grade.

16 D. No sheet metal water leader shall be installed on the  
17 inside of a building, inner court, or vent shaft. No sheet metal  
18 leader shall be directly connected to any drainage system which  
19 connects to a public sewer.

20 E. When an existing sheet metal water leader pipe within  
21 the walls of a building becomes defective, such water leader shall  
22 be replaced with one which conforms to this Ordinance.

23 F. All underground roof and area rain water drainage  
24 piping within the walls of a building shall be cast iron pipe and  
25 fittings and all such piping above ground shall be cast iron pipe  
26 and fittings or galvanized wrought iron or steel pipe with drainage  
27 fittings of approved standards.

28 G. Except the feeding of rain water leader traps as herein  
29 required, no water leader or other rain water piping shall be used  
30 as a soil, waste, or vent pipe nor shall any soil, waste or vent  
31 pipe be used as a rain water leader.

32 H. Rain Water leaders connecting to the storm water drain-

1 age system, shall be effectively trapped if such water leader  
2 opening is within twelve (12) feet of a side or rear property line  
3 which does not abut on a public street or alley, or if such rain  
4 water leader opening is within twelve (12) feet of any door or  
5 window or other source of ventilation or fresh air supply to any  
6 building. All water leaders may be served by one master trap or  
7 each leader may be trapped separately. All water leader traps  
8 shall have their seals maintained by an automatic priming device,  
9 designed and installed for that purpose. When a rain water  
10 drainage system is served by one trap, such trap shall be  
11 provided with a fresh air inlet, not less than four (4) inches  
12 in diameter, which shall lead to the outer air and be provided  
13 with an approved cowl on grating, so installed as to prevent the  
14 entrance of soil, stones, or other objectionable material.

15 I. All roof boxes connected to concealed rain water  
16 leaders (if made of light metal) shall be made by means of a  
17 lead stub and caulking ferrule which shall be firmly caulked with  
18 lead and oakum into said rain water leader, and the other end of  
19 lead stub to be firmly soldered to roof box. Cast iron roof  
20 drains may be screwed or caulked to their respective rain water  
21 leaders.

22 J. Rain water from paved or unpaved areas shall not drain  
23 into the sanitary sewer system but may drain to the street gutter  
24 or storm water drainage system. All such rain water shall drain  
25 to a sump constructed of concrete with bottom and walls not less  
26 than four (4) inches in thickness. All sumps shall be provided  
27 with a trap formed by turning down the outlet pipe with a forty-  
28 five degree ( $45^{\circ}$ ) bend so as to maintain a water seal of not less  
29 than twelve (12) inches. No part of such seal shall protrude  
30 inside of the sump. All sumps shall be not less than eighteen  
31 (18) inches wide and eighteen (18) inches long and two (2) feet  
32 deep, and be provided with suitable grates that may be removed

1 for cleaning purposes.

2 SECTION 16 - That Section 801 be amended by this Ordinance  
3 to read as follows: The house or building sewer beginning three  
4 (3) feet from any building or structure shall be cast iron pipe  
5 of approved standards; except that the house sewer for one or two  
6 family residences only may be constructed of vitrified clay pipe  
7 or asbestos cement compound sewer pipe with tapered ends and  
8 couplings; the fittings shall be of the same material as the pipe  
9 and the tapered ends and couplings shall be processed with an  
10 approved asphalt coating.

11 SECTION 17 - That Section 904 be amended by this Ordinance  
12 to read as follows:

13 A. Appliances, devices or apparatus not regularly classed  
14 as plumbing fixtures, but which have drips, or drainage outlets  
15 shall be drained by special waste pipes discharging into an  
16 approved hopper or floor drain which is properly trapped and vented.

17 B. Clean, running water used exclusively as a cooling  
18 medium in an appliance, device, or apparatus (not regularly  
19 classed as a plumbing fixture) not to exceed twenty-five (25)  
20 gallons per hour, may discharge into an approved plumbing fixture  
21 or hopper properly trapped and vented. Not more than twenty-five  
22 (25) gallons per hour of discharge from such appliance, device or  
23 apparatus will be allowed to any one place of business.

24 C. Clean running water used exclusively as a cooling medium  
25 in excess of twenty-five (25) gallons per hour and not more than  
26 four (4) gallons per hour per front foot of the place of business  
27 and not to exceed two hundred (200) gallons per hour for any place  
28 of business or building, may discharge into the street gutter of  
29 any other location approved by the City Engineer. Any apparatus  
30 or device which discharges more than four (4) gallons per hour  
31 per front foot of any place of business and not more than two  
32 hundred (200) gallons per hour for any place of business or  
building shall be so arranged that the cooling water can be

1 reused; such as cooling towers, evaporative condensers, or other  
2 approved means, or may discharge into the public storm sewer if  
3 such storm sewer be accessible.

4 All water used as a cooling medium shall be so arranged  
5 that the water discharging therefrom (except cooling towers of  
6 evaporative condensers) will be automatically shut off when the  
7 apparatus is not running.

8 D. Evaporative coolers hereinafter installed, replaced or  
9 repaired in any place of business of whatsoever nature, shall be  
10 provided with a recirculating pump installed in a suitable pan  
11 constructed of galvanized metal, or other material of equal  
12 durability. All water supplying such pans shall be provided with a  
13 float valve so installed that the outlet of such valve shall be  
14 set two (2) inches above the extreme overflow level of the pan.  
15 A shut off valve shall be installed near the inlet to the float  
16 valve.

17 Evaporative coolers hereinafter installed, replaced or  
18 repaired (of less than two thousand five hundred (2500) C. F. M.)  
19 for use in residences need not have recirculating pumps, provided  
20 however that the water shut off valve supplying such coolers be  
21 installed in the room to which the cooler is applying air so that  
22 the water can be shut off when the cooler is not in operation.  
23 The waste water from the cooler shall be conveyed to a point not  
24 less than six (6) feet from any structure.

25 SECTION 18 - That Section 1102 be amended by this Ordinance  
26 to read as follows:

27 A. All joints in vitrified clay pipes, or between vitrified  
28 clay pipe and metals, shall be made with approved hot-poured  
29 jointing materials. Such jointing material, when subjected to a  
30 temperature of one hundred and fifty degrees (150°) Fahrenheit,  
31 shall not soften sufficiently to destroy the effectiveness of the  
32 joint, nor be soluble in any of the wastes ordinarily carried by

1 drainage systems. The materials and methods used in the  
2 construction of all joints shall be such that roots will not  
3 penetrate the joints. Sulphur base compounds will not be allowed  
4 as jointing material.

5 B. All joints in asbestos cement compound sewer pipe  
6 before jointing shall be primed with an asphalt primer. Each joint  
7 shall be firmly put together so that the tapered joints abut.

8 SECTION 19 - That another paragraph to Section 1210,  
9 Chapter XII be added by this Ordinance to read as follows:

10 No Garbage Disposal Units and/or Garbage Grinders of any  
11 kind shall be connected to any drainage system or sewer connected  
12 to the City Sewer System.

13 SECTION 20 - That Section 1309, Chapter XIII be amended by  
14 this Ordinance to read as follows:

15 A readily accessible main full way gate valve controlling  
16 all outlets shall be installed on the discharge side of the water  
17 meter, or city service clock, and shall be within two (2) feet  
18 thereof.

19 An accessible shut off valve, shall be provided on the  
20 main supply line, at or near the foundation wall, and if there  
21 be a basement such valve shall be accessible <sup>in</sup> ~~to~~ the basement.

22 Buildings having more than one occupancy shall have shut  
23 off valves at each fixture, so as to permit each fixture to be  
24 shut off independent of any other fixture.

25 Supply lines taken from pressure or gravity tanks shall  
26 be valved at or near their source. All supply tanks shall be  
27 provided with valved drains located at the lowest point.

28 All valves below ground shall <sup>be</sup> ~~have~~ provided with a metal  
29 box at least six (6) inches in diameter, and be constructed of  
30 not less than 16 gauge galvanized metal or other materials of  
31 equal durability and be fitted with a tight cover, easily removable,  
32 and shall extend one (1) inch above the surface of the ground.

1           SECTION 21 - That the last two paragraphs of Section  
2 1314C, Chapter XIII be amended by this Ordinance to read as  
3 follows:

4           Every gas or electric hot water heater or closed hot water  
5 tank shall be provided with a temperature and pressure relief  
6 valve installed in the hot water outlet as close to the tank as  
7 possible or they may be screwed directly into the tank not more  
8 than six (6) inches from the top of the tank and in such a manner  
9 that air pockets are avoided. When fuse type temperature and  
10 pressure relief valves are installed, replaced or repaired they  
11 shall be provided with an extra fuse securely fastened to the  
12 relief valve.

13           The discharge opening in the relief valve shall be piped  
14 full size of opening and in such a manner that the hot water dis-  
15 charging therefrom will not injure persons or property.

16           SECTION 22 - Any reference made in this code to gas and/or  
17 gas piping shall be deleted.

18           SECTION 23 - This Ordinance shall repeal Ordinance 569 NS  
19 and all amendments thereto, and all other Ordinances or parts of  
20 ordinances in conflict herewith.

21           SECTION 24 - If any section, subsection, sentence, clause  
22 or phrase of this ordinance is for any reason held to be invalid  
23 or unconstitutional, such decision shall not affect the validity  
24 of the remaining portions of the ordinance.

25           SECTION 25 - This ordinance shall go into effect and be in  
26 full force and operation from and after 15 days after its final  
27 passage and adoption.

28           SECTION 26 - This ordinance shall be published in full at  
29 least once at least 3 days prior to its final adoption in the  
30 Modesto Bee, the official newspaper of the City of Modesto.

31           The foregoing ordinance was introduced at a  
32 regular meeting of the Council of the City of Modesto held on the

1 6th day of July, 1949 by Commissioner Burkner, who moved its adoption  
2 and passage to print as aforesaid, which motion being duly seconded,  
3 by Commissioner Stanley, it was upon roll call carried and the  
4 ordinance ordered published and printed as above by the following  
5 vote:

6 Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

7 Noes: Councilmen: None

8 Absent: Councilmen: Frad and Wilson

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

ATTEST: *Rex E. Gailfus*  
REX E. GAILFUS, 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 July, 1949 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 13, 1949, it was upon roll call so finally adopted by the following votes:

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

Noes: Councilmen: None

Absent: Councilmen: Frad

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

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

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REPEALED BY  
MUNICIPAL CODE

ORDINANCE NO. 902-N.S.

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

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

5 SECTION 1. The compensation to be paid by the City of  
6 Modesto to the Chief officials of said city shall be as follows:

7 City Clerk, who likewise occupies the offices of Auditor,  
8 Assessor, Treasurer and Collector, the sum of \$6000 00 per annum

9 City Attorney, the sum of \$4800 00 per annum

10 Chief of Police, the sum of \$6000 00 per annum

11 Fire Chief, the sum of \$5550 00 per annum

12 Health Officer, the sum of \$5700 00 per annum

13 City Engineer, who likewise occupies the offices of Street

14 Superintendent, Building Inspector, Sewer Inspector, Water

15 Superintendent and Park Superintendent, the sum of \$8400 00

16 per annum

17 SECTION 2. The compensation of the various officials here-  
18 inabove set forth shall be in full for the proper performance of the  
19 duties assigned to them in the various offices occupied by said  
20 officials.

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

24 SECTION 4. All ordinances or parts of ordinances in conflict  
25 herewith are hereby repealed.

26 SECTION 5. This ordinance shall be published in full at  
27 least three days prior to its final adoption in the official news-  
28 paper of the City of Modesto, to-wit; the Modesto Bee.

29 The foregoing ordinance was introduced at a regular meeting of  
30 the Council of the City of Modesto held on the 3rd day of August,  
31 1949 by Commissioner Wilson, who moved its adoption and  
32 passage to print as aforesaid, which motion being duly seconded by

1 Commissioner Burkner, it was upon roll call carried and the ordi-  
2 nance ordered published as above by the following vote:

3 Ayes: Councilmen: Burkner, Brad, Stanley, Wilson, Mayor Shannon

4 Noes: Councilmen: None

5 Absent: Councilmen: None

6  
7 APPROVED: Carl W. Shannon  
8 CARL W. SHANNON, Mayor

9 ATTEST: Rex E. Gailfus  
10 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 special meeting of the Council  
4 of the City of Modesto held on the 3rd day of August, 1949, and  
5 subsequently printed and published as required by the Charter  
6 of the City of Modesto, and coming on for final adoption at the  
7 regular meeting of August 10, 1949, it was upon roll call so finally  
8 adopted by the following vote:

9 Ayes: Councilmen: Frad, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Burkner, Stanley

12  
13 APPROVED: 

CARL W. SHANNON, MAYOR

14  
15  
16 ATTEST: 

17 REX E. GAILFUS, CITY CLERK  
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1 ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT,  
2 REZONING CERTAIN AREAS AND AMENDING ZONING ORDINANCE NO. 700 N. S.  
3 BY ADDING ADDITIONAL MAP.

4  
5 WHEREAS, the City Planning Commission and the City Council  
6 of the City of Modesto have held public hearings as required by  
7 the City Ordinance and the State Planning Act, for the purpose of  
8 considering the zoning of newly annexed territory and the re-  
9 zoning of other territory.

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

12 Section 1. That that certain area heretofore annexed to  
13 the City of Modesto commonly referred to as the Muir Garden Tract,  
14 the proposed E. C. Melrose Tract and the Northerly 95 feet of  
15 the East one-half of the West one-half of Lot 2 of the Rice Colony,  
16 as filed for record on February 19, 1904, at page 54, volume 1 of  
17 Maps, Stanislaus County Records be and the same is established as  
18 R-2, Two Family Residential District, and that the Southerly 300.75  
19 feet of the Northerly 395.75 feet of the East one-half of the West  
20 one-half of Lot 2 of said Rice Colony be classified in the R-1  
21 Single Family Residential District.

22 Section 2. That the Northerly 95 feet of the West one-  
23 half of the West one-half of Lot 2 of the Rice Colony be rezoned  
24 from an R-1 Single Family Residential District to an R-2 Two  
25 Family Residential District.

26 Section 3. The Zoning Ordinance of the City of Modesto  
27 being Ordinance No. 700 N. S. is hereby amended by annexing thereto  
28 that certain Map titled "Use District Map 3D, City of Modesto", a  
29 copy of which is hereto annexed and said Map is hereby incorporated  
30 into said Zoning Ordinance.

31 Section 4. This Ordinance shall go into effect and be in  
32 full force and operation from and after fifteen (15) days after

1 its final passage and adoption.

2 SECTION 5. This ordinance shall be published in full at  
3 least once in the Modesto Bee, the official newspaper of the City  
4 of Modesto at least three (3) days prior to its final passage and  
5 adoption.

6 The foregoing Ordinance was introduced at a ~~regular~~ <sup>special</sup> meet-  
7 ing of the Council of the City of Modesto held on the 17<sup>th</sup> day of  
8 August, 1949 by Councilman Wilson who moved its adoption and  
9 passage to print, which motion being duly seconded by Councilman  
10 Burkner was upon roll call carried by the following vote:

11 Ayes: Councilmen: Burkner, Wilson, Mayor Shannon

12 Noes: Councilmen: Stanley and Frad

13 Absent: Councilmen: None

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

16  
17 ATTEST: Rex E. Gailfus  
18 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 special meeting of the Council  
4 of the City of Modesto held on the 17th day of August, 1949, 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 24, 1949, it was upon roll call so finally  
8 adopted by the following vote:

9 Ayes: Councilmen: Burkner, Wilson, Mayor Shannon

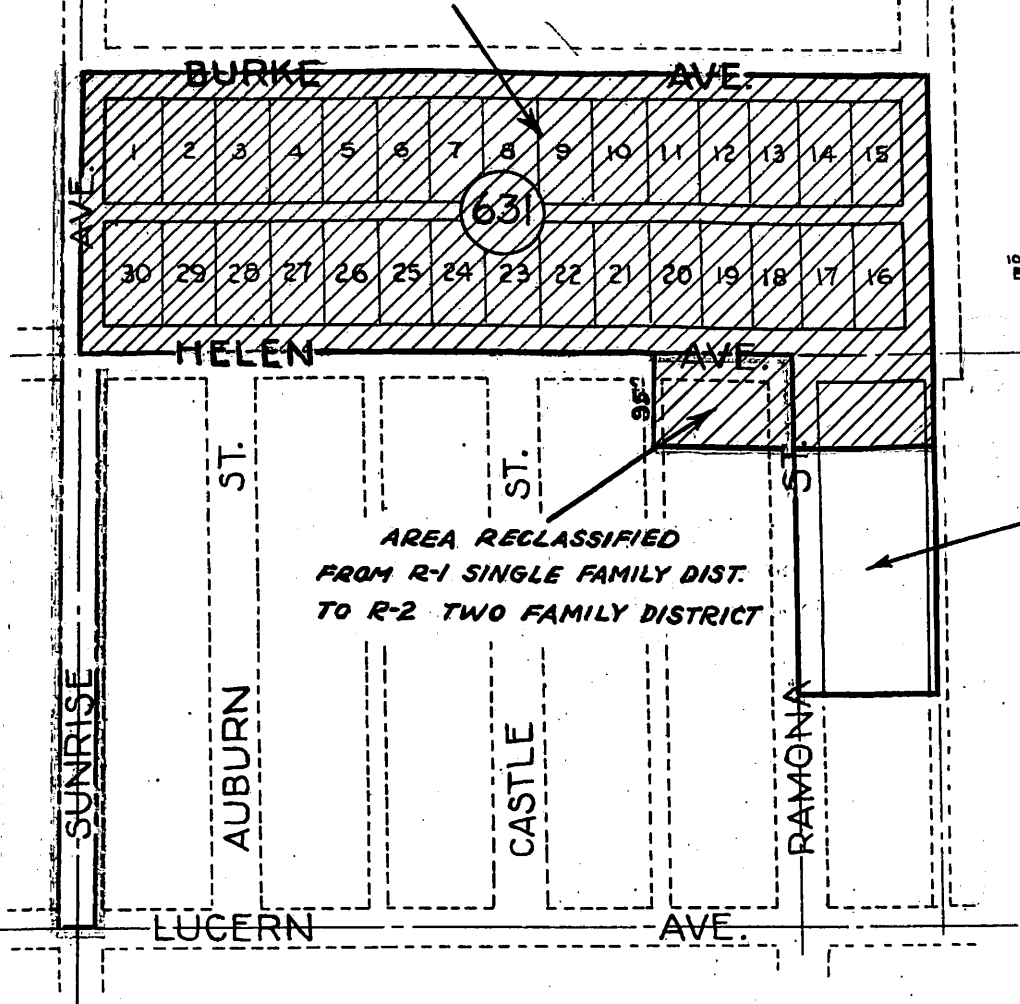
10 N oes: Councilmen: Stanley and Frad

11 Absent: Councilmen: None

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13 APPROVED:   
14 CARL W. SHANNON, MAYOR

15  
16 ATTEST:   
17 REX E. GAILFUS, CITY CLERK  
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AREA CLASSIFIED IN THE  
R-2 TWO FAMILY DISTRICT



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SCALE: 1 IN=200FT.

AREA RECLASSIFIED  
FROM R-1 SINGLE FAMILY DIST.  
TO R-2 TWO FAMILY DISTRICT

AREA CLASSIFIED  
IN THE R-1  
SINGLE FAMILY  
DISTRICT

APPROVED:  
BY CITY PLANNING COMM.  
*Richard A. ...*  
CHAIRMAN

BY CITY COUNCIL  
*Carl ...*  
MAYOR  
*Ray E. Gailfus*  
CLERK

ORD. NO. 903  
LAND USE DISTRICT  
MAP NO. 3-D  
CITY OF MODESTO,  
CALIFORNIA

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NOT SPECIAL  
IN CODE

ORDINANCE NO. 904-N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF  
MODESTO FOR THE FISCAL YEAR 1949-1950

---oOo---

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

SECTION 1- There is hereby levied upon the assessed val-  
uation of the property in the City of Modesto, County of Stanislaus,  
State of California, for the fiscal year beginning July 1, 1949  
and ending June 30, 1950, the rates of taxation, hereinafter speci-  
fied, 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-----\$1.00  
on each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND

- (a) Municipal Improvement Bonds of 1910---\$ .01
- (b) Municipal Improvement Bonds of 1911--- .003
- (c) Municipal Improvement Bonds of 1920(Jan).038
- (d) Municipal Improvement Bonds of 1923 --- .009
- (e) Municipal Improvement Bonds of 1947 --- .19

BEING A TOTAL OF ----- .25  
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----- .15  
on each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT----- \$1.40  
on each One Hundred Dollars valuation as determined  
by the equalized assessment roll for the year 1949-1950  
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- Be it further provided that anything to the contrary  
heretofore set forth, there shall be and there is hereby declared  
to be a different rate of taxation levied upon certain property  
situate in the City of Modesto, to-wit; Southern Campus Tract,

1 Hawkins Tract, that portion of the Leslie-Hugh Tract annexed to the  
2 City of Modesto, La Linda Tract, John Muir Park Tract, Northwood  
3 Tract, Esgar Tract, Crane Tract, and Campus Tract No. 2. Said tax  
4 rate for said Southern Campus Tract, Hawkins Tract, that portion of  
5 the Leslie-Hugh Tract annexed, La Linda Tract, John Muir Park,  
6 Northwood Tract, Esgar Tract, Crane Tract and Campus Tract No. 2,  
7 as aforesaid shall be and is hereby declared to be as follows:

8 FOR THE GENERAL FUND-----\$1.00  
9 on each One Hundred Dollars taxable valuation

10 FOR THE BOND REDEMPTION AND INTEREST FUND  
11 (a) Municipal Improvement Bond of 1947----- .19  
12 for each One Hundred Dollars in valuation of  
13 property taxable for the redemption of bonds and  
14 the payment of interest thereon that shall accrue  
15 during the fiscal year:

16 FOR THE LIBRARY FUND----- .15  
17 on each One Hundred Dollars of taxable valuation

18 THE AGGREGATE OF SAID SUMS, TO-WIT: \$1.34  
19 on each One Hundred Dollars valuation, as  
20 determined by the equalized assessment roll  
21 for the year 1949-1950

22 SECTION 3- Be it further provided that anything to the contrary  
23 heretofore set forth, there shall be and there is hereby declared  
24 to be a different rate of taxation levied upon certain property  
25 situate in the City of Modesto, to-wit: Leonardo Tract, Brockett &  
26 Valk Tract, College Manor Tract #2, Blocks 821 to 823 inclusive of  
27 Campus Tract and Lot 1 of the Ustick Tract, that portion of lots  
28 2 and 3 of the Rice Colony tract annexed to the City, Block 624 of  
29 the Leslie-hugh Tract and lots 2 and 3 of the Apricot Colony Tract,  
30 as aforesaid shall be and is hereby declared to be as follows:

31 FOR THE GENERAL FUND-----\$1.00  
32 on each One Hundred Dollars taxable valuation

FOR THE LIBRARY FUND----- .15  
on each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS, TO-WIT-----\$1.15  
on each One Hundred Dollars valuation, as  
determined by the equalized assessment roll  
for the year 1949-1950

SECTION 4- The tax rate upon said Southern Campus Tract, Hawkins

1 Tract, that portion of the Leslie-Hugh Tract now a portion of the City  
2 of Modesto, La Linda Tract, John Muir Park, Northwood Tract, Esgar  
3 Tract, Crane Tract, Campus Tract #2, Leonardo Tract, Brockett & Valk  
4 Tract, College Manor Tract #2, Blocks 821 to 823 inclusive of Campus  
5 Tract and lot 1 of the Ustick Tract, that portion of lots 2 and 3  
6 of the Rice Colony tract annexed to the City, Block 624 of the  
7 Leslie-Hugh Tract and lots 2 and 3 of the Apricot Colony Tract, is  
8 different from the tax rate herein set for the balance of the pro-  
9 perty within the City of Modesto by reason of the fact that said  
10 territory has been annexed to and made a part of the City of Modesto  
11 and under a provision of the State law which does not permit the said  
12 City to levy taxes upon said annexed property for any past bonded  
13 indebtedness owed by said City and incurred before said territory  
14 became a part of said City.

15 SECTION 5- This ordinance shall take effect immediately upon its  
16 final passage and adoption.

17 SECTION 6- This ordinance shall be published in full at least  
18 once at least three days prior to its final adoption in the Modesto  
19 Bee, the official newspaper of the City of Modesto.

20 The foregoing ordinance was introduced at a regular meeting  
21 of the Council of the City of Modesto held on the 10th day of August  
22 1949 by Commissioner Wilson who moved its adoption and passage to  
23 print, which motion being duly seconded by Commissioner Frad  
24 the ordinance was upon roll call ordered printed and published as  
25 required by the Charter of the City of Modesto by the following vote:

26 Ayes: Councilmen: Frad - Wilson - Mayor Shannon

27 Noes: Councilmen: None

28 Absent: Councilmen: Stanley - Burkner

29 APPROVED: Carl W. Shannon  
CARL W. SHANNON

30  
31 ATTEST: Rex E. Gailfus  
REX E. GAILFUS, CITY CLERK  
32

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 10th day of August, 1949, 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  
7 regular meeting of August 24, 1949, it was upon roll call so  
8 finally adopted by the following vote:

9 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12  
13 APPROVED:

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

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16  
17 ATTEST:

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

Repealed  
by Ord 1607-NS

ORDINANCE NO. 905-N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 602-N.S. OF THE CITY OF MODESTO (CIVIL SERVICE ORDINANCE)

---o0o---

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

SECTION I. 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., Ordinance No. 687-N.S. Ordinance No. 766-N.S., Ordinance No. 791-N.S. and Ordinance No. 849-N.S., is hereby amended by including under this section as a civil service employee the following classifications:

"SEWAGE DISPOSAL PLANT MAINTENANCE MAN"

2"SEWAGE TREATMENT PLANT SUPERINTENDENT"

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 contracts 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

1 qualified workman or foreman. Janitors are hereby declared to be  
2 unclassified laborers.

3 The following offices, positions, and employments in the  
4 City of Modesto shall constitute the competitive service of said  
5 City and said positions and employments are subject to the provi-  
6 sions hereof.

7 DEPARTMENT OF PUBLIC WORKS

8 Assistant City Engineer

9 Secretary

10 Stenographer

11 Surveyor

12 Assistant Surveyor

13 Engineering Aides

14 Chief Draftsman

15 Junior Draftsman

16 Planning Engineer

17 Plumbing Inspector

18 Senior Engineering Aide

19 Under Engineering Aide

20 Draftsman

21 Equipment Operators, Grades (1) and (2)

22 Street Repair Foreman

23 Assistant Superintendent of Electricity

24 Electrician

25 Lineman

26 Fire Alarm Technician

27 Electrical Inspector

28 Assistant Building Inspector

29 Water Service Foreman

30 Assistant Water Service Foreman

31 Pipe Fitters

32 Pump Operators (Grades 1 and 2)

1	Superintendent of Construction
2	Assistant Superintendent of Construction
3	Sewage Disposal Plant Maintenance Man
4	Sewage Treatment Plant Superintendent
5	Sewage Disposal Plant Operator
6	Assistant Sewage Disposal Plant Operator
7	Assistant Superintendent of Parks
8	Horticulturist
9	Nurseryman
10	Tree Trimmers
11	Park Supervisors
12	Limited Laborer
13	Greenskeeper
14	Groundsman
15	Assistant Superintendent Corporation Yard
16	Machinist
17	AUTO Mechanic
18	Storekeeper and Service Man
19	Traffic Line Painter
20	Construction Laborers
21	Telephone Operator & Receptionist
22	<u>CITY CLERK'S OFFICE</u>
23	Assistant Clerk,
24	Assistant Auditor
25	Assistant Assessor
26	Assistant License Collector
27	Assistant Tax Collector
28	Assistant Treasurer
29	Deputy License Collector
30	Deputy Auditor
31	Secretary
32	Cashier-Clerk

1 Assistant Cashier-Clerk

2 Typist Clerk

3 POLICE DEPARTMENT

4 Captain

5 Sergeants

6 Secretary

7 clerk

8 Traffic Officers

9 Patrolmen

10  
11 FIRE DEPARTMENT

12 Assistant Chiefs

13 Operators

14 Drivers

15 Relief Driver

16 DEPARTMENT OF PUBLIC HEALTH

17  
18 Food and Drink Inspector

19 Sanitary Inspector

20 SECTION 2. This ordinance shall go into effect and be in  
21 full force and operation from and after 15 days after its final  
22 passage and adoption.

23 SECTION 3. This ordinance shall be published in full at  
24 least once at least three days prior to its final passage and  
25 adoption in the "The Modesto Bee", the official newspaper of the  
26 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 10th day of  
29 August, 1949 by Commissioner Frad, who moved its adoption  
30 and passage to print, which motion being duly seconded by  
31 Commissioner Wilson, was carried and the ordinance ordered  
32 printed and published by the following vote:

1 Ayes: Councilmen: Frad-Wilson-Mayor Shannon

2 Noes: Councilmen: None

3 Absent: Councilmen: BURKNER-Stanley

4  
5 APPROVED: Carroll Shannon  
6 MAYOR

7  
8 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 10th day of August, 1949, 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 24, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, 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

SPECIAL  
NOT IN CODE

ORDINANCE NO. 906 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS AND EQUIPMENT AND FOR THE 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 1. The following sums, or so much thereof as may be necessary are hereby appropriated out of the General Fund of the City of Modesto for:

PUBLIC WORKS AND PARK DEPARTMENTS

10		
11	\$2000 00	Tractor with dump bed
12	\$1200 00	Materials for breakwater
13	\$1500 00	Play Equipment
14	\$1500 00	Tree Spraying Materials
15	\$1000 00	Lighting tennis courts
16	\$4322 00	Tree sprayer, truck mount type and truck and chassis
17	\$ 800 00	Generator and chain saw
18	\$3400 00	Traffic markers and street paint
19	\$2000 00	Cement
20	\$2000 00	Street names and signs
21	\$32,000 00	general maintenance to city streets
22	\$5,500 00	loader
23	\$10,400 00	street sweeper
24	\$ 6,000 00	Traffic signals
25	\$ 2,500 00	Lamps
26	\$ 1,100 00	Revolving aerial ladder
27	\$ 3,000 00	Light Ninth Street
28	\$ 3,000 00	Modernize obsolete overhead street lighting
29	\$45,000 00	Purchase of additional land for the Airport
30	\$ 650 00	Steam Cleaning Machine
31	\$ 1,500 00	Addition to Health Department office
32	\$20,150 00	Cloroben and/or other sewage treatment materials

1 \$15,000 00 Land purchase for sewage disposal

2 \$ 9,000 00 Automotive Equipment

3 FOR THE GENERAL ADMINISTRATIVE DEPARTMENT

4 \$600.00 Annual audit of accounts

5 \$1,000 00 Additional Attorney's fees

6 \$1,500 00 Office equipment

7 \$8,000 00 Purchase of W. Raemsch property

8 FOR THE FIRE DEPARTMENT

9 \$1,150 00 Fire Hose

10 \$14,500 00 Automotive equipment for Fire Department

11 \$ 600 00 Radio equipment and maintenance

13 FOR THE POLICE DEPARTMENT

15 \$3,050 00 Radio Equipment and maintenance

16 \$1,200 00 Expenses Police Chief while attending Federal  
Bureau of Investigation School

17 \$4,000 00 Automotive equipment for Police Department

18 \$15,000 00 Board of Prisoners

20 FOR MUSIC AND PROMOTION

21 \$1,200 00 Stanislaus County Boy's Band for summer concerts

22 \$3,320 00 Merchants Association (Chamber of Commerce)

23 \$1,000 00 Miscellaneous Music and Promotion

24 \$ 500 00 Fourth of July Celebration

25 FOR HEALTH DEPARTMENT

26 \$1,700 00 Automobile

28 SECTION 2- The following sums, or so much thereof as  
29 may be necessary are hereby appropriated out of the Library Fund  
30 of the City of Modesto:

31 FOR THE MCHENRY PUBLIC LIBRARY

32 \$8,500 00 Bookmobile

\$3,000 00 Books

1 SECTION 3. The following sum, or so much thereof as  
2 may be necessary is hereby appropriated out of the Barking Meter  
3 Fund of the City of Modesto:

4 FOR THE POLICE DEPARTMENT

5 \$1,200 00 Automotive equipment.

6 SECTION 4. The following sums, or so much thereof as  
7 may be necessary <sup>are</sup> hereby appropriated out of the Water Fund of  
8 the City of Modesto:

9 FOR THE WATER DEPARTMENT:

10 \$10,000 00 Meters and tools

11 \$14,000 00 Service Supplies, pipe and fittings

12 1,700 00 Automotive equipment

13 \$19,000 00 Water pipe, hydrants, etc.

14  
15 SECTION 5. Reference is hereby made to the 1949-50 budget  
16 adopted by the City Council for more detailed expenditures of the  
17 funds herein shown.

18 SECTION 6. The City Engineer or any other authorized  
19 official shall upon adoption of this ordinance from time to time  
20 when required by the Council of the City of Modesto, file with the  
21 Council, plans and specifications for the materials and/or equip-  
22 ment and/or construction work outlined above and the City Clerk  
23 shall from time to time as directed by the Council advertise for  
24 bids for said materials and/or equipment and/or construction work  
25 when necessary, and bids shall be received and accepted and con-  
26 tracts awarded therefor as the Council may hereafter by resolution  
27 determine and prescribe.

28 SECTION 7. This Ordinance shall go into effect from and  
29 after fifteen days after its final passage and adoption. It shall  
30 be published in full at least once, at least three days prior to  
31 its final adoption in the Modesto Bee, the official newspaper  
32

1 of the City of Modesto.

2 The foregoing ordinance was introduced at a special  
3 meeting of the Council of the City of Modesto held on August 17,  
4 1949 by Councilman Frad, who moved its adoption and  
5 passage to print, which motion was duly seconded by Commissioner  
6 Wilson, was carried and the ordinance ordered printed  
7 and published by the following vote:

8 Ayes: Councilmen: Frad, Burkner, Stanley, Wilson, Mayor Shannon

9 Noes: Councilmen: None

10 Absent: Councilmen: None

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

13 ATTEST: Rex E. Gailfus  
14 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 17th day of August, 1949, 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 24, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY (A PORTION OF LOT 3 OF THE RICE COLONY) TO THE CITY OF MODESTO.

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WHEREAS, a petition dated the 30th day of July, 1949, was filed with the City Council by Virgil E. Howell, Maybelle Howell, Thomas B. Line and Marie Line for the annexation of uninhabited territory under the Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council by Resolution passed on the 3rd day of August, 1949, set said petition for hearing for the hour of 7:30 o'clock P. M. on the 24th day of August, 1949, in the Council Chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said Petition, now, therefore,

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

SECTION 1. That the Petition of Virgil E. Howell, Maybelle Howell, Thomas B. Line and Marie Line be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. That said annexation is subject to the requirements of that certain Resolution heretofore passed on the 9th day of May, 1949, and entitled "A Resolution Establishing Policy for Annexation of Territory to the City of Modesto."

SECTION 3. That the area of territory so annexed is a portion of Lot 3 of the Rice Colony and is located in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California, and bounded and particularly described as follows:

All of the Northwest 1/4 of Lot 3 of the Rice Colony and the Northerly 1.28 feet of the Southwest 1/4 of Lot 3 of said Rice Colony, as filed for record on February 19, 1904, Page 54, Volume 1 of Maps, Stanislaus County Records.

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

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

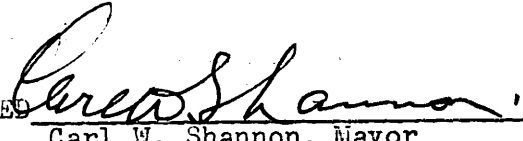
8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 24th  
10 day of August, 1949, by Councilman Burkner who moved its a-  
11 doption and passage to print which motion being duly seconded by  
12 Councilman Frad was upon roll call carried by the  
13 following vote:

14 AYES: Councilmen: Frad, Burkner, Wilson, Stanley, Mayor Shannon


15 NOES: Councilmen: None

16 ABSENT: Councilmen: None

17  
18 APPROVED

  
Carl W. Shannon, Mayor

19 ATTEST:

20   
21 Rex E. Gailfus, City Clerk

22  
23 1 Time

24 50 copies  
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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 24th day of August, 1949, and sub-  
sequently 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 14, 1949, it was upon roll call so finally  
adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

  
C. J. STANLEY

ATTEST:

  
REX E. GAILFUS, CITY CLERK

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SPECIAL  
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE  
2 MISSION GROVE AND M AND G OLIVEWOOD TRACTS AND ALL OF THE FALK TRACT  
3 TO THE CITY OF MODESTO..

4  
5 WHEREAS, a petition dated the 24 day of August,  
6 1949, was filed with the City Council by Verne F. Garrett,  
7 Geraldine Garrett, Genevieve Martin, Hilary T. Martin, Verne A.  
8 Stark, Pearl K. Stark, C. J. Hall, Viola L. Hall, B. H. Halford and  
9 Dawnine D. Halford for the annexation of uninhabited territory under  
10 the Uninhabited Territory Act of 1939 as amended, and

11 WHEREAS, the City Council by Resolution passed on the 24th  
12 day of August, 1949, set said petition for hearing for the hour of  
13 7:30 o'clock P. M. on the 14th day of September, 1949, in the  
14 Council Chambers of the City Hall of the City of Modesto, and

15 WHEREAS, at said time and place no objectors appeared to  
16 oppose said petition, now, therefore,

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

19 SECTION 1. That the petition of Verne F. Garrett, Geraldine  
20 Garrett, Genevieve Martin, Hilary T. Martin, Verne A. Stark, Pearl  
21 K. Stark, C. J. Hall, Viola L. Hall, B. H. Halford and Dawnine D.  
22 Halford be and the same is hereby granted and the territory described  
23 in said Petition is hereby annexed to and made a part of the City  
24 of Modesto.

25 SECTION 2. That said annexation is subject to the require-  
26 ments of that certain Resolution heretofore passed on the 9th day  
27 of May, 1945, and entitled "A Resolution Establishing Policy for  
28 Annexation of Territory to the City of Modesto."

29 SECTION 3. That the area of territory so annexed is a portion  
30 of the Mission Grove and M and G Olivewood Tracts and all of the  
31 Falk Tract and is located in the County of Stanislaus, State of  
32 California and contiguous to the City of Modesto described as  
follows:

1 All these certain lots, pieces or parcels of land  
2 situated in the County of Stanislaus, State of  
3 California, and bounded and particularly described  
4 as follows:

5 Lots 1-5 inclusive of the Mission Grove Tract, as  
6 filed for record on June 13, 1917, in Volume 8 of  
7 Maps, Page 50, Stanislaus County Records and Lots  
8 13-17 inclusive of the M and G Olivewood Tract, as  
9 filed for record on October 15, 1928, in Volume  
10 11 of Maps, Page 8 of Stanislaus County Records and  
11 the entire Falk Tract, as filed for record on July  
12 5, 1939, in Volume 11, Page 62 of Stanislaus County  
13 Records, which property is more precisely described as  
14 follows:

15 Beginning on the existing city limits at the Northeast  
16 corner of Lot 3 of Block 706 of the City of Modesto;  
17 thence Northerly 30 feet to a point on the center line  
18 of Griswold Avenue; thence Easterly 5 feet to a point  
19 25 feet West of the Southeast corner of Lot 2 of the  
20 aforementioned Mission Grove Tract; thence North 1° 15'  
21 West 630.30 feet more or less to the Northeast corner  
22 of Lot 1 of the aforementioned Falk Tract; thence  
23 along the South boundary of Fairmont Avenue 626.80  
24 feet more or less to a point on the West boundary of  
25 said Falk Tract (which point is also the Southwest  
26 corner of Hobron Van Wye Tract); thence along said  
27 West boundary 299.50 feet more or less to a point 8.57  
28 feet East of the Northeast corner of Lot 13 of Block  
29 726 of the aforementioned M. and G Olivewood Tract;  
30 thence along the North boundary of said lot 136.20 feet  
31 more or less to the East boundary of Magnolia Avenue;  
32 thence along said East boundary 355.40 feet more or less  
to the Northwest corner of Lot 34, Block 708 of the City  
of Modesto; thence along the existing corporate limits  
the following courses and distances: South 89° 06' East  
140.14 feet more or less; thence South 0° 57' East  
5 feet; thence South 88° 32' East 630.25 feet to the  
point of beginning.

SECTION 4: 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.

SECTION 5. This Ordinance shall be published in full at  
least once in the Modesto Bee, the official newspaper of the City  
of Modesto at least three days prior to its final passage and adoption.

The foregoing Ordinance was introduced at a regular meeting  
of the Council of the City of Modesto held on the 14th day of  
September, 1949, by Councilman Burkner who moved its adoption  
and passage to print which motion being duly seconded by Councilman

1 ~~Frad~~ was upon roll call carried by the following  
2 vote:

3 AYES: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

4 NOES: Councilmen: None

5 ABSENT: Councilmen: Mayor Shannon

6  
7 APPROVED: C. J. Stanley  
8 C. J. STANLEY, ACTING MAYOR

9 ATTEST:  
10  Rex E. Gailfus   
11 REX E. GAILFUS, City Clerk

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13 1 time 50 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 14th day of September, 1949, 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 28, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

APPROVED:

Shannon  
MAYOR

ATTEST:

Boyer  
CITY CLERK

SPECIAL  
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE EVERGREEN ACRES TRACT TO THE CITY OF MODESTO.

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WHEREAS, a petition dated the 15th day of August, 1949, was filed with the City Council by Paul Gervais, Helen M. Gervais, Walter W. Woods, Irene Woods, Raymond Van Dam, Muriel L. Van Dam, Olan J. Beckout, Maude M. Beckout, George Gagos and Akeby Gagos for the annexation of uninhabited territory under the Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council by resolution passed on the 17 day of August, 1949, set said petition for hearing for the hour of 7:30 P. M. on the 14th day of September, 1949, in the Council Chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said petition, now, therefore,

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

SECTION 1. That the petition of Paul Gervais, Helen M. Gervais, Walter W. Woods, Irene Woods, Raymond Van Dam, Muriel L. Van Dam, Olan J. Beckout, Maude M. Beckout, George Gagos and Akeby Gagos be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed is a portion of the Evergreen Acres Tract and is located in the County of Stanislaus, State of California, and contiguous to the City of Modesto described as follows:

All that certain lot, piece or parcel of land situated in the County of Stanislaus, State of California, and bounded and particularly described as follows:

1 Lots 12, 13, 14, 15, 16, 17 and 18 of the Evergreen  
2 Acres Tract as filed for record on September 21, 1912  
3 in Vol. VII of Maps, Page 9, Stanislaus County Records;  
4 less the Northerly 20 feet of said Lots 12, 13 and 14  
5 and the southerly 20 feet of Lots 16, 17 and 18 and in-  
6 cluding a portion of Tully Road which territory is  
7 more precisely described as follows:

8 Beginning at a point bearing South 0° 27' East 20 feet  
9 from the corner common to Sections 19, 20, 29 and 30  
10 Township 3 South, Range 9 East, said point also being  
11 on the center line of Tully Road and on the existing  
12 city limits; thence North 0° 27' West along the center  
13 line of Tully Road and along the city limit line a  
14 distance of 20 feet; thence continuing North 0° 27' West  
15 529.78 feet more or less to a point East of the South  
16 boundary of Leonard Avenue; thence along the South  
17 boundary of Leonard Avenue North 89° 41' West 538.03  
18 feet to the West line of Lot 12 of said Evergreen  
19 Acres; thence South 0° 24' East along the West line of  
20 Lots 12 and 18 of said Evergreen Acres a distance of  
21 509.78 feet to the North line of Coldwell Avenue; thence  
22 South 89° 41' along the North line of Coldwell Avenue  
23 a distance of 508.43 feet to the intersection of the  
24 West line of Tully Road and the North line of Coldwell  
25 Avenue; thence South 0° 27' West to the intersection of  
26 the West line of Tully Road and the South line of  
27 Coldwell Avenue a distance of 40 feet; thence South 89°  
28 41' East 20 feet to the point of beginning.

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

32 SECTION 5. This Ordinance shall be published in full at  
least once in the Modesto Bee, the official newspaper of the City  
of Modesto at least three days prior to its final passage and  
adoption.

The foregoing ordinance was introduced at a regular meeting  
of the Council of the City of Modesto held on the 14th day of  
September, 1949, by Councilman Burkner who moved its adoption  
and passage to print which motion being duly seconded by Councilman  
Frad was upon roll call carried by the following vote:


AYES: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

NOES: Councilmen: None

ABSENT: Councilmen: Mayer Shannon

APPROVED: 

C. J. STANLEY, ACTING MAYOR

ATTEST: 

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 September, 1949, 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 28, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

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1 AN ORDINANCE PROHIBITING THE USE OF SEARCH LIGHTS IN THE CITY OF  
2 MODESTO,

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

3  
4 SECTION 1. It shall be unlawful for any person, firm or  
5 corporation to use or permit to be used in the City of Modesto  
6 any type of lights commonly designated as search lights for pur-  
7 poses of advertising or for any other purpose without first securing  
8 the consent of the Chief of Police of the City of Modesto. This  
9 Ordinance shall not be construed to apply to any official vehicle  
10 of the City of Modesto nor of the County of Stanislaus when used  
11 in the performance of official duties.

12 SECTION 2. Any person, firm or corporation violating the  
13 provisions of this Ordinance shall be deemed guilty of a mis-  
14 demeanor and upon conviction thereof shall be punishable by a fine  
15 not exceeding Five hundred and no/100 (\$500.00) Dollars or by  
16 imprisonment in the County Jail of Stanislaus County for a period  
17 not exceeding six (6) months or by both such fine and imprisonment.

18 SECTION 3. This Ordinance shall be published in full at  
19 least once at least three days prior to its final adoption in  
20 the Modesto Bee, the official newspaper of the City of Modesto.

21 SECTION 4. The foregoing Ordinance was introduced at a  
22 regular meeting of the Council of the City of Modesto held on  
23 September 14, 1949, by Councilman Frad, who moved its  
24 adoption and passage to print which motion being duly seconded by  
25 Councilman Burkner was upon roll call carried and the Ordinance  
26 ordered printed and published as above by the following vote:

27 AYES: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

28 NOES: Councilmen: None

29 ABSENT: Councilmen: Mayor Shannon

30 APPROVED:

*Carl J. Stanley*  
CARL J. STANLEY, ACTING MAYOR

31 ATTEST:

32 *Rex E. Gailfus*  
Rex E. Gailfus, City Clerk

*Rescinded  
by Ord 994 N.S.*

REPEALED BY  
MUNICIPAL CODE

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 September, 1949, 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 28, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

ATTEST

APPROVED:

Carroll Shannon  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

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REPEALED BY  
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 862 N. S. OF THE CITY OF MODESTO BY INCORPORATING AND DELETING NEW AMENDMENTS OF THE CALIFORNIA STATE SALES AND USE TAX LAW.

WHEREAS, Ordinance No. 862 N. S. of the City of Modesto incorporates by reference provisions of the "California Sales and Use Tax Law" as amended and in force and effect on January 1, 1948, and

WHEREAS, said California Sales and Use Tax Law has been amended by the Legislature of the State of California and it is necessary and essential that Ordinance No. 862 N. S. of the City of Modesto be immediately amended so that said Ordinance may function without interruption.

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

SECTION 1. Section 3 of Ordinance No. 862 N. S. of the City of Modesto, being an ordinance entitled "An Ordinance of the City of Modesto Imposing a License Tax for the Privilege of Selling Tangible Personal Property at Retail, Providing for Permits to Retailers, Providing for the Collecting and Paying of Such Tax, and Prescribing Penalties for Violation of the Provisions Thereof" is hereby amended to read as follows:

Section 3. Adoption of State Sales Tax Law by Reference. Exceptions. All of the provisions of the "Sales and Use Tax Law" as amended and in force and effect on October 1, 1949, except the provisions thereof pertaining solely to the "Use Tax" and Sections 6006, 6051, 6052, 6053, 6066, 6067, 6068, 6069, 6070, 6071, 6451, 7052, 7056, 7057, 7101, 7102, 7103, 7151, 7152, 7153, applicable to sales or purchases of property at retail, are hereby adopted and made a part of this ordinance as though fully set forth herein, and all provisions of any other ordinance in conflict therewith are inapplicable to this ordinance and the tax hereby imposed; provided however, the term "gross receipts," as used herein, does not

1 include the amount of any tax imposed by the State of California  
2 upon or with respect to retail sales whether imposed upon the  
3 retailer or upon the consumer.

4 All of the provisions of the "Sales and Use Tax Law" hereby  
5 adopted, providing for the adoption of rules and regulations and for  
6 hearings on the part of the State Board of Equalization, shall be  
7 performed by the City Council of the City of Modesto. All other  
8 provisions of the "Sales and Use Tax Law" hereby adopted, providing  
9 for the performance of official action on the part of the State  
10 Board of Equalization shall be performed by the City Auditor.

11 The City of Modesto shall be deemed substituted for the  
12 State of California whenever the State is referred to in said  
13 "Sales and Use Tax Law."

14 The City Attorney of the City of Modesto shall be deemed sub-  
15 stituted for the Attorney General whenever the Attorney General is  
16 referred to in said "Sales and Use Tax Law."

17 The City Auditor shall be deemed substituted for the State  
18 Controller and State Board of Control whenever the State Controller  
19 or State Board of Control are referred to in said "Sales and Use  
20 Tax Law."

21 The County of Stanislaus shall be deemed substituted for the  
22 County of Sacramento whenever the County of Sacramento is referred  
23 to in said "Sales and Use Tax Law."

24 SECTION 2. The Council of the City of Modesto hereby finds  
25 and declares that the immediate operation of the provisions of this  
26 Ordinance is necessary for the preservation of the public peace,  
27 health and safety, and this Ordinance shall therefore be in full  
28 force and effect from and after October 1, 1949.

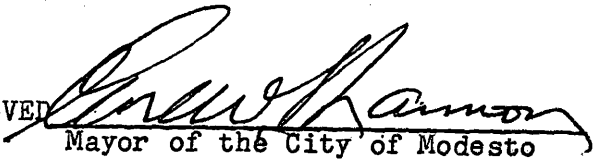
29 SECTION 3. This ordinance shall be published in full at  
30 least once at least three days prior to its final adoption in the  
31 Modesto Bee, the official newspaper of the City of Modesto.  
32

1 The foregoing Ordinance was introduced at a special meeting  
2 of the City Council of the City of Modesto held on the 21st day of  
3 September, 1949, by Councilman Stanley who moved its adoption  
4 and passage to print, which motion being duly seconded by  
5 Councilman Wilson was upon roll call sarried, and the  
6 Ordinance ordered printed and published as above by the following  
7 vote:

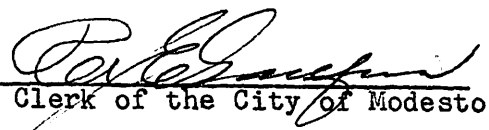
8 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

9 NOES: Councilmen: None

10 ABSENT: Councilmen: None

11  
12 APPROVED   
13 Mayor of the City of Modesto

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16 ATTEST:

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18 City Clerk of the City of Modesto

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21 1 time  
22 250 copies  
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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and order-  
4 ed printed and published at a special meeting of the Council of the  
5 City of Modesto held on the 21st day of September, 1949, 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 September 28, 1949, it was upon roll call so finally  
9 adopted by the following vote:

10 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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15 APPROVED: *Paul Shannon*  
MAYOR

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18 ATTEST: *M. E. [Signature]*  
CITY CLERK

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SPECIAL  
NOT IN CODE

AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF MODESTO AND THE BOARD OF ADMINISTRATION, CALIFORNIA STATE EMPLOYEE'S RETIREMENT SYSTEM, PROVIDING FOR THE PARTICIPATION OF SAID CITY OF MODESTO IN SAID STATE EMPLOYEE'S RETIREMENT SYSTEM MAKING THE EMPLOYEES OF SAID CITY OF MODESTO MEMBERS OF SAID SYSTEM.

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

SECTION 1. The Council of the City of Modesto on behalf of said City is hereby authorized and empowered to enter into a contract with the Board of Administration of the "State Employee's Retirement System" for the purpose of placing the employees of said City, under the "State Employee's Retirement System" of the State of California. Said contract shall be subject to and in accordance with the provisions of the "State Employee's Retirement Act" of the State of California.

SECTION 2. The Mayor and City Auditor are hereby authorized and directed for and on behalf of the City of Modesto and as its corporate act and deed, and under its corporate name and seal, to make, execute and deliver an agreement, in writing, to said Board of Administration, California State Employee's Retirement System, which agreement shall be subject to, and in conformity with the provisions of said "State Employee's Retirement Act."

SECTION 3. Nothing contained herein shall be construed to change, affect or in any way modify the existing contract between the City of Modesto and the Board of Administration, California State Employee's Retirement System providing for the participation of the Modesto Police and Fire Departments in the California State Employee's Retirement System.

SECTION 4. This ordinance shall take effect when it has been approved by a majority vote of the qualified electors who vote thereon.

SIGNED

*Text*

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1 State of California )  
County of Stanislaus ) ss  
2 City of Modesto )

3 I, Rex E. Gailfus, Clerk of the City of Modesto, do hereby  
4 certify that the foregoing ordinance was duly placed upon the  
5 ballot in the Special Municipal Election held November 8, 1949,  
6 and that a subsequent canvass of the returns of said election,  
7 reference being made to Resolution No. 8662-N.S. showed the said  
8 ordinance to be adopted by the following vote:

9 FOR ITS ADOPTION 3864 votes

10 AGAINST ITS ADOPTION 1734 votes

11 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
12 the official seal of the City of Modesto this 23rd day of November,  
13 1949.

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16 CLERK OF THE CITY OF MODESTO

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Amended by  
Ord 997 N.S.

1 AN ORDINANCE REGULATING SALES OF JEWELRY AT PUBLIC AUCTION IN THE  
2 CITY OF MODESTO, CALIFORNIA.

CODE SEC.  
NO. 4-7.701  
4-7.713

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

5 SECTION 1. The following words and phrases when used  
6 in this ordinance shall have the meaning hereinafter specified,  
7 unless a different meaning clearly appears from the context.

8 (a) "Jewelry" shall include platinum, gold, silver,  
9 plated ware, precious stones, semi-precious stones, watches, clocks  
10 and other articles of jewelry.

11 (b) "Auction", "public auction" and "auction sale" shall  
12 mean and include a sale or offering for sale of any jewelry as herein-  
13 above defined to the highest bidder in any building, or in or on  
14 any street or alley, private premises, or in any other place, where  
15 any and all persons who choose are permitted to attend and offer  
16 bids.

17 SECTION 2. It shall be unlawful for any person, firm  
18 or corporation to sell, offer for sale or advertise for sale at  
19 public auction in the City of Modesto any jewelry as hereinabove  
20 defined. Provided, however, that any person, firm or corporation  
21 who has been engaged in the business of selling such jewelry at  
22 retail in the City of Modesto continuously for a period of not  
23 less than one year, may obtain a permit as hereinafter provided,  
24 to conduct a public auction of such articles for the purpose of  
25 disposing of his stock on hand and of closing out his business. Any  
26 such person, firm or corporation so obtaining such permit shall be  
27 subject to all the regulations and restrictions contained in this  
28 ordinance.

29 SECTION 3. The applicant for a permit to conduct a  
30 public auction of jewelry shall make application therefor not less  
31 than thirty days previous to the intended auction to the City Clerk  
32 of the City of Modesto, and at the time of such application shall

1 pay a minimum filing fee of Twenty five Dollars (\$25.00) provided,  
2 that if the net inventory exceeds the sum of Five thousand Dollars  
3 (\$5000.00) then, in that event, the fee shall be Twenty five Dollars  
4 (\$25.00) plus Five Dollars (\$5.00) for each One thousand Dollars  
5 (\$1000.00) or fraction thereof of net inventory exceeding Five  
6 Thousand Dollars (\$5000.00). Such application shall be in writing  
7 on forms provided by the City Clerk and under oath, showing all  
8 the facts in regard to the closing out of applicant's business, and  
9 showing all the facts in regard to conducting the sale at public  
10 auction and the place of conducting the same, including an inventory  
11 of the goods, wares and merchandise to be sold at said proposed sale,  
12 the quality, quantity and grade of each item, the wholesale value  
13 thereof, and a statement of the names of the persons from whom the  
14 jewelry so to be sold were obtained, the date of the delivery of such  
15 jewelry to the person applying for the permit, and the place from  
16 which such jewelry was last taken and all details necessary to fully  
17 identify the jewelry, together with such other information as may  
18 be required by the City Clerk. Such application shall specify the  
19 proposed period of time over which such proposed sales at public  
20 auction shall continue, which period shall not exceed thirty days,  
21 Sundays and legal holidays excluded. Provided, that if it shall be  
22 made to appear upon sworn application to the City Clerk at any time  
23 during said period of thirty days, that all the jewelry described and  
24 inventoried in the original application has not been sold, accompanied  
25 by a statement or inventory of what remains thereof, a permit sup-  
26 plemental to that provided for may be issued by said City Clerk  
27 upon the same terms and conditions as said original permit, granting  
28 authority to continue such sale for a further period of thirty days.

29           Upon receipt of such application, the City Clerk shall  
30 refer the same to the Chief of Police for investigation and report.

31           After receipt of the report of the Chief of Police,  
32 if the City Clerk shall be satisfied that applicant and the person

1 who is to conduct said proposed auction sale are of good moral  
2 character, that said proposed auction sale is for the purpose of  
3 disposing of applicant's stock in trade and closing out his business,  
4 that the jewelry proposed to be sold at public auction is a bona fide  
5 part of applicant's stock in trade and not secured, purchased or  
6 brought into his place of business for or in anticipation of said  
7 proposed sale, that neither applicant nor any of its officers,  
8 directors or members have violated this ordinance, and that the  
9 advertising and conducting of such sale will not be injurious to  
10 the peace, health, safety or welfare of the people of the City  
11 of Modesto, he may issue a revocable permit to the person, firm  
12 or corporation applying for the same to advertise and conduct a  
13 sale at public auction, upon the applicant's filing the bond herein-  
14 after provided for.

15           The making of any abnormal purchase by the applicant with-  
16 in a period of six months prior to the application for a permit under  
17 this ordinance shall prima facie be deemed made for the purpose of  
18 disposing of the same at such proposed public auction and shall be  
19 just cause for denial of the permit.

20           The City Clerk in considering the application and the  
21 attending facts shall exercise a reasonable and sound discretion in  
22 granting or denying the permit applied for.

23           SECTION 4. No such permit shall be granted until the  
24 applicant shall have filed with the City Clerk a surety bond in the  
25 sum of Two thousand five hundred dollars (\$2500.00), conditioned for  
26 the faithful performance of all the provisions of this ordinance and  
27 all other applicable ordinances of the City of Modesto and laws of  
28 the State of California pertaining to auctions and closing out sales,  
29 and shall also indemnify any purchaser at said public auction who  
30 suffers any loss by reason of any misrepresentations or deception  
31 made or practiced by applicant, his agents, servants or employees,  
32 either at the time of making said sale or through any advertisement

1 of any character whatsoever printed or circulated by the principal,  
2 his agents, servants or employees.

3 Such bond shall contain the further provisions that it  
4 inures to the benefit of any and all persons who may be damaged  
5 by reason of any failure on the part of the person or persons named  
6 therein to comply with the provisions of said bond, and that any per-  
7 son or persons so damaged may maintain an action thereon against the  
8 person or persons named in said bond, and the surety or sureties  
9 upon said bond, and that said bond may be sued and recovered upon  
10 in several actions until the whole penalty is exhausted.

11 In lieu of a bond executed by a surety corporation as  
12 aforesaid, the applicant may file a similar bond in the amount of Five  
13 thousand dollars (\$5000.00) executed by the applicant and two person-  
14 al sureties. Such sureties must be residents of the County of  
15 Stanislaus, State of California, and must own real property in said  
16 county of an assessed value of not less than the penalty of the bond,  
17 and must be worth at least the penalty of the bond over and above  
18 their just debts and liabilities, exclusive of property exempt from  
19 execution. The affidavit of each surety, setting out facts showing  
20 the qualifications of the sureties as aforesaid, must accompany the  
21 bond. Such bond is subject to the approval of the City Clerk.

22 SECTION 5. Whenever the City Clerk finds that the  
23 holder of a permit hereunder has violated any of the conditions or  
24 provisions of this ordinance, or any other ordinance or law per-  
25 taining to his operations, or that the permit was obtained by mis-  
26 representations, that he has failed to maintain the bond required by  
27 this ordinance, or that said auction is being conducted in a manner  
28 which will be injurious to the peace, health, safety or welfare of  
29 the people of the City of Modesto, he may revoke said permit upon  
30 giving the holder thereof forty-eight hours previous notice in  
31 writing by personal service upon him or upon the auctioneer conduct-  
32 ing said auction, or by mail addressed to him at his place of  
business in the City of Modesto, or the place where said auction is

1 being conducted as shown on his application. It shall be unlawful  
2 for any person, firm or corporation to conduct an auction sale as  
3 herein defined after his permit to do so shall have been revoked.

4 SECTION 6. Should any applicant or applicants be dis-  
5 satisfied with the action of the City Clerk not to grant a permit  
6 or for the revocation of a permit, then said applicant may make  
7 written objection to the Council of the City of Modesto, setting up  
8 the grounds of dissatisfaction. Upon the receipt of such objection,  
9 the Council shall set the matter for hearing at its next regular  
10 meeting giving written notice thereof to the applicant. Upon such  
11 hearing the City Council may sustain, suspend or overrule the de-  
12 cision of the City Clerk and its decision shall be final and con-  
13 clusive. Pending the hearing before the Council, the decision of the  
14 City Clerk shall remain in full force and effect and any reversal  
15 thereof by the City Council shall not be retroactive but shall take  
16 effect as of the date of the Council's decision.

17 SECTION 7. It shall be unlawful for the holder of a permit  
18 hereunder or for his agents, servants or employees to sell or offer  
19 for sale at auction any jewelry to which there is not attached a  
20 card or label containing a true and correct statement plainly  
21 written or printed in the English language specifying the kind and  
22 quality of metal of which such article is made or composed, or the  
23 percentage of karat or purity of such metals. If such articles are  
24 plated or overlaid, then such tag or label shall contain a true  
25 statement of the kind of plate. When precious stones are sold or  
26 offered for sale at auction, as such or as part of an article of  
27 jewelry, such statement shall set forth the true name of said stones.  
28 When imitations of precious or semi-precious stones are offered for  
29 sale or sold at auction, as such or as part of an article of jewelry,  
30 said imitations shall be described or defined as synthetic or  
31 imitations of such stones as they purport to represent. When watches  
32 or clocks are sold or offered for sale at public auction the true

1 names of the manufacturers shall be stated in writing and no parts  
2 of the movements or mechanism thereof shall be substituted or con-  
3 tain false or misleading names or trade marks, neither shall second-  
4 hand or old movements be offered for sale in new cases without a true  
5 statement to that effect. Used and rebuilt watches shall be so  
6 indicated. Such card, tag or label shall remain securely attached  
7 to any such article of merchandise, shall be delivered to the  
8 purchaser as a true and correct description and representation of  
9 the article sold and shall be deemed prima facie evidence of  
10 intent to defraud in case such written statement is not a true and  
11 correct description or representation of such article sold.

12 SECTION 8. No article of jewelry shall be sold or  
13 offered for sale or advertised for sale at public auction which is  
14 an addition to the stock on hand of the holder of a permit hereunder  
15 or which is not included in the inventory filed with the City Clerk  
16 with the application for a permit hereunder.

17 SECTION 9. It shall be unlawful for any permittee, his  
18 agents, servants, or employees to make any statements which are  
19 false in any particular, or which have a tendency to mislead, or to  
20 make any misrepresentations whatsoever with reference to any article  
21 of jewelry sold or offered for sale at public auction.

22 SECTION 10. It shall be unlawful for any auctioneer or for  
23 any person, firm or corporation conducting a sale of jewelry at  
24 public auction to use any person as a false bidder for the purpose  
25 of increasing the price of any article offered for sale at such  
26 auction.

27 It shall be unlawful for any person to make or offer a  
28 false bid or any other than a bona fide bid at a public auction or  
29 to act as a by-bidder or what is commonly known as a "capper",  
30 "booster" or "shiller" at any auction, or falsely to pretend to buy  
31 any jewelry at an auction sale.

32 SECTION 11. (a) It shall be unlawful for any

1 auctioneer, person, firm or corporation conducting an auction  
2 sale, or its agents, servants or employees to ring a bell or cause  
3 or permit the same to be rung in or about the front of the premises,  
4 or in any place on or near said premises where the same may be  
5 heard on the public street or sidewalk in front of said premises  
6 where there is conducted an auction sale, before, after or during  
7 such sale for the purpose of attracting the public to such auction  
8 sale.

9 (b) It shall be unlawful for any auctioneer, person,  
10 firm or any corporation conducting an auction sale, or its agents,  
11 servants or employees, to use a searchlight or similar light or to  
12 solicit or permit the soliciting by music, singing or loud or  
13 unusual noises to be made or done for the purpose of attracting  
14 the public to an auction sale.

15 SECTION 12. It shall be unlawful for any person, firm or  
16 corporation to conduct or allow, permit or suffer to be conducted,  
17 any auction sale between the hours of 6:00 P. M., of any day and  
18 8:00 A. M., of the following day.

19 SECTION 13. Nothing in this ordinance contained shall  
20 apply to any public officer or officer of any court, who in pursuance  
21 of his duty as such officer, shall conduct within the City of  
22 Modesto an auction sale pursuant to any law of the State of California  
23 or of the United States of America, or the lawful order of any court,  
24 nor to the sale or offering for sale of unredeemed pledges or  
25 chattels in the manner provided by law, by pawnbrokers, loan companies  
26 or others, the sale or offering for sale for the purpose of satisfying  
27 a lien, or any other sale or offering for sale at auction where  
28 the same is specifically authorized or provided by law.

29 SECTION 14. Any ordinance or portions of ordinances of  
30 the City of Modesto in conflict herewith are expressly repealed  
31 insofar as said ordinances or portions of ordinances may pertain to  
32 the sale of jewelry as defined herein at public auction.

1 SECTION 15. Any person, firm or corporation violating  
2 any of the provisions of this ordinance shall be punishable by a  
3 fine not to exceed Five hundred dollars (\$500.00) or by imprisonment  
4 for a period not to exceed six months, or by both such fine and  
5 imprisonment. Each separate sale or offering for sale of jewelry  
6 at auction in violation of this ordinance shall constitute a  
7 separate offense hereunder.

8 SECTION 16. This Ordinance shall go into effect and be  
9 in full force and operation from and after fifteen (15) days after  
10 its final passage and adoption.

11 SECTION 17. This Ordinance shall be published in full  
12 at least once at least three days prior to its final adoption in  
13 the Modesto Bee, the official newspaper of the City of Modesto.

14 The foregoing ordinance was introduced at a <sup>regular</sup>~~regular~~  
15 meeting of the Council of the City of Modesto held on 13th  
16 October, 1949, by Councilman Frad, who moved its  
17 adoption and passage to print as aforesaid, which motion, being  
18 duly seconded by Councilman Burkner, was upon roll call  
19 carried and the Ordinance ordered published as above by the  
20 following vote.

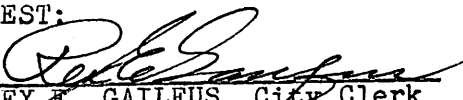
21 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

22 NOES: Councilmen: None

23 ABSENT: Councilmen: None

24  
25 APPROVED   
26 CARL W. SHANNON, Mayor

27 ATTEST:

28   
29 REX E. GAILFUS, City Clerk  
30  
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 13th day of October, 1949, 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 26, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*  
MAYOR

ATTEST: *[Signature]*  
CITY CLERK

SPECIAL  
NOTE IN CODE

AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF SEWER PIPE

---oOo---

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

SECTION 1. The sum of Twelve Thousand and no/100 (\$12,000.00 ) is hereby appropriated out of the General Fund of the City of Modesto for the purpose of purchasing sewer pipe for the Public Works 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 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 13th day of October, 1949 by Commissioner Burkner, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

- Ayes: Councilmen: Burkner, Frad, 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

SPECIAL  
NOTE IN CODE

C

1. FINAL ADOPTION CLAUSE

2.  
3. The foregoing ordinance having been introduced and ordered  
4. printed and published at a regular meeting of the Council of the  
5. City of Modesto held on the 13th day of October, 1949, 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 October 26, 1949, it was upon roll call so finally  
9. adopted by the following vote:

10. Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

11. Noes: Councilmen: None

12. Absent: Councilmen: None

13.  
14. APPROVED: *Charles Shannon*  
MAYOR

15.  
16. ATTEST: *Paul E. Saunders*  
CITY CLERK

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SPECIAL  
NOT IN CODE

IN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A PORTION OF  
THE RESUBDIVISION OF THOUSAND OAKS TRACT TO THE CITY OF MODESTO.

3  
4 WHEREAS, a petition dated the 27th day of September,  
5 1949, was filed with the City Clerk by Allan D. Harris, Idamae  
6 Harris, D. J. Scott, Luella V. Scott, Lew Muth, Esther N. Muth,  
7 Clarence R. Johnson, Birdella E. Johnson, Homer H. Fair and  
8 Margaret J. Fair for the annexation of uninhabited territory under  
9 the Uninhabited Territory Act of 1939 as amended, and

10 WHEREAS, the City Council by Resolution passed on the  
11 28th day of September, 1949, set said petition for hearing for the  
12 hour of 4 o'clock P. M. on the 19th day of October, 1949, in the  
13 Council Chambers of the City Hall of the City of Modesto, and

14 WHEREAS, at said time and place no objectors appeared to  
15 oppose said petition, now, therefore,

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

18 SECTION 1. That the petition of Allan D. Harris, Idamae  
19 Harris, D. J. Scott, Luella V. Scott, Lew Muth, Esther N. Muth,  
20 Clarence R. Johnson, Birdella E. Johnson, Homer H. Fair and  
21 Margaret J. Fair be and the same is hereby granted and the  
22 territory described in said petition is hereby annexed to and  
23 made a part of the City of Modesto.

24 SECTION 2. That said annexation is subject to the re-  
25 quirements of that certain Resolution heretofore passed on the 9th  
26 day of May, 1945, and entitled "A Resolution Establishing Policy  
27 for Annexation of Territory to the City of Modesto."

28 SECTION 3. That the area of territory so annexed is a  
29 portion of the Resubdivision of Thousand Oaks Tract and is located  
30 in the County of Stanislaus, State of California, and contiguous  
31 to the City of Modesto, described as follows:  
32

1 All that certain lot, piece or parcel of land situated  
2 in the County of Stanislaus, State of California, and  
3 bounded and particularly described as follows:

4 Beginning at a point on the existing City Limits and on  
5 the East quarter quarter section line of Section 28,  
6 Township 3 South, Range 9 East, M.D.B. & M., said point  
7 being the Northwest corner of the Las Palmas Tract as  
8 filed for record on February 20, 1930, Volume 11 of Maps,  
9 at Page 16, Stanislaus County Records and also the  
10 Northeast corner of the La Loma Tract as filed for record  
11 on August 8, 1934, Volume 11, Page 25 of Maps, Stanislaus  
12 County Records and on the West line of Lot 1 of Block  
13 2173 of the Resubdivision of Thousand Oaks Tract, as  
14 filed for record on June 12, 1946 in Volume 14 of Maps  
15 at page 63, Records of Stanislaus County; thence North 0°  
16 31' 30" West 30 feet to the true point of beginning;  
17 thence along the North line of Lots 1, 2, 3, 4 and 5 of the  
18 aforesaid Block 2173 the following courses and distances:  
19 North 64° 26' East 224.99 feet to the Westerly corner of  
20 Lot 3; thence North 47° 33' 30" East 100 feet; thence  
21 North 65° 04' 30" East 176.99 feet; thence North 58° 31'  
22 30" East 83.01 feet to the Northerly corner of Lot 5 of  
23 the aforesaid Block 2173; thence along the Northeast  
24 boundary of said Lot 5, South 43° 17.7' East 228.13 feet  
25 to the East corner of said Lot 5; thence along the North-  
26 west boundary of Edgebrook Drive 686.00 feet following a  
27 series of curves, as indicated on the aforesaid map of the  
28 Resubdivision of the Thousand Oaks Tract to the South corner  
29 of the aforesaid Lot 1; thence continuing along the North  
30 line of Encina Avenue to the East boundary of the aforesaid  
31 La Loma Tract, being on the East line of the existing City  
32 Limits; thence following the East boundary of said La Loma  
Tract, which line is also the existing City Limit Line,  
North 0° 11' 40" East 364.63 feet to the Northeast corner  
of said La Loma Tract; thence continuing along the existing  
City Limit line and along the North boundary of the La  
Loma Tract North 89° 20' West 491.13 feet to the center  
line of Beard Brook; thence Northeasterly along said  
center line of Beard Brook, which line is also the  
existing City Limit line, to a point on the East  
quarter quarter section line of said Section 28; thence  
Southerly along said East quarter quarter section line  
to the true point of beginning.

SECTION 4. 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.

SECTION 5. This Ordinance shall be published in full at  
least once in the Modesto Bee, the Official newspaper of the City  
of Modesto at least three days prior to its final passage and  
adoption.

The foregoing Ordinance was introduced at a special  
meeting of the Council of the City of Modesto held on the 19th day

1 of October, 1949, by Councilman Frad who moved its  
2 adoption and passage to print which motion being duly seconded  
3 by Councilman Burkner was upon roll call carried by the  
4 following vote:

5 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
6 NOES: Councilmen: None  
7 ABSENT: Councilmen: None  
8  
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10  
11 APPROVED Carl W. Shannon  
12 CARL W. SHANNON, Mayor  
13

14 ATTEST:

15 Rex W. Gailfus  
16 REX W. GAILFUS, City Clerk  
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20 1 Time

21 50 copies  
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and ordered  
3 printed and published at a special meeting of the Council of the  
4 City of Modesto held on the 19th day of October, 1949, and sub-  
5 sequently 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 October 26, 1949, it was upon roll call so finally  
8 adopted by the following vote:

9 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12  
13 APPROVED:   
14 MAYOR

15  
16 ATTEST:   
17 CITY CLERK

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SPECIAL  
NOT IN  
CODE

ORDINANCE NO 916 N.S.

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

---oOo---

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

SECTION 1. 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:

- 67 used batteries
- 1 ~~1932~~ one and one-half ton 1932 Chevrolet truck
- 30 used tires
- approximately 6 tons cast iron
- approximately 10 tons of steel
- 1 used Addressograph Machine, model 2900
- 12,000 red common brick
- 800 pounds of copper

SECTION 2-Sale shall be made at public auction at 1107 Eighth Street, City Machine Shop, 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 3- 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 4- The foregoing ordinance shall be published in full at least once at least three days prior to its final adoption

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

2  
3 The foregoing ordinance was introduced at a regular meeting  
4 of the Council of the City of Modesto held on the 23rd day of November  
5 1949 by Councilman Wilson who moved its adoption, and passage  
6 to print as aforesaid; which motion being duly seconded by  
7 Councilman Frad it was upon roll call carried and the  
8 ordinance ordered printed and published as above by the following  
9 vote:

10 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: none

12 Absent: Councilmen: none

13  
14 APPROVED: Carl W. Shannon  
CARL W. SHANNON, MAYOR

15  
16  
17 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 ordered  
4 printed and published at a regular meeting of the Council of the  
5 City of Modesto held on the 23rd day of November, 1949, 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 December 14, 1949, it was upon roll call so finally  
9 adopted by the following vote:

10 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
11 Noes: Councilmen: None  
12 Absent: Councilmen: None

13  
14 APPROVED: Carl W. Shannon.  
CARL W. SHANNON, MAYOR

15  
16 ATTEST: REX E. GAILFUS  
17 REX E. GAILFUS, CITY CLERK  
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Amended  
by ORD -

1 AN ORDINANCE AMENDING ORDINANCE NO. 901 N. S. OF THE CITY OF  
2 MODESTO AND PERMITTING THE INSTALLATION OF GARBAGE DISPOSAL UNITS  
3 AND/OR GARBAGE GRINDERS  
4

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

6 SECTION 1. Section 10 of Ordinance No. 901 N. S. of the  
7 City of Modesto entitled "AN ORDINANCE PROVIDING FOR THE PRO-  
8 TECTION OF THE PUBLIC HEALTH AND SAFETY, AND THE EXAMINATION,  
9 REGISTRATION, LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF  
10 PLUMBING, OR LABORING AT THE TRADE OF PLUMBING REQUIRING A PERMIT  
11 FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE  
12 SYSTEMS; CREATING THE OFFICE OF PLUMBING OFFICIAL AND A BOARD OF  
13 PLUMBER EXAMINERS AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN  
14 TERMS; ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION,  
15 ALTERATION, OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND  
16 INSPECTION THEREOF; PROVIDING PENALTIES FOR ITS VIOLATION AND  
17 REPEALING CONFLICTING ORDINANCES," is hereby amended as follows:

18 Section 10. That paragraph "d" be added to Section 303,  
19 Chapter III to read as follows: A special permit may be issued  
20 to any appliance dealer to install appliances which require  
21 connection to the water distribution systems; such as, Evaporative  
22 Coolers, Air Conditioners, Water Softeners, Automatic and Non-  
23 Automatic Clothes Washers, Dish Washers, or any other appliance  
24 not regularly classed as plumbing fixtures which are approved by  
25 the City Engineer and/or the Plumbing Official, and which will  
26 not contaminate or pollute the potable water system by reason of  
27 such installation; and provided further that all such appliance  
28 dealers shall have passed a satisfactory examination, or have in  
29 their employ such person or persons who shall have passed such  
30 examination and have issued to them a Certificate of Competency  
31 by the Board of Plumber Examiners. The issuance of such permit  
32 shall not be construed as allowing the installation of any waste

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MUNICIPAL CODE

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1 pipe beyond the opening to receive the fixture trap, and no trap  
2 or piping shall exceed a distance of two (2) feet from the vent  
3 pipe serving such trap

4 SECTION 2. Section 19 of said Ordinance No. 901 N. S.  
5 is hereby repealed

6 SECTION 3. This Ordinance shall go into effect and be  
7 in full force and operation from and after fifteen (15) days after  
8 its final passage and adoption.

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

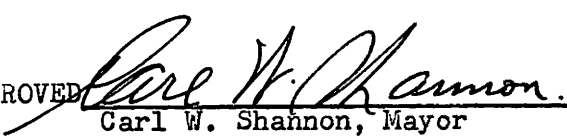
12 The foregoing Ordinance was introduced at a regular  
13 meeting of the Council of the City of Modesto held on the 23rd  
14 day of November, 1949, by Councilman Wilson, who moved  
15 its adoption and passage to print as aforesaid, which motion  
16 being duly seconded by Councilman Burkner, it was upon roll  
17 call carried and the Ordinance ordered published and printed as  
18 above by the following vote:

19 AYES: Councilmen: Burkner Frad, Stanley, Wilson, Mayor Shannon


20 NOES: Councilmen: None

21 ABSENT: Councilmen: None

22  
23 APPROVED

  
Carl W. Shannon, Mayor

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25 ATTEST:

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27 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 23rd day of November, 1949, 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 14, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, 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

CODE SEC.  
NO. 5-3.05  
5-3.06

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ORDINANCE NO. 918 N. S.

AN ORDINANCE REPEALING SECTION 2 AND SECTION 3 OF ORDINANCE NO. 765 N. S. AND SECTION 4 OF ORDINANCE NO. 658 N. S., AND AMENDING SECTION 5 AND SECTION 6 OF ORDINANCE NO. 658 N. S. OF THE CITY OF MODESTO

Changing inspection fees on distributors of market milk.

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

SECTION 1. Section 2 of Ordinance No. 765 N. S. is hereby repealed, and Section 5 of Ordinance No. 658 N. S. is hereby amended to read as follows:

"SECTION 5. Every person engaged in the processing of market milk shall pay an inspection fee to the City Treasurer of the City of Modesto. Said inspection fees are hereby fixed as follows:

Every milk distributor under the supervision of the Modesto Approved Milk Inspection Service shall pay to the City Treasurer of the City of Modesto a monthly inspection fee of one and three-tenths mills per gallon on all market milk; provided, however, such inspection fees shall not be less than \$10.00 per month."

SECTION 2. Section 3 of Ordinance No. 765 N. S. is hereby repealed, and Section 6 of Ordinance No. 658 N. S. is hereby amended to read as follows:

"SECTION 6. The inspection fee required to be paid by the milk distributor shall be payable in advance and shall be transmitted to the City Treasurer on or before the 20th day of each calendar month for the preceding calendar month. The milk distributor shall at the time of remitting such inspection fee transmit a written report giving the total gallons of market milk handled.

Every inspection fee required by this article which has not been paid at the time it becomes delinquent shall thereupon have added thereto a penalty equal to ten per cent (10%) of the delinquent fee and an additional ten per cent (10%) of the delinquent fee shall be added for each month or fraction thereof thereafter during such delinquency until the fee and penalty are fully paid. Non-payment of any delinquent inspection fee due shall constitute cause for suspension or revocation of any permit issued."

SECTION 3. Section 4 of Ordinance No. 658 N. S. is hereby repealed.

SECTION 4. This ordinance shall go into effect and shall be in full force and operation from and after 15 days after its final passage and adoption.


1 SECTION 5. This ordinance shall be published in full at least  
2 once at least three (3) days prior to its final adoption in the  
3 Modesto 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 14  
7 day of December, 1949, by Councilman Stanley who  
8 moved its adoption and passage to print, which motion being  
9 duly seconded <sup>by Commissioner Frad</sup> was upon roll call carried, and the ordinance  
10 ordered printed and published as above by the following vote:  
11

12 AYES: COUNCILMEN: BURKNER, FRAD, Stanley, Wilson, Mayor Shannon  
13

14 NOES: COUNCILMEN: None  
15

16 ABSENT: COUNCILMEN: None  
17

18 APPROVED:   
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Mayor

21 ATTEST:  
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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 December, 1949 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 28, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:   
ACTING MAYOR

ATTEST:   
CITY CLERK

1 AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT  
2 AND AMENDING ZONING ORDINANCE NO. 700 N./S. BY ADDING ADDITIONAL  
3 MAP.

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

6 SECTION 1. That certain area heretofore annexed to the  
7 City of Modesto commonly referred to as a portion of Lot 3 of  
8 the Rice Colony be and the same is hereby established as R-2  
9 2 Family Residence District, Said territory is located in the City  
10 of Modesto, County of Stanislaus, State of California, and described  
11 as follows:

12 All that certain lot, piece or parcel of land  
13 situated in the County of Stanislaus, State of  
14 California and bounded and particularly described  
15 as follows:

16 All of the Northwest 1/4 of Lot 3 of the Rice Colony  
17 and the Northerly 1.28 feet of the Southwest 1/4  
18 of Lot 3 of said Rice Colony, as filed for record  
19 on February 19, 1904, Page 54, Volume 1 of Maps,  
20 Stanislaus County Records.

21 SECTION 2. The Zoning Ordinance of the City of Modesto,  
22 being Ordinance No. 700 N. S. is hereby amended by annexing thereto  
23 that certain map entitled "Land Use District Map No. 3E", a  
24 copy of which is hereto annexed and said Map is hereby incorporated  
25 into said Zoning Ordinance.

26 SECTION 3. This Ordinance shall go into effect and be in  
27 full force and operation from and after fifteen (15) days after  
28 its final passage and adoption.

29 SECTION 4. This Ordinance shall be published in full at  
30 least once in the Modesto Bee, the official newspaper of the City  
31 of Modesto at least three days prior to its final passage and  
32 adoption.

The foregoing ordinance was introduced at a ~~regular~~ meeting  
of the Council of the City of Modesto held on the 28th day of  
December, 1949, by Councilman Frad, who moved its adoption

1 and passage to print which motion being duly seconded by  
2 Councilman Wilson was upon roll call carried by the  
3 following vote:

4 AYES: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Mayor Shannon

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8 APPROVED Carl W. Shannon  
9 Carl W. Shannon, Mayor

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11 ATTEST:

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14 Rex E. Gailfus  
15 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 28th day of December, 1949, 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 11, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

1 AN ORDINANCE PROVIDING FOR THE PARKING OF MOTORCYCLES IN THE CITY  
2 OF MODESTO AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID  
3 ORDINANCE.

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

7 SECTION I: It shall be illegal for the operator of any  
8 motorcycle to park the same in the City of Modesto except in  
9 spaces designated as parking space for motorcycles only. No more than  
10 three (3) motorcycles shall be parked in any such designated space.  
11 The spaces to be used solely for motorcycles shall be designated  
12 by the Chief of the Police Department of the City of Modesto. It  
13 shall be illegal for the operator of an automobile to park in  
14 spaces designated for parking of motorcycles.

15 SECTION II. The provisions of this ordinance shall not  
16 apply to the parking of motorcycles in residential areas.

17 SECTION III: For the purposes of this ordinance, a  
18 motorcycle is defined as a motor vehicle, other than a power cycle,  
19 or a tractor, designed to travel on not more than three wheels in  
20 contact with the ground.

21 SECTION IV: Any person, firm or corporation violating  
22 any of the terms of this ordinance shall be deemed guilty of a  
23 misdemeanor and upon conviction thereof shall be punishable by a  
24 fine or not to exceed Five hundred and no/100 (\$500.00) Dollars or  
25 by imprisonment in the City or County Jail for a period of not to  
26 exceed six (6) months, or by both such fine and imprisonment.

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

30 SECTION VI: This Ordinance shall be published in full  
31 at least once in the Modesto Bee, the official newspaper of the City  
32 of Modesto at least three days prior to its final passage and

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1 adoption.

2 The foregoing Ordinance was introduced at a special  
3 meeting of the Council of the City of Modesto held on the 18th  
4 day of January, 1950, by Councilman Stanley, who  
5 moved its adoption and passage to print, which motion being duly  
6 seconded by Councilman Wilson was upon roll call carried by  
7 the following vote:

8 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

9 NOES: Councilmen: None

10 ABSENT: Councilmen: None

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12 APPROVED: Carroll Shannon  
13 Mayor of the City of Modesto

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16 ATTEST:

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18 City Clerk  
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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and order-  
4 ed printed and published at a special meeting of the Council of the  
5 City of Modesto held on the 18th day of January, 1950, and subsequent-  
6 ly printed and published as required by the Charter of the City of  
7 Modesto, and coming on for final adoption at the regular meeting of  
8 January 25, 1950, it was upon roll call so finally adopted by the  
9 following vote:

10 Ayes: Councilmen: Stanley, Frad, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Burkner and Wilson

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14 APPROVED:   
CARL W. SHANNON, MAYOR

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17 ATTEST:   
18 REX E. GAILFUS, CITY CLERK

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REPELLED BY  
MUNICIPAL CODE

ORDINANCE NO. 921-N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 344-N.S. OF THE CITY OF MODESTO BY ADDING A NEW SECTION ENTITLED SECTION IV A AND REGULATING SELF SERVICE GASOLINE STATIONS.

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

SECTION L. Ordinance No. 344-N.S. of the City of Modesto entitled "AN ORDINANCE REGULATING THE ERECTION, INSTALLATION OR ESTABLISHMENT OF OIL SERVICE STATIONS OR GAS STATIONS OR GASOLINE CURB PUMPS WITHIN THE CITY OF MODESTO" is hereby amended by adding a new section to be designated Section IV A to read as follows:

SECTION IV A-SELF SERVICE GASOLINE STATIONS

(1) "Self service" shall mean the dispensing or obtaining of flammable liquid from a filling or service station by any manner or method other than by the personal service and actual direct dispensing of said liquid solely by the operator of such station, his agents or employees.

(2) Self service station owners or operators shall make application to the City Council for a permit for the use, handling and sale of flammable liquids. It shall be unlawful for any person to operate a self service gasoline station without first having obtained a permit to do so.

(3) In addition to compliance with all regulations governing the construction, use and operation of conventional service stations, a permit shall be issued only upon the compliance with the following additional conditions and regulations:

(a) Nozzles on gas lines shall be equipped with "dead man" control valve and with vacuum operated overflow check valve.

(b) Pumps and facilities for delivery of gasoline shall be of a type approved by a recognized laboratory, and shall provide effective means to prevent public access to supplies and

1 gasoline during periods when the station operators, employees  
2 or authorized representatives are absent. The use of coin-  
3 operated self-service gasoline vending facilities is prohibited.

4 (c) One CO2 extinguisher of at least four (4)  
5 pounds size shall be placed at each pump island, in addition to the  
6 one CO2 extinguisher, of at least fifteen (15) pounds size which  
7 shall be maintained on the premises. Dry powder or other approved  
8 type of extinguisher may be substituted for CW2 extinguishers  
9 with the approval of the Chief of the Fire Department. Extinguish-  
10 ers shall be conspicuously located in a readily accessible place  
11 and shall be so distributed as to be immediately available in the  
12 event of fire. Extinguishers shall be kept full and in operating  
13 condition at all times, and shall be refilled immediately after  
14 use although only partly discharged.

15 (d) A control room shall be constructed and so de-  
16 signed that an operator within the control room will have an un-  
17 obstructed view of all pumps and operations at all times. The  
18 control room shall be equipped with a public address system and  
19 loud speakers capable of being heard at all pump islands. One male  
20 attendant over the age of eighteen (18) years shall be on duty in  
21 the control room at all times the station is open for business.  
22 The attendant shall constantly observe the operation of the station  
23 and be in readiness to shut off the power to any or all gasoline  
24 pumps in case of accident or fire. A two way communication system  
25 shall be provided to facilitate direct and individual communication  
26 between the control room and each island. A telephone shall be  
27 located in the control room. There shall be provided in the  
28 control room and on each island, a switch for the control of the  
29 gasoline pumps upon the islands. The switch control and island  
30 assembly shall be so arranged that the person in the control room  
31 can shut off the motors in the pumps on each island.

32 (e) There shall be not less than one attendant on  
duty for each six (6) pumps or fraction thereof open to the public.

1 Attendants shall be on duty continuously within a radius of thirty  
2 (30) feet of the pump islands while tanks are being filled. All  
3 attendants shall be instructed in the use of fire fighting appliances.

4 (f) It shall be unlawful for an attendant to permit  
5 service to persons who are smoking or who are under the influence  
6 of liquor.

7 (g) "No Smoking" and "Stop your Motor" signs with  
8 red letters on white background, shall be placed at each pump  
9 island and so located that they may be seen from both sides of the  
10 island.

11 (h) No building shall be located within twenty five  
12 (25) feet of any pump unless such buildings are of noncombustible  
13 materials

14 (i) No open flame device shall be located or  
15 permitted within twenty five (25) feet of any pump.

16 (j) No mops or rags used for cleaning shall be  
17 permitted on premises unless stored and kept in an all metal or  
18 metal lined container with a self closing lid.

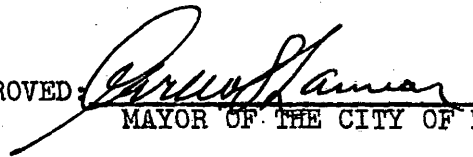
19 (k) The City Council shall revoke the permit for  
20 the operation of any self-service station which does not comply  
21 with the provisions of this ordinance, and for violation of any of  
22 the foregoing provisions.


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

26 SECTION III. This ordinance shall be published in full  
27 at least once in the Modesto Bee, the official newspaper of the  
28 City of Modesto at least three days prior to its final passage and  
29 adoption.

30 The foregoing ordinance was introduced at a special  
31 meeting of the Council of the City of Modesto held on the 18th day  
32 of January, 1950, by Councilman Stanley, who moved its adoption and  
passage to print, which motion being duly seconded by Councilman

1 Wilson, was upon roll call carried by the following vote:  
2 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
3 N oes: Councilmen: None  
4 Absent: Councilmen: None

5 APPROVED:   
6 MAYOR OF THE CITY OF MODESTO

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8 ATTEST:   
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10 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 18th day of January, 1950, 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 25, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner and Wilson

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT  
2 AND AMENDING ZONING ORDINANCE BY ADDING ADDITIONAL MAP.  
3

4 WHEREAS, hearings have been duly had before the Planning  
5 Commission of the City of Modesto and the recommendation of the  
6 Planning Commission having been regularly forwarded to the City  
7 Council of the City of Modesto and the City Council having con-  
8 sidered the recommendations of the Planning Commission and public  
9 hearings having been had by the City Council all as provided by  
10 law, now, therefore

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

12 SECTION 1. That certain area heretofore annexed to the  
13 City of Modesto commonly referred to as a portion of the re-sub-  
14 division of Thousand Oaks Tract situated in the City of Modesto,  
15 County of Stanislaus, State of California, described as follows:

16 All that certain lot, piece or parcel of land situated  
17 in the County of Stanislaus, State of California, and  
bounded and particularly described as follows:

18 Beginning at a point on the existing City Limits and on  
19 the East quarter quarter section line of Section 28,  
20 Township 3 South, Range 9 East, M.D.B. & M., said point  
21 being the Northwest corner of the Las Palmas Tract as  
22 filed for record on February 20, 1930, Volume 11 of Maps,  
23 at Page 16, Stanislaus County Records and also the  
24 Northeast corner of the La Loma Tract as filed for record  
25 on August 8, 1934, Volume 11, Page 25 of Maps, Stanislaus  
26 County Records and on the West line of Lot 1, of Block  
27 2173 of the Resubdivision of Thousand Oaks Tract, as  
28 filed for record on June 12, 1946 in Volume 14 of Maps  
29 at page 63, Records of Stanislaus County; thence North 0°  
30 31' 30" West 30 feet to the true point of beginning;  
31 thence along the North line of Lots 1, 2, 3, 4 and 5 of the  
32 aforesaid Block 2173 the following courses and distances:  
North 64° 26' East 224.99 feet to the Westerly corner of  
Lot 3; thence North 47° 33' 30" East 100 feet; thence  
North 65° 04' 30" East 176.99 feet; thence North 58° 31'  
30" East 83.01 feet to the Northerly corner of Lot 5 of  
the aforesaid Block 2173; thence along the Northeast  
boundary of said Lot 5, South 43° 17.7' East 228.13 feet  
to the East corner of said Lot 5; thence along the North-  
west boundary of Edgebrook Drive 686.00 feet following a  
series of curves, as indicated on the aforesaid map of the  
Resubdivision of the Thousand Oaks Tract to the South corner  
of the aforesaid Lot 1; thence continuing along the North  
line of Encina Avenue to the East boundary of the aforesaid  
La Loma Tract, being on the East line of the existing City

1 Limits; thence following the East boundary of said La Loma  
2 Tract, which line is also the existing City Limit Line,  
3 North 0° 11' 40" East 364.63 feet to the Northeast corner  
4 of said La Loma Tract; thence continuing along the existing  
5 City Limit line and along the North boundary of the La  
6 Loma Tract North 89° 20' West 491.13 feet to the center  
7 line of Beard Brook; thence Northeasterly along said  
8 center line of Beard Brook, which line is also the  
9 existing City Limit line, to a point on the East  
10 quarter quarter section line of said Section 28; thence  
11 Southerly along said East quarter quarter section line  
12 to the true point of beginning,

13 be and the same is hereby established and classified as R-1  
14 Single Family Residence District.

15 SECTION 2. The Zoning Ordinance of the City of Modesto,  
16 being Ordinance No. 700 N. S. is hereby amended by annexing thereto  
17 that certain map entitled "Use District Map 6B, City of  
18 Modesto" a copy of which is hereto annexed and said Map is hereby  
19 incorporated into said Zoning Ordinance.

20 SECTION 3. This Ordinance shall go into effect and be in  
21 full force and operation from and after fifteen (15) days after  
22 its final passage and adoption.

23 SECTION 4. This Ordinance shall be published in full at  
24 least once in the Modesto Bee, the official newspaper of the City  
25 of Modesto, at least three (3) days prior to its final passage  
26 and adoption.

27 The foregoing Ordinance was introduced at a regular meeting  
28 of the Council of the City of Modesto held on the ~~25th day of Jan-~~  
29 ~~uary~~, 1950, by Councilman Frad, who moved its passage  
30 and adoption to print, which motion being duly seconded by  
31 Councilman Stanley was upon roll call carried by the following  
32 vote:

AYES: Councilmen: Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Burkner and Wilson

APPROVED: Carl W. Shannon  
CARL W. SHANNON, Mayor of the  
City of Modesto

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 25th day of January, 1950, 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE MAKING IT UNLAWFUL FOR MINORS UNDER THE AGE OF 18  
2 YEARS, NOT ACCOMPANIED BY PARENT, GUARDIAN OR ADULT PERSON HAVING  
3 LEGAL CUSTODY OF SAID MINOR, TO WANDER OR BE UPON THE STREETS, ALLEYS  
4 AND PUBLIC PLACES IN THE CITY OF MODESTO BETWEEN THE HOURS OF  
5 11 O'CLOCK P. M. AND 5 O'CLOCK A. M. OF THE DAY IMMEDIATELY  
6 FOLLOWING; MAKING IT A MISDEMEANOR FOR ANY SUCH PARENT, GUARDIAN OR  
7 ADULT PERSON TO ALLOW SUCH MINOR, SO UNACCOMPANIED TO BE UPON SAID  
8 STREETS, ALLEYS AND PUBLIC PLACES, AND ALSO MAKING IT A MISDEMEANOR  
9 FOR ANY PERSON TO ASSIST, AID AND/OR ABET AND/OR ENCOURAGE ANY  
10 SUCH MINOR TO VIOLATE THE TERMS OF THIS ORDINANCE, AND REPEALING  
11 ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

12

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

14 SECTION 1. It shall be unlawful for any minor under the  
15 age of 18 years to be in or on any public street, alley, park, square  
16 or public place of said City of Modesto between the hours of 11  
17 o'clock P. M. and 5 o'clock A. M. of the day immediately following  
18 except where said minor is accompanied by a parent or legal  
19 guardian or adult person having legal control of said minor, or  
20 where the presence of said minor in said place or places is  
21 connected with and required by some legitimate business, trade,  
22 profession or occupation, in which said minor is lawfully engaged.

23 SECTION 2. Any person assisting, aiding, abetting or en-  
24 couraging any minor under the age of 18 years to violate the provi-  
25 sions of Section 1 hereof shall be guilty of a misdemeanor and  
26 shall be punishable accordingly, and when any minor is found  
27 violating the provisions of said Section 1, a presumption shall  
28 arise that the parent or legal guardian having the care and custody  
29 of the said minor assisted, aided and abetted and encouraged such  
30 minor in so violating said Section 1 hereof.

31 SECTION 3. Whenever any minor is arrested for violation  
32 of Section 1 of this ordinance, said minor so arrested shall

1 be taken forthwith to the Juvenile Detention Home, and the  
2 arresting officer shall immediately advise those in charge of said  
3 Detention Home when said minor is received at said Home of  
4 the reason for the arrest of said minor. It shall be the duty of  
5 those in charge of said Detention Home to immediately make every  
6 effort to locate the parents or guardian of said minor and advise  
7 said parents or guardian that said minor has been arrested and  
8 is detained in said Detention Home, as well as the reason for  
9 said arrest and detention. The arresting officer shall forward  
10 to the Juvenile Probation Officer at said Detention Home a copy  
11 of the arrest report, setting forth the circumstances of the  
12 arrest of said minor. Should the parents or guardian of any such  
13 minor arrested for the violation of Section 1 of this ordinance  
14 appear at the Juvenile Detention Home the Juvenile Probation  
15 Officer may, in the exercise of his discretion, release, any minor  
16 so arrested, to his or her parent or guardian, upon such terms  
17 and conditions as the Probation Officer deems proper.

18 SECTION 4. In the event said minor is not released as  
19 provided in Section 3 hereof, it shall be the duty of said  
20 Juvenile Probation Officer to cause to be issued and served upon  
21 the parent or guardian of any minor arrested pursuant to the  
22 provisions of this ordinance, a notice requiring said parent or  
23 guardian to appear before the Juvenile Court at a time and place  
24 to be specified in said notice not less than three days after  
25 the service of said notice to show cause why said parent or  
26 guardian should not be charged with a violation of Section 702 of  
27 the Welfare and Institutions Code of the State of California. Any  
28 person failing or neglecting to respond to any notice issued  
29 and served pursuant to the provisions of this ordinance or who  
30 shall otherwise violate any other provision of this ordinance,  
31 shall be guilty of a misdemeanor, regardless of the disposition  
32 of the charge on which he may have been cited to appear, and shall

1 be punished accordingly. Any notice to be served on the parent or  
2 guardian pursuant to the provisions of this ordinance, may be  
3 served personally on said person or the same may be deposited in  
4 the United States Post Office at Modesto, California, addressed  
5 to said parent or guardian at the place of residence of said  
6 parent or guardian, and with the proper amount of postage prepaid  
7 thereon, or the same may be left at the place of residence of  
8 said parent or guardian. If said notice is delivered personally  
9 to said parent or guardian, said service thereof shall be deemed  
10 complete upon the delivery thereof, but if said notice is served  
11 by mail or left at the place of residence of said parent or guardian,  
12 said service shall be complete at the expiration of two days  
13 after the date of mailing the same or leaving the same at the  
14 place of residence of said parent or guardian.

15 SECTION 5. Any person violating any of the provisions  
16 of this ordinance shall be guilty of a misdemeanor and upon  
17 conviction thereof shall be punishable by a fine of not more than  
18 Five hundred and no/100 (\$500.00) Dollars or by imprisonment in  
19 the County Jail for a term not exceeding three (3) months or by  
20 both such fine and imprisonment.

21 SECTION 6. Ordinance No. 691 N. S. and each and every  
22 ordinance and/or parts thereof in conflict with this ordinance  
23 is hereby repealed.

24 SECTION 7. This ordinance shall go into effect and be in  
25 full force and operation from and after 15 days after its final  
26 passage and adoption.

27 SECTION 8. This ordinance shall be published in full at  
28 least once at least three (3) days prior to its final passage  
29 and adoption in the Modesto Bee, the official newspaper of the  
30 City of Modesto.

31 SECTION 9. If any section, subsection, sentence, clause  
32 or phrase of this ordinance is for any reason declared to be un-

1 constitutional or invalid, such decision shall not affect the  
2 validity of the remaining portions of this ordinance. The  
3 Council hereby declares that it would have passed this ordinance  
4 and each section, subsection, clause or phrase thereof irres-  
5 pective of the fact that any one or more of the other portions  
6 thereof may hereafter be found or declared to be unconstitutional  
7 or invalid.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 25th  
10 day of January, 1950, by Councilman Stanley who moved  
11 its adoption and passage to print as aforesaid, which motion  
12 being duly seconded by Councilman Frad, was upon roll  
13 call carried, and the ordinance ordered printed and published  
14 as above by the following vote:

15 AYES: Councilmen: Stanley, Frad and Mayor Shannon

16 NOES: Councilmen: None

17 ABSENT: Councilmen: Burkner and Wilson

18  
19 APPROVED: Charles Shannon  
Mayor of the City of Modesto

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21 ATTEST:

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23 Patricia [Signature]  
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 January, 1950, 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, 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

SPECIAL  
NOT IN CODE

AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE BODEM AND TATUM TRACTS TO THE CITY OF MODESTO.

3           WHEREAS, application for annexation to the City of Modesto  
4 of a portion of the Bodem and Tatum Tracts has been filed with the  
5 City Council and hearings had been held thereon as required by  
6 law, and

7           WHEREAS, certain property owners within the said tract have  
8 objected to annexation and the matter has been duly considered by  
9 the Council of the City of Modesto, now, therefore,

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

11           SECTION 1. That the annexation of a portion of the Bodem  
12 and Tatum Tracts as described in Resolotion No. 8723 N.S. of the  
13 City of Modesto to which reference is hereby made is hereby  
14 disapproved.

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

18           SECTION 3. This Ordinance shall be published in full at  
19 least once in the Modesto Bee, the official newspaper of the City  
20 of Modesto at least three days prior to its final passage and  
21 adoption.

22           The foregoing Ordinance was introduced at a special meet-  
23 ing of the Council of the City of Modesto held on the 1st day of  
24 February 1950, by Councilman Stanley, who moved its adoption  
25 and passage to print, which motion being duly seconded by Councilman  
26 Wilson was upon roll call carried by the following votes:

27 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

28 NOES: Councilmen: None

29 ABSENT: Councilmen: None

30 APPROVED

*Carroll Shannon*  
Mayor of the City of Modesto

31 ATTEST:

32 *Carl S. Saffers*  
City Clerk

SPECIAL  
NOT IN CODE

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 1st day of February, 1950, 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, 1950, it failed of adoption upon roll call by the following vote:

Ayes: Councilmen: None

Noes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

APPROVED: [Signature]  
MAYOR

ATTEST: [Signature]  
CITY CLERK

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SPECIAL  
NOT IN CODE

AN ORDINANCE DISAPPROVING THE ANNEXATION OF A PORTION OF THE RICE AND TATUM TRACTS TO THE CITY OF MODESTO.

WHEREAS, application for annexation to the City of Modesto of a portion of the Rice and Tatum Tracts has been filed with the City Council and hearings had been held thereon as required by law, and

WHEREAS, certain property owners within the said tract have objected to annexation and the matter has been duly considered by the Council of the City of Modesto, now, therefore,

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

SECTION 1. That the annexation of a portion of the Rice and Tatum Tracts as described in Resolution No. 8725 N. S. of the City of Modesto to which reference is hereby made is hereby disapproved.

SECTION 2. 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.

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

The foregoing Ordinance was introduced at a special Meeting of the Council of the City of Modesto held on the 1st day of February, 1950, by Councilman Stanley, who moved its adoption and passage to print, which motion being duly seconded by Councilman Wilson was upon roll call carried by the following votes:

- AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon
- NOES: Councilmen: None
- ABSENT: Councilmen: None

ATTEST: [Signature]  
City Clerk

APPROVED [Signature]  
Mayor 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 1st day of February, 1950, 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, 1950, it failed of adoption upon roll call by the following vote:

Ayes: Councilmen: None

Noes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Absent: Councilmen: None

APPROVED: 

MAYOR

ATTEST: 

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SPECIAL  
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ORDINANCE NO. 926 N.S.

AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF VACUATOR FOR SEWAGE TREATMENT PLANT IMPROVEMENT

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

SECTION 1. The sum of Fifteen Thousand and no/100 (\$15,000) Dollars is hereby appropriated out of the General Fund of the City of Modesto for the purpose of purchasing one vacuator for sewage treatment plant improvement.

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 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 1st day of February, 1950 by Commissioner Frad, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Frad, 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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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 1st day of February, 1950 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. AND PROVIDING FOR THE  
 2 ZONING OF NEWLY ANNEXED TERRITORY, CHANGING USES PERMITTED, PROVIDING  
 3 FOR ZONING AND USES PERMITTED IN RESIDENTIAL AGRICULTURAL DISTRICT  
 4 AND REPEALING ORDINANCES IN CONFLICT THEREWITH.

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

7 SECTION 1. That hearings having been duly held before the  
 8 Planning Commission of the City of Modesto and the recommendation  
 9 of the Planning Commission having been regularly forwarded to the  
 10 City Council of the City of Modesto and the City Council having  
 11 considered the recommendations of the Planning Commission and public  
 12 hearings having been held by the City Council as provided by law,  
 13 Ordinance No. 700 N. S. of the City of Modesto, being the Zoning  
 14 Ordinance entitled as follows: "AN ORDINANCE OF THE CITY OF  
 15 MODESTO, STATE OF CALIFORNIA, ADOPTING A LAND USE PLAN, BEING A  
 16 DISTRICTING PLAN, AS A PART OF THE MASTER PLAN OF SAID CITY;  
 17 SPECIFYING THE PURPOSES AND THE EFFECT OF THE ADOPTION OF SAID PLAN  
 18 WHEREBY VARIOUS DISTRICTS ARE ESTABLISHED IN SAID CITY: SPECIFYING  
 19 THE USES OF LAND AND OF BUILDINGS PERMITTED IN SAID DISTRICTS;  
 20 ESTABLISHING CERTAIN HEIGHT LIMITS OF BUILDINGS WITHIN SAID DISTRICTS;  
 21 REQUIRING CERTAIN YARDS AND OTHER OPEN SPACES WITHIN SAID DISTRICTS;  
 22 PRESCRIBING REGULATIONS FOR THE ERECTION, CONSTRUCTION, LOCATION,  
 23 ALTERATION AND MAINTENANCE OF BUILDINGS, STRUCTURES AND OTHER IM-  
 24 PROVEMENTS IN SAID DISTRICTS; SPECIFYING THE PROCEDURE FOR THE  
 25 ADMINISTRATION OF SAID PLAN; SPECIFYING THE PROCEDURE FOR THE AMEND-  
 26 MENT HEREOF, AND PRESCRIBING THE PENALTY FOR VIOLATION OF ANY OF  
 27 THE PROVISIONS OF THIS ORDINANCE," is hereby amended as hereinafter  
 28 set forth:

29 Section 2 of said Ordinance is hereby amended to read as  
 30 follows:  
 31  
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SECTION 2

1 SECTION 2. ESTABLISHMENT OF DISTRICTS AND NAMES OF  
2 DISTRICTS - GENERAL REGULATIONS: In order to classify, regulate,  
3 restrict and segregate the use of land and buildings, to regulate  
4 and restrict the location, height and bulk of buildings hereafter  
5 erected or altered, and to regulate and determine the area of yards  
6 and other open spaces, the City of Modesto is hereby divided into  
7 districts, which districts are hereby established and designated  
8 as:

9 Single-Family Residence District or R-1 District.

10 Two-Family Residence District, or R-2 District.

11 Multiple-Family Residence District or R-3 District.

12 Neighborhood Business District or C-1 District.

13 Central Business District or C-2 District.

14 Industrial District or M-1 District.

15 Flood Plain District or 'F' District.

16 Residence Agricultural District or R-A District.

17 DISTRICT MAP: The districts referred to in this ordinance  
18 are respectively bounded and described for the purpose of this  
19 ordinance as they are shown upon the map attached, sometimes re-  
20 ferred to in this ordinance as the "Land Use District Map,"  
21 Said map and all notations, references and other information  
22 shown thereon shall be as much a part of this ordinance as if  
23 the matters and information set forth by said map were all fully  
24 described herein.

25 DISTRICT BOUNDARIES: Where uncertainty exists as to the  
26 boundaries of any of the districts as shown on said land use district  
27 map the following rules shall apply:

28 (a) Where such boundaries are indicated as approximately  
29 following subdivision lot lines or street and alley lines, such  
30 subdivision lot lines or street and alley lines shall be construed  
31 to be such boundaries.  
32

1 (b) In unsubdivided territory and where a district boundary  
2 divides a subdivided lot, the locations of such boundaries, unless  
3 the same are indicated by dimensions shown upon the Land Use  
4 District Map, shall be determined by the use of the scale appearing  
5 on such district map.

6 (c) In case further uncertainty exists, the Planning  
7 Commission, upon written application or upon its own motion, shall  
8 determine the location of such boundaries.

9 (d) Where a public street, alley or public property  
10 not included within a use district is legally vacated or abandoned,  
11 the regulations applicable to abutting property shall apply to such  
12 vacated or abandoned street, alley or public property.

13 DISTRICT REGULATIONS GENERALLY: Except as herein otherwise  
14 provided:

15 (a) No building shall be erected, placed, altered,  
16 added to or enlarged nor shall any land, building or premises be  
17 used, designed or intended to be used for any purpose or in any  
18 manner other than is included among the uses hereinafter listed  
19 as permitted in the district in which such building, land or  
20 premises is located.

21 (b) No building shall be erected, placed, reconstructed  
22 or structurally altered to exceed in height the limit hereinafter  
23 designated for the district in which such building is located.

24 (c) No building shall be erected or placed, nor shall any  
25 existing building be altered, enlarged or rebuilt, nor shall any open  
26 spaces surrounding any buildings be encroached upon or reduced in  
27 any manner, except in conformity to the yard and other regulations  
28 hereinafter designated for the district in which such buildings or  
29 open space is located.

30 (d) No yard or other open space provided about any building  
31 for the purpose of complying with the provisions of this ordinance  
32 shall be considered as providing a yard or open space for any other

1 building or structure, and no yard or open space on one lot shall  
2 be considered as providing a yard or open space for a building on  
3 any other lot.

4 (e) Every building hereafter erected shall be located on  
5 a lot, and in no case shall there be more than one main building  
6 on one lot, except as herein otherwise provided.

#### 7 ZONING OF NEWLY ANNEXED TERRITORY

8 (a) Any area hereafter annexed to the City of Modesto  
9 subsequent to the effective date of this ordinance, in which less  
10 than 20% of the street frontage on both sides between any two  
11 intersecting streets or any two intersection quarter quarter  
12 quarter section lines, whichever is the lesser distance, is  
13 devoted to commercial or industrial uses, shall be deemed to be  
14 classified as R-A (Residential-Agricultural).

15 (b) Any such area in which more than 50% of the street  
16 frontage on both sides between any two intersecting streets or any  
17 two intersecting quarter quarter quarter section lines, whichever  
18 is the lesser distance is devoted to industrial uses shall be  
19 classified as M-1 (Industrial).

20 (c) Any such area in which more than 20% of the street  
21 frontage on both sides between any two intersecting streets or  
22 any two intersecting quarter quarter quarter section lines, which-  
23 ever is the lesser distance, is devoted to commercial and/or  
24 industrial uses and less than 50% of the frontage is devoted to  
25 industrial uses shall be classified as C-1 (Neighborhood Business).

26 (d) Any land use districting instituted under the  
27 provisions of this subsection is declared to be of an interim  
28 nature, and it shall remain in effect only until the property  
29 affected shall have been properly classified or zoned in the manner  
30 set forth in Section 19 hereof, and in no case shall such interim  
31 districting remain in force and effect for more than one year from  
32 the date of annexation to the city of the property affected.

1 (e) All other sections or subsections to the contrary  
2 notwithstanding the provisions of this ordinance in respect to  
3 newly annexed territory shall have force and effect from and  
4 after the effective date of annexation of said territory to the  
5 City of Modesto.

6 Section 3 is hereby amended to read as follows:

7 SECTION 3.

8 SECTION 3: R-1. SINGLE FAMILY RESIDENCE DISTRICT  
9 REGULATIONS (For convenience called Single-Family District:) In  
10 single family residence districts, the following regulations shall  
11 apply:

12 1. USES PERMITTED:

13 a. Detached single family dwellings of a permanent  
14 character placed in a permanent location.

15 b. Golf courses, country clubs, tennis courts, and  
16 similar recreational uses, all of a non-commercial nature.

17 c. Museums, parks, playgrounds or community centers owned  
18 and operated by the City of Modesto.

19 d. Crop and tree farming; truck gardening.

20 e. Home occupations, after securing a use permit from the  
21 Planning Commission, provided that there shall be no external  
22 evidence of any home occupation except a name plate, not exceeding  
23 one square foot in area placed within or flat against the building,  
24 and provided further, there shall be no flickering or red  
25 illumination of such name plate and any illumination shall be so  
26 shielded that it illuminates only such name plate.

27 f. Accessory buildings or uses on the same lot or grounds  
28 with any of the permitted uses, including one (1) private garage,  
29 when located not less than fifty (50) feet from the front lot  
30 line or as provided in Section 14, in cases where the lot abuts  
31 on two or more streets, or a private garage constructed as part  
32 of the main building.

1 (1) It shall be unlawful to install, place or maintain  
2 plumbing for kitchen or other cooking purposes, in any accessory  
3 building or maintain or cause to be maintained any use therein,  
4 which, in the opinion of the Planning Commission, is objectionable  
5 because of the emission of odor, dust, noise, smoke or vibration, or  
6 an unwarranted increase of insurance rates to the adjoining  
7 neighbors.

8 g. It shall be, also, unlawful to use any lot in the  
9 Single Family District solely for the erection and maintenance  
10 thereon of garages, accessory buildings, or other subordinate  
11 structures.

12 h. One bulletin board or sign of not more than ten (10)  
13 square feet in area appertaining to the lease, hire or sale of a  
14 building or premises shall be permitted on each lot.

15 i. The following uses, subject to the securing of a use  
16 permit for each such use; libraries and schools when provided  
17 with adequate parking space for vehicles, sideyards of at least  
18 ten (10) feet each and front yards of not less than that provided  
19 herein but in no event less than fifteen (15) feet.

20 j. Maintaining mail address for commercial and business  
21 license purposes only, provided that no stock in trade, supplies,  
22 professional equipment, apparatus, or business equipment are kept  
23 on the premises, and no employees or assistants are engaged for  
24 service on the premises, and provided further that there shall be  
25 no external evidence of such occupation.

26 k. The keeping of not more than four (4) rabbits and/or  
27 hares; and/or not more than twenty-four (24) domestic fowl in  
28 the aggregate, regardless of kind (chicken, ducks, turkeys, geese,  
29 pigeons, etc.), provided that no cocks or roosters shall in any  
30 event be maintained; and provided further that all enclosures  
31 in which such animals or fowl are kept, are maintained in a  
32 sanitary condition.

1           2. LOT AREA REQUIRED.

2           a. Each single family dwelling with its accessory  
3 building hereafter erected shall be located upon a lot having an  
4 area of not less than five thousand (5,000) square feet and an  
5 average width of not less than 50 feet; provided, however, that  
6 any parcel of land recorded as a subdivision lot prior to the date  
7 of the adoption of this ordinance with an area of less than five  
8 thousand (5,000) square feet or with an average width of less than  
9 50 feet which was under one ownership at the time of the adoption  
10 of this ordinance, when the owner thereof owns no adjoining land,  
11 or which parcel is shown as a lot on any subdivision map which is  
12 hereafter recorded in the office of the County Recorder after  
13 having been approved by the City Planning Commission, may be used  
14 as a building site for single family dwelling by the owner of such  
15 parcel of land or by his successor in interest, providing all other  
16 regulations as prescribed in this ordinance shall be complied with.

17           There shall not be more than one dwelling on any one lot.

18 (See Section 1).

19           3. FRONT YARD REQUIRED.

20           a. There shall be a front yard of not less than fifteen  
21 (15) feet to the front line of the main portion of the building  
22 or covered bay and not less than ten (10) feet to the front line  
23 of an open uncovered porch or paved terrace.

24           b. Where lots comprising twenty-five (25) per cent or more  
25 of the frontage in any block and located in the same district,  
26 exclusive of the frontage along the side of a corner lot, have been  
27 improved with buildings at the time of the passage of this  
28 ordinance, which buildings are of the character permitted in the  
29 single family district and the front yards on such lots vary in  
30 depth to an extent not greater than six feet, then the required front  
31 yard depth for such block shall be of a depth not less than the  
32 average depth of the front yards on the lots on which are located

1 such existing buildings, to a maximum of forty (40) feet.

2 4. SIDE YARD REQUIRED:

3 a. There shall be two side yards upon each lot, either  
4 one of which may have a width of not less than four feet, and the  
5 aggregate width of both side yards on any lot shall be not less than  
6 ten feet; provided, however, that on a corner lot not adjacent  
7 to a key lot the side street side yard shall have a width of not  
8 less than six (6) feet; provided, however, that on a corner lot  
9 adjacent to a key lot the side yard on the street side of such  
10 corner lot shall have a width equal to not less than fifty (50)  
11 per cent of the front yard depth required for the lots to the  
12 rear of such corner lot, to a maximum width of ten feet, provided  
13 further, that this regulation shall not be so applied as to reduce  
14 the buildable width, after providing both required side yards,  
15 of any such corner lot to less than 28 feet, nor to prohibit the  
16 erection of any accessory building where this regulation cannot  
17 be reasonably complied with.

18 b. If a dwelling is so located on a lot that the same  
19 fronts or rears on the side lot line of any adjoining lot, such  
20 dwelling shall be not less than a distance equal to twice the re-  
21 quired side yard from such lot line.

22 5. REAR YARD REQUIRED:

23 a. Upon each lot there shall be a rear yard equal to not  
24 less than twenty (20) per cent of the depth of the parcel of land  
25 constituting the lot, to a maximum depth of twenty-five (25)  
26 feet; provided, however, that no rear yard shall have a depth less  
27 than the height of the main building on the lot. The minimum depth  
28 of rear yards shall be ten (10) feet.

29 6. PERCENTAGE OF LOT COVERAGE:

30 a. On interior or key lots, all buildings, including  
31 accessory buildings shall not cover more than thirty (30) per cent  
32 of the area of such lot.

1           b. On corner lot, all buildings, including accessory  
2 buildings, shall not cover more than forty (40) per cent of the area  
3 of such lot.

4           7. BUILDING HEIGHT:

5           a. Two and one-half stories but not exceeding thirty-five  
6 (35) feet; provided, that the height limit for single family  
7 dwellings may be increased not to exceed ten feet and to a total  
8 height of not to exceed three stories, when two side yards, each  
9 of a width of not less than one-third the height of the main  
10 building are provided.

11           A new section to be entitled Section 3-A and to read as  
12 follows is hereby added;

13                               SECTION 3-A

14           SECTION 3-A. RESIDENCE AGRICULTURAL DISTRICT. In the Resi-  
15 dence-Agricultural District the following regulations shall apply:  
16           USES PERMITTED:

17           1. All uses permitted in the Single Family Districts,  
18 subject to all the provisions specified therefor in Single Family  
19 Districts.

20           2. Churches, cemeteries and crematories, hospitals,  
21 philanthropic and charitable institutions, after securing a use  
22 permit from the Planning Commission.

23           3. Greenhouses, after securing a use permit from the  
24 Planning Commission.

25           4. Small livestock farming including the raising and  
26 keeping of bees, poultry, rabbits, cows and goats or similar live-  
27 stock but excluding hogs; raising and keeping of cats and dogs  
28 for commercial purposes; dairying; and raising and keeping of  
29 horses and similar livestock, and accessory buildings and uses  
30 in connection with the above; subject to the following conditions:

31           (a) On sites containing less than four (4) acres,  
32 these may be maintained under the direction of any one family a  
private stable and/or not more than one (1) cow or two (2) goats per

1 half acre of ground unencumbered by buildings.

2 (b) All poultry or rabbit raising or the raising of cats  
3 or dogs shall be conducted within fenced yards or buildings.

4 (c) No yard, fence and/or buildings within which such  
5 livestock is or will be confined shall be constructed closer than  
6 fifty (50) feet to any building used for residential purposes or  
7 to any adjoining property other than the rear yard thereof.

8 (d) No such building or use shall be so located or  
9 maintained as to create a nuisance in this or any adjacent district.

10 5. Temporary wayside stands for the display, sale or  
11 offering for sale of agricultural products of the immediate  
12 property on which such stand is located, including signs advertising  
13 such products which sign shall not be over two (2) square feet in  
14 area.

15 6. The storage of petroleum products for use on the  
16 premises as governed by the state code and ordinances of the City  
17 of Modesto.

18 AREA, YARD AND BUILDING HEIGHT REQUIREMENTS:

19 The requirements for lot area, front, side and rear yards,  
20 percentage of lot coverage and building height shall be the same  
21 as for the R-1 Single Family District except insofar as larger  
22 areas or larger yards are required for the raising or keeping of  
23 livestock in accordance with the provisions of this section.

24 Section 22 is amended to read as follows:

25 SECTION 22

26 SECTION 22: REPEALING: Ordinance numbers 161 N. S.,  
27 179 N. S., 274 N. S., 288 N. S., 344 N. S., 364 N. S., 369 N. S.,  
28 416 N. S., 491 N. S., 513 N. S., 655 N. S., 692 N. S., 722 N. S.,  
29 and 828 N. S. in their entirety and all other ordinances or parts  
30 of ordinance in conflict herewith are hereby repealed.

31 SECTION 2. This ordinance shall go into effect and be  
32 in full force and operation from and after 15 days after its

1 final passage and adoption.

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

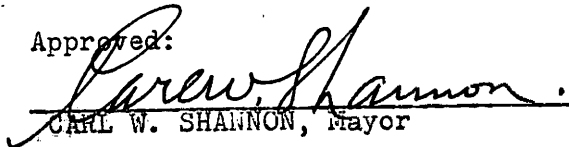
5 The foregoing ordinance was introduced at a special  
6 meeting of the Council of the City of Modesto held on the 1st  
7 day of February, 1950, by Councilman Wilson, who  
8 moved its adoption and passage to print, which motion being duly  
9 seconded by Councilman Burkner, was upon roll call  
10 carried and the ordinance ordered printed and published as above  
11 by the following vote:

12 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

13 NOES: Councilmen: None

14 ABSENT: Councilmen: None

15  
16  
17 Approved:

  
CARL W. SHANNON, Mayor

18  
19  
20 ATTEST:

21  
22   
23 REX E. GAILFUS, City Clerk

24  
25 1-Time

26 200 copies  
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29  
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32

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 1st day of February, 1950 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

  
CARL W. SHANNON, MAYOR

ATTEST

  
REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF  
2 THE M & G OLIVEWOOD TRACT TO THE CITY OF MODESTO.

3  
4 WHEREAS, a petition dated the 30th day of December,  
5 1949, was filed with the City Council by R. H. Dynan, Faith  
6 Dynan, Bernard Anker, Agnes Anker, Joseph L. Azevedo, Jr., and  
7 Helen Finley Azevedo for the annexation of uninhabited territory  
8 under the Uninhabited Territory Act of 1939 as amended, and

9 WHEREAS, the City Council by Resolution passed on the  
10 4th day of January, 1950, set said petition for hearing for the  
11 hour of 4 o'clock P. M. on the 1st day of February, 1950, in the  
12 Council Chambers of the City Hall of the City of Modesto, and

13 WHEREAS, at said time and place no objectors appeared to  
14 oppose said petition, now, therefore,

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

17 SECTION 1. That the petition of R. H. Dynan, Faith  
18 Dynan, Bernard Anker, Agnes Anker, Joseph L. Azevedo, Jr., and  
19 Helen Finley Azevedo be and the same is hereby granted and the  
20 territory described in said petition is hereby annexed to and made  
21 a part of the City of Modesto.

22 SECTION 2, That said annexation is subject to the  
23 requirements of that certain Resolution heretofore passed on the  
24 9th day of May, 1945, and entitled "A Resolution Establishing Policy  
25 for Annexation of Territory to the City of Modesto."

26 SECTION 3. That the area of territory so annexed is a  
27 portion of the M & G Olivewood Tract and is located in the County  
28 of Stanislaus, State of California, and contiguous to the City  
29 of Modesto, described as follows:

30 All those certain lots, pieces or parcels of land  
31 situated in the County of Stanislaus, State of  
32 California, and bounded and particularly described  
as follows:

1 Lots 1 through 12 of Block 726 of the M & G  
2 Olivewood Tract as filed for record on October  
3 15, 1928, Vol. 11, page 8 of Maps, Stanislaus  
4 County Records, including also the 7.5' alley  
5 immediately to the East boundary of said lots.

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

9 SECTION 5. This Ordinance shall be published in full at  
10 least once in the Modesto Bee, the official newspaper of the City  
11 of Modesto at least three days prior to its final passage and  
12 adoption.

13 The foregoing Ordinance was introduced at a special  
14 meeting of the Council of the City of Modesto held on the 1st day  
15 of February, 1950, by Councilman Wilson who moved its  
16 adoption and passage to print, which motion being duly seconded by  
17 Councilman Stanley, was upon roll call carried by the  
18 following vote:

19 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

20 NOES: Councilmen: None

21 ABSENT: Councilmen: None

22 APPROVED:   
23 CARL W. SHANNON, Mayor

24 ATTEST:

25   
26 REX E. GAILFUS, City Clerk

27 1-Time

28 100 copies

FINAL ADOPTION CLAUSE

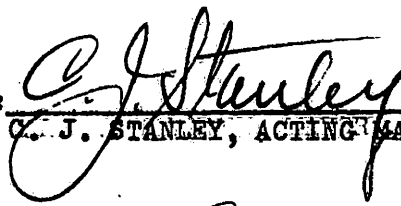
The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 1st day of February, 1950, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED:

  
C. J. STANLEY, ACTING MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE BODEM AND TATUM TRACTS TO THE CITY OF MODESTO.

WHEREAS, a petition dated the 5th day of October, 1949, was filed with the City Clerk by Jack L. Andrews, Clara J. Burke and Daniel Burke for the annexation of uninhabited territory to the City of Modesto under the Annexation of Uninhabited Territory Act of 1939, as amended, and

WHEREAS, the City Council by Resolution passed on the 28th day of December, 1949, set said petition for hearing for the hour of 7:30 o'clock P. M. on the 25th day of January, 1950, in the Council Chambers of the City Hall of the City of Modesto, which hearing was continued until February 1, 1950, for further hearing, and

WHEREAS, at said hearings persons objecting to the annexation appeared, but protest was not made by the owners of one half (1/2) of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, now, therefore,

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

SECTION 1. That the petition of Jack L. Andrews, Clara J. Burke and Daniel F. Burke be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed is a portion of the Bodem and Tatum Tracts and is located in the County of Stanislaus, State of California, and contiguous

1 to the City of Modesto, described as follows:

2 All those certain lots, pieces or parcels of  
3 land situated in the County of Stanislaus,  
4 State of California, and bounded and particularly  
described as follows:

5 Lots 3, 4, and 5 of the Bodem Colony as filed and  
6 recorded March 20, 1912, Vol. 6, Page 32 of  
7 Maps, Stanislaus County Records and a portion  
8 of Lots 11, 12 and 13 of the Tatum Tract as filed  
for record on February 17, 1913, Page 29, Vol. 7 of  
Stanislaus County Maps, and more precisely described  
as follows:

9 Beginning at the city limits line on Burke Avenue and  
10 the West line of Sunrise Avenue; thence along City  
Limits Line on Burke Avenue South 89° 51' East a  
11 distance of 423.56 feet to the Southeast corner of  
said Lot 3 of the Bodem Colony; thence Northerly  
12 along the East line of said Lot 3 a distance of  
329.3 feet, more or less, to the Southeast corner  
13 of Lot 13 of said Tatum Tract; thence North 0°  
29' 30" West 174.65 feet; thence parallel to the  
14 South boundary of the Tatum Tract and 174.65 feet  
North of said South boundary North 89° 34' West  
15 423.8 feet, more or less to the West line of  
Sunrise Avenue and the existing city limits line;  
16 thence South 0° 50' East 503.95 feet, more or  
less to the point of beginning.

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

20 SECTION 5. This Ordinance shall be published in full  
21 at least once in the Modesto Bee, the official newspaper of the  
22 City of Modesto at least three days prior to its final passage  
23 and adoption.

24 The foregoing Ordinance was introduced at a regular  
25 meeting of the Council of the City of Modesto held on the 8th  
26 day of March, 1950, by Councilman Wilson, who  
27 moved its adoption and passage to print, which motion being  
28 duly seconded by Councilman Burkner was upon roll call  
29 carried by the following votes:

30 AYES: Councilmen: Frad, Burkner, Wilson, Stanley and Mayor Shannon  
31 NOES: Councilmen: None  
32 ABSENT: Councilmen: None

APPROVED Shannon  
Mayor of the City of Modesto

Attest;

\_\_\_\_\_  
City Clerk

1 FINAL ADOPTION CLAUSE

2  
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 8th day of March, 1950, 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 March 22, 1950, it was upon roll call so finally adopted  
9 by the following vote;

10 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13  
14 APPROVED:   
CARL W. SHANNON, MAYOR

15  
16 ATTEST: \_\_\_\_\_  
17 REX E. GAILFUS, CITY CLERK  
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SPECIAL  
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF  
2 THE RICE AND TATUM TRACTS TO THE CITY OF MODESTO.

3  
4 WHEREAS, a petition dated the 6th day of December,  
5 1949, was filed with the City Clerk by Elizabeth S. Zimmerman,  
6 James Gonzalez, Estelle Gonzalez, Jack L. Andrews, Clara J.  
7 Burke and Daniel F. Burke, for the annexation of uninhabited  
8 territory to the City of Modesto under the Annexation of Unin-  
9 habited Territory Act of 1939, as amended, and

10 WHEREAS, the City Council by Resolution passed on the  
11 28th day of December, 1949, set said petition for hearing for  
12 the hour of 7:30 o'clock P. M. on the 25th day of January, 1950,  
13 in the Council Chambers of the City Hall of the City of Modesto,  
14 which hearing was continued until February 1, 1950, for further  
15 hearing, and

16 WHEREAS, at said hearings persons objecting to the  
17 annexation appeared but protest was not made by the owners of one  
18 half (1/2) of the value of the territory proposed to be annexed  
19 as shown by the last equalized assessment roll, now, therefore,

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

21 SECTION 1. That the petition of Elizabeth S. Zimmerman,  
22 James Gonzalez, Estelle Gonzalez, Jack L. Andrews, Clara J.  
23 Burke and Daniel F. Burke be and the same is hereby granted and  
24 the territory described in said petition is hereby annexed to and  
25 made a part of the City of Modesto.

26 SECTION 2. That said annexation is subject to the  
27 requirements of that certain resolution heretofore passed on the  
28 9th day of May, 1949, entitled "A Resolution Establishing Policy  
29 for Annexation of Territory to the City of Modesto."

30 SECTION 3. That the area of territory so annexed is a  
31 portion of the Rice and Tatum Tracts and is located in the  
32 County of Stanislaus, State of California, and contiguous to the

1 City of Modesto, described as follows:

2 All that certain lot, piece or parcel of land  
3 situated in the County of Stanislaus, State  
4 of California, and bounded and particularly  
5 described as follows:

6 The Northwest quarter of Lot 7 of the Rice Colony  
7 as filed for record on February 19, 1904, Vol. 1,  
8 page 54 of Maps of Stanislaus County Records, and  
9 a portion of Lots 14, 15 and 18 and all of Lots 16  
10 and 17 of the Tatum Tract as filed for record on  
11 February 17, 1913, Page 29, Vol. 7 of Maps, of  
12 Stanislaus County Records and more precisely described  
13 as follows:

14 Beginning at a point on the existing city limits on  
15 Burke Avenue and the Southeast corner of the Northwest  
16 quarter of said Lot 7 of the Rice Colony; thence  
17 Northerly along the East line of said Northwest  
18 quarter a distance of 328.6 feet, more or less, to  
19 the North boundary of said Lot 7 and a point  
20 74.0 feet, more or less, East of the Southwest  
21 corner of Lot 18 of the Tatum Tract; thence parallel  
22 to the West line of said Lot 18 and 74.0 feet East  
23 of said West line North 0° 29' 30" West a distance  
24 of 330 feet; thence Westerly along the North boundary  
25 of Lots 18, 17 and 16 of said Tatum Tract 329.3 feet,  
26 more or less to the Northwest corner of Lot 16 of  
27 said Tatum Tract; thence Southerly along the West  
28 boundary of said Lot 16, 154.66 feet to a point  
29 174.65 feet North of the South boundary of said  
30 Tatum Tract; thence parallel to the South boundary  
31 of the Tatum Tract and 174.65 feet North of said  
32 South boundary North 89° 34' West 255.7 feet, more  
or less, to the West line of Lot 14 of said Tatum  
Tract; thence along said West line South 0° 29' 30"  
East 174.65 feet to the Northeast corner of Lot 3  
of the Bodem Colony; thence Southerly along the East  
line of said Lot 3, 329.34 feet to the existing  
City Limits line on Burke Avenue; thence South 89°  
51' East 256.70 feet to the West boundary of  
Lot 7 of the Rice Colony; thence South 89° 48' 30"  
East a distance of 330.37 feet to the point of  
beginning.

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

27 SECTION 5. This ordinance shall be published in full at  
28 least once in the Modesto Bee, the official newspaper of the  
29 City of Modesto at least three (3) days prior to its final  
30 passage and adoption.

31 The foregoing ordinance was introduced at a regular  
32 meeting of the Council of the City of Modesto held on the 8th

1 day of March, 1950, by Councilman Stanley, who moved its  
2 adoption and passage to print, which motion being duly  
3 seconded by Councilman Wilson was upon roll call  
4 carried by the following vote:  
5 AYES: Councilmen: Frad, Burkner, Wilson, Stanley and Mayor Shannon  
6 NOES: Councilmen: None  
7 ABSENT: Councilmen: None

8  
9 APPROVED: Carl W. Shannon  
CARL W. SHANNON, Mayor

10  
11  
12 Attest:

13  
14  
15 REX E. GAILFUS, City Clerk

16  
17 1 Time  
18 50 copies  
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1 FINAL ADOPTION CLAUSE

2  
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 8th day of March, 1950, 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 March 22, 1950, it was upon roll call so finally adopted  
9 by the following vote:

10 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
11 Noes: Councilmen: None  
12 Absent: Councilmen: None

13  
14 APPROVED:   
CARL W. SHANNON, MAYOR

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16  
17 ATTEST: REX E. GAILFUS, CITY CLERK  
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1 AN ORDINANCE CHANGING USE DISTRICT AND REZONING FROM R-2 TWO  
2 FAMILY RESIDENCE DISTRICT TO C-1 NEIGHBORHOOD 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  
6 a 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 consideration  
9 the Modesto City Planning Commission has recommended to the City  
10 Council the amending of the Zoning Ordinance of the City of  
11 Modesto to effect the changes requested, and

12 WHEREAS, a public hearing has been had by the Council of  
13 the City of Modesto as provided by law and no objection has been  
14 made to such rezoning,

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

17 SECTION 1. That the public interest, necessity and general  
18 welfare requires a change in the use district as requested in said  
19 petition.

20 SECTION 2. Ordinance No. 700 N. S., the Zoning Ordinance  
21 of the City of Modesto is hereby amended as follows:

22 Block 585, Lots 47 and 48 inclusive

23 Block 584, Lots 25 and 26 inclusive

24 Block 583, Lots 23 and 24 inclusive

25 Block 582, Lots 1 and 2 inclusive

26 all of said lots being situated in the City of Modesto, County  
27 of Stanislaus, State of California, as said lots and blocks are  
28 shown in Volume 15 of Maps, said Volume being on file and on  
29 record in the office of the County Recorder of Stanislaus County,  
30 State of California, are hereby taken and removed from R-2 Two Family  
31 Residence District and placed in C-1 Neighborhood Business District.

32 SECTION 3. This Ordinance shall go into effect and be in

1 full force and operation from and after fifteen (15) days after  
2 its final passage and adoption.

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

6 The foregoing Ordinance was introduced at a regular meeting  
7 of the Council of the City of Modesto held on the 8th day of  
8 March, 1950, by Councilman Frad who moved its adoption and  
9 passage to print. The motion being duly seconded by Councilman  
10 Burkner was upon roll call carried and the ordinance  
11 ordered printed and published as above by the following votes:

12 AYES: Councilmen: Frad, Burkner, Wilson, Stanley and Mayor Shannon.  
13 NOES: Councilmen: None  
14 ABSENT: Councilmen: None

15  
16 APPROVED: Carl W. Shannon  
17 CARL W. SHANNON, Mayor of the  
18 City of Modesto

19 ATTEST:  
20 Rex E. Gailfus  
21 Rex E. Gailfus, City Clerk of  
22 the City of Modesto.  
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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 15th day of March, 1950, 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 March 22, 1950, it was upon roll call so finally adopted  
8 by the following vote:

9 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
10 Noes: Councilmen: None  
11 Absent: Councilmen: None

12  
13 APPROVED: *Earl W. Shannon*  
14 EARL W. SHANNON, MAYOR

15  
16 ATTEST: REX E. GAILFUS, CITY CLERK  
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SPECIAL  
NOT IN CODE

ORDINANCE NO. 932-N.S.

2 AN ORDINANCE APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE L. J.  
3 MADDUX YOUTH RECREATION CENTER

4 ---oOo---

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

6 SECTION 1. The sum of Eighteen Thousand Two Hundred  
7 Seventy Seven and 52/100(\$18,277 52) Dollars is hereby appropriated  
8 out of the Special Account L. J. Maddux Youth Recreation Center  
9 Building Fund and Three Thousand and no/100 (\$3000 00) Dollars is  
10 hereby appropriated out of the General Fund for the construction of  
11 the L. J. Maddux Youth Recreation Center.

12 SECTION 2. Any contracts awarded for the construction  
13 of the said L. J. Maddux Youth Recreation Center may provide for  
14 progressive payments.

15 SECTION 3. This ordinance shall go into effect from and  
16 after fifteen (15) days after its final passage and adoption. It  
17 shall be published in full at least once at least three days prior  
18 to its final adoption in the Modesto Bee, the official newspaper of  
19 the City of Modesto.

20 The foregoing ordinance was introduced at a regular meet-  
21 ing of the Council of the City of Modesto held on the 22nd day of  
22 March, 1950 by Commissioner Wilson, who moved its adoption and  
23 passage to print, which motion being duly seconded by Commissioner  
24 Burkner, it was upon roll call carried and the ordinance ordered  
25 printed and published by the following vote:

26 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

27 Noes: Councilmen: None

28 Absent: Councilmen: None

29 APPROVED:   
CARL W. SHANNON, MAYOR

30 ATTEST:   
REX E. GAILFUS, CITY CLERK

31 1 Time March 25, 1950

32 30 copies

SPECIAL  
NOT IN CODE

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, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

NOT SPECIAL  
IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A PORTION OF  
2 THE BROUGHTON COLONY TO THE CITY OF MODESTO.

3  
4 WHEREAS, a petition dated the 8th day of March, 1950,  
5 was filed with the City Clerk by Wilbur E. Grant and Vivian D.  
6 Grant for the annexation of uninhabited territory to the City  
7 of Modesto under the Annexation of Uninhabited Territory Act of  
8 1939 as amended, and

9 WHEREAS, the City Council by Resolution passed on the  
10 8th day of March, 1950, set said petition for hearing for the hour  
11 of 7:30 o'clock P. M. on the 12th day of April, 1950, in the  
12 Council Chambers of the City Hall of the City of Modesto, and

13 WHEREAS, at said time and place no objectors appeared  
14 to oppose said petition, now, therefore,

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

16 SECTION 1. That the petition of Wilbur E. Grant and  
17 Vivian D. Grant be and the same is hereby granted and the territory  
18 described in said petition is hereby annexed to and made a part  
19 of the City of Modesto.

20 SECTION 2. That said annexation is subject to the  
21 requirements of that certain Resolution heretofore passed on the  
22 9th day of May, 1945, and entitled "A Resolution Establishing  
23 Policy for Annexation of Territory to the City of Modesto."

24 SECTION 3. That the area of territory so annexed is  
25 a portion of the Broughton Colony and is located in the County of  
26 Stanislaus, State of California, and contiguous to the City of  
27 Modesto, described as follows:

28 All that certain lot, piece or parcel of land  
29 situated in the County of Stanislaus, State of  
California and bounded and described as follows:

30 All that portion of Lot 44 of Broughton Colony as  
31 per Map filed March 17, 1904 in Volume 1 of  
Maps, at page 78, Stanislaus County Records, and  
32 more particularly described as follows:

1 Commencing at the Northwest corner of said Lot  
2 44, running thence South along said West line  
3 a distance of 30 feet to the intersection thereof,  
4 with the South line of Morris Avenue, and being  
5 the true point of beginning of this description;  
6 thence Easterly along the South line of said Morris  
7 Avenue, a distance of 1008.20 feet more or less to  
8 the West line of the land conveyed to Chris. U.  
9 Stevens, and wife, by deed recorded December 14,  
10 1942, as Instrument No. 17122; thence South along  
11 the West line of said Stevens land and the extension  
12 thereof, a distance of 144 feet to the Southwest  
13 corner of the land conveyed to Benjamin P. McCumsey  
14 and wife by Deed recorded November 19, 1943, as  
15 Instrument No. 17757; thence running in a Southerly  
16 direction, a distance of 65 feet, more or less to the  
17 Northwest corner of the land conveyed to C. E. Scarlott  
18 and wife by Deed recorded June 20, 1942, as Instrument  
19 No. 8277; thence South along the West line of said  
20 Scarlott land, a distance of 198 feet to the Southwest  
21 corner thereof, and in the centerline of an irrigation  
22 ditch; thence South 73° 56' West along centerline  
23 of said irrigation ditch, a distance of 59.73 feet to an  
24 angle point thereon; thence North 89° 10' West along  
25 centerline of said irrigation ditch, a distance of  
26 803.88 feet to end of said irrigation ditch, the  
27 line being prolonged to 943.80 feet where it intersects  
28 the West line of said Lot 44; thence North along said  
29 West line, a distance of 418.80 feet to the true  
30 point of beginning.


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

19 SECTION 5. This ordinance shall be published in full  
20 at least once in the Modesto Bee, the official newspaper of the  
21 City of Modesto at least three (3) days prior to its final  
22 passage and adoption.

23 The foregoing ordinance was introduced at a regular  
24 meeting of the Council of the City of Modesto held on the 12th  
25 day of April, 1950, by Councilman Stanley, who moved its  
26 adoption and passage to print, which motion being duly seconded  
27 by Councilman Burkner was upon roll call carried by the  
28 following vote:

29 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon  
30 NOES: Councilmen: None  
31 ABSENT: Councilmen: None

APPROVED:   
CARL W. SHANNON, Mayor

32 Attest:   
Rex E. Gailfus, City Clerk

FINAL ADOPTION CLAUSE

1  
2 The foregoing ordinance having been introduced and ordered  
3 printed and published at a regular meeting of the Council of the  
4 City of Modesto held on the 12th day of April, 1950 and subsequently  
5 printed and published as required by the Charter of the City of  
6 Modesto, and coming on for final adoption at the regular meeting of  
7 April 26, 1950, it was upon roll call so finally adopted by the  
8 following vote:

9 Ayes: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12  
13 APPROVED: *Carl W. Shannon*  
14 CARL W. SHANNON, MAYOR

15  
16 ATTEST: *Rex E. Gailfus*  
17 REX E. GAILFUS, CITY CLERK  
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*Amended by  
Ord # 1025-N.S.*

ORDINANCE NO. 934 N.S.

AN ORDINANCE TO PROVIDE AN OFFICIAL PROPERTY NUMBERING SYSTEM FOR THE PROPERTIES AND PRINCIPAL BUILDINGS IN THE CITY OF MODESTO AND PRESCRIBING THE PENALTY FOR VIOLATION OF THE PROVISIONS OF SAID ORDINANCE.

CODE SEC  
NO. 9-5.01  
9-5.04

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WHEREAS, the City Council of the City of Modesto did adopt on April 16, 1947, a Master Plan of Property Numbering for the City of Modesto, and

WHEREAS, the Board of Supervisors of Stanislaus County and the City Council of the City of Ceres have also adopted corresponding Master Plans of Property Numbering, so that there now exists one official numbering system which is common and uniform to both the cities of Modesto and Ceres and their environs, and

WHEREAS, certain blocks of the City of Modesto, as they are now numbered, do not conform to the adopted numbering system, and

WHEREAS, it is desirable that over a period of three (3) years that all property numbers within the City of Modesto should be made to conform with said uniform property numbering system, and

WHEREAS, it is in the interest of the health, safety and convenience of the people of the City of Modesto that when such changes are intitiated they should be put into effect with a minimum of delay,

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

Section 1:

An official system of numbering properties and principal buildings, as shown on the map identified by the title "Property Numbering System of the City of Modesto," which is

1 filed in the office of the city clerk is hereby adopted for use  
2 in the City of Modesto. Any additions to this which may be  
3 necessitated due to the annexation of territory to the City of  
4 Modesto subsequent to the adoption of this ordinance shall conform  
5 to the Master Plan of Property Numbering as adopted by the  
6 Stanislaus County Board of Supervisors on February 10, 1948.  
7 This map and all such additions thereto and all explanatory matter  
8 thereon is hereby adopted and made a part of this ordinance.

9 Section 2:

10 (a) All properties or parcels of land within the corpo-  
11 rate limits of the City of Modesto shall hereafter be identified  
12 by reference to the official numbering system adopted herein.  
13 Such identification shall, however, in no way affect the legal  
14 description of property by lot and block number or by metes and  
15 bounds.

16 (b) Each principal building shall bear the number assigned  
17 to the frontage on which the front entrance is located. In case  
18 a building is occupied by more than one business or family dwelling  
19 unit, each separate front entrance of such principal building  
20 shall bear a separate number.

21 (c) Numerals indicating the official numbers for each  
22 principal building or each front entrance to such building shall  
23 be posted in a manner as to be visible from the street on which  
24 the property is located. Such numerals shall be not less than  
25 three (3) inches high and having a minimum width of stroke of  
26 one quarter (1/4) inch.

27 (d) A separate number shall be assigned for each twenty-  
28 five (25) feet of frontage.

29 (e) Odd numbers shall be assigned to properties on the  
30 North and West sides of any street and even numbers to properties  
31 on the East and South sides of any street; excepting in those  
32

1 blocks where a majority of the properties have already been  
2 assigned odd numbers on the East and South and even numbers on  
3 the North and West sides of the street.

4 Section 3: The City Clerk shall be responsible for  
5 maintaining the numbering system. In the performance of this  
6 responsibility, he shall be guided by the provisions of Section  
7 2 of this ordinance, and by the official map and all explanatory  
8 matter thereon.

9 Section 4:

10 (a) The owners of property for which the numbers do  
11 not now conform to the officially adopted system will within  
12 three (3) years of the adoption of this ordinance receive  
13 official notice of the correct numbers which have been assigned  
14 to their property.

15 (b) Within three (3) weeks of the receipt of such  
16 official notice, the property owner shall post his new number  
17 in accordance with the terms of this ordinance.

18 Section 5: Any person, firm or corporation violating  
19 any of the provisions of this ordinance shall be guilty of a  
20 misdemeanor, and upon conviction thereof, shall be punishable  
21 or by imprisonment in the County Jail for 1 day, or by both.  
22 by a fine of not more than Five Dollars (\$5.00)%. Such person,  
23 firm or corporation shall be deemed guilty of a separate offense  
24 for each and every day during any portion of which any violation  
25 of this ordinance is committed, continued or permitted by such  
26 person, firm or corporation.

27 Section 6: If any section, subsection, sentence,  
28 clause or phrase of this ordinance is for any reason held to  
29 be unconstitutional or void, such decision shall not affect  
30 the validity of the remaining, separable portions of this  
31 ordinance.  
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 12th day of April, 1950 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 26, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, 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

4-27-1950  
2-27-1950

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1 AN ORDINANCE AMENDING ORDINANCE NO. 891 N. S. OF THE CITY OF  
2 ANNUAL  
MODESTO BY REDUCING THE/LICENSE FEE.

3

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

6 SECTION 1. Item 12 of Section 2 of Ordinance No. 891  
7 N. S. of the City of Modesto entitled "AN ORDINANCE PRESCRIBING  
8 RULES AND REGULATIONS FOR THE USE AND CONDUCT OF MODESTO MUNICIPAL  
9 AIRPORT, DECLARING VIOLATIONS OF SAID RULES AND REGULATIONS TO BE  
10 A MISDEMEANOR AND PROVIDING PUNISHMENT THEREFOR AND FIXING LANDING,  
11 RENTAL AND OTHER FEES TO BE PAID FOR USING SAID AIRPORT AND PRO-  
12 VIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES  
13 NO. 321 N. S., 328 N. S., 519 N. S., 795 N. S. and 800 N. S.  
14 OF THE CITY OF MODESTO" is hereby amended to read as follows:

15 Item 12: All permanently based commercial services or  
16 activities:

17 Any person, firm or corporation engaging in commercial  
18 enterprise permanently based at the Modesto Municipal Airport shall  
19 first pay to the City of Modesto a license fee of Seventy five  
20 and no/100 (\$75.00) Dollars per year.

21 Operators of firms engaging in the sale of aircraft in-  
22 cluding new and used shall pay the City of Modesto 1% of the  
23 gross income from said sales.

24 SECTION 2. This ordinance shall be in full force and  
25 effect fifteen (15) days from and after its final passage and  
26 adoption.

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

30 The foregoing ordinance was introduced at a special  
31 meeting of the Council of the City of Modesto held on April  
32


1 April 2 19 1950,, by Councilman Burkner, who moved its  
2 adoption and passage to print as aforesaid, which motion, being  
3 duly seconded by Councilman Frad, was upon roll  
4 call carried, and the ordinance ordered published as above by the  
5 following vote:

6 AYES: Councilmen: Burkner, Frad, Stanley, Wilson, Mayor Shannon

7 NOES: Councilmen: None.

8 ABSENT: Councilmen: None

9  
10 APPROVED   
11 CARL W. SHANNON, Mayor

12 ATTEST:  
13   
14 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 19th day of April, 1950, 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 10, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 700 N.S.

AND REZONING CERTAIN AREAS.

1  
2 WHEREAS, the Modesto City Planning Commission has  
3 initiated, by Resolution No. 93, proceedings for amending the  
4 Modesto City Zoning Ordinance to rezone certain properties;  
5 and

6 WHEREAS, after two public hearings as required by  
7 City Ordinance and the State Planning Act, and after due consider-  
8 ation, the Modesto City Planning Commission has recommended to  
9 the City Council the amending of the Modesto City Zoning Ordinance  
10 to effect changes as hereinafter set forth; and

11 WHEREAS, a public hearing has been held by the Council  
12 of the City of Modesto as required by law;

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

15 SECTION 1: That the public interest, necessity and  
16 general welfare require a change in the use districts as recom-  
17 mended in said resolution.

18 SECTION 2: Ordinance No. 700 N.S., the Modesto City  
19 Zoning Ordinance, is hereby amended as follows:

20 Lots 1 and 2 of Block 446, and Lots 6 to 11, inclusive,  
21 of Block 447, as said lots and blocks are shown in Vol. 15 of  
22 Maps of the City of Modesto, Stanislaus County, California, and  
23 on record in the office of the County Recorder of Stanislaus  
24 County, California, are hereby taken and removed from R-1 Single  
25 Family Residence District use zone and placed in R-3 Multiple Family  
26 Residence District use zone.

27 The entire Block 452, as said block is shown in Vol.  
28 15 of Maps of the City of Modesto, Stanislaus County, California,  
29 and on record in the office of the County Recorder of Stanislaus  
30 County, California, is hereby taken and removed from R-1 Single  
31 Family Residence District use zone and placed in R-2 Two Family  
32

1 Residence District use zone.

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

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

9 The foregoing ordinance was introduced at a regular  
10 meeting of the Council of the City of Modesto held on the 26th  
11 day of April, 1950, by Councilman Wilson who  
12 moved its adoption and passage to print. The motion being duly  
13 seconded by Councilman Burkner, was, upon roll  
14 call, carried and the ordinance ordered, printed and published  
15 as above by the following votes:

16 AYES: Councilmen, Burkner, Frad, Stanley, Wilson  
17 Mayor Shannon

18 NOES: Councilmen None

19 ABSENT: Councilmen None

20  
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22  
23 APPROVED:

24 Carroll Shannon  
25 Mayor of the City of Modesto

26  
27 ATTEST:

28 Patricia  
29 City Clerk of the City of  
30 Modesto

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 26th day of April, 1950, 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 10, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: *Law Shannon*  
MAYOR

ATTEST: *Patricia [unclear]*  
CITY CLERK

A mended  
by Ord. # 966  
Repealed by  
Ord. 1070 N.S.

AN ORDINANCE PROVIDING FOR FEES TO BE PAID BY PERSONS IN TERRITORIES HERE-  
AFTER ANNEXED TO THE CITY OF MODESTO FOR CONNECTIONS TO THE CITY DOMESTIC  
SEWERAGE SYSTEM AND PROVIDING FOR PAYMENT OF SERVICE CHARGES BY USERS IN  
SAID TERRITORIES.

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

2 Section 1. Hereafter in all cases where territory is annexed to the City  
3 of Modesto, other than property belonging to said City, any person, firm, or  
4 corporation within said territory may connect their properties to the City  
5 sewerage system upon construction, at their own expense, of the house sewer  
6 connecting the property served to the collection lateral, and making provision  
7 for paying the cost of constructing said collection lateral under one of the  
8 following conditions:

REPEALED BY  
MUNICIPAL CODE

- 9 1. Connection fees paid to the City - Cash Basis.
- 10 2. Formation of Assessment District - Payment under Improvement Act.
- 11 3. Arrangement with Private Contractor to do the work under City  
Specifications and Inspection.

12 Section 2. Connection fees referred to in Section 1 shall consist of a  
13 minimum sum of One Hundred Dollars (\$100.00) for service to one building site  
14 containing 7000 square feet or less, and an additional sum of one-half cent  
15 for each square foot in excess of 7000 square feet so serviced. Upon payment  
16 of said connection fee for all the building sites within one or more blocks,  
17 the City of Modesto will install collection laterals, lines less than twelve (12)  
18 inches in diameter, to serve the area for which said payments have been received.  
19 Said payments for connection fees will not be accepted and installation of col-  
20 lection laterals will not be undertaken in any territory which cannot be served  
21 until trunk sewers, lines twelve inches or more in diameter, are installed.  
22 The construction of trunk lines to serve newly annexed territories will be  
23 started as soon as practicable after annexation.

REPEALED BY  
MUNICIPAL CODE

24 Upon payment of the connection fees as herein provided for all building  
25 sites to be served by one collection lateral within an undeveloped subdivision  
26 or tract of land within said City of Modesto; the City shall, at its own expense,  
27 install said collection lateral to serve the area for which said connection fees  
28 have been paid, providing that the nearest boundary of said subdivision or tract  
29 is not more than two hundred and fifty feet (250') from the nearest existing  
30 collection lateral or trunk line of adequate capacity. Where the distance  
31 between the nearest existing collection lateral or trunk line of adequate  
32 capacity and the nearest point of service within said subdivision or tract

1 is greater than two hundred and fifty feet (250'), the owner or owners of said  
2 subdivision or tract shall pay the cost of installation of said collection  
3 lateral for all of the distance in excess of two hundred and fifty feet (250').

4 Section 3. Should the owner or owners of any subdivision, tract, or area—  
5 developed or undeveloped—lying within the City of Modesto elect to finance the  
6 installation of collection laterals serving said subdivision, tract or area by  
7 formation of assessment districts and sale of improvement bonds, they may do  
8 so in accordance with existing State laws governing the formation of such  
9 districts and sale of such bonds. The City may assume the cost of installation  
10 of the collection laterals from the nearest existing collection lateral or  
11 trunk line of adequate capacity to the boundary of such assessment district  
12 for a distance not to exceed two hundred and fifty feet (250').

13 Section 4. Should the owner or owners of any subdivision, tract, or area—  
14 developed or undeveloped—lying within the City of Modesto elect to make private  
15 arrangements for the installation of collection laterals to serve such sub-  
16 division, tract, or area, he or they may do so in accordance with plans and  
17 specifications prepared at his or their expense and approved by the City Engineer.  
18 A registered engineer shall prepare said plans and specifications and a licensed  
19 contractor shall be employed on the work. The owner or owners shall pay the  
20 City of Modesto for costs incurred in inspection of the work. The City may  
21 assume the cost of installation of the collection laterals from the nearest  
22 existing collection lateral or trunk line of adequate capacity to the boundary of  
23 such subdivision, tract, or area, for a distance not to exceed two hundred and  
24 fifty feet (250').

25 Section 5. The user of each sewer service connection in said territory  
26 hereafter annexed shall pay a service charge to the City of Modesto based upon  
27 the following Schedule of Rates:

28 Monthly Charge Per Fixture for Residential Property

29 Fixture	First and Minimum	Additional (Each)	Other
30 Kitchen Sink	\$ .20	\$ .05	
Lavatory	.20	.05	
31 Shower Bath or Bath Tub	.20	.05	
Toilet	.40	.05	
32 Laundry Trays or Washer	.13	.05	
Garbage Grinder			\$ .40

Minimum Monthly Charge shall be One Dollar (\$1.00).

1 Monthly Charge Per Fixture for Hotels, Apartments, Boarding and Rooming  
 2 Houses, Restaurants, Canneries, Industrial Plants, Places of Amusement,  
 and Commercial Establishments

3 Fixture	First Ten	Eleven to Twenty	Over Twenty	Other
4 Restaurant & Soda Fountain				
5 Seats or Chairs	\$ .05	\$ .03	\$ .02	
6 Lavatory	.05	.03	.02	
7 Showers	.10	.05	.03	
Toilets	.15	.10	.05	
8 First Urinal				\$ .25
Additional Urinals				.15
9 Garbage Disposal				.40
Washracks (Motor Vehicle)				1.00

10 Minimum Monthly Charge shall be Fifty Cents (\$0.50).

11 Rates for garbage grinders other than household type and for any other  
 12 fixture which discharges wastes to the sewerage system not specified  
 herein shall be on a comparable basis and shall be fixed by the City  
 13 Council.

14 No charge shall be made for service to schools and churches.

15 Payment of sewer service charges shall begin on the first of the month fol-  
 16 lowing the expiration of ninety (90) days from the date of installation of the  
 collection lateral within one hundred (100) feet of the building to be served, or  
 17 on the first of the month following connection of the house sewer to said collec-  
 18 tion lateral if said connection is made prior to the expiration of said ninety  
 19 (90) day period.

20 Section 6. All monies collected by the City of Modesto for sewer connection  
 21 fees hereinabove set forth shall be placed in a special "Sewer Connection Fund"  
 22 and shall thereafter be expended for the construction of the collection laterals  
 23 serving the tract or territory from which said fees are collected.

24 If after the construction of said collection lateral system there remains  
 25 any money in said fund at a time five years from the date of said collection,  
 26 said money so remaining in said Sewer Connection Fund shall be placed in the  
 27 General Fund of the City of Modesto.

28 Section 7. All monies collected by the said City of Modesto for sewer  
 29 service charges as herin set forth shall be placed in a special "Sewer Service  
 30 Fund" and shall thereafter be expended for operation and maintenance of the  
 31 Domestic Sewage Treatment Plant and for the construction of necessary sewer  
 32

1 trunk lines and additional treatment facilities.

2 Section 8. This Ordinance shall apply only to territory hereafter annexed  
3 to the City of Modesto, and Ordinance No. 624 N. S. shall remain in full force  
4 and effect for territory annexed to the City of Modesto prior to the effective  
5 date of this Ordinance.

6 Section 9. The City Clerk or any other person authorized by resolution  
7 of the City Council, shall be in charge of the collection of all monies that  
8 may become due the City by virtue of this Ordinance, and shall pay the same  
9 into the City Treasury and account for the same in the same manner as he pays  
10 into the City Treasury and accounts for all other sums received by him in  
11 his official capacity.

12 Section 10. Rules and Regulations.

13 1. There shall be a separate connection to the sewerage system  
14 for each building unit designated herein, except that two dwellings on an  
15 interior lot, or pair of lots, as shown on the Official City Map may be con-  
16 nected by the same house sewer.

17 2. Permits for sewer connections shall be obtained in accordance with  
18 the provisions of Ordinance 901 N. S. (Plumbing Ordinance)

19 3. Within 30 days after the installation of collection laterals  
20 within the area, a form will be supplied each property owner or his authorized  
21 agent in said area, upon which said owner or said agent must indicate the  
22 number and type of fixtures upon the premises. The form shall be returned to  
23 the Office of the City Clerk within 30 days from receipt thereof. The City  
24 Clerk shall determine the proper sewer service charge for the premises and  
25 said charges shall be paid at the Office of the City Clerk. Bills for sewer  
26 service must be paid by the tenth of each month or a ten per cent penalty  
27 will be added. A two per cent discount will be made on all bills paid six  
28 months in advance and a five per cent discount will be made on all bills paid  
29 one year in advance. On premises served with City water, the charge for sewer  
30 service shall be added to the charge for water service and payment of the total  
31 amount must be made.

32 4. Owners of property will be held liable for payment of sewer service

charges for their premises although payments will be accepted from tenants. All unpaid accounts for sewer service charges at any premise shall become a lien against said premise.

5. All persons, firms, or corporations must keep their house sewer connections in good order at their own expense and may be held liable for damages which may result from their failure to do so. A City Inspector shall be admitted at all reasonable hours to all parts of any premises connected with the sewerage system for purpose of checking the fixtures and establishment of service charges as herein provided.

Section 11. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption.

Section 12. This Ordinance shall be published in full at least once 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 regular meeting of the Council of the City of Modesto on the 24th day of May 1950 by Councilman Frad who moved its adoption and passage to print which motion being duly seconded by Councilman Stanley was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:


AYES: Councilmen: Burkner, Frad, Stanley, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:   
Mayor

ATTEST:

  
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 May, 1950, 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 14, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Burkner

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT, SEWAGE TREATMENT PLANT

SPECIAL ORDER  
NOT IN CODE

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

Section 1. The sum of Ten Thousand 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 purchasing Chemicals for the Public Works Department, Sewage Treatment Plant.

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 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 7th day of June, 1950, by Commissioner Frad who moved its adoption and passage to print which motion being duly seconded by Commissioner Condit was upon roll call carried and the ordinance ordered printed and published by the following vote:

NOT SPECIAL ORDER  
NOT IN CODE

- Ayes: Councilmen: Condit, Frad, Acting Mayor Stanley
- Noes: Councilmen: None
- Absent: Councilmen: Burkner and Mayor Shannon

APPROVED: C. J. Stanley  
C. J. STANLEY, Acting Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

1. FINAL ADOPTION CLASSE

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 7th day of June, 1950, and sub-  
5. sequently 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 June 14, 1950, it was upon roll call so finally adopted  
8. by the following vote:

9. Ayes: Councilmen: Condit, Frad, Mayor Shannon

10. Noes: Councilmen: None

11. Absent: Councilmen: Stanley and Burkner

12.  
13. APPROVED *Carl W. Shannon*  
14. CARL W. SHANNON, MAYOR

15.  
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17. ATTEST: *REX E. GAILFUS*  
18. REX E. GAILFUS, CITY CLERK

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1 ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT  
2 AND AMENDING ZONING ORDINANCE NO. 700 N. S. BY ADDING ADDITIONAL  
3 MAP.  
4

5 WHEREAS, the City Planning Commission by Resolution has  
6 initiated proceedings to classify newly annexed territory  
7 commonly known as Evergreen Acres Tract and more specifically  
8 described hereinafter, and

9 WHEREAS, after two public hearings as required by the City  
10 Ordinance and the State Planning Act and after due consideration,  
11 the Modesto City Planning Commission has recommended to the City  
12 Council the classification as hereinafter set forth, and

13 WHEREAS, a public hearing has been held by the Council of  
14 the City of Modesto as provided by law and no person has objected  
15 to the classification as suggested.

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

18 SECTION 1. That certain area heretofore annexed to the  
19 City of Modesto commonly referred to as Evergreen Acres Tract  
20 is hereby classified as follows:

21 Lots 12, 13, 14, 15 and the Northerly 105 feet of  
22 Lots 17 and 18 of the Evergreen Acres Tract, as filed  
23 for record on September 21, 1912 in Vol. VII of Maps,  
24 Page 9, Stanislaus County Records, be classified into  
25 the R-A, Residence-Agricultural District, and that

26 Lot 16, and the Southerly 150 feet of Lots 17 and 18  
27 of said Evergreen Acres Tract be classified into the  
28 C-1, Neighborhood Business District.

29 SECTION 2. The Zoning Ordinance of the City of Modesto,  
30 being Ordinance No. 700 N. S. is hereby amended by annexing thereto  
31 that certain Map titled "Land Use District Map No. 1-D, City  
32 of Modesto", a copy of which is hereto annexed and said map is  
hereby incorporated into said Zoning Ordinance.

SECTION 3. This Ordinance shall go into effect and be in

1 full force and operation fifteen (15) days after its final  
2 passage and adoption.

3 SECTION 4. This Ordinance shall be published at least once  
4 at least three days before its final passage and adoption in the  
5 Modesto Bee, the official newspaper of the City of Modesto.

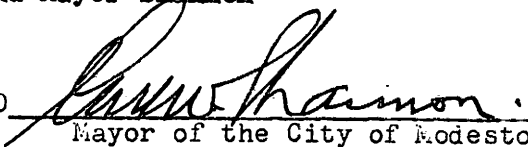
6 The foregoing Ordinance was introduced at a special meeting  
7 of the Council of the City of Modesto held on the 7th day of  
8 June, 1950, by Councilman Frad who moved its adoption  
9 and passage to print, which motion being duly seconded by  
10 Councilman Condit was upon roll call carried by the  
11 following vote:

12 AYES: Councilmen: **Frad Condit, Acting Mayor Stanley**


13 NOES: Councilmen: **None**

14 ABSENT: Councilmen: **Burkner and Mayor Shannon**

15  
16 APPROVED

  
Mayor of the City of Modesto

17  
18  
19 ATTEST:

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21   
City Clerk 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 7th day of June, 1950, 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 28, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Condit, Frady, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

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*Repealed  
by Ord 1057-115*

1 AN ORDINANCE REGULATING THE STORAGE, MANUFACTURE, SALE, AND DIS-  
2 CHARGE OF FIRE WORKS IN THE CITY OF MODESTO, MAKING THE VIOLATIONS  
3 HEREOF A MISDEMEANOR AND REPEALING ORDINANCE NO. 677 N. S.

REPEALED BY  
MUNICIPAL CODE

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

6 SECTION 1. It shall be unlawful for any person or  
7 persons, firm, company, corporation or association either as  
8 principal or agent or employee to store, manufacture, sell or dis-  
9 charge within the City of Modesto any of the following fire works:

10 Pyrotechnics or fireworks containing phosphorous,  
11 sulphocyanide, mercury, chlorate of potash and sulphur or chlorate  
12 of potash and sugar;

13 Firecrackers, salutes and other explosive articles of  
14 similar nature;

15 Blank cartridges:

16 Sky rockets, including all devices which rise in the air  
17 during discharge;

18 Roman candles, including all devices discharging balls of  
19 fire into the air;

20 Chasers, including all devices which dart or travel about  
21 the surface of the ground during discharge;

22 Snakes, boa constrictors and snake nests, containing  
23 bichloride of mercury;

24 All articles for pyrotechnic display, which contain  
25 gunpowder;

26 Articles commonly known as son-of-a-gun, devil-on-the-rock,  
27 crackit sticks and automatic torpedoes which contain arsenic;

28 Explosives known as devil-on-the-walk, or any other  
29 article of similar character which explodes through means of  
30 friction, and all other similar fireworks, unless otherwise  
31 designated;  
32

REPEALED BY  
MUNICIPAL CODE

1 Toy torpedoes of all kinds except those specifically  
2 designed for use only with toy pistol paper caps containing not  
3 more than twenty five hundredths grain of explosive compound to  
4 each paper cap.

5 Such other fireworks as may be designated as dangerous  
6 by the State Fire Marshal.

7 SECTION 2. All of the provisions of Sections 12500,  
8 12503, 12504, 12507, 12508, 12509, 12509a and 12509b of the Health  
9 and Safety Code of the State of California as now existing or as  
10 hereafter amended insofar as the same apply to municipalities are  
11 hereby adopted and made a part of this Ordinance as though fully  
12 set forth herein.

13 SECTION 3. Any person or persons, firm, corporation or  
14 association violating any of the provisions of this ordinance shall  
15 be guilty of a misdemeanor and upon conviction thereof shall be  
16 punished by a fine not to exceed Five hundred and no/100 (\$500.00)  
17 Dollars or by imprisonment in the County Jail for a period not to  
18 exceed six (6) months or by both such fine and imprisonment, and  
19 every judgment for the payment of a fine may also direct that the  
20 defendant shall be imprisoned until such fine is paid, not to  
21 exceed one (1) day for every Two and no/100 (\$2.00) Dollars of such  
22 fine nor to exceed six (6) months in all.

23 SECTION 4. Ordinance No. 677 N. S. is hereby repealed.

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

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

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 June, 1950, by Councilman Condit, who moved its

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

4 AYES: Councilmen: Condit, Frad, Mayor Shannon

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Stanley, Burkner

7  
8 APPROVED: Carl W. Shannon  
9 CARL W. SHANNON, Mayor

10 ATTEST:

11  
12 REX E. GAILFUS  
13 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, 1950, 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 28, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Enad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner, ~~Stanley~~

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

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SPECIAL  
NOT IN CODE

ORDINANCE NO. 941-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING A TRUCK FOR THE PUBLIC WORKS DEPARTMENT

---o0o---

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

Section 1. The sum of Four Thousand 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 purchasing a truck for the Public Works Department.

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 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 21st day of June, 1950, by Commissioner Condit who moved its adoption and passage to print which motion being duly seconded by Commissioner Stanley, was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

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SPECIAL  
NOT IN CODE

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 June, 1950, 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 28, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Frad, Stanley, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

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

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

ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 3, SOUTH, RANGE 9 EAST, M.D.B. & M. TO THE CITY OF MODESTO.

WHEREAS, a petition dated the 11th day of April, 1950, was filed with the City Clerk by Mary A. Sanders for the annexation of Uninhabited Territory to the City of Modesto under the Annexation of Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council by Resolution passed on the 24th day of May, 1950, set said petition for hearing for the hour of 7:30 o'clock P. M. on the 28th day of June, 1950, in the Council Chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said petition, and

WHEREAS, the City Council finds that the allegations contained in said petition are true and that there has been full and complete compliance with the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, now, therefore,

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

SECTION 1. That the petition of Mary A. Sanders be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed is a portion of the Campus Tract No. 2 and is located in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

All that certain real property situated in the County of Stanislaus, State of California, and bounded and described as follows:

1 The Southwest quarter of the Southwest quarter,  
2 and the South 10.00 feet of the Northwest quarter  
3 of the Southwest quarter of Section 20, Township  
4 3 South, Range 9 East, Mount Diablo Base & Meridian,  
5 particularly described as follows:

6 Beginning on the existing city limits 509.78 feet  
7 North of the Southwest corner of the aforesaid  
8 Section 20 and the West line of said Section 20;  
9 thence North 0° 01' 30" East along the section line and  
10 along the centerline of Tully Road 818.30 feet; thence  
11 South 87° 54' 05" East along the North line of the  
12 South 10 feet of the Northwest 1/4 of the Southwest  
13 1/4 of said Section 20, 1320.98 feet to the existing  
14 city limits; thence along the existing city limit  
15 line the following courses and distances: South 0°  
16 01' West along the 1/4-1/4 Section line along the  
17 centerline of College Avenue 1329.02 feet; thence  
18 North 88° 28' West along the South line of said  
19 Section 20 and along the centerline of Coldwell Avenue  
20 1321.05 feet; thence North 0° 27' West along the  
21 West line of said Section 20 and along the centerline  
22 of Tully Road to the point of beginning.

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

26 SECTION 5. This ordinance shall be published in full  
27 at least once in the Modesto Bee, the official newspaper of the  
28 City of Modesto at least three (3) days prior to its final passage  
29 and adoption.

30 The foregoing ordinance was introduced at a regular  
31 meeting of the Council of the City of Modesto held on the 28th day  
32 of June, 1950, by Councilman Stanley, who moved its  
adoption and passage to print, which motion being duly seconded  
by Councilman Frad, was upon roll call carried by the  
following vote:

33 AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

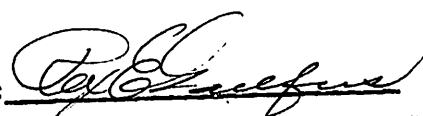
34 NOES: Councilmen: None

35 ABSENT: Councilmen: Burkner

36 APPROVED

  
CARL W. SHANNON, Mayor

37 ATTEST:

  
REX E. BAILFUS, 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 June, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad

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

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

AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO.

WHEREAS, a petition dated the 10th day of April, 1950, was filed with the City Clerk by Halsey West, Arvilla West, Ward Snowden and Marian Snowden for the annexation of Uninhabited Territory to the City of Modesto under the Annexation of Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council by Resolution passed on the 24th day of May, 1950, set said petition for hearing for the hour of 7:30 o'clock P. M. on the 28th day of June, 1950, in the Council Chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said petition, and

WHEREAS, the City Council finds that the allegations contained in said petition are true and that there has been full and complete compliance with the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, now, therefore,

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

SECTION 1. That the petition of Halsey West, Arvilla West, Ward Snowden and Marian Snowden be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed is a portion of the Las Palmas Tract and is located in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

1 All that certain real property situated in the  
2 County of Stanislaus, State of California, and  
3 bounded and described as follows:

4 Lots 14 and 15 and a portion of lots 16 and 17 of  
5 the Las Palmas Tract, as filed for record on  
6 February 20, 1930, Volume 11 of Maps, Page 16,  
7 Stanislaus County Records, which property is more  
8 precisely described as follows:

9 Beginning on the existing city limits line on the center  
10 line of North Santa Rosa Avenue and the Northeast  
11 corner of Lot 1 of the Las Flores Tract, as filed  
12 for record on December 13, 1920, Volume 9 of Maps,  
13 Page 47, Stanislaus County Records; thence North  
14 89° 59' East 174.30 feet; thence north 0° 53' West  
15 to a point on the South line of La Loma and the West  
16 boundary of lot 11 of said Las Palmas Tract; thence  
17 Northwesterly along the South line of La Loma to a  
18 point on the existing city limits line, which  
19 point is also on the center line of North Santa  
20 Rosa Avenue; thence South 0° 53' West along the  
21 existing city limits to the point of beginning.

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

25 SECTION 5. This ordinance shall be published in full  
26 at least once in the Modesto Bee, the official newspaper of the  
27 City of Modesto at least three (3) days prior to its final passage  
28 and adoption.

29 The foregoing ordinance was introduced at a regular  
30 meeting of the Council of the City of Modesto held on the 28th  
31 day of June, 1950, by Councilman Frad, who moved its  
32 adoption and passage to print, which motion being duly seconded  
33 by Councilman Stanley, was upon roll call carried by  
34 the following vote:

35 AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

36 NOES: Councilmen: None

37 ABSENT: Councilmen: Burkner

38 APPROVED

*Carl W. Shannon*  
CARL W. SHANNON, Mayor

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

1 FINAL ADOPTION CLAUSE

2  
3 The foregoing ordinance having been introduced and ordered  
4 printed and published at a regular meeting of the Council of the  
5 City of Modesto held on the 28th day of June, 1950, and subsequent-  
6 ly printed and published as required by the Charter of the City of  
7 Modesto, and coming on for final adoption at the regular meeting of  
8 July 12, 1950, it was upon roll call so finally adopted by the  
9 following vote:

10 Ayes: Councilmen; Burkner, Condit, Stanley, Mayor Shannon  
11 Noes: Councilmen; None  
12 Absent: Councilmen; Frad

13  
14 APPROVED: Carl W. Shannon  
CARL W. SHANNON, MAYOR

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17 ATTEST: REX E. GAILFUS  
18 REX E. GAILFUS, CITY CLERK  
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SPECIAL  
NO. 1 IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY, BEING A PORTION OF THE WEIL COLONY, TO THE CITY OF MODESTO.

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WHEREAS, a petition dated the 5th day of June, 1950, was filed with the City Clerk by R. J. Giddings, W. W. Giddings, Jr., and Herbert Wilson for the annexation of Uninhabited Territory to the City of Modesto under the Annexation of Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council by Resolution passed on the 7th day of June, 1950, set said petition for hearing for the hour of 7:30 o'clock P. M. on the 12th day of July, 1950, in the Council Chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said petition, and

WHEREAS, the City Council finds that the allegations contained in said petition are true and that there has been full and complete compliance with the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, now, therefore,

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

SECTION 1. That the petition of R. J. Giddings, W. W. Giddings, Jr., and Herbert Wilson be and the same is hereby granted and the territory described in said petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed is a portion of the Weil Colony and is located in the County of Stanislaus, State of California, and contiguous to the City of Modesto, described as follows:

1 All that certain real property situated in the  
2 County of Stanislaus, State of California, and bounded  
and described as follows:

3 A portion of the Northwest quarter of Section 20, Township  
4 3 South, Range 9 East, Mount Diablo Base & Meridian,  
5 being also Lots 4, 5 and 6 of WEIL COLONY, excluding  
6 the north 20 feet thereof, and Lots 15 and 16 of said  
7 Weil Colony, all according to the map thereof filed in  
the office of the Recorder of Stanislaus County, California,  
in Volume 3 of Maps, at Page 37, and that portion of the  
south half of the 40 foot Avenue adjoining Lots 15 and 16  
of said WEIL COLONY, described as follows:

8 Beginning at the northwest corner of Block 6008 of the  
9 CITY OF MODESTO, said corner being at the intersection  
of the south line of Orangeburg Avenue with the east line  
10 of College Avenue; thence Easterly along the north line  
of said Block 6008 a distance of 629.67 feet; thence  
11 Northerly along the line common to Lots 16 and 17 of said  
WEIL COLONY, and its extension thereof 679.22 feet to  
12 the corner common to Lots 4, 5, 16 and 17 of WEIL COLONY;  
thence Easterly along the south line of Lot 4 of WEIL  
13 COLONY 330.00 feet to the southeasterly corner thereof;  
thence Northerly along the easterly line of Lot 4 of  
14 WEIL COLONY 639.30 feet to the south line of 40 foot  
County Road known as Granger Avenue; thence Westerly  
15 along the south line of Granger Avenue 990.43 feet to  
a point on the west line of Lot 6 of WEIL COLONY; thence  
16 Southerly along the west line of Lots 6 and 15 of WEIL  
COLONY and along the center line of College Avenue  
17 1298.06 feet to the southwest corner of said Lot 15;  
thence continuing Southerly along the center line of  
18 College Avenue 20.00 feet; thence Easterly along the  
extension of the north line of Block 6008 of the CITY OF  
19 MODESTO a distance of 30.00 feet to the point of beginning.

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

23 SECTION 5. This ordinance shall be published in full at least  
24 once in the Modesto Bee, the official newspaper of the City of Modesto  
25 at least three (3) days prior to its final passage and adoption.

26 The foregoing ordinance was introduced at a regular meeting  
27 of the Council of the City of Modesto held on the 12 day of July  
28 1950, by Councilman Stanley, who moved its adoption and passage  
29 to print, which motion being duly seconded by Councilman Burkner  
was upon roll call carried by the following vote:

30 AYES: Councilmen: B urkner, Condit, Erad, Stanley, Mayor Shannon  
31 NOES: Councilmen: None  
32 ABSENT: Councilmen: None

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 regular meeting of the Council of the City of Modesto held on 12th day of July, 1950, 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 26, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK



1 permit. Such permit may be revoked by the Chief of Police at any  
2 time when the music or entertainment disturbs the peace and quiet  
3 or becomes offensive to the surrounding or near by residents. If  
4 such permit is revoked the establishment shall not play or permit  
5 music to be played or entertainment of a noisy character to be  
6 carried on after the hour of 12 O'clock midnight.

7 If the Chief of Police refuses to issue a permit the  
8 applicant within 30 days thereafter may appeal in writing to the  
9 City Council which shall hear the matter and the City Council shall  
10 either grant said permit or refuse the same if in its discretion it  
11 finds that the premises are not a proper place for said music or  
12 entertainment. If the Chief of Police revokes a permit the same  
13 right of appeal shall be granted to the applicant.

14 Section III. This Ordinance shall not be construed so  
15 as to include dance halls or pavilions; provided that no cafe,  
16 restaurant, or other eating place, the principal business of which  
17 is serving food and refreshments, shall be construed to constitute  
18 a dance hall or pavilion notwithstanding dancing may be indulged in  
19 as an incident thereto. Dancing shall not be permitted in any es-  
20 tablishment affected by this Ordinance unless a dance permit is ob-  
21 tained as required by other Ordinances of the City of Modesto.

22 Section IV. Any person, firm or corporation violating  
23 any of the terms of this Ordinance shall be deemed guilty of a mis-  
24 demeanor and upon conviction thereof shall be punished by a fine of  
25 not more than \$100.00 or by imprisonment in the County jail not to  
26 exceed thirty (30) days, or by both such fine and imprisonment.

27 Section V. If any section, subsection, sentence, clause,  
28 word or phrase of this Ordinance is held to be unconstitutional or  
29 otherwise invalid for any reason, such decision shall not affect  
30 the validity of the remainder of this Ordinance. The Council here-  
31 by declares that it would have passed this Ordinance and each section,  
32 subsection, sentence, clause, word or phrase thereof irrespective

1 of the fact that any one-section, subsection, sentence, clause,  
2 word or phrase be held unconstitutional or otherwise invalid.

3 Section VI Ordinance No. 299-N.S. of the City of Modesto  
4 is hereby repealed.

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

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

11 The foregoing ordinance was introduced at a regular meeting  
12 of the Council of the City of Modesto held on the 12th day of July,  
13 1950, by Councilman Stanley who moved its adoption and passage to  
14 print, which motion being duly seconded by Councilmen Burkner was  
15 upon roll call carried and the ordinance printed and published by  
16 the following vote:

17 Ayes: Councilmen: Burkner Condit, Stanley, Mayor Shannon

18 Noes: Councilmen: None

19 Absent: Councilmen: Frad

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21 APPROVED:   
CARL W. SHANNON, MAYOR

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23 ATTEST:   
24 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 12th day of July, 1950, 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 26, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shammon  
Noes: Councilmen: None  
Absent: Councilmen: None

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

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

Amended by  
Ord # 984-115

ORDINANCE NO. 946-N.S.

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

---oOo---

REPEALED BY  
MUNICIPAL CODE

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 \$6000 00 per annum

City Attorney, the sum of \$4800 00 per annum

Chief of Police, the sum of \$6000 00 per annum

Fire Chief, the sum of \$6000 00 per annum

Health Officer, the sum of \$5700 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 \$8400.00 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 Modesto Bee.

The foregoing ordinance was introduced at a special

REPEALED BY  
MUNICIPAL CODE

1 meeting of the Council of the City of Modesto held on the 19th day  
2 of July, 1950 by Commissioner Feas, who moved its adoption,  
3 and passage to print as aforesaid, which motion being duly seconded  
4 by Commissioner Quinn, it was upon roll call carried and the  
5 ordinance ordered published as above by the following vote:

6 Ayes: Councilmen: all

7 Noes: Councilmen: none

8 Absent: Councilmen: none

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

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14 ATTEST: REX E. GAILFUS  
15 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, 1950, 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 26, 1950, it was upon roll call so finally adopted by the following vote:

Ayes; Councilmen: Burkner, Condit, Frad, 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

AN ORDINANCE PROVIDING FOR PAYMENT OF SERVICE CHARGES FOR USERS OF DOMESTIC SEWERAGE SYSTEM OF THE CITY OF MODESTO WITHIN THE CORPORATE LIMITS OF SAID CITY PRIOR TO THE ADOPTION OF ORDINANCE NO. 937 N.S.

To provide funds for operating and maintaining the City owned Domestic Sewerage System and to provide funds for necessary enlargement and extension of said system to serve the people of the City, the Council of the City of Modesto do ordain as follows:

Section 1. Each person, firm, or corporation owning property within the corporate limits, prior to adoption of ordinance no. 937 N. S. shall pay a charge for domestic sewerage service to said City in accordance with the following schedule of rates:

**Monthly Charge Per Fixture for Residential Property**

Fixture	First and Minimum	Additional (Each)	Other
Kitchen Sink	\$ .15	\$ .05	
Lavatory	.15	.05	
Shower Bath or Bath Tub	.15	.05	
Toilet	.30	.05	
Laundry Trays or Washer	.10	.05	
Garbage Grinder			\$ .30

Minimum Monthly Charge shall be Seventy-five Cents (\$0.75).

**Monthly Charge Per Fixture for Hotels, Apartments, Boarding and Rooming Houses, Restaurants, Canneries, Industrial Plants, Places of Amusement, and Commerical Establishments.**

Fixture	First Five	Six to Twenty	Over Twenty	Other
Restaurant & Soda Fountain				
Seats or Chairs	\$ .05	\$ .03	\$ .02	
Lavatory	.05	.03	.02	
Showers	.10	.05	.03	
Toilets	.15	.10	.05	
First Urinal				\$ .20
Add'l Urinals				.10
Garbage Disposal				.30
Washracks (Motor Vehicle)				.90

Minimum Monthly Charge shall be Fifty Cents (\$0.50).

Rates for garbage grinders other than household type and for any other fixture which discharges wastes to the sewerage system not specified herein shall be on a comparable basis and shall be fixed by the City Council.

No charge shall be made for service to schools and churches.

Section 2. Said charges for domestic sewerage service shall be made

*Failed of adoption  
Repealed by  
Ord. 1070 N.S.*

to all property, except vacant lots, for which the collection laterals are installed whether or not said property is connected to said sewerage system.

Section 3. Payment of said sewer service charge shall begin on the first of the month following the effective date of this ordinance. Payment of sewer service charges on properties on which buildings are constructed in the future or for which collection laterals must be constructed before service can be rendered shall begin on the first of the month following connection to said sewer system or on the first of the month following the expiration of 90 days after installation of said collection lateral within 100 feet of the building to be served, whichever date shall occur first.

Section 4. All monies collected by the said City of Modesto for sewer service charges as herein set forth shall be placed in the special "Sewer Service Fund" as created by Ordinance No. 937 N.S. and shall thereafter be expended for the operation and maintenance of the Domestic Sewage Treatment Plant and for the construction of necessary sewer trunk lines and additional treatment facilities.

Section 5. All territory annexed after May 24, 1950 shall comply with provisions of Ordinance No. 937 N.S.

Section 6. Rules and Regulations.

1. The charge for sewer service for the first month after the effective date of this ordinance shall be at the minimum rate set forth herein.

2. Within 30 days after the adoption of this ordinance a form will be supplied each property owner or his authorized agent upon which said owner or said agent must indicate the number and type of fixtures upon the premises. The form shall be returned to the Office of the City Clerk within 30 days after receipt thereof. The City Clerk shall determine the proper sewer service charge for the premises and said charges shall be paid at the Office of the City Clerk. Bills for sewer service must be paid by the tenth of each month or a ten per cent penalty will be added. A two per cent discount will be made on all bills paid six months in advance and a five per cent discount will be made on all bills paid one year in advance. On premises served with City water, the charge for sewer service shall be added to the charge for water service and payment of the total amount must be made.

1 3. Owners of real property shall be liable for payment of  
2 sewer service charges for their premises although payments may be  
3 accepted from tenants. All unpaid accounts for sewer service  
4 charges at any premises are hereby made a lien against said premises.

5 4. All persons, firms, or corporations shall keep their  
6 house sewer connections in good order at their own expense and shall  
7 be liable for damages which may result from their failure to do so.  
8 A City Inspector shall be admitted at all reasonable hours to all  
9 parts of any premises connected with the sewerage system for purpose  
10 of checking the fixtures and establishment of service charges as  
11 herein provided.

12 Section 7. This ordinance shall go into effect from and  
13 after October 1, 1950.

14 Section 8. This ordinance shall be published in full at  
15 least once at least three (3) days prior to its final adoption in  
16 the Modesto Bee, the official newspaper of the City of Modesto. The  
17 foregoing ordinance was introduced at a special meeting of the  
18 Council of the City of Modesto on the 19th day of July, 1950 by  
19 Councilman Frad who moved its adoption and passage to print which  
20 motion being duly seconded by Councilman Condit was upon roll call  
21 carried and the Ordinance ordered printed and published as above  
22 by the following vote:


23 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

24 Noes: Councilmen: None

25 Absent: Councilmen: None

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27 APPROVED:   
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CARL W. SHANNON, MAYOR

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30 ATTEST:   
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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, 1950, 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 4, 1950, it failed of adoption by the following vote:

Ayes: Councilmen: None

Noes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Absent: Councilmen: None

APPROVED

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL PROPERTY

SPECIAL  
NOT IN CODE

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

Section I. The sum of \$30,010.00, or so much thereof as may be necessary, is hereby appropriated from the parking meters fund of the City of Modesto, for the purchase from the owners thereof, by the Modesto City Parking Authority, of certain real property which is described as follows:

All that certain real property situated in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 17, 18, 19 and 20, in Block 82 of the City of Modesto, as per Map filed December 21, 1942, in the Office of The County Recorder of Stanislaus County, California, in Volume 15 of Maps.

Section II. This Ordinance shall go into effect from and after 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 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 26th day of July, 1950, by Councilman Stanley, who moved its adoption and passage to print, which motion being duly seconded, by Commissioner Burkner, was carried, and the Ordinance ordered printed and published by the following vote:

- AYES: Councilmen: Frad, Burkner, Condit, Stanley and Mayor Shannon.
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Carl W. Shannon  
Mayor

ATTEST: [Signature]  
City Clerk

SPECIAL  
NOT IN CODE


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 26th day of July, 1950, 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 August 9, 1950, it was upon roll call so finally adopted  
9 by the following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED:   
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CARL W. SHANNON, MAYOR

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17 ATTEST:   
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REX E. GAILFUS, CITY CLERK  
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NO. SPECIAL  
IN CODE

ORDINANCE NO. 949 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS AND EQUIPMENT AND FOR THE 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

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

SECTION 1. The following sums, or so much thereof

as may be necessary are hereby appropriated out of the General Fund of the City of Modesto for:

PUBLIC WORKS AND PARK DEPARTMENTS

10		
11	\$ 600 00	Roof for Compost Floor at Golf Course
12	1,200 00	Repairs to breakwater
13	800 00	Extension water system Beard Brook Park
14	6,250 00	Improvements to Dennett Dam
15	2,800 00	Tree Spraying Material
16	1,700 00	One pick up Truck for the Park Department
17	3,000 00	Resurface 1 tennis court (Park St. side Graceada Park)
18	1,500 00	Lighting Manoli Music Bowl
19	3,900 00	Four Wheel Drive Tractor
20	2,500 00	Softball Diamond
21	3,400 00	Street Paint and Traffic Markers
22	3,000 00	Cement
23	2,000 00	Street names and signs
24	10,600 00	Six Wheel Grader
25	6,000 00	oiling newly annexed street
26	5,000 00	Traffic signals
27	42,000 00	General maintenance to city streets
28	2,500 00	Lamps
29	2,500 00	Modernize obsolete overhead street lighting
30	2,000 00	Rearranging and improving 2 Street light Circuits
31	4,700 00	Truck-body and power winch

1	\$5,000 00	Sanitary sewer extensions
2	56,000 00	Sanitary sewer extensions to schools
3	3,500 00	Storm drain extension
4	2,500 00	Remodel interior of Building 616 10th St.
5	17,875 00	Chemicals for odor and bacterial control
6	25,000 00	vacuator
7	2,000 00	Duplex sludge pump

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10 FOR THE GENERAL ADMINISTRATIVE DEPARTMENT

11	\$600 00	annual audit of accounts
12	1,500 00	automobile
13	1,000 00	office equipment
14	8,000 00	Purchase of W. Raemsch property

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17 FOR THE FIRE DEPARTMENT

18	\$18,500 00	Fire truck
19	3,000 00	Radio equipment
20	1,000 00	new roof on fire station No. 1
21	900 00	Paint apparatus room No. 1 station

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23 FOR THE HEALTH DEPARTMENT

24	\$ 750 00	Photostat machinery
25	1,700 00	automobile

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27 FOR MUSIC & PROMOTION

28	\$1,200 00	Stanislaus County Boy's Band for summer concerts
29	3,375 00	Merchants Association (Chamber of Commerce)
30	2,250 00	Merchants Christmas Program
31	1,000 00	Miscellaneous
32	500 00	Fourth of July Celebration

FOR THE POLICE DEPARTMENT

1 \$5,050 00 Automotive equipment

2 19,700 00 Board of prisoners

3 2,550 00 Radio equipment & maintenance

4 Section 2-the following sums, or so much thereof as may be

5 necessary are hereby appropriated out of the Library Fund of the City  
6 of Modesto

FOR THE MCHENRY PUBLIC LIBRARY

7 \$8,500 00 Hookmobile

8 3,000 00 Books

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10 Section 3- The following sums, or so much thereof as may be  
11 necessary are hereby appropriated out of the Water Fund of the  
12 City of Modesto:

13 \$7,000 00 Service supplies, pipe and fittings

14 2,000 00 meters

15 35,000 00 water line and hydrant extensions

16 Section 4- Reference is hereby made to the 1950-1951 budget  
17 adopted by the City Council for more detailed expenditures of the  
18 funds herein shown.

19 Section 5- The City Engineer or any other authorized  
20 official shall upon adoption of this ordinance from time to time  
21 when required by the Council of the City of Modesto, file with the  
22 Council, plans and specifications for the materials and/or equip-  
23 ment and/or construction work outlined above and the City Clerk  
24 shall from time to time as directed by the Council advertise for  
25 bids for said materials and/or equipment and/or construction work  
26 when necessary, and bids shall be received and accepted and con-  
27 tracts awarded therefor as the Council may hereafter by resolution  
28 determine and prescribe. Any contracts for public works may pro-  
29 vide for progressive payments as authorized by the City Charter.

30 Section 6- This ordinance shall go into effect from and  
31 after fifteen days after its final passage and adoption. It shall  
32 be published in full at least once, at least three days prior to

1 its final adoption in the Modesto Bee, the official newspaper of the  
2 City of Modesto.

3           The foregoing ordinance was introduced at a regular  
4 meeting of the Council of the City of Modesto held on July 26, 1950  
5 by Councilman Frad, who moved its adoption and passage to  
6 print, which motion was duly seconded by Commissioner Stanley  
7 was carried and the ordinance ordered printed and published by the  
8 following vote:

9 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

10 Noes: Councilmen: None

11 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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FINAL ADOPTION CLAUSE

That 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 26th day of July, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: Rex E. Galfus  
REX E. GALFUS, CITY CLERK

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CODE SEC.  
NO. 3-401  
3-409

ORDINANCE NO. 950 N. S.

AN ORDINANCE RELATING TO DISASTERS

1           Whereas, experience during the war and peace has demon-  
2 strated the need for adequate disaster plans and for mobilization  
3 of the resources of the community to cope with such disaster; and,

4           Whereas, the State of California has created a State  
5 Disaster Council to prepare a state disaster plan and to recommend  
6 mutual aid regions; and,

7           Whereas, municipalities have legal authority (Constitu-  
8 tion, Article XI, Section 11, and Military and Veterans Code  
9 Section 1571, as amended by Statutes of 1945, Chapter 1024), to  
10 create disaster councils for the purpose of formulating local dis-  
11 aster plans, including mutual aid agreements; now, therefore,

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

13           Section 1. DISASTER. As used in this ordinance, the  
14 term "disaster" shall include, but is not limited to, any extra-  
15 ordinary fire, flood, riot, storm, epidemic or earthquake, or any  
16 enemy attack or sabotage, which causes or threatens to cause loss  
17 of life or property and in which occurrences the responsibility de-  
18 velops upon the regular constituted authorities for the maintenance  
19 of public peace and order and the preservation of life and property.  
20 It shall not include any conditions resulting from a labor contro-  
21 versy.

22           Section 2. DISASTER COUNCIL. MEMBERSHIP. The Modesto  
23 Disaster Council is hereby created and shall consist of the foll-  
24 owings:

- 25           A. The Mayor, who shall be chairman.  
26           B. The Commander, who shall be vice-chairman.  
27           C. The Vice-Commander, appointed by the Mayor with the  
28 advice and consent of the City Council, who, in the absence of, or  
29 at the direction of, the Commander, shall act on his behalf on  
30 matters within the purview of this ordinance.  
31           D. The Chiefs of Divisions as hereinafter provided.  
32           E. Such other representatives of civic, business, labor,

1 veterans, professional or other organizations as may be appointed  
2 by the mayor with the advice and consent of the City Council.

3 Section 3. DISASTER COUNCIL. POWERS AND DUTIES. It  
4 shall be the duty of the Modesto Disaster Council, and it is here-  
5 by empowered:

6 A. To develop a plan for meeting any disaster. Such  
7 plan shall provide for the effective mobilization of all the re-  
8 sources of the community, both public and private:

9 B. To prepare and recommend for consideration by the  
10 City Council ordinances necessary to implement the disaster plan:

11 C. To consider and recommend to the City Council for  
12 approval mutual aid plans and agreements:

13 D. To perform such other duties as may be required.

14 The Disaster Council shall meet upon call of the chair-  
15 man.

16 Section 4. COMMANDER. POWERS AND DUTIES. There is here-  
17 by created the office of Commander. Such officer shall be appointed  
18 by the mayor with the advice and consent of the City Council.

19 The Commander is hereby empowered:

20 A. To proclaim the existence or threatened existence of  
21 a disaster and the termination thereof:

22 B. To request the Governor to proclaim a state of ex-  
23 treme emergency in the area in and around the City of Modesto when  
24 in the opinion of the Commander the resources of the community are  
25 inadequate to cope with the disaster:

26 C. To govern and direct the effort of the Modesto Dis-  
27 aster Corps in the accomplishment of the purposes of this ordinance:

28 D. To direct coordination and cooperation between the  
29 chiefs of divisions and resolve questions of authority and respon-  
30 sibility that may arise between them:

31 E. To represent the Disaster Corps in all dealings with  
32 public or private agencies pertaining to disaster preparedness.

1 It shall also be the duty of the Commander, and he is  
2 hereby empowered, during a disaster or when a disaster is imminent:

3 A. To make and issue rules and regulations on matters  
4 reasonably related to the protection of life and property as affected by such disaster:

5  
6 B. To obtain vital supplies, equipment and such other  
7 properties found lacking and needed for the protection of the life  
8 and property of the people, and bind the city for the fair value  
9 thereof, and, if required immediately, to commandeer the same for  
10 public use:

11 C. To require emergency services of any city officer or  
12 employee:

13 D. To requisition necessary personnel or material of any  
14 city department or agency:

15 E. To execute all of the special powers conferred upon  
16 him by this ordinance, and all powers conferred upon him by any  
17 other lawful authority.

18 Section 5. EXECUTIVE OFFICER. There is hereby created  
19 the position of Executive Officer of the Disaster Corps. The  
20 Executive Officer shall be appointed by the Mayor with the advice  
21 and consent of the City Council. The Executive Officer shall be  
22 the executive secretary of the Disaster Council and shall be Chief  
23 of the Division of Personnel and Recruitment.

24 Section 6. DISASTER CORPS. GENERAL. Officers and em-  
25 ployees of the City of Modesto, together with those volunteer forces  
26 enrolled to aid them during a disaster, and all groups, organizations  
27 and persons who may by agreement or operation of law be charged with  
28 duties incident to the protection of life and property in the City  
29 of Modesto during such disaster, shall constitute the Modesto Dis-  
30 aster Corps.

31 Section 7. DIVISIONS OF DISASTER CORPS. The functions  
32 and duties of the Modesto Disaster Corps shall be distributed among

1 the following divisions of such corps, each division to be under  
2 the direction of a Chief, and, in his absence, the first deputy  
3 and second deputy chief, respectively, appointed by the Chief, and  
4 said division to consist of the following forces, organizations  
5 and services, and such other forces, organizations or services,  
6 as may be included pursuant to the provisions of this ordinance.  
7 The chiefs of divisions shall organize and train volunteers assigned  
8 to such divisions by the Personnel and Recruitment Division and  
9 shall formulate the division plan which, when approved by the  
10 Disaster Council, shall become an annex to the disaster plan.  
11 The Chiefs of divisions shall include in the division plans re-  
12 commended mutual aid agreements. The Chiefs of Divisions shall  
13 be custodians of special equipment and other property which may  
14 be obtained from any source and assigned to such division by the  
15 Commander.

16       A. LAW AND ORDER DIVISION. This division shall be under  
17 and subject to the control of the chief of police, who shall be  
18 chief of the Law and Order Division. The division shall consist  
19 of police personnel and auxiliary police (volunteers).

20       B. FIRE DIVISION. This division shall be under and sub-  
21 ject to the control of the chief of the fire department, who shall  
22 be Chief of the Fire Division. The division shall consist of fire  
23 department personnel and auxiliary fire fighters (volunteers).

24       C. MEDICAL DIVISION. This division shall be under and  
25 subject to the control of the city health officer, who shall be  
26 Chief of the Medical Division. The division shall consist of  
27 health department personnel and medical service volunteers.

28       D. PUBLIC WORKS DIVISION. This division shall be under  
29 and subject to the control of the director of public works (city  
30 engineer) who shall be Chief of the Public Works Division. The  
31 division shall consist of the department of public works personnel  
32 and auxiliary personnel (volunteers).

1 E. UTILITIES DIVISION. The chief of this division shall  
2 be a citizen, experienced and engaged in such industry, appointed  
3 by the mayor with the advise and consent of the City Council. The  
4 division shall consist of auxiliary personnel (volunteers).

5 F. TRANSPORTATION DIVISION. The chief of this division  
6 shall be a citizen, experienced and engaged in such industry,  
7 appointed by the mayor with the advice and consent of the City  
8 Council. The division shall consist of auxiliary personnel  
9 (volunteers).

10 G. COMMUNICATIONS DIVISION. The chief of this division  
11 shall be a citizen, experienced and engaged in such industry,  
12 appointed by the mayor with the advice and consent of the City  
13 Council. The division shall consist of auxiliary personnel  
14 (volunteers), and city personnel engaged in communications work.

15 H. PERSONNEL AND RECRUITMENT DIVISION. This division  
16 shall be under and subject to the control of the Executive Officer.  
17 It shall be the duty of this division to recruit all volunteer  
18 personnel, to enroll and register such personnel, to keep adequate  
19 records thereof, and to assign such personnel to other divisions of  
20 the Disaster Corps. The Executive Officer may establish and oper-  
21 ate a volunteer office.

22 I. AMERICAN RED CROSS. The American Red Cross in the  
23 City of Modesto will furnish food, clothing, shelter, registration  
24 and information service, supplementary medical service when request-  
25 ed, and rehabilitation to individuals and families affected by a  
26 disaster. The American Red Cross will provide funds with which to  
27 finance all its relief operations. The chief of this division will  
28 be the chairman of the City of Modesto Chapter of the American Red  
29 Cross, or a delegated representative thereof.

30 Section 8. VOLUNTEERS. All persons, other than officers  
31 and employees of the city, volunteering services pursuant to the  
32 provisions of this ordinance, shall serve without compensation

1 from the city. While engaged in such services, they shall have  
2 the same immunities as officers and employees of the city perfor-  
3 ming similar duties.

4 Section 9. PUNISHMENT OF VIOLATIONS. It shall be a  
5 misdemeanor, punishable by a fine of not to exceed \$500.00, or by  
6 imprisonment for not to exceed six months, or both, for any person  
7 during a disaster:

8 A. Wilfully to obstruct, hinder or delay any member of  
9 the Disaster Corps in the enforcement of any lawful rule or regu-  
10 lation issued pursuant to this ordinance, or in the performance of  
11 any duty imposed upon him by virtue of this ordinance:

12 B. To do any act forbidden by any lawful rule or regula-  
13 tion issued pursuant to this ordinance, if such act is of such a  
14 nature as to give, or be likely to give assistance to the enemy, or  
15 to imperil the lives or property of other inhabitants of this city,  
16 or to prevent, hinder or delay the defense or protection thereof:

17 C. To wear, carry or display, without authority, any  
18 means of identification specified by the Disaster Council.

19 Section 10. EFFECTIVE DATE. This ordinance is hereby  
20 declared to be an emergency measure necessary for the immediate pre-  
21 servation of the public peace, health and safety, and shall take  
22 effect immediately. The following is a statement of the facts  
23 showing its urgency:

24 A complete and adequate disaster plan must be formulated  
25 at once by the Disaster Council. The plan will be based upon plans  
26 formulated by the chiefs of divisions and upon mutual aid agreements.  
27 To protect the lives and property of the citizens of the City of  
28 Modesto, responsibility for the formulation of such plans and agree-  
29 ments should be fixed immediately.

30 The foregoing ordinance was introduced at a regular  
31 meeting of the Council of the City of Modesto, held on the 26th  
32 day of July, 1950, by Councilman Stanley,

1 who moved its adoption and passage to print. The motion being  
2 duly seconded by Commissioner Frad, it was upon roll call carried  
3 and the ordinance ordered printed and published as above by the  
4 following vote:

5 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

6 Noes: Councilmen: None

7 Absent: Councilmen: None

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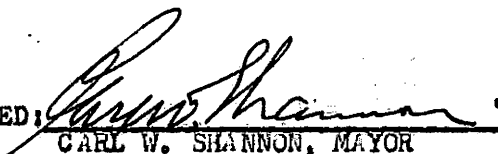
APPROVED:   
CARL W. SHANNON

ATTEST:   
REX E. GAILFUS, CITY CLERK

1 FINAL ADOPTION CLAUSE

2  
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 26th day of July, 1950, 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 August 9, 1950, it was upon roll call so finally adopted  
9 by the following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
11 Noes: Councilmen: None  
12 Absent: Councilmen: None

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14 APPROVED:   
15 CARL W. SHANNON, MAYOR

16  
17 ATTEST:   
18 REX E. BALLFUS, CITY CLERK

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ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT  
AND AMENDING ZONING ORDINANCE NUMBER 700 N. S.  
BY ADDING ADDITIONAL MAP

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

2 Section 1. That certain area heretofore annexed to the  
3 City of Modesto, commonly referred to as Portions of the Bodem  
4 Tract, Tatum Tract, and Rice Colony, be and the same is established  
5 as, partly R-1, single family residence district, and partly R-2,  
6 two family residence district, as hereinafter described.

7 Said territory is located in the City of Modesto, County  
8 of Stanislaus, State of California, and described as follows:

9 The Northerly 154.66 feet of lots 16, 17 and the  
10 Easterly 74 feet of lot 18 of the Tatum Tract, as  
11 filed for record on February 17, 1913, Page 29,  
12 Vol 7 of Maps of Stanislaus County Records, be  
13 classified in the R-1, Single Family Residence  
14 District, and that

15 The Northwest quarter of lot 7 of the Rice Colony,  
16 as filed for record on February 19, 1904, Vol. 1,  
17 Page 54 of Maps of Stanislaus County Records, and  
18 Lots 3, 4 and 5 of the Bodem Colony, as filed for  
19 record on February 17, 1913, Page 29, Vol. 7 of  
20 Maps of Stanislaus County Records, and the Southerly  
21 174.65 feet of Lots 11, 12, 13, 14, 15, 16, 17 and  
22 the Easterly 74 feet of lot 18 of said Tatum Tract,  
23 be classified in the R-2, Two Family Residence  
24 District.

25 Section 2. The Modesto City Zoning Ordinance, being  
26 ordinance No. 700 N. S., is hereby amended by annexing thereto,  
27 that certain map, titled, "Land Use District Map 30", a copy  
28 of which is hereto annexed, and said map is hereby incorporated  
29 into said zoning ordinance.

30 Section 3. This ordinance shall go into effect, and be  
31 in full force and operation, from and after fifteen (15) days after  
32 its final passage and adoption.

33 Section 4. This ordinance shall be published in full, at  
34 least once in the Modesto Bee, the official newspaper of the City  
35 of Modesto, at least three (3) days prior to its final passage and  
36 adoption.

37 The foregoing ordinance was introduced at a regular  
38 meeting of the Council of the City of Modesto, held on the 9th day  
39 of August, 1950, by Councilman FRAD who moved

**ORDINANCE NO. 951 N. S.**

**ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NUMBER 700 N. S. BY ADDING ADDITIONAL MAP.**

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

Section 1. That certain area heretofore annexed to the City of Modesto, commonly referred to as Portions of the Bodem Tract, Tatum Tract, and Rice Colony, be and the same is established as, partly R-1, single family residence district, and partly R-2, two family residence district, as hereinafter described.

Said territory is located in the City of Modesto, County of Stanislaus, State of California, and described as follows:

The Northerly 154.66 feet of lots 16, 17 and the Easterly 74 feet of lot 18 of the Tatum Tract, as filed for record on February 17, 1913, Page 29, Vol. 7 of Maps of Stanislaus County Records, be classified in the R-1, Single Family Residence District, and that

The Northwest quarter of lot 7 of the Rice Colony, as filed for record on February 19, 1904, Vol. 1, Page 54 of Maps of Stanislaus County Records, and Lots 3, 4 and 5 of the Bodem Colony, as filed for record on February 17, 1913, Page 29, Vol. 7 of Maps of Stanislaus County Records, and the Southerly 174.65 feet of Lots 11, 12, 13, 14, 15, 16, 17 and the Easterly 74 feet of lot 18 of

said Tatum Tract, be classified in the R-2, Two Family Residence District.

Section 2. The Modesto City Zoning Ordinance, being ordinance No. 700 N. S., is hereby amended by annexing thereto, that certain map, titled, "Land Use District Map 3G", a copy of which is hereto annexed, and said map is hereby incorporated into said zoning ordinance.

Section 3. 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.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 9th day of August, 1950, by Councilman Frad, who moved its adoption and passage to print as aforesaid, which motion being duly seconded by Councilman Stanley, was upon roll call, carried and the ordinance ordered published and printed as above, by the following vote:

AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon.

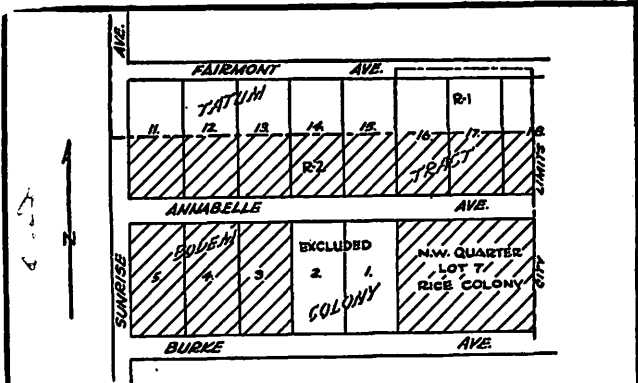
NOES: Councilmen: None.

ABSENT: Councilmen: None.

Approved: **CARL W. SHANNON**, Mayor.

Attest: **REX E. GAILFUS**, City Clerk.

Aug. 19, 1950.



**LAND USE DISTRICT MAP NO. 3-6**

PORTIONS OF THE TATUM TRACT, BODEM COLONY AND RICE COLONY

*The Northerly 154.66 feet of lots 16, 17 and the Westerly 74 feet of lot 18 of the Tatum Tract classified in the R-1, Single Family Residential District.*

*The NW quarter of lot 7 of the Rice Colony, lots 3, 4 and 5 of the Bodem Colony, and the Southerly 174.65 Feet of lots 11, 12, 13, 14, 15, 16, 17 and the Westerly 74 feet of lot 18 of the Tatum Tract classified in the R-2, Two Family Res. District.*

— APPROVED —

CARL W. SHANNON  
MAYOR  
CITY OF MODESTO

REX E. GAILFUS  
CLERK

H. R. RAMONT  
CHAIRMAN  
PLANNING COMMISSION

ORDINANCE NO. 951  
DATE: AUGUST 23, 1950

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

5  
6 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
7 NOES: Councilmen: None  
8 ABSENT: Councilmen: None

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10 APPROVED:   
CARL W. SHANNON, Mayor

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12 ATTEST:   
13 REX E. GALFUS, City Clerk

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The Council of the City of Modesto, California, do hereby certify that the following is a true and correct copy of the ordinance as adopted by the Council of the City of Modesto, California, on the 23rd day of August, 1950.

**FINAL ADOPTION CLAUSE**

Section 1.

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 August, 1950, 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 23, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: Mex E. Gailfus  
MEX E. GAILFUS, CITY CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 901 N. S. OF THE CITY OF MODESTO BY ADDING A NEW SECTION ENTITLED SECTION 13A AND CHANGING THE REQUIREMENTS WITH REFERENCE TO VENT TERMINATION.

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

2 Section 1. Ordinance No. 901 N. S. of the City of  
3 Modesto entitled "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE  
4 PUBLIC HEALTH AND SAFETY, AND THE EXAMINATION, REGISTRATION,  
5 LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR  
6 LABORING IN THE TRADE OF PLUMBING REQUIRING A PERMIT FOR THE IN-  
7 STALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS;  
8 CREATING THE OFFICE OF PLUMBING OFFICIAL AND A BOARD OF PLUMBER  
9 EXAMINERS AND PRESCRIBING THEIR DUTIES: DEFINING CERTAIN TERMS:  
10 ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION,  
11 OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND INSPECTION THEREOF;  
12 PROVIDING PENALTIES FOR ITS VIOLATION AND REPEALING CONFLICTING  
13 ORDINANCES", is hereby amended by adding a new section, entitled  
14 Section 13A to read as follows:

15 Section 13A. That Section 713 be amended by this or-  
16 dinance to read as follows:

17 Every vent pipe or stack shall terminate one (1) foot  
18 above the roof or fire wall nearest such terminal.

19 Every vent shall terminate not less than ten (10) feet  
20 from, or at least three (3) feet above any window, door, opening,  
21 air intake, or vent shaft.

22 Every vent pipe (except in one and two family residence  
23 districts and/or street and alley frontage) shall terminate in  
24 every direction not less than ten (10) feet from any building or  
25 lot line.

26 Section 2. This ordinance shall go into effect and be  
27 in full force and operation from and after 15 days after its final  
28 passage and adoption.

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

32 The foregoing ordinance was introduced at a regular

Amended by Ord. 1100 N.S.

REPEALED BY MUNICIPAL CODE

REPEALED BY MUNICIPAL CODE

1 meeting of the Council of the City of Modesto, held on the 9th  
2 day of August, 1950 by Councilman Burkner who moved  
3 its adoption and passage to print as aforesaid, which motion  
4 being duly seconded by Councilman Frad, was upon roll  
5 call carried and the ordinance ordered published and printed as  
6 above by the following vote:

7  
8 AYES: Councilmen: Burkner, Condit, Frad, Stanley  
9 Mayor Shannon

10 NOES: Councilmen: None

11  
12 ABSENT: Councilmen: None

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14 APPROVED Carl W. Shannon  
15 Carl W. Shannon Mayor

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17 ATTEST: Rex E. Gailfus  
18 Rex E. Gailfus 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 August, 1950, 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 23, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen, Burkner, Condit, Frad, 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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SPECIAL  
NOT IN CODE

ORDINANCE NO. 953 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF  
MODESTO FOR THE FISCAL YEAR 1950-1951

---oOo---

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

SECTION 1- There is hereby levied upon the assessed val-  
uation of the property in the City of Modesto, County of Stanislaus,  
State of California, for the fiscal year beginning July 1, 1950  
and ending June 30, 1951, the rates of taxation, hereinafter speci-  
fied, 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-----\$1.00  
on each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND

- (a) Municipal Improvement Bonds of 1911---.0025
- (b) Municipal Improvement Bonds of 1920---.0375  
(January)
- (c) Municipal Improvement Bonds of 1923---.01
- (d) Municipal Improvement Bonds of 1947---.15

BEING A TOTAL OF ----- .20

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----- \$1.30

On each One Hundred Dollars valuation as determined  
by the equalized assessment roll for the year 1950-1951  
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 improvements and interest

1 on street improvement bonds in local improvement districts

2 SECTION 2- Be it further provided that anything to the  
3 contrary heretofore set forth, there shall be and there is hereby  
4 declared to be a different rate of taxation levied upon certain  
5 property situate in the City of Modesto, to-wit: Southern Campus  
6 Tract, Hawkins Tract, that portion of the Leslie-Hugh Tract annexed  
7 to the City of Modesto, La Linda Tract, John Muir Park Tract,  
8 Northwood Tract, Esgar Tract, Crane Tract, and Campus Tract No. 2.  
9 Said tax rate for said Southern Campus Tract, Hawkins Tract, that  
10 portion of the Leslie-Hugh Tract annexed, La Linda Tract, John  
11 Muir Park, Northwood Tract, Esgar Tract, Crane Tract and Campus  
12 Tract No. 2, as aforesaid shall be and is hereby declared to be as  
13 follows:

14 FOR THE GENERAL FUND-----\$1.00

15 on each One Hundred Dollars taxable valuation

16 FOR THE BOND REDEMPTION AND INTEREST FUND

17 (a) Municipal Improvement Bond of 1947----- .15

18 for each One Hundred Dollars in valuation of  
19 property taxable for the redemption of bonds and  
20 the payment of interest thereon that shall accrue  
21 during the fiscal year:

22 FOR THE LIBRARY FUND----- .10

23 on each One Hundred Dollars of taxable valuation

24 THE AGGREGATE OF SAID SUMS, TO-WIT: \$1.25

25 on each One Hundred Dollars valuation, as  
26 determined by the equalized assessment roll  
27 for the year 1950-1951

28 SECTION 3- BE IT FURTHER PROVIDED that anything to the  
29 contrary heretofore set forth, there shall be and there is hereby  
30 declared to be a different rate of taxation levied upon certain prop-  
31 erty situate in the City of Modesto, to-wit: Leonardo Tract,  
32 Brockett & Valk Tract, College Manor Tract #2, Blocks 821 to 823

1 inclusive of Campus Tract and lot 1 of the Ustick Tract, that por-  
 2 tion of lots 2 and 3 of the Rice Colony tract annexed to the City,  
 3 Block 624 of the Leslie-Hugh Tract and lots 2 and 3 of the Apricot  
 4 Colony Tract, E. C. Melrose and Muir Garden Tract, Uninhabited  
 5 Territory Tract No 1, Portion of lot 3 of Rice Colony, portion of  
 6 Mission Grove, M & G Olivewood and all of the Falk Tract, Portion of  
 7 the Evergreen Acres Tract, Portion of the Resubdivision of Thousand  
 8 Oaks, Block 2173 lots 1 to 5 inc. as aforesaid shall be and is hereby  
 9 declared to be as follows:

10	FOR THE GENERAL FUND-----	\$1.00
11	on each One Hundred Dollars taxable valuation	
12	FOR THE LIBRARY FUND-----	.10
13	on each One Hundred Dollars of taxable valuation	
14	THE AGGREGATE OF SAID SUMS, TO-WIT-----	\$1.10
15	on each One Hundred Dollars valuation, as	
16	determined by the equalized assessment roll	
17	for the year 1950-1951	

18 SECTION 4- The tax rate upon said Southern Campus Tract,  
 19 Hawkins Tract, that portion of the Leslie-Hugh Tract now a portion  
 20 of the City of Modesto, La Linda Tract, John Muir Park, Northwood  
 21 Tract, Esgar Tract, Crane Tract, Campus Tract, No. 2, Leonardo  
 22 Tract, Brockett & Valk Tract, College Manor Tract No. 2, Blocks 821  
 23 to 823 inclusive of Campus Tract and lot 1 of the Ustick Tract,  
 24 that portion of lots 2 and 3 of the Rice Colony Tract annexed to the  
 25 City, Block 624 of the Leslie-Hugh Tract and lots 2 and 3 of the  
 26 Apricot Colony Tract, ~~is different from the tax rate herein set for~~  
 27 ~~the balance of the~~ E. C. Melrose and Muir Garden Tract, Uninhabited  
 28 Territory Tract No. 1, Portion of Lot 3 of Rice Colony, Portion of  
 29 Mission Grove, M & G Olivewood and all of the Falk Tract, Portion  
 30 of the Evergreen acres Tract, a Portion of the Resubdivision of  
 31 Thousand Oaks, Block 2173, lots 1 to 5 inc. is different from the  
 32 tax rate herein set for the balance of the property within the

1 City of Modesto by reason of the fact that said territory has been  
2 annexed to and made a part of the City of Modesto and under a pro-  
3 vision of the State law which does not permit the said City to levy  
4 taxes upon said annexed property for any past bonded indebtedness  
5 owed by said City and incurred before said territory became a part  
6 of said City.

7 SECTION 5- This ordinance shall take effect immediately upon  
8 its final passage and adoption.

9 SECTION 6- This ordinance shall be published in full at least  
10 once at least three days prior to its final adoption in the Modesto  
11 Bee, the official newspaper of the City of Modesto.


12 The foregoing ordinance was introduced at a special meeting  
13 of the Council of the City of Modesto held on the 16th day of  
14 August, 1950 by Commissioner Frad, who moved its adoption  
15 and passage to print, which motion being duly seconded by Commissioner  
16 Stanley, the ordinance was upon roll call ordered printed and  
17 published as required by the Charter of the City of Modesto by the  
18 following vote:

19 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

20 Noes: Councilmen: None

21 Absent: Councilmen: None

22  
23 APPROVED:   
24 CARL W. SHANNON

25  
26 ATTEST:   
27 REX E. GAILFUS, CITY CLERK

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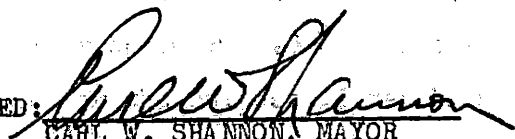
FINAL ADOPTION CLAUSE


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 16th day of August, 1950, 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 23, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
EARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 954 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF REPAIRING AND IMPROVING THE McHENRY PUBLIC LIBRARY BUILDING.

---oOo---

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

SECTION 1. The sum of Three Thousand Dollars, <sup>(\$3000.00)</sup> or so much thereof as may be necessary, is hereby appropriated out of the Library Fund of the City of Modesto for the purpose of purchasing and installing of new gas fired boiler in the McHenry Public Library building.

SECTION 2. The sum of Fifteen Hundred Dollars, <sup>(\$1500 00)</sup> or so much thereof as may be necessary, is hereby appropriated out of the Library Fund of the City of Modesto for the purpose of repairing and improving the roof of the McHenry Public Library building.

SECTION 3. 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 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 16th day of August, 1950, by Commissioner Frad, who moved its adoption and passage to print which motion being duly seconded by Commissioner Burkner, was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: REV. E. GAILFUS  
REV. E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

FINAL ADOPTION CLAUSE

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The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 16th day of August, 1950, 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 23, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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

... U.S., WHICH IS AN ORDINANCE REGULATING THE...  
... APPROVED...  
... making such collections shall be or re-...  
... and hereafter be defined...  
... upon any part of that certain alley running in a northerly and...  
... between 9th and 10th Streets in the City...  
... from A Street to B Street in said City...  
... of any day and the hour of 6:00 P.M...  
... truck, vehicle or other conveyance shall...  
... be used for the collection of refuse, including garbage...  
... unless the same be so constructed as to prevent the contents...  
... falling or spilling therefrom, nor shall any such cart, truck...  
... vehicle or conveyance be overloaded. Vehicles used in the collec-...  
... tion of refuse shall be of metal, shall be water tight and shall...  
... provided with a metal cover. All other vehicles shall be...  
... canvas cover. The vehicle used in the collection...  
... and/or refuse shall be so painted and shall be kept in...  
... sanitary condition and shall be properly marked for...  
... to the satisfaction and number.

## ORDINANCE NO. 955-N.S.

## AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 521-N.S. (REGULATING THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO)

---oOo---

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

SECTION 1. Section 1 of Ordinance No. 521-N.S., entitled AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 430-N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, ETC., SECTION 15 OF ORDINANCE NO. 424-N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, ETC., AND SECTION 18 OF ORDINANCE NO. 430-N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, is hereby amended so as to read as follows: No collection shall be made and no cart, truck, wagon, or vehicle used in making such collections shall be or remain within the limits of Fire Zone No. 1, as now defined, /or in or upon any part of that certain alley running in a northerly and southerly direction situate between 9th and 10th Streets in the City of Modesto and extending from H Street to K Street in said City, between the hour of 10 A.M. of any day and the hour of 6:30 P.M. of the same day. No cart, truck, vehicle or other conveyance shall be used for the collection of refuse, including garbage and swill, unless the same be so constructed as to prevent the contents from falling or spilling therefrom, nor shall any such cart, truck, vehicle or conveyance be overloaded. Vehicles used in the collection of swill shall be of metal, shall be water tight and shall be provided with a metal cover. All other vehicles shall be provided with a canvas cover. Every vehicles used in the collection of garbage and/or swill shall be well painted and shall be kept in a clean and sanitary condition, and shall be properly marked in a conspicuous place to show its classification and number.

1 SECTION II: The Council of the City of Modesto hereby  
2 finds and declares that an emergency exists and that in order to  
3 protect the public health and safety it is necessary for the con-  
4 tinued collection of garbage that this ordinance go into effect  
5 immediately upon its final passage and adoption.

6 SECTION III: This ordinance shall be printed and publish-  
7 ed in full at least three days prior to its final adoption in the  
8 Modesto Bee the official newspaper of the City of Modesto.

9 The foregoing ordinance was introduced at a regular meet-  
10 ing of the Council of the City of Modesto held on the 23rd day of  
11 August, 1950 by Commissioner Stanley, who moved its adoption and  
12 passage to print, which motion being duly seconded by Commissioner  
13 Burkner, was upon roll call carried and the ordinance ordered print-  
14 ed and published as above by the following vote:

15 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

16 Noes: Councilmen: None

17 Absent: Councilmen: None

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19 APPROVED:   
CARL W. SHANNON, MAYOR

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22 ATTEST:   
23 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 23rd day of August, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

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AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A PORTION OF:  
BODEM COLONY, TATUM TRACT, and RICE COLONY  
TO THE CITY OF MODESTOSPECIAL  
NOT IN CODE

1           WHEREAS, a Petition, dated the 18th day of July, 1950,  
2 was filed with the City Clerk, of the City of Modesto, by;  
3 Henry Grube, Elizabeth Zimmerman, Roy H. Lippert, C. E. Miller,  
4 Edwin Burt, Janet Grube, May Swan Burt, D. Marian Miller,  
5 Lee A. Rogers, Katherine D. Rogers, and Bernice Lippert, for the  
6 annexation of uninhabited territory to the City of Modesto under  
7 the provisions of the Annexation of Uninhabited Territory Act. of  
8 1939 As Amended, and

9           WHEREAS, the City Council, by Resolution, passed on the  
10 19th day of July, 1950, set said Petition for hearing for the  
11 hour of 7:30 p. m., on the 23rd day of August, 1950, in the Coun-  
12 cil Chambers of the City Hall, of the City of Modesto, and

13           WHEREAS, at said time and place no objectors appeared  
14 to oppose said Petition, and

15           WHEREAS, the City Council finds that the allegations  
16 contained in said Petition are true and that there has been full  
17 and complete compliance with the requirements of the Annexation of  
18 Uninhabited Territory Act of 1939 as Amended, now therefore,

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

20           Section 1. That the Petition of Henry Grube, Elizabeth  
21 Zimmerman, Roy H. Lippert, C. E. Miller, Edwin Burt, Janet Grube,  
22 May Swan Burt, D. Marian Miller, Lee A. Rogers, Katherine D. Rogers,  
23 and Bernice Lippert, be and the same is hereby granted and the  
24 territory described in said Petition is hereby annexed to and made  
25 a part of, the City of Modesto.

26           Section 2. That said annexation is subject to the re-  
27 quirements of that certain Resolution heretofore passed on the  
28 9th day of May, 1945, and entitled, "A Resolution Establishing  
29 Policy for Annexation of Territory to the City of Modesto".

30           Section 3. That the area of territory so annexed is a  
31 portion of the Bodem Colony, Tatum Tract, and Rice Colony, and is  
32 located in the County of Stanislaus, State of California, and

1 contiguous to the City of Modesto, described as follows:

2 All that certain real property situated in the  
3 County of Stanislaus, State of California, and  
4 bounded and described as follows:

5 Lots 1 and 2 of the Bodem Colony, as per map  
6 filed March 20, 1912 in Vol. 6 of Maps at Page 32,  
7 Stanislaus County Records; The Northwest 1/4 of lot 7  
8 of the Rice Colony as per map filed February 19, 1904,  
9 in Vol. 1 of Maps at Page 54, Stanislaus County  
10 Records; All of Lots 14, 15, 16 and 17, and a  
11 portion of Lots 11, 12, 13, and 18 of The Tatum  
12 Tract, as per map filed February 17, 1913 in  
13 Vol. 7 of Maps at Page 29, Stanislaus County Records;  
14 and portions of Sunrise Avenue and Fairmont Avenue;  
15 which property is more particularly described as  
16 follows:

17 Beginning at the point of intersection of the ex-  
18 isting city limits line and the prolongation Southerly  
19 of the dividing line between lots 2 and 3 of the said  
20 Bodem Colony, which point is also on the center line  
21 of Burke Avenue (as said avenue is shown on the map  
22 of the Bodem Colony, hereinabove referred to);  
23 running thence South 89° 51' East along the existing  
24 city limits line, being the center line of said Burke  
25 Avenue, a distance of 256.70 feet to the East boundary  
26 line of said Bodem Colony, said East boundary line  
27 being also the West boundary line of lot 7 of the Rice  
28 Colony hereinabove referred to; thence South 89° 48' 30"  
29 East along the South boundary line of the Northwest  
30 quarter of lot 7 of the Rice Colony, which line is also  
31 the existing city limits line, a distance of 330.37  
32 feet, more or less, to the Southeast corner of the  
Northwest quarter of said lot 7; thence North along the  
East boundary line of the Northwest quarter of said lot 7,  
a distance of 328.6 feet more or less to the Northeast  
corner of the Northwest quarter of said lot 7; thence con-  
tinuing Northerly along the extension of the East line of  
the Northwest quarter of said lot 7 of the Rice Colony,  
a distance of 329.37 feet, more or less, to the center line  
of a 40 foot Avenue (Fairmont Avenue) as shown on said  
map of the Tatum Tract; thence Westerly along said center  
line and the Westerly projection thereof, which center  
line is parallel to and 20 feet North of the North boundary  
line of lots 18, 17, 16, 15, 14, 13, 12 and 11 of said  
Tatum Tract, a distance of 1009.03 feet, more or less, to  
a point on the West line of Sunrise Avenue, being the  
existing city limits line; thence South 0° 50' East along  
the West line of Sunrise Avenue and the existing city  
limits line, a distance of 154.5 feet, more or less,  
to a point, which is 174.65 feet North of the South  
boundary line of lot 11 of said Tatum Tract extended  
Westerly to its intersection with the West line of  
Sunrise Avenue; thence South 89° 34' East parallel to  
and 174.65 feet North of the South boundary line of  
lots 11, 12 and 13 of said Tatum Tract, a distance of  
423.80 feet, more or less, to the East boundary line  
of said lot 13; thence along the East line of said lot  
13, South 0° 29' 30" East 174.65 feet to the Southeast  
corner thereof and the Northeast corner of said lot 3

1 of the Bodem Colony; thence along the East line of  
2 said lot 3, 329.3 feet, more or less, to the point  
of beginning.

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

6 Section 5. This Ordinance shall be published in full  
7 at least once in the Modesto Bee the official newspaper of the  
8 City of Modesto, at least three (3) days prior to its final passage  
9 and adoption.


10 The foregoing Ordinance was introduced at a regular  
11 meeting of the Council of the City of Modesto, held on the 23rd  
12 day of August, 1950, by Councilman Stanley who moved its adoption  
13 and passage to print, which motinn being duly seconded by Coucilman  
14 Frad was upon roll call carried by the following vote:

15  
16 AYES: Councilmen: **Burkner, Condit, Frad, Stanley, Mayor Shannon**

17 NOES.: Councilmen: **None**

18 ABSENT: Councilmen: **None**

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20 APPROVED

  
CARL W. SHANNON, Mayor

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23 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 23rd day of August, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Fred, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 957 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR LEGAL COUNSEL IN CONNECTION WITH THE NEW PROPOSED CITY CHARTER

---oOo---

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

SECTION 1. The sum of Eleven Hundred Dollars (\$1100 00) 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 hiring legal counsel in connection with the new proposed city charter.

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

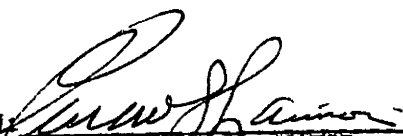
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950 by Commissioner Frad, who moved its adoption and passage to print which motion being duly seconded by Commissioner Stanley, was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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 regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

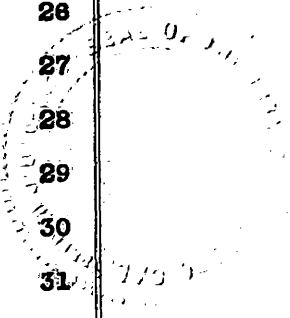
Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

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



AN ORDINANCE AMENDING ORDINANCE NO. 859 N. S. OF THE CITY OF MODESTO BY REPEALING SUBSECTION 8, OF SECTION 6, THEREOF

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

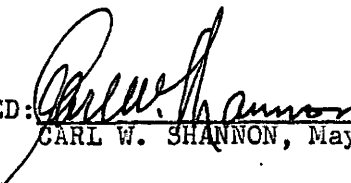
SECTION 1. Subsection 8, of Section 6, of Ordinance No. 859 N. S., is hereby repealed.

SECTION 2. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption.

SECTION 3. This Ordinance shall be published in full at least once 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 regular meeting of the Council of the City of Modesto on the 23rd day of August, 1950, by Councilman Burkner who moved its adoption and passage to print, which motion being duly seconded by Councilman Stanley, was upon roll call, carried by the following vote:

- AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
- NOES: Councilmen: None
- ABSENT: Councilmen: None

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 regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

Amended by  
Ord. 1084 N.S.  
1042-MS  
Repealed by  
Ord. 1084 N.S.

AN ORDINANCE FIXING THE TIME AND PLACE OF HOLDING REGULAR MEETINGS OF THE COUNCIL OF THE CITY OF MODESTO, PRESCRIBING THE MANNER IN WHICH SPECIAL MEETINGS MAY BE CALLED AND REPEALING ORDINANCE NO. 2 N. S. AND ORDINANCE NO. 604 N. S.

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

SECTION 1. That the regular meetings of the City Council shall be held on the first, second, third and fourth Wednesday of each month, after the final adoption of this Ordinance. The meetings held on the first and third Wednesday, shall commence at the hour of 4 p. m. and the meetings held on the second and fourth Wednesday shall commence at the hour of 7:30 p. m.

SECTION 2. Special meetings of the City Council shall be called by the Mayor, or Vice-mayor, on not less then two (2) days notice to the members thereof, when notice of such meeting is sent by United States mail in writing signed by the City Clerk. Special meetings may also be held not less than two (2) hours after notice has been personally given to each member by a written notice signed and delivered to each member by the City Clerk. It is hereby made the duty of the Clerk to prepare and send or deliver such notices.

The provisions of Section 2 may be waived by the Mayor of the City of Modesto, or by any member of the City Council of said City, if said Mayor or member of said City Council, shall sign a statement that said notice is waived either before said Special Meeting, or at or during, said Special Meeting, or immediately following the conclusion thereof. No member of said City Council nor the Mayor of said City of Modesto, shall have the power to waive the provisions of said Section as to any other member of said Council.

All meetings both regular and special, shall be held in the Council Chamber in the City Hall of the City of Modesto, but the Council shall have the right to adjourn said meeting to such other location as may be required by the circumstances.

SECTION 3. Ordinance No. 2 N. S. and No. 604 N. S. of the City of Modesto, are hereby repealed.

SECTION 4. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption.

1 SECTION 5, This Ordinance shall be published in full at  
2 least once at least three (3) days prior to its final adoption in  
3 the Modesto Bee, the official newspaper of the City of Modesto,

4 The foregoing Ordinance was introduced at a regular  
5 meeting of the Council of the City of Modesto on the 23rd day of  
6 August, 1950, by Councilman Frad, who moved its adoption  
7 and passage to print, which motion being duly seconded by Council-  
8 man Condit, was upon roll call, carried by the following  
9 vote:

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AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
NOES: Councilmen: None  
ABSENT: Councilmen: None

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 regular meeting of the Council of the City of Modesto held on the 23rd day of August, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

APPROVED   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

CODE SEC.  
NO. 5-5.12  
5-5.18

ORDINANCE NO. 424 N. S.  
AN ORDINANCE AMENDING ORDINANCE NO. 424 N. S. OF THE CITY OF MODESTO AS AMENDED BY AMENDING SECTION 12, THEREOF, MAKING IT UNLAWFUL FOR CERTAIN PERSONS TO COLLECT OR TRANSPORT GARBAGE IN THE CITY OF MODESTO, AND ADDING A NEW SECTION NUMBERED SECTION 17-A AUTHORIZING THE CITY COUNCIL TO LIMIT THE NUMBER OF LICENSES WHICH MAY BE ISSUED UNDER SAID ORDINANCE

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

Section 1. Section 12, of Ordinance No. 424 N. S., entitled, "AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, REFUSE, WASTE MATTER AND SWILL IN THE CITY OF MODESTO, PROVIDING FOR LICENSES FOR GARBAGE COLLECTORS, PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, AND REPEALING CONFLICTING ORDINANCES", as amended, is hereby amended to read as follows:

"Section 12. It shall be unlawful for any person, firm, or corporation to collect or transport, refuse matter, rubbish or garbage upon or through, any street or public place of the City of Modesto unless such person is an employee or agent of the City of Modesto, or is licensed so to do, or is the employee of a person, firm or corporation, holding a license or is the actual producer of such refuse matter, rubbish or garbage, or his employee, then and there engaged in transporting the same from the premises where produced to the dump or garbage disposal plant provided therefor.

It shall be unlawful for any person acting as an employee of the actual producer of such refuse matter, rubbish or garbage, to collect or transport such refuse matter, rubbish or garbage, from more than one actual producer thereof, or for such employee or any producer to combine/<sup>or commingle</sup> within the City of Modesto, the refuse matter, rubbish or garbage of one producer with that of another, or for any person to act as the employee of more than one producer for the purpose of collecting or transporting refuse matter, rubbish or garbage upon or through, any street or public place of the City of Modesto.

The word person, shall be deemed to include firm, corporation, or partnership."

Section 2. A new paragraph, entitled, "Section 17-A is hereby added to Ordinance No. 424 N. S.,

1 "Section 17-A. In order to preserve the health, safety,  
2 and welfare of the people of the City of Modesto, the City Council  
3 hereby retains the authority to limit the number of licenses for  
4 the collection of garbage which may be issued under this Ordinance

5 Section 3. The Council finds that this Ordinance is re-  
6 quired for the immediate preservation of the public peace, health  
7 and safety, and this Ordinance shall take effect immediately upon  
8 its final passage.

9 Section 4. This Ordinance shall be published in full at  
10 least once at least three days prior to its final adoption in the  
11 Modesto Bee, 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 6th day  
14 of September, 1950, by Councilman Frad, who moved its adoption and  
15 passage to print, which motion being duly seconded by Councilman  
16 Stanley, was upon roll call carried, and the Ordinance ordered  
17 printed and published as above, by the following vote:

18 AYES: Councilmen: Frad, Burkner, Condit, Stanley, Mayor Shannon

19 NOES: Councilmen: None

20 ABSENT: Councilmen: None

21  
22 APPROVED:   
CARL W. SHANNON, Mayor

23 ATTEST:   
24 REX E. GAILFUS, City Clerk

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 6th day of September, 1950 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  
8 regular meeting of September 13, 1950, it was upon roll call so  
9 finally adopted by the following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED:   
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CARL W. SHANNON, MAYOR

17 ATTEST: 

18 REX E. GAILFUS, CITY CLERK  
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SPECIAL  
NOT IN CODE

ORDINANCE NO. 961N.S.

2 AN ORDINANCE OF THE COUNCIL AUTHORIZING AN AMENDMENT TO THE CONTRACT  
3 PROVIDING FOR THE PARTICIPATION OF THE CITY OF MODESTO IN THE CALIF  
4 FORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING ITS EMPLOYEES  
5 MEMBERS OF SAID SYSTEM.

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

7 SECTION 1. That an amendment to the contract providing  
8 for the participation of the City of Modesto in the State Employees'  
9 Retirement System, is hereby authorized between the Council of the  
10 City of Modesto and the Board of Administration, California State  
11 Employees' Retirement System, a copy of said amendment being  
12 attached hereto, marked "Exhibit A", and by such reference made a  
13 part hereof as though herein set out in full.

14 SECTION 2. The Mayor of the City of Modesto is hereby  
15 authorized, empowered, and directed to execute said amendment for  
16 and on behalf of said agency.

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

20 SECTION 4. This ordinance shall be published in full at  
21 least once in the Modesto Bee, the official newspaper of the City  
22 of Modesto at least three (3) days prior to its final passage and  
23 adoption.

24 The foregoing ordinance was introduced at a regular meet-  
25 ing of the Council of the City of Modesto held on the 13th day of  
26 September, 1950 by Councilman Stanley, who moved its adoption  
27 and passage to print, which motion being duly seconded by Commission-  
28 er Condit was upon roll call carried by the following vote:

29 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
30 Noes: Councilmen: None  
31 Absent: Councilmen: None

32 APPROVED

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

ATTEST

Rex E. Gallfus, City Clerk

AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION AND THE STATE EMPLOYEES' RETIREMENT SYSTEM

The provisions of Section 21251.1 of the State Employees' Retirement Law AND CITY COUNCIL OF THE CITY OF MODESTO

The Board of Administration, State Employees' Retirement System, and the City Council of the City of Modesto, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, which provides for the participation of said Public Agency in said Retirement System, and said contract having excluded from membership employees of the City other than Local Firemen and Local Policemen, and said contract having been based on the Retirement Law as that Law existed on said effective date, with some exceptions, said Board of Administration and said City Council hereby agree as follows:

1. The words, "Miscellaneous employees Excluded" appearing in Paragraph 3 shall be and are hereby stricken from said Contract.
2. Paragraphs 4, 5, 6, 7, 8, 9 and 10 shall be and are hereby stricken from said Contract of 30 years, all on account of the inability for benefits provided in Paragraph 5 and 11.
3. The following paragraphs shall be and are hereby added to said Contract:
  4. Age 60 shall be the normal minimum age for retirement for all service, of Miscellaneous members employed by Public Agency, that is other than Local Safety members, and one-sixtieth (1/60) shall be the fraction of final compensation as defined in said Retirement Law, to be provided 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 persons who are members because of employment by Public Agency as Local Safety Members, 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 prior 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 be purchased at the actual age of retirement.
  6. Prior service benefits to Miscellaneous members employed by Public Agency, that is, other than Local Safety members, upon retirement for service at age 60, shall be allowed only as a percentage of the average salary specified in Section 21253 of said Retirement Law, for each year of such service, and said percentage shall be 100% of the percentage determined under said section.
  7. The provisions of Section 21258b of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions shall apply to persons who are members because of employment by Public Agency.

8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to persons who are members because of employment by Public Agency.
9. The provisions of Section 21251.1 of the State Employees' Retirement Law, providing for a guaranteed percentage of final compensation for each year of current service as a member, shall apply to persons who are miscellaneous members because of employment by Public Agency.
10. The provisions of Section 20025 of the State Employees' Retirement Law, providing for the portion of compensation to be included in computations under said Law, shall apply to persons who are members because of employment by Public Agency.
11. Public Agency shall contribute to said Retirement System as follows:

a. The sum of \$4,717.87 payable annually, or as Board shall require, for the period of 25 years less the time elapsed from the date of participation to the effective date of this amendment, and the sum of \$3,809.15 payable annually, or as Board shall require, for the period of 30 years, all on account of the liability for benefits provided in Paragraphs 5 and 6 hereof.

b. 6.5% 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,~~ 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.

Contributions required of Public Agency and its employees shall be subject to adjustment by the Board of Administration on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System as determined by the periodical investigation, valuation and determination provided for by said Retirement Law. Contributions under this paragraph are in addition to any assets of the local system, which are transferred to the State Employees' Retirement System, and are subject to adjustment for variations between the value of such assets as determined by Board and the value assumed in the cal-

ulation of such contributions.

12. Contributions required of Public Agency under Paragraph 11 immediately preceding, and contributions required of Public Agency's employees who are members of said System, shall be paid by Public Agency to the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contributions refer. If more or less than the correct amount of contribution required of Public Agency or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of Public Agency to the Board, to rectify the error; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

13. Benefits due prior to the effective date of this amendment and retirement allowances due after said effective date to persons who were members because of employment by Public Agency and who retired prior to said effective date, shall not be affected by this amendment.

14. This Amendment shall be attached to said contract and shall be effective as of the first day of November, 1950.

Witness our hand this 13th day of September, 1950.

APPROVED: \_\_\_\_\_  
C. W. SHAW, Mayor

CITY COUNCIL

ATTEST:

CITY OF MODOesto

\_\_\_\_\_  
Clerk

by *Carroll Harmon*  
\_\_\_\_\_  
Presiding Officer

BOARD OF ADMINISTRATION

ATTEST:

STATE EMPLOYEES' RETIREMENT SYSTEM

\_\_\_\_\_  
Executive Officer

by \_\_\_\_\_  
President, Board of Administration

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, 1950, 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, 1950, it failed of adoption by the following vote:

Ayes: Councilmen: None

Present: Councilmen: Burkner, Condit, Fragg, Stanley, Mayor Shannon

Absent: Councilmen: None

APPROVED: GARLEW. SHANNON, MAYOR

ATTEST: REX E. GAILFUS, CITY CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 720 N. S. BY PROVIDING FEE FOR CHECKING OF MAPS, PROVIDING FOR INSTALLATION OF CERTAIN IMPROVEMENTS, AND MAKING REGULATIONS CONCERNING RECORD OF SURVEY MAPS

*Amended July 5  
Ord. 1014*

**REPEALED BY  
MUNICIPAL CODE**

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

2 Section 1. Section 3 of Ordinance No. 720 N. S., entitled,  
3 "An Ordinance Describing Subdivision Regulations to be Observed  
4 in the City of Modesto by Subdividers of Land and Persons Filing  
5 Maps of Subdivisions of Land", is hereby amended to read as follows:

6 Section 3. FINAL MAPS. All Final Maps made in accordance  
7 with the provisions of "The Subdivision Map Act" of the State  
8 of California shall further meet the following requirements:

9 a. A certificate of recommendation of the City Planning  
10 Commission shall appear on the map.

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

13 c. Before the Final Map or Record of Survey Map is submitted  
14 to the City Council for approval, a fee of \$5.00 per acre  
15 shall be paid to the City Clerk to cover the cost of making the  
16 checks, examinations and reports required by law. The minimum  
17 amount of such fee for any one subdivision, shall be \$20.00.

18 Section 2. Section 5 of Ordinance No. 720 N. S., is hereby  
19 amended to read as follows:

20 Section 5. IMPROVEMENTS. Before the final map is recorded,  
21 the subdivider shall grade all streets shown on said map to  
22 grades approved by the City Engineer. In addition, the following  
23 improvements (meeting the specifications on file in the office of  
24 the City Engineer) shall be required:

25 1. The installation of portland cement concrete curbs  
26 and gutters.

27 2. The installation of pendant street lighting standards  
28 and underground cables with one electrolier at each intersection,  
29 and intermediate electroliers not more than six hundred and sixty  
30 (660) feet apart in blocks exceeding six hundred and sixty (660)  
31 feet in length.

32 The City Engineer may charge a reasonable fee for checking,

1 inspecting and approving said improvements.

2 In lieu of the completion of such improvements and the  
3 drainage improvements as required by Section 2-e hereof, the sub-  
4 divider may make a deposit or file a bond with the City Clerk in  
5 an amount to be approved by the City Council as being sufficient  
6 to cover all costs of all required improvements together with the  
7 fee for checking, inspecting and approving of said improvements  
8 as herein provided and as provided for in Article 9 of "The Sub-  
9 division Map Act" of the State of California.

10 Section 3. A new section to be entitled, "Section 7A"  
11 is hereby added to Ordinance No. 720 N. S. said Section 7A to read  
12 as follows:

13 Section 7A. RECORD OF SURVEY MAP.

14 1. A Record of Survey Map of any subdivision which may  
15 be filed in lieu of a final map shall conform to all requirements  
16 relating to tentative and final maps as set forth in the Subdivision  
17 Map Act and in this Ordinance excepting insofar as the certificates  
18 required thereon by the Subdivision Map Act differ from the certi-  
19 ficates required on a final map, as specified in said Act; pro-  
20 vided, however, that exterior boundaries, location of monuments,  
21 and street lines only shall be shown on such map; and no tract  
22 number or name, or numbers or other designations of any lots or  
23 blocks, and no dedication data shall appear on any such record of  
24 survey map. Before a record of survey map shall be filed the pro-  
25 visions of Section 5 of this ordinance in regard to improvements  
26 shall be complied with.

27 2. In case of a Record of Survey Map covering any divi-  
28 sion of land specified in the Subdivision Map Act as not being in-  
29 cluded in the definition of a "subdivision" as set forth therein,  
30 a tentative map of such division of land shall first be filed with  
31 the Planning Commission. The Planning Commission shall, within  
32 thirty (30) days, report to the City Council on such map on those

1 matters with respect to such division of land which fall within  
2 the jurisdiction of said City Council as specified in said Act.  
3 The City Council shall, within ten (10) days after receipt of  
4 such report, or otherwise at its next regular meeting, act on such  
5 map by resolution in such matters. Any such Record of Survey Map  
6 presented to the County Recorder for recording shall be accompanied  
7 by a certified copy of the Resolution of the City Council by which  
8 action was taken on the tentative map of the land covered by such  
9 Record of Survey Map. Before a record of survey map shall be filed,  
10 the provisions of Section 5 of this ordinance in regard to improve-  
11 ments shall be complied with.

12           3. Record of Survey Maps or Land Surveyor's Maps as made  
13 by a licensed land surveyor or civil engineer, not made for the  
14 purpose of land subdivision, but for the sole purpose of establish-  
15 ing boundaries of properties already of record shall be submitted  
16 to the City Engineer for examination and shall be subject to the  
17 requirements and fees as set forth in subsection (4) of this sec-  
18 tion. Such maps as defined in this paragraph, do not require  
19 filing of a tentative map, and in such cases the provisions of  
20 Section 5 of this ordinance shall not apply.

21           4. Complete sets of blue line or black and white prints  
22 shall be furnished to the City Engineer for checking purposes, as  
23 hereinabove specified for subdivision maps.

24           Two complete sets of blue line prints and one complete  
25 set of negatives to be procured by the City for its use shall be  
26 paid for by the owner.

27           5. Any sale of land, within the City of Modesto, made  
28 contrary to the provisions of this ordinance, Ordinance No. 720  
29 N. S., or any other ordinance of the City of Modesto is voidable  
30 to the extent and in the same manner as provided in Section 11540  
31 of the Business and Professions Code, State of California.

32           Section 4. This Ordinance shall be published in full at

1 least three (3) 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 special  
4 meeting of the Council of the City of Modesto, held on the 20th  
5 day of September, 1950, by Councilman Frad, who moved its  
6 adoption and passage to print, which motion being duly seconded  
7 by Councilman Stanley, was upon roll call carried, and the  
8 Ordinance ordered printed and published as above, by the following  
9 vote:

10 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
11 NOES: Councilmen: None  
12 ABSENT: Councilmen: None

13  
14 APPROVED

  
CARL W. SHANNON, Mayor

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16 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 20th day of September, 1950, 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 4, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Stanley, Frad, 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

AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT  
AND AMENDING ZONING ORDINANCE NUMBER 700 N. S.  
BY ADDING ADDITIONAL MAP

1           WHEREAS, hearings have been duly held before the Planning  
2 Commission of the City of Modesto and the recommendation of the  
3 Planning Commission having been regularly forwarded to the City  
4 Council of the City of Modesto, and the City Council having con-  
5 sidered the recommendations of the Planning Commission, and a pub-  
6 lic hearing having been held by the City Council all as provided by  
7 law, now, therefore,

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

9           Section 1. That certain area heretofore annexed to the  
10 City of Modesto, commonly referred to as a portion of the Broughton  
11 Colony, be and the same is established as R-1 single family residence  
12 district.

13           Said territory is located in the City of Modesto, County  
14 of Stanislaus, and described as follows:

15           All that portion of Lot 44 of Broughton Colony as  
16 per Map filed March 17, 1904 in Volume 1 of Maps,  
17 at page 78, Stanislaus County Records, and more  
18 particularly described as follows:

19           Commencing at the Northwest corner of said Lot 44,  
20 running thence South along said West line a distance  
21 of 30 feet to the intersection thereof, with the  
22 South line of Morris Avenue, and being the true  
23 point of beginning of this description; thence East-  
24 erly along the South line of said Morris Avenue, a  
25 distance of 1008.20 feet more or less to the West  
26 line of the land conveyed to Chris. U. Stevens, and  
27 wife, by deed recorded December 14, 1942, as Instru-  
28 ment No. 17122; thence South along the West line of  
29 said Stevens land and the extension thereof, a dis-  
30 tance of 144 feet to the Southwest corner of the  
31 land conveyed to Benjamin P. McCumsey and wife by  
32 Deed recorded November 19, 1943, as Instrument No.  
17757; thence running in a Southerly direction, a  
distance of 65 feet, more or less to the Northwest  
corner of the land conveyed to C. E. Scarlott and  
wife by Deed recorded June 20, 1942, as Instrument  
No. 8277; thence South along the West line of said  
Scarlott land, a distance of 198 feet to the South-  
west corner thereof, and in the centerline of an  
irrigation ditch; thence South 73° 56' West along  
centerline of said irrigation ditch, a distance of  
59.73 feet to an angle point thereon; thence North  
89° 10' West along centerline of said irrigation  
ditch, a distance of 803.88 feet to end of said  
irrigation ditch, the line being prolonged to 943.80  
feet where it intersects the West line of said Lot 44;  
thence North along said West line, a distance of  
418.80 feet to the true point of beginning.


1 Section 2. The Modesto City Zoning Ordinance, being  
2 Ordinance No. 700 N. S., is hereby amended by annexing thereto that  
3 certain map entitled, "Land Use District Map 3G", a copy of  
4 which is hereto annexed and said map is hereby incorporated into  
5 said Zoning Ordinance.

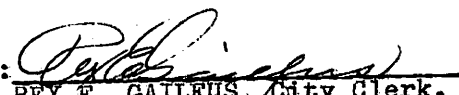
6 Section 3. This Ordinance shall go into effect, and be  
7 in full force and operation, from and after fifteen (15) days after  
8 its final passage and adoption.

9 Section 4. This Ordinance shall be published in full, at  
10 least once in the Modesto Bee, the official newspaper of the City of  
11 Modesto, at least three (3) days prior to its final passage and  
12 adoption.

13 The foregoing ordinance was introduced at a regular  
14 meeting of the Council of the City of Modesto, held on the 27th day  
15 of September, 1950, by Councilman Burkner who moved its  
16 adoption and passage to print as aforesaid, which motion being duly  
17 seconded by Councilman Frad, was upon roll call, carried  
18 and the ordinance ordered published and printed as above, by the  
19 following vote:

- 20 AYES: Councilmen: Burkner, Condit, Frad, Mayor Shannon  
21 NOES: Councilmen: None  
22 ABSENT: Councilmen: Stanley

23 APPROVED:   
CARL W. SHANNON, Mayor

24  
25 ATTEST:   
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 27th day of September, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon:


Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

Repealed  
Ord 1007-N.S.

ORDINANCE NO. 964 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 602-N.S. OF THE CITY OF MODESTO (CIVIL SERVICE ORDINANCE)

---oOo---

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

REPEALED BY  
MUNICIPAL CODE

SECTION I, 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 Ordinances Nos. 3639-N.S., 687-N.S., 766-N.S., 791-N.S., 849-N.S., and 905-N.S. is hereby amended by including under this section as a civil service employee the following classification:

Lieutenant in the Police Department

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 contracts with the City for rendition of services
- (g) Chief Deputy in General Administrative office

REPEALED BY  
MUNICIPAL CODE

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.

1 The following offices, positions, and employments  
2 in the City of Modesto shall constitute the competitive service of  
3 said City and said positions and employments are subject to the pro-  
4 visions hereof.

5 DEPARTMENT OF PUBLIC WORKS

6 Assistant City Engineer

7 Secretary

8 Stenographer

9 Surveyor

10 Assistant Surveyor

11 Engineering Aides

12 Chief Draftsman

13 Junior Draftsman

14 planning Engineer

15 Plumbing Inspector

16 Senior Engineering Aide

17 Under Engineering Aide

18 Draftsman

19 Equipment Operators, Grades (1) and (2)

20 Street Repair Foreman

21 Assistant Superintendent of Electricity

22 Electrician

23 Lineman

24 Fire Alarm Technician

25 Electrical Inspector

26 Assistant Building Inspector

27 Water Service Foreman

28 Assistant Water Service Foreman

29 Pipe Fitters

30 Pump Operators (Grades 1 and 2)

31 Superintendent of Construction

32 Assistant Superintendent of Construction

- 1 Sewage Disposal Plant Maintenance Man
- 2 Sewage Treatment Plant Superintendent
- 3 Sewage Disposal Plant Operator
- 4 Assistant Sewage Disposal Plant Operator
- 5 Assistant Superintendent of Parks
- 6 Horticulturist
- 7 Nurseryman
- 8 Tree Trimmers
- 9 Park Supervisors
- 10 Limited Laborer
- 11 Greenskeeper
- 12 Groundsman
- 13 Assistant Superintendent Corporation Yard
- 14 Machinist
- 15 Auto Mechanic
- 16 Storekeeper and Service Man
- 17 Traffic Line Painter
- 18 Construction Laborers
- 19 Telephone Operator & Receptionist
- 20
- 21 CITY CLERK'S OFFICE
- 22 Assistant Clerk
- 23 Assistant Auditor
- 24 Assistant Assessor
- 25 Assistant License Collector
- 26 Assistant Tax Collector
- 27 Assistant Treasurer
- 28 Deputy License Collector
- 29 Deputy Auditor
- 30 Secretary
- 31 Cashier Clerk
- 32 Assistant Cashier-Clerk

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Typist Clerk

POLICE DEPARTMENT

Captain

Lieutenant

Sergeants

Secretary

Clerk

Traffic Officer

Patrolman

FIRE DEPARTMENT

Assistant Chiefs

Operators

Drivers

Relief Driver

DEPARTMENT OF PUBLIC HEALTH

Food and Drink Inspector

Sanitary Inspector

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 passage and 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 27th day of September, 1950 by Commissioner Frad, who moved its adoption, and passage to print, which motion being duly seconded by Commissioner Condit, was carried and the ordinance ordered printed and published by the following vote:

1 Ayes: Councilmen: Burkner, Frad, Condit, Mayor Shannon

2 Noes: Councilmen: None

3 Absent: Councilmen: Stanley

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5 APPROVED: Carl W. Shannon

CARL W. SHANNON, MAYOR

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7 ATTEST: Rex E. Galfus

REX E. GALFUS, 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, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, DEPTY CLERK

AN ORDINANCE PROVIDING FOR PAYMENT OF SERVICE CHARGES FOR USERS OF DOMESTIC SEWERAGE SYSTEM OF THE CITY OF MODESTO WITHIN THE CORPORATE LIMITS OF SAID CITY PRIOR TO THE ADOPTION OF ORDINANCE NO. 937 N. S.

Repealed by  
Ord. 1070 N.S.

To provide funds for operating and maintaining the City owned Domestic Sewerage System and to provide funds for necessary enlargement and extension of said system to serve the people of the City, the Council of the City of Modesto do ordain as follows:

Section 1. Each person, firm or corporation owning property within the corporate limits, prior to adoption of Ordinance No. 937 N. S. shall pay a charge for domestic sewerage service to said City in accordance with the following schedule of rates:

Monthly Charges for Residential Users

Each single family dwelling on a lot	\$.85
One additional dwelling unit on the same lot	.50
Each dwelling unit in a duplex	.65
Each dwelling unit in an apartment building or dwelling group.....	.50

Definitions:

- (1) Apartment: A building or portion thereof containing three or more dwelling units.
- (2) Dwelling Group: Two or more buildings on any one lot, containing three or more dwelling units.
- (3) Dwelling Unit: A suite of one or more rooms which is occupied by or intended to be occupied by one family doing its own cooking.
- (4) Lot: A parcel of land consisting of one or more contiguous lots of record in one ownership.

Monthly charge per Fixture for Hotels, Motels, Boarding and Rooming Houses, Restaurants, Canneries, Industrial Plants, Places of Amusement and Commercial Establishments.

Fixture	First Six to Over Other		
	Five	Twenty	20
Restaurant and Soda Fountain Seats or Chairs	\$.05 each	\$.03 each	\$.02 each
Lavatory	.05 each	.03 each	.02 each
Showers or Bathtub	.10 each	.05 each	.03 each
Toilets	.15 each	.10 each	.05 each
Kitchen Sink	.10 each	.05 each	.03 each
First Urinal			\$.20 each
Add'l Urinals			.10 each
Garbage Disposal			.30 each
Washracks (motor vehicle)			.90 each

Minimum Monthly Charge shall be Fifty Cents (\$.50)

1 Rates for garbage grinders other than household type and  
2 for any other fixtures which discharges wastes to the sewerage  
3 system not specified herein shall be on a comparable basis and  
4 shall be fixed by the City Council.

5 No charge shall be made for service to schools and  
6 churches.

7 Section 2. Said charges for domestic sewerage service  
8 shall be made to all property, except vacant lots, for which the  
9 collection laterals are installed whether or not said property is  
10 connected to said sewerage system.

11 Section 3. Payment of said sewer service charge shall  
12 begin on the first of the month following the effective date of  
13 this ordinance. Payment of sewer service charges on properties  
14 on which buildings are constructed in the future or for which  
15 collection laterals must be constructed before service can be  
16 rendered shall begin on the first of the month following connec-  
17 tion to said sewer system or on the first of the month following  
18 the expiration of 90 days after installation of said collection  
19 lateral within 100 feet of the building to be served, whichever  
20 date shall occur first.

21 Section 4. All monies collected by the said City of  
22 Modesto for sewer service charges as herein set forth shall be  
23 placed in the special "Sewer Service Fund" as created by Ordinance  
24 No. 937 N. S. and shall thereafter be expended for the operation  
25 and maintenance of the Domestic Sewage Treatment Plant and for the  
26 construction of necessary sewer trunk lines and additional treat-  
27 ment facilities.

28 Section 5. All territory annexed after May 24, 1950,  
29 shall comply with provisions of Ordinance No. 937 N. S.

30 Section 6. Rules and Regulations.

31 1. The charge for sewer service for the first month  
32 after the effective date of this ordinance shall be at the minimum

1 rate set forth herein.

2 2. Within 30 days after the adoption of this ordinance  
3 a form will be supplied each property owner or his authorized  
4 agent upon which said owner or said agent must indicate the num-  
5 ber and type of fixtures upon the premises. The form shall be  
6 returned to the Office of the City Clerk within 30 days after  
7 receipt thereof. The City Clerk shall determine the proper sewer  
8 service charge for the premises and said charges shall be paid at  
9 the Office of the City Clerk. Bills for sewer service must be  
10 paid by the tenth of each month or a ten per cent penalty will  
11 be added. A two per cent discount will be made on all bills  
12 paid six months in advance and a five per cent discount will be  
13 made on all bills paid one year in advance. On premises served  
14 with City water, the charge for sewer service shall be added to  
15 the charge for water service and payment of the total amount  
16 must be made.

17 3. Owners of real property shall be liable for payment  
18 of sewer service charges for their premises although payments  
19 may be accepted from tenants.

20 4. All persons, firms, or corporations shall keep  
21 their house sewer connections in good order at their own expense  
22 and shall be liable for damages which may result from their  
23 failure to do so. A City Inspector shall be admitted at all  
24 reasonable hours to all parts of any premises connected with the  
25 sewerage system for purpose of checking the fixtures and estab-  
26 lishment of service charges as herein provided.

27 Section 7. This ordinance shall go into effect from  
28 and after November 1, 1950.

29 Section 8. This ordinance shall be published in full  
30 at least once at least three (3) days prior to its final adoption  
31 in the Modesto Bee, the official newspaper of the City of Modesto.  
32 The foregoing ordinance was introduced at a regular meeting of

1 the Council of the City of Modesto on the 4th day of October, 1950,  
2 by Councilman Stanley, who moved its adoption and passage to  
3 print which motion being duly seconded by Councilman Condit was  
4 upon roll call carried and the Ordinance ordered printed and  
5 published as above by the following vote:

6 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
7 NOES: Councilmen: None  
8 ABSENT: Councilmen: None

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10 APPROVED:   
CARL W. SHANNON, Mayor

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12 ATTEST:   
13 REX E. GAILFUS, City Clerk  
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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 4th day of October, 1950, 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 October 18, 1950, it was upon roll call so finally  
adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED:   
CARL W. SHANNON, Mayor

ATTEST:   
REX E. GAILFUS, CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 937 N. S. OF THE CITY OF MODESTO BY CHANGING THE AMOUNT OF FEES REQUIRED TO BE PAID BY SAID ORDINANCE

Repealed by  
Ord. 1070 N.S.

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

Section 1.

Section 5 of Ordinance No. 937 N. S. of the City of Modesto, entitled; "AN ORDINANCE PROVIDING FOR FEES TO BE PAID BY PERSONS IN TERRITORIES HEREAFTER ANNEXED TO THE CITY OF MODESTO FOR CONNECTIONS TO THE CITY DOMESTIC SEWERAGE SYSTEM AND PROVIDING FOR PAYMENT OF SERVICE CHARGES BY USERS IN SAID TERRITORIES", is hereby amended to read as follows:

Section 5. The user of each sewer service connection in said territory hereafter annexed, shall pay a service charge to the City of Modesto based upon the following schedule of rates:

Monthly Charges for Residential Users

Each single family dwelling on a lot	\$1.10
One additional dwelling unit on the same lot	.65
Each dwelling unit in a duplex	.85
Each dwelling unit in an apartment building or dwelling group.....	.65

Definitions:

- (1) Apartment: A building or portion thereof containing three or more dwelling units.
- (2) Dwelling Group: Two or more buildings on any one lot, containing three or more dwelling units.
- (3) Dwelling Unit: A suite of one or more rooms which is occupied by or intended to be occupied by one family doing its own cooking.
- (4) Lot: A parcel of land consisting of one or more contiguous lots of record in one ownership.

Monthly charge per fixture for Hotels, Motels, Boarding and Rooming Houses, Restaurants, Canneries, Industrial Plants, Places of Amusement and Commercial Establishments.

Fixture	First Five	Six to Twenty	Over 20	Other
Restaurant and Soda Fountain Seats or Chairs	\$.05 Ea.	\$.03 Ea.	\$.02 Ea.	
Lavatory	.05 "	.03 "	.02 "	
Showers or Bathtubs	.10 "	.05 "	.03 "	
Toilets	.15 "	.10 "	.05 "	
Kitchen Sink	.10 "	.05 "	.03 "	
First Urinal				\$.25 Ea.
Add'l Urinals				.15 "
Garbage Disposal				.40 "
Washracks (Motor Vehicle)				1.20 "

Minimum monthly charge shall be sixty-five cents

1 Rates for garbage grinders other than household type and  
2 for any other fixture which discharges wastes to the sewerage  
3 system not specified herein shall be on a comparable basis and  
4 shall be fixed by the City Council.

5 No charge shall be made for service to schools and  
6 churches.

7 Payment of sewer service charges shall begin on the  
8 first of the month following the expiration of ninety (90) days  
9 from the date of installation of the collection lateral  
10 within one hundred (100) feet of the building to be served, or  
11 on the first of the month following connection of the house sewer  
12 to said collection lateral if said connection is made prior to the  
13 expiration of said ninety (90) day period.

14 Section 2. Section 10 of Ordinance No. 937 N. S. is  
15 hereby amended to read as follows:

16 Section 10: Rules and Regulations.

17 1. There shall be a separate connection to the sewer-  
18 age system for each building unit designated herein, except that  
19 two dwellings on an interior lot, or pair of lots, as shown on  
20 the Official City Map may be connected by the same house sewer.

21 2. Permits for sewer connections shall be obtained  
22 in accordance with the provisions of Ordinance 901 N. S.  
23 (Plumbing Ordinance).

24 3. Within 30 days after the installation of collection  
25 laterals within the area, a form will be supplied each property  
26 owner or his authorized agent in said area, upon which said owner  
27 or said agent must indicate the number and type of fixtures upon  
28 the premises. The form shall be returned to the office of the  
29 City Clerk within 30 days from receipt thereof. The City Clerk  
30 shall determine the proper sewer service charge for the premises  
31 and said charges shall be paid at the office of the City Clerk,  
32 Bills for sewer service must be paid by the tenth of each month

1 or a ten per cent penalty will be added. A two per cent discount  
2 will be made on all bills paid six months in advance and a five  
3 per cent discount will be made on all bills paid one year in ad-  
4 vance. On premises served with City water, the charge for sewer  
5 service shall be added to the charge for water service and pay-  
6 ment of the total amount must be made.

7 4. Owners of property will be held liable for payment  
8 of sewer service charges for their premises although payments  
9 will be accepted from tenants.

10 5. All persons, firms, or corporations must keep their  
11 house sewer connections in good order at their own expense and  
12 may be held liable for damages which may result from their fail-  
13 ure to do so. A City Inspector shall be admitted at all reasonable  
14 hours to all parts of any premises connected with the sewerage  
15 system for purpose of checking the fixtures and establishment of  
16 service charges as herein provided.

17 Section 3. This Ordinance shall go into effect from  
18 and after fifteen (15) days after its final passage and adoption.

19 Section 4. This Ordinance shall be published in full  
20 at least once at least three (3) days prior to its final adoption  
21 in the Modesto Bee, the official newspaper of the City of Modesto.

22 The foregoing Ordinance was introduced at a regular meeting of  
23 the Council of the City of Modesto on the 4th day of October, 1950  
24 by Councilman Stanley who moved its adoption and passage to print  
25 which motion being duly seconded by Councilman Frad was upon  
26 roll call carried and the Ordinance ordered printed and published  
27 as above by the following vote:

28 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

29 NOES: Councilmen: None

30 ABSENT: Councilmen: None

31 APPROVED

  
CARL W. SHANNON, Mayor

32 ATTEST:

  
REX E. GALLFUS, City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and order-  
3 ed printed and published at a regular meeting of the Council of the  
4 City of Modesto held on the 4th day of October, 1950, and subse-  
5 quently 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 October 18, 1950, it was upon roll call so finally  
8 adopted by the following vote:

9 Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Stanley

12  
13 APPROVED:

  
CARL W. SHANNON, Mayor

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15  
16 ATTEST:

  
REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 967 N.S.

2 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF  
3 REAL PROPERTY

4 ---oOo---

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

7 Section 1. The sum of Fifty Five Thousand Two Hundred  
8 and no/100 (\$55,200 00) Dollars or so much thereof as may be  
9 necessary is hereby appropriated from the parking meter fund of the  
10 City of Modesto, for the purchase from the owners thereof, by the  
11 Modesto City Parking Authority, of certain real property which is  
12 described as follows:

13 All that certain real property situated in the City  
14 of Modesto, County of Stanislaus, State of California,  
15 described as follows:

16 Block 56, lots 23, 24, 25 and the northwest 9.75  
17 feet of lot 22 and undivided one-half interest in the  
18 Southeast 13 feet of lot 26 of the City of Modesto, as  
19 per map filed December 21, 1942 in the Office of the  
20 County Recorder of Stanislaus County, California, in  
21 Volume 15 of Maps.

22 Section II. This Ordinance shall go into effect from  
23 and after 15 days after its final passage and adoption. It shall  
24 be published in full at least once at least three days prior to its  
25 final adoption, in the Modesto Bee, the official newspaper of the  
26 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 11th day  
29 of October, 1950 by Councilman Frad, who moved its adoption  
30 and passage to print, which motion being duly seconded by Commission-  
31 er Burkner, was carried and the ordinance ordered printed  
32 and published by the following vote:

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Ayes; Councilmen: Burkner, Condit, Frad, 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 October, 1950 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 18, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED:

  
CARE W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING ~~A PORTION OF~~  
 LOTS 23, 24, 25 and A PORTION OF LOT 22 IN BLOCK 1  
 OF THE LAS PALMAS TRACT TO THE CITY OF MODESTO

SPECIAL  
 NOT IN CODE

WHEREAS, a Petition, dated the 13th day of September,  
 1950, was filed with the City Clerk, of the City of Modesto, by;  
 Robert H. Henderson, Mary Elizabeth Henderson, Gemma Bartoni,  
 Americo L. Bartoni, F. M. Brack and Esther Beard Brack, for the  
 annexation of uninhabited territory to the City of Modesto, under  
 the provisions of the Annexation of Uninhabited Territory Act  
 of 1939, as amended, and

WHEREAS, the City Council, by Resolution passed on the  
 13th day of September, 1950, set said Petition for hearing for  
 the hour of 7:30 p. m., on the 11th day of October, 1950, in the  
 Council Chambers of the City Hall, of the City of Modesto, and

WHEREAS, at said time and place, no objectors appeared  
 to oppose said Petition, and

WHEREAS, the City Council finds that the allegations  
 contained in said Petition are true and that there has been full  
 and complete compliance with the requirements of the Annexation of  
 Uninhabited Territory Act of 1939, as amended, now therefore,

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

Section 1. That the Petition of, Robert H. Henderson,  
 Mary Elizabeth Henderson, Gemma Bartoni, Americo L. bartoni,  
 F. M. Brack and Esther Beard Brack, and the same is hereby  
 granted and the territory described in said Petition is hereby  
 annexed to and made a part of, the City of Modesto.

Section 2. 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 3. That the area of territory so annexed is a  
~~portion of~~ Lots 23, 24, 25 and a portion of Lot 22 in Block 1 of  
 the Las Palmas Tract, and is located in the County of Stanislaus,  
 State of California, and contiguous to the City of Modesto,  
 described as follows:

1 All that certain real property situated in the  
2 County of Stanislaus, State of California, and  
bounded and described as follows:

3 Lots 23, 24 and 25 and a portion of lot 22 of  
4 block 1 of the Las Palmas Tract as filed for  
5 record on February 20, 1930 in Vol. 11 of Maps  
6 at Page 10, Stanislaus County Records and  
certain adjacent streets and alleys, which  
property is more precisely described as follows:

7 Beginning at a point on the existing city limit  
8 line being the intersection of the center line  
9 of North Santa Rosa Avenue, and the North line  
10 of Roble Avenue, as deeded to the County of  
11 Stanislaus by deed recorded June 28, 1938,  
12 Instrument No. 7680, projected to the West;  
13 thence East along the North line of Roble Avenue  
14 175 feet, more or less, to the East line of the  
15 alley in Block 1 of Las Palmas Tract, as filed  
16 for record on February 20, 1930 in Vol. 11 of  
17 Maps at Page 10, Stanislaus County records;  
18 thence North along the East line of said alley  
19 310 feet, more or less, to the South line of  
20 Encina Avenue, which point is the Northwest  
21 corner of Lot 1 of Block 1 of said Las Palmas  
22 Tract; thence Northwesterly and perpendicular  
23 to the center line of Encina Avenue 60 feet,  
24 more or less to the existing city limit line,  
25 being the North line of Encina Avenue; thence  
26 along the existing city limit line Southwesterly  
27 along the North line of Encina Avenue to the  
28 center line of North Santa Rosa Avenue projected  
29 to the North; thence South along the center line  
30 of said North Santa Rosa Avenue to the point of  
31 beginning.

32 Section 4. 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.

Section 5. This Ordinance shall be published in full  
at least once in the Modesto Bee, the official newspaper of the  
City of Modesto, at least three (3) days prior to its final  
passage and adoption.

The foregoing Ordinance was introduced at a regular  
meeting of the Council of the City of Modesto, held on the 11th  
day of ~~September~~ <sup>October</sup>, 1950, by Councilman Frad who moved its  
adoption and passage to print, which motion being duly seconded by  
Councilman B Burkner

1 \_\_\_\_\_ was upon roll call carried by the following vote:

2  
3 AYES: Councilmen: Burkner, Condit, Fred, Stanley, Mayor Shannon


4 NOES: Councilmen: None

5 ABSENT: Councilmen: None

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7 APPROVED:

  
CARL W. SHANNON, Mayor

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9 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 11th day of October, 1950, 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, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

SPECIAL  
NO. 969 IN CODE

ORDINANCE NO. 969-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF FAIRWAY-  
GREENS AERIFIER UNIT FOR THE MODESTO MUNICIPAL GOLF COURSE

---oOo---

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

SECTION 1 The Sum of Eight Hundred Fifty (\$850 00)

Dollars, or so much thereof as may be necessary is hereby appropri-  
ated out of the General Fund of the City of Modesto for the purchase  
of one Fairway-Greens Aerifier Unit complete with trailer for use  
of the Modesto Municipal Golf Course.

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 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 October, 1950 by Commissioner Frad, who moved its adoption and  
passage to print which motion being duly seconded by Commissioner  
Burkner, was upon roll call carried and the ordinance ordered  
printed and published by the following vote:

- Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
- Noes: Councilmen: None
- Absent: Councilmen: None

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

ATTEST: Rex E. Galfus  
REX E. GALFUS, 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 October, 1950, 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 1, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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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AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY  
AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700 N. S.  
BY ADDING ADDITIONAL MAP

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2 WHEREAS, hearings have been duly held before the Plan-  
3 ning Commission of the City of Modesto and the recommendation of  
4 the Planning Commission having been regularly forwarded to the  
5 City Council of the City of Modesto, and the City Council having  
6 considered the recommendations of the Planning Commission, and a  
7 public hearing having been held by the City Council all as pro-  
8 vided by law, now therefore,

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

10 SECTION 1. That certain area heretofore annexed to the  
11 City of Modesto commonly referred to as a Portion of Mission  
12 Grove Tract M & G Olivewood Tract and all of the Falk Tract be and  
13 the same is established partly C-1, Neighborhood Business District,  
14 partly R-2, Two Family Residence District and partly R-1 Single  
15 Family Residence District, as hereinafter described.

16 Said territory is located in the City of Modesto, County  
17 of Stanislaus, State of California, and described as follows:

18 Lots 1 and 2 of the Mission Grove Tract, as filed  
19 for record on June 13, 1917, Vol 8, Page 50 of Maps,  
20 Stanislaus County Records, and Lots 1, 2, 3 and 6  
21 of the Falk Tract, as filed for record on July 5,  
22 1939, Vol 11, Page 62 of Maps, Stanislaus County  
23 Records be classified into the C-1, Neighborhood  
24 Business District, and that

25 Lots 4, 5 and 7 to 13 inclusive of said Falk Tract  
26 be classified in the R-2, Two Family Residence Dis-  
27 trict and that

28 Lots 1 to 17 inclusive of the M & G Olivewood Tract  
29 as filed for record on October 15, 1938, Vol 11  
30 of Maps Page 8, Stanislaus County Records, and  
31 Lots 3, 4 and 5 of said Mission Grove Tract be  
32 classified into the R-1 Single Family Residence  
District.

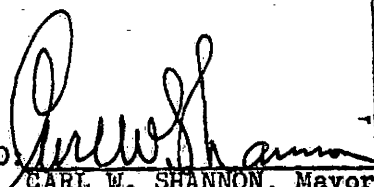
SECTION 2. The Modesto City Zoning Ordinance being  
Ordinance No. 700 N. S. is hereby amended by annexing thereto that  
certain map entitled, "Land Use District Map 2B", a  
copy of which is hereto annexed, and said map is hereby incorpor-  
ated into said zoning ordinance.

1 SECTION 3. 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 4. This Ordinance shall be published in full at  
5 least once in the Modesto Bee the official newspaper of the City  
6 of Modesto, at least three (3) days prior to its final passage  
7 and adoption.

8 The foregoing Ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 25th  
10 day of October by Councilman Frad, who moved its adop-  
11 tion and passage to print as aforesaid, which motion being duly  
12 seconded by Councilman Burkner, was upon roll call carried,  
13 and the Ordinance ordered published and printed as above, by the  
14 following vote:

15  
16 AYES: Councilmen: Burkner, Frad, Condit, Stanley, Mayor Shannon  
17 NOES: Councilmen: None  
18 ABSENT: Councilmen: None

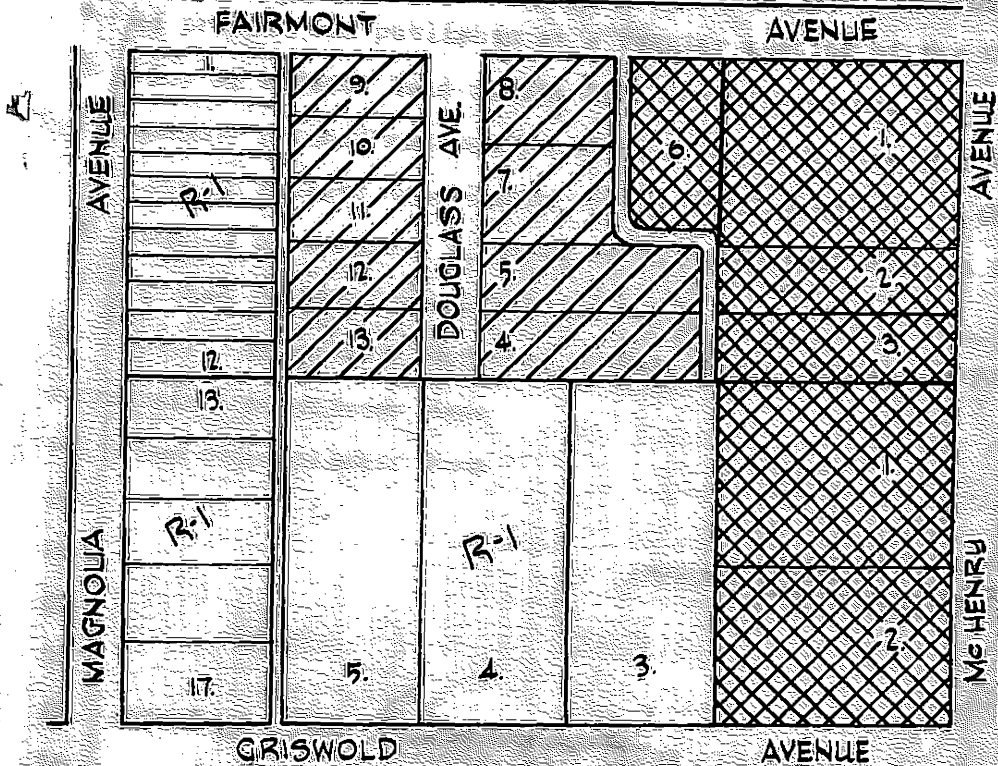
19  
20 APPROVED:   
CARL W. SHANNON, Mayor

21  
22 ATTEST:   
REX E. GAILFUS, City Clerk

1714

# - LAND USE DISTRICT MAP 2-B -

THE FALK TRACT AND PORTIONS OF THE MISSION GROVE AND M&G OLIVEWOOD TRACTS.



-  C-1 - NEIGHBORHOOD BUSINESS DISTRICT
-  R-2 - TWO FAMILY RESIDENTIAL DISTRICT
-  R-1 - SINGLE FAMILY RESIDENTIAL DISTRICT

CITY OF MODESTO

*Carlo Shan*  
MAYOR

APPROVED -

*Clayton Gierke*  
CLERK

PLANNING COMMISSION

*Herbert L. Varnum*  
CHAIRMAN

ORDINANCE NO. 970 N.S.

DATE OCTOBER 25, 1950

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 October, 1950, 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon


Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

  
CARL W. SHANNON, MAYOR

ATTEST:

  
REX E. GALFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 971-N.S.

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING AN AMENDMENT TO THE CONTRACT PROVIDING FOR THE PARTICIPATION OF THE CITY OF MODESTO IN THE CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM, MAKING ITS EMPLOYEES MEMBERS OF SAID SYSTEM

---oOo---

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

SECTION 1. That an amendment to the contract providing for the participation of the City of Modesto in the State Employees' Retirement System is hereby authorized between the City Council of the City of Modesto, and the Board of Administration California State Employees' Retirement System, a copy of said amendment 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 and the City Clerk of the City of Modesto are hereby authorized empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3 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 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 1st day of November, 1950 by Commissioner Frad, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Burkner was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT SYSTEM

6. Prior service benefits to be provided to members of said System who are employed by Public Agency, that is, City of Modesto, shall be allowed only as a percentage of the average salary specified in Section 212 of the Retirement Law for each year of service, and shall be determined as follows:

The Board of Administration, State Employees' Retirement System, and the City Council of the City of Modesto, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, which provides for the participation of said Public Agency in said Retirement System, and said contract having excluded from membership employees of the City other than Local Firemen and Local Policemen, and said contract having been based on the Retirement Law as that Law existed on said effective date, with some exceptions, said Board of Administration and said City Council hereby agree as follows:

1. The words, "Miscellaneous Employees" Excluded" appearing in Paragraph 3 shall and are hereby stricken from said Contract and the words, "Employees in the City Police Court Department Excluded", shall be inserted in place thereof.
2. Paragraphs 4, 5, 6, 7, 8, 9 and 10 shall be and are hereby stricken from said Contract.
3. The following paragraphs shall be and are hereby added to said Contract:
  4. Age 60 shall be the normal minimum age for retirement for service, of Miscellaneous members employed by Public Agency, that is other than Local Safety members, and one-sixtieth shall be the fraction of final compensation as defined in said Retirement Law, to be provided 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 persons who are members because of employment by Public Agency as Local Safety Members, 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 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.

cover the period of service rendered by said System prior to the effective date of participation, and including the period of special service rendered by said System prior to the effective date of participation, shall be determined as follows: If the 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 other than Local Safety members, upon retirement for service at age 60, shall be allowed only as a percentage of the average salary specified in Section 21253 of said Retirement Law, for each year of such service, and said percentage shall be 100% of the percentage determined under said section and liabilities of said System on account of said employees.
7. The provisions of Section 21258b of the State Employees' Retirement Law, guaranteeing a minimum retirement allowance under certain conditions shall apply to persons who are members because of employment by Public Agency, as determined by the periodical investigation, valuation and determination.
8. The provisions of Section 21367.5 of the State Employees' Retirement Law, providing a \$300 death benefit after retirement shall apply to persons who are members because of employment by Public Agency and are subject to adjustment for variations between the value of such assets as determined by Board and the value assumed in the provisions of Section 21253 of the State Employees' Retirement Law, providing for a guaranteed percentage of final compensation for each year of current service as a member, shall apply to persons who are Miscellaneous members because of employment by Public Agency and are members of said System, shall be paid by Public Agency to the State Employees' Retirement System.
10. The provisions of Section 2002 of the State Employees' Retirement Law, providing for the portion of compensation to be included in computations under said Law, shall apply to persons who are members because of employment by Public Agency and whose correct amount of contribution, as determined by the Board, or its employees is paid for any period, subsequent adjustment shall be made in connection with subsequent readjustments of Public Agency to the Board, to rectify the errors, or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employees in the sum of \$4,217.87 payable annually, or as Board shall require for the period of 23 years less the time elapsed from the date of participation to the effective date of this amendment, and the sum of \$23,809.15 payable annually or as Board shall require, for the period of 30 years, all on account of the liability for benefits provided in Paragraphs 4. and 5. hereof.
4. Benefits due prior to the effective date of this amendment to persons who were members because of employment by Public Agency and who retired prior to the effective date, shall be 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 thereafter.
5. This amendment shall be applied to the total salaries of employees who are members of said System shall include employees who become members thereafter.
- b. A reasonable amount per annum, as fixed by the Board, 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 their respective fiscal years, or with respect to the first year of 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.

ATTEST:  
Contributions required of Public Agency and its employees shall be subject to adjustment by the Board of Administration on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical investigation, valuation and determination provided for by said Retirement Law. Contributions under this paragraph are in addition to any assets of the local system, which are transferred to the State Employees' Retirement System, and are subject to adjustment for variations between the value of such assets as determined by Board and the value assumed in the calculation of such contributions.

12. Contributions required of Public Agency under Paragraph 11 immediately preceding, and contributions required of Public Agency's employees who are members of said System, shall be paid by Public Agency to the State Employees' Retirement System within thirty days after the end of the month or longer period to which said contributions refer. If more or less than the correct amount of contribution required of Public Agency or its employees is paid for any period, proper adjustment shall be made in connection with subsequent remittances of Public Agency to the Board, to rectify the errors; or such adjustments on account of errors made in contributions required of employees, may be made by direct cash payments between the employee in connection with whom the error was made, and Board. Payments of Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

- ATTEST:  
4. Benefits due prior to the effective date of this amendment and retirement allowances due after said effective date to persons who were members because of employment by Public Agency and who retired prior to said effective date, shall not be affected by this amendment.
5. This amendment shall be attached to said contract and shall be effective as of the first day of \_\_\_\_\_, 19\_\_.

Witness our hand this \_\_\_\_\_ day of \_\_\_\_\_, 1950

ATTEST:

CITY COUNCIL, 1950,  
CITY OF MODESTO

*[Signature]*  
City of Modesto, Clerk

By *[Signature]*  
Presiding Officer

meeting of November 8, 1950, at the open roll call

adopted by the following vote.

Ayes: Councilmen: Burkner, Gault, Fred, Stanley.

Noes: Councilmen: none

Abstentions: Councilmen: none

BOARD OF ADMINISTRATION

STATE EMPLOYEES' RETIREMENT SYSTEM

ATTEST:

APPROVED:

By *[Signature]*

Executive Officer

President, Board of Administration

*[Signature]*  
Attest:

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 1st day of November, 1950, 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 8, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Barley C. Shannon*  
BARLEY C. SHANNON, MAYOR

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

REPEALED BY  
MUNICIPAL CODE

AS AMENDED, BY PROVIDING THAT THE PROBATIONARY PERIOD FOR FIREMEN AND POLICEMEN SHALL BE FOR A TERM OF ONE YEAR AND THE PROBATIONARY PERIOD FOR OTHER CITY EMPLOYEES SHALL BE FOR A TERM OF SIX MONTHS.

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

3 Section 1. Section 9, of Ordinance No. 602 N. S., of the  
4 City of Modesto, entitled, "AN ORDINANCE CREATING A CIVIL SERVICE  
5 SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT  
6 OF PERSONNEL, PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT  
7 EMPLOYEES, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF", is  
8 hereby amended to read as follows:

9 Section 9. PROBATIONARY PERIOD. All original and promo-  
10 tional appointments for firemen and policemen, shall be for a pro-  
11 bationary period of one year. All original and promotional appoint-  
12 ments for all other employees shall be for a probationary period of  
13 six months. During the probationary periods, the employees may be  
14 rejected at any time without right of appeal or hearing in any  
15 manner.

16 An employee rejected during the probationary period from  
17 a position to which he has been promoted shall be reinstated to  
18 the position from which he was promoted, unless charges are filed and  
19 he is discharged as provided in the rules and this ordinance.


20 Any employee in the competitive service promoted or trans-  
21 ferred to a position not included in the competitive service shall  
22 be reinstated to the position from which he was promoted or trans-  
23 ferred, if within six (6) months after such promotion or transfer,  
24 action is taken to dismiss him unless charges are filed and he is  
25 discharged in the manner provided in this ordinance and the rules  
26 established hereunder for positions in the competitive service.

27 Section 2. This ordinance shall go into effect from and  
28 after fifteen (15) days after its final passage, and adoption. It  
29 shall be published in full at least three days prior to its final  
30 adoption in The Modesto Bee, the official newspaper of the City of  
31 Modesto.

32 The foregoing ordinance was introduced at a regular

1 meeting of the Council of the City of Modesto held on the 8th  
2 day of November, 1950, by Councilman Stanley, who moved  
3 its adoption and passage to print, which motion being duly seconded  
4 by Commissioner Condit  
5 was carried and the ordinance ordered printed and published by the  
6 following vote:

6 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
7 NOES: Councilmen: None  
8 ABSENT: Councilmen: None

9  
10 APPROVED:   
CARL W. SHANNON, Mayor

11 ATTEST:   
12 REX E. GAILFUS, City Clerk.

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15 1 T

16 50 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 8th day of November, 1950 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 15, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

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

ATTEST:

*Rex E. Galfus*  
REX E. GALFUS, CITY CLERK

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AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A FIRST PORTION OF THE SUNSET ACRES TRACT TO THE CITY OF MODESTO

SPECIAL NOT IN CODE

WHEREAS, a petition dated the 13th day of October, 1950 was filed with the City Clerk by: Eleanor Brunetti, Rose Brunetti Louie Brunetti, Mario Brunetti, Charles E. Erickson, Dorothy V. Erickson, for the annexation of uninhabited territory to the City of Modesto, under the Annexation of Uninhabited Territory Act of 1939 as amended, and

WHEREAS, the City Council, by Resolution passed on the 18th day of October, 1950, set said Petition for hearing for the hour of 4 p. m. on the 15th day of November, 1950 in the Council chambers of the City Hall of the City of Modesto, and

WHEREAS, at said time and place no objectors appeared to oppose said Petition, and

WHEREAS, the City Council finds that the allegations contained in said Petition are true and that there has been full and complete compliance with the requirements of the Annexation of Uninhabited Territory Act of 1939 as amended, now therefore,

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

SECTION 1. That the Petition of, Eleanor Brunetti, Rose Brunetti, Louie Brunetti, Mario Brunetti, Charles E. Erickson, and Dorothy V. Erickson, be and the same is hereby granted and the described territory/in said Petition is hereby annexed to and made a part of the City of Modesto.

SECTION 2. 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 3. That the area of territory so annexed, is a First Portion of the Sunset Acres Tract, and is located in the County of Stanislaus, State of California and contiguous to the City of Modesto, described as follows:

All that certain real property situated in the County of Stanislaus State of California, and bounded and described as follows:

1 Lot 5 of the Sunset Acres Tract,  
2 as filed for record on January 14,  
3 1911, in Volume 5 of Maps, Page 25  
4 of Stanislaus County Records less the  
5 Easterly 30 feet of the North 161  
6 feet of said Lot 5 and the East 210  
7 feet, more or less, of the South 103  
8 feet of said Lot 5; the North boundary  
9 of said Lot 5 being the township line  
10 between Township three (3) and four  
11 (4) Range 9 East M.D.B. & M. and being  
12 also the center line of South Avenue  
13 and the existing corporate boundary  
14 line of the City of Modesto.

9 SECTION 4. This Ordinance shall go into effect and be  
10 in full force and operation from and after fifteen (15) days after  
11 its final passage and adoption.

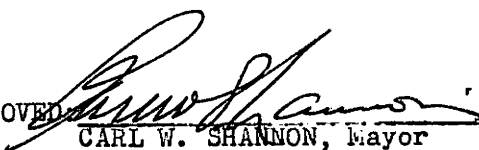
12 SECTION 5. This Ordinance shall be published in full at  
13 least once in the Modesto Bee, the official newspaper of the City  
14 of Modesto, at least three (3) days prior to its final passage and  
15 adoption.

16 The foregoing Ordinance was introduced at a regular  
17 meeting of the Council of the City of Modesto held on the 15th  
18 day of November, 1950, by Councilman Frad who moved its  
19 adoption and passage to print, which motion being duly seconded by  
20 Councilman Stanley, was upon roll call carried by the following  
21 vote:

22  
23 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

24  
25 NOES: Councilmen: None

26  
27 ABSENT: Councilmen: None

28  
29 APPROVED:   
CARL W. SHANNON, Mayor

30  
31 ATTEST:   
REX E. GAILFUS, CITY CLERK

**FINAL ADOPTION CLAUSE**

was filed with the County Clerk of Stanislaus County, California, by

The foregoing ordinance having been introduced and  
Elsie M. Barfill and Margaret McHenry, for the petitioners,  
ordered printed and published at a regular meeting of the Council  
of the City of Modesto held on the 15th day of November, 1950, and  
subsequently printed and published as required by the Charter of

WHEREAS, the City Council, by Resolution passed at the  
the City of Modesto, and coming on for final adoption at the regular  
meeting of November, 22, 1950, it was upon roll call so finally  
adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

WHEREAS, the City Council finds that the objections  
contained in said Petition are true and that the same have been  
satisfactorily complied with the requirements of the

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

of the Unincorporated Territory Act of 1937 as amended, now therefore,

The Council of the City of Modesto do hereby resolve as follows:

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

Harold E. Barfill, Elsie M. Barfill and Margaret McHenry, be and  
the same is hereby granted and the territory in said Petition is  
hereby annexed to and made a part of the City of Modesto.

SECTION 2. That said annexation is subject to the  
requirements of that certain Resolution hereinafter referred to  
day of May, 1945, and entitled, "A Resolution of the City Council  
for Annexation of Territory to the City of Modesto."

SECTION 3. That the area of territory to be annexed is a  
Second Part of the Sunset Acres Tract, and is located in the  
County of Stanislaus, State of California and contiguous to the  
City of Modesto, described as follows:

All that certain real property situated  
in the County of Stanislaus, State of  
California, and located and described as  
follows:

More or less of the above described

## AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING A SECOND PORTION OF THE SUNSET ACRES TRACT TO THE CITY OF MODESTO

1 WHEREAS, a Petition dated the 13th day of October, 1950  
 2 was filed with the City Clerk by: Barlow McCleary, Harold L. Banfill  
 3 Emma M. Banfill and Margaret McCleary, for the annexation of uninhab-  
 4 ited territory to the City of Modesto, under the Annexation of Un-  
 5 inhabited Territory Act of 1939 as amended, and

6 WHEREAS, the City Council, by Resolution passed on the  
 7 18th day of October, 1950, set said Petition for hearing for the  
 8 hour of 4 p. m. on the 15th day of November, 1950 in the Council  
 9 chambers of the City Hall of the City of Modesto, and

10 WHEREAS, at said time and place no objectors appeared to  
 11 oppose said Petition, and

12 WHEREAS, the City Council finds that the allegations  
 13 contained in said Petition are true and that there has been full  
 14 and complete compliance with the requirements of the Annexation  
 15 of Uninhabited Territory Act of 1939 as amended, now therefore,  
 16 The Council of the City of Modesto do ordain as follows:

17 SECTION 1. That the Petition of, Barlow McCleary,  
 18 Harold L. Banfill, Emma M. Banfill and Margaret McCleary, be and  
 19 the same is hereby granted and the territory, in said Petition is  
 20 hereby annexed to and made a part of the City of Modesto.

21 SECTION 2. That said annexation is subject to the re-  
 22 quirements of that certain Resolution heretofore passed on the 9th  
 23 day of May, 1945, and entitled, "A Resolution Establishing Policy  
 24 for Annexation of Territory to the City of Modesto".

25 SECTION 3. That the area of territory so annexed, is a  
 26 Second Portion of the Sunset Acres Tract, and is located in the  
 27 County of Stanislaus, State of California and contiguous to the  
 28 City of Modesto, described as follows:

29 All that certain real property situated  
 30 in the County of Stanislaus, State of  
 31 California, and bounded and described as  
 follows:

32 Lots 6 and 7 of the Sunset Acres Tract as

1 filed for record on January 14, 1911 in  
2 Volume 5 of Maps at Page 25 of Stanislaus County  
3 Records less the Westerly 30 feet of said Lot 7;  
4 The North boundary of said lots being the town-  
5 ship line between Townships three (3) and four  
6 (4) Range 9 East Mount Diablo Base and Meredian  
7 and being also the center line of South Avenue  
8 and the existing corporate boundary line of the  
9 City of Modesto.

6 SECTION 4. This Ordinance shall go into effect and be  
7 in full force and operation from and after fifteen (15) days  
8 after its final passage and adoption.

9 SECTION 5. This Ordinance shall be published in full at  
10 least once in the Modesto Bee, the official newspaper of the City  
11 of Modesto, at least three (3) days prior to its final passage and  
12 adoption.

13 The foregoing Ordinance was introduced at a regular  
14 meeting of the Council of the City of Modesto held on the 15th day  
15 of November, 1950, by Councilman Burkner, who moved  
16 its adoption and passage to print, which motion being duly seconded  
17 by Councilman Condit, was upon roll call carried by the  
18 following vote:

19  
20 AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
21 NOES: Councilmen: None  
22 ABSENT: Councilmen: None

23  
24 APPROVED:   
CARL W. SHANNON, Mayor

25  
26 ATTEST:   
27 REX E. GAILFUS, CITY CLERK  
28  
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1 FINAL ADOPTION CLAUSE

2  
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 15th day of November, 1950, 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 November, 22, 1950, it was upon roll call so finally  
9 adopted by the following vote:

10 Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Burkner

13  
14 APPROVED: 

CARL W. SHANNON, MAYOR

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17 ATTEST:   
18 REX E. GAILFUS, CITY CLERK

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SECTION 1. That the regulations...

SECTION 2. Ordinance No. 703 P. S.,...

- lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11...
- lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13...
- lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100...



1 The following lots and blocks are hereby taken and re-  
2 moved from the R-4, Residence-Agricultural District and placed in  
3 the R-2, Two-Family Residence District:

4 Lots 5, 6, 12 and 13 of Block 6070  
5 Lots 5, 6, 7, 8, 9, 13 and 14 of Block 6069

6 The following lots and blocks are hereby taken and re-  
7 moved from the R-4, Residence-Agricultural District and placed in  
8 the C-1, Neighborhood-Business District:

9 Lots 7, 8, 9, 10 and 11 of Block 6070  
10 Lots 10, 11 and 12 of Block 6069

11 All of the foregoing lots and blocks are situated in the  
12 City of Modesto, County of Stanislaus, State of California, and are  
13 as shown in Volume 17, Page 12 of Maps, said volume being on file  
14 and on record in the Office of the County Recorder of Stanislaus  
15 County, California.

16 SECTION 3B. The zoning ordinance of the City of Modesto,  
17 being ordinance No. 700 N. S., is hereby amended by annexing there-  
18 to that certain map entitled, "Land Use District Map No. 1E  
19 City of Modesto", a copy of which is hereto <sup>attached</sup> ~~annexed~~ and said map  
20 is hereby incorporated into said zoning ordinance.

21 SECTION 4.. This ordinance shall go into effect and be in  
22 full force and operation from and after 15 days after its final  
23 passage and adoption.

24 SECTION 5. This ordinance shall be published in full at  
25 least three (3) 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 meet-  
28 ing of the Council of the City of Modesto, held on the 22nd day of  
29 November, 1950, by Councilman Stanley who  
30 moved its adoption and passage to print. The motion being duly  
31  
32

by Commissioner Frad

seconded, /was, upon roll call, carried and the ordinance ordered  
printed and published as above by the following votes:

AYES: Councilmen: Condit, Frad, Stanley, Mayor Shannon

NOES: Councilmen: none

ABSENT: Councilmen: Burkner

APPROVED: 

Mayor of the City of Modesto

ATTEST: 

City Clerk

2025 out

# LAND USE DISTRICT MAP NO.1-E

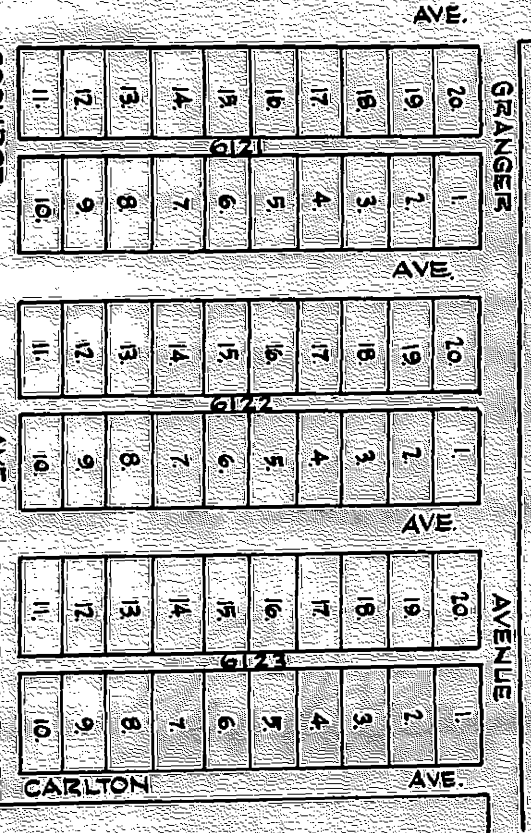
## ROOSEVELT CENTER

A PORTION OF THE NW 1/4 SEC. 20 - T.3-S. - R.9-E - MD. & B.M.

☒ C-1-NEIGHBORHOOD BUSINESS DISTRICT  
LOTS 7 THRU 11, BLOCK 6070, AND 10, 11, & 12, BLOCK 6069

☒ R-2-TWO FAMILY RESIDENTIAL DISTRICT  
LOTS 5, 6, 17 & 18, BLOCK 6070; LOTS 5 THRU 9 AND 13 & 14, BLOCK 6069.

☒ R-1-SINGLE FAMILY RESIDENTIAL DISTRICT  
ALL REMAINING LOTS IN THIS TRACT.



*Paul H. Lamson*  
MAYOR  
CITY OF MOBESTO

*Robert E. ...*  
CLERK

*Michael ...*  
CHAIRMAN  
PLANNING COMMISSION

== APPROVED ==

DATE: NOVEMBER 22, 1950  
ORDINANCE NO. 97BNS.

ORANGEBURG

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COLLEGE

AVE.

ARMOR

AVE.

BROOKS

AVE.

CARLTON

AVE.

COOLIDGE

AVE.

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FINAL ADOPTION

1  
2  
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 22nd day of November, 1950, 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 December 6, 1950, it was upon roll call so finally  
9 adopted by the following vote:  
10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
11 Noes: Councilmen: None

12 Absent: Councilmen: None  
13 25 days prior to final passage and adoption.

14 Signed in full to lesson and APPROVED: *Carl W. Shannon*  
15 CARL W. SHANNON, MAYOR

16 adopted in The Modesto Box, the official newspaper of the City of  
17 Modesto.

18 ATTEST: *Corey E. Galeus*  
19 COREY E. GALEUS, CITY CLERK

20 1950 by Councilman Stanley, and copies were printed and  
21 printed, which motion being duly carried by the Council, the same  
22 carried and the ordinance ordered printed and published as  
23 following vote:

24 Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon  
25 Noes: Councilmen: None  
26 Absent: Councilmen: Burkner

27  
28 ATTEST: *Corey E. Galeus*  
29 COREY E. GALEUS, CITY CLERK

30 1 time  
31 15 copies

SPECIAL  
NOT IN CODE

ORDINANCE NO. 976-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE SURFACING MARKING AND  
INSTALLATION OF PARKING METERS IN THE OFF-STREET PARKING AREA IN  
BLOCK 82, LOTS 17-20 Inc. IN THE CITY OF MODESTO

ord... ---000---

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

SECTION 1. The sum of Seven Thousand Five Hundred and no/100  
(\$7,500 00) Dollars or so much thereof as may be necessary is hereby  
appropriated from the Parking Meter Fund of the City of Modesto for  
the surfacing, marking and installation of parking meters in the  
Off-Street Parking Area in Block 82, lots 17-20 inc. in the City  
of Modesto.

SECTION 2. This ordinance shall go into effect from and after  
15 days after its final passage and adoption. It shall be pub-  
lished 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 22nd day of November,  
1950 by Councilman Stanley, who moved its adoption and passage to  
print, which motion being duly seconded by Commissioner Frad, was  
carried and the ordinance ordered printed and published by the  
following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

1 time

15 copies

SPECIAL  
NOT IN CODE

FINAL ADOPTION.

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 November, 1950, 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 6, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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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SPECIAL  
NOT IN CODE

ORDINANCE NO. 977-N.S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL PROPERTY

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

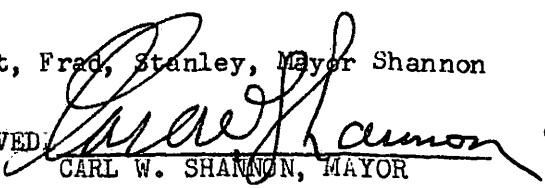
Section 1. The sum of Seventy Five Thousand One Hundred Thirty Seven and 55/100 (\$75,137 55) Dollars or so much thereof, as may be necessary is hereby appropriated from the Parking Meter Fund of the City of Modesto for the purchase from the owners thereof by the Modesto City Parking Authority, of certain real property which is described as follows:

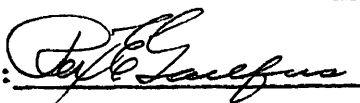
All that certain real property situated in the City of Modesto, County of Stanislaus, State of California, described as follows:  
Block 94, lots 29, 30, 31 and 32 of the City of Modesto as per map filed December 21, 1942, in the office of the County Recorder of Stanislaus County, California, in Volume 15 of Maps.

Section 2. This ordinance shall go into effect from and after 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 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 6th day of December, 1950 by Councilman Frad, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Burkner was carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: None

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:  Rex E. Gailfus, City Clerk

SPECIAL  
NOT IN CODE

FINAL ADOPTION CLAUSE

AN ORDINANCE...

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 6th day of December, 1950, 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 13, 1950, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen; None

Absent: Councilmen; None

of the City of Modesto.

APPROVED: [Signature] CARL W. SHANNON, MAYOR

The foregoing ordinance was adopted at a regular meeting of the Council of the City of Modesto on the 13th day

of December, 1950 by a unanimous vote and the same was passed and

ATTEST: [Signature] REX E. GALLEUS, CITY CLERK

Stanley, was upon roll call carried and the ordinance so adopted

and published by the following vote:

Ayes: Councilmen; Burkner, Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen; None

Absent: Councilmen; None

ATTEST: [Signature]

SPECIAL  
NOT IN CODE

ORDINANCE NO. 978-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR LEGAL COUNSEL IN CONNECTION WITH THE NEW PROPOSED CITY CHARTER

---oOo---

The Council of the City of Modesto do ordain as follows

SECTION 1. The sum of One Thousand <sup>Dollars</sup> (\$1000 00) <sup>Dollars</sup> 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 hiring legal counsel in connection with the new proposed city charter.

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 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 December, 1950 by Commissioner Frad, who moved its adoption and passage to print which motion being duly seconded by Commissioner Stanley, was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shamon  
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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1 AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY  
2 AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE  
3 NO. 700 N. S. BY ADDING ADDITIONAL MAP

3 WHEREAS, hearings have been duly held before the Planning  
4 Commission of the City of Modesto and the recommendation of the  
5 Planning Commission having been regularly forwarded to the City  
6 Council of the City of Modesto, and the City Council having con-  
7 sidered the recommendations of the Planning Commission, and a public  
8 hearing having been held by the City Council all as provided by law,  
9 now therefore,

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

11 SECTION 1. That certain area heretofore annexed to the  
12 City of Modesto being a portion of Bodem Colony and Tatum be and the  
13 same is hereby established as partly R-1, single family residence  
14 district, and partly R-2, two family residence district, as herein-  
15 after described.

16 Said territory is located in the City of Modesto, County  
17 of Stanislaus, State of California, and is described and classified  
18 as follows:

19 The Northerly 154.66 feet of Lots 11, 12, 13, 14 and 15  
20 of the Tatum Tract (measured from the center line of Fair-  
21 mont Ave.) as filed for record on February 17, 1913, Page  
22 29 Vol. 7 of Maps of Stanislaus County Records be classi-  
23 fied in the R-1, Single-Family Residence District, and

24 Lots 1 and 2 of the Bodem Colony, as filed for record on  
25 March 20, 1912, Vol 6, Page 32 of maps of Stanislaus  
26 County Records be classified in the R-2, Two-family Re-  
27 sidence District,

28 SECTION 2. The Modesto City zoning ordinance being or-  
29 dinance No. 700 N. S. is hereby amended by annexing thereto that  
30 certain map entitled "Land Use District Map No. 3 J \_\_\_\_\_,"  
31 a copy of which is hereto ~~attached~~ <sup>attached</sup> and  
32 said map is hereby incorporated  
into said zoning ordinance.

SECTION 3. The 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 SECTION 4. This Ordinance shall be published in full at  
2 least once in the Modesto Bee the official newspaper of the City  
3 of Modesto, at least three (3) days prior to its final passage and  
4 adoption.

5 The foregoing Ordinance was introduced at a regular meet-  
6 ing of the Council of the City of Modesto held on the 7th day of  
7 February, 1951, by Councilman Frad, who moved its adop-  
8 tion and passage to print as aforesaid, which motion being duly  
9 seconded by Councilman Burkner, was upon roll call carried,  
10 and the Ordinance ordered published and printed as above, by the  
11 following vote:

12  
13 AYES: Councilmen: Frad, Burkner, Condit, Stanley Mayor Shannon

14 NOES: Councilmen: None

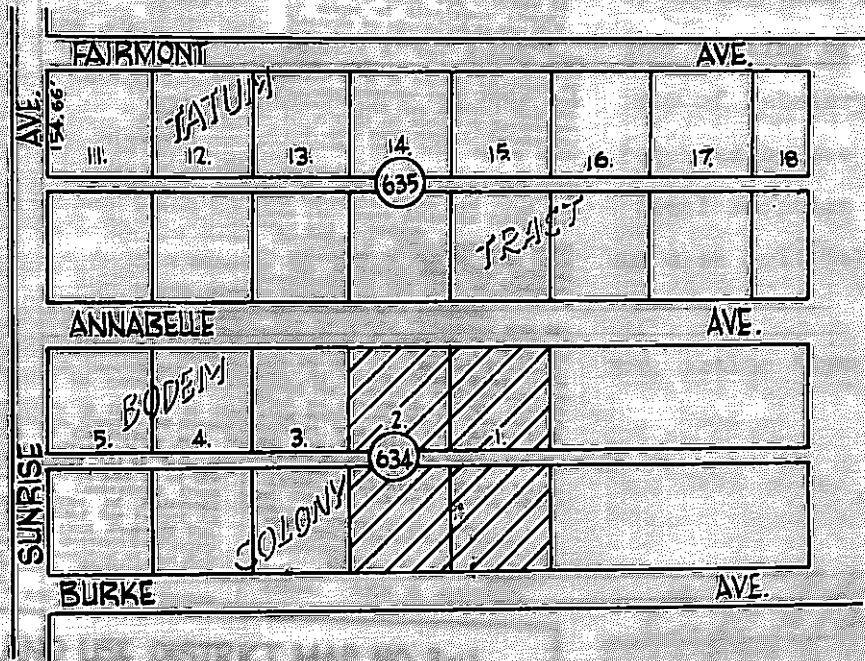
15 ABSENT: Councilmen: None

16  
17 APPROVED:   
CARL W. SHANNON, Mayor

18  
19 ATTEST:   
20 REX E. GALLFUS, City Clerk

2 col cut

# LAND USE DISTRICT MAP NO. 3-J



## PORTIONS OF THE TATUM TRACT & BODEM COLONY - SEC. 21, T.3, R.9 E., M.D. & BM. -

THE NORTHERLY 154.66 FEET OF LOTS 11, 12, 13, 14 & 15 OF THE TATUM TRACT CLASSIFIED IN THE R-1, SINGLE-FAMILY DISTRICT.  
 LOTS 1 & 2 OF THE BODEM COLONY CLASSIFIED IN THE R-2, TWO-FAMILY DISTRICT.  
 REMAINDER OF BLOCKS 634 & 635 PREVIOUSLY ZONED BY ORD. 951.  
 - APPROVED -

CARL W. SHANNON  
**MAYOR**  
 CITY OF MODESTO

REX E. GAILFUS  
**CLERK**

H. W. RAMONT  
**CHAIRMAN**  
 PLANNING COMMISSION

ORDINANCE NO. 979  
 DATE: FEBRUARY 7, 1951



**ORDINANCE NO. 979 N. S.**

**AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO. 700 N. S. BY ADDING ADDITIONAL MAP.**

WHEREAS, hearings have been duly held before the Planning Commission of the City of Modesto and the recommendation of the Planning Commission having been regularly forwarded to the City Council of the City of Modesto, and the City Council having considered the recommendations of the Planning Commission, and a public hearing having been held by the City Council all as provided by law, now therefore,

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

**SECTION 1.** That certain area heretofore annexed to the City of Modesto being a portion of Bodem Colony and Tatum be and the same is hereby established as partly R-1, single family residence district, and partly R-2, two family residence district, as hereinafter described.

Said territory is located in the City of Modesto, County of Stanislaus, State of California, and is described and classified as follows:

The Northerly 154.66 feet of Lots 11, 12, 13, 14 and 15 of the Tatum Tract (measured from the center line of Fairmont Avenue) as filed for record on February 17, 1913, Page 29 Vol. 7 of Maps of Stanislaus County Records be classified in the R-1, Single-Family Residence District, and  
Lots 1 and 2 of the Bodem

Colony, as filed for record on March 20, 1913, Vol. 8, Page 83 of maps of Stanislaus County Records be classified in the R-2, Two-family Residence District.  
**SECTION 2.** The Modesto City zoning ordinance being ordinance No. 700 N. S. is hereby amended by annexing thereto that certain map entitled "Land Use District Map No. 3 J," a copy of which is hereto annexed, and said map is hereby incorporated into said zoning ordinance.

**SECTION 3.** The Ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

**SECTION 4.** This Ordinance shall be published in full at least once in the Modesto Bee the official newspaper of the City of Modesto, at least three (3) days prior to its final passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of February, 1951, by Councilman Frad, who moved its adoption and passage to print as aforesaid, which motion being duly seconded by Councilman Burkner, was upon roll call carried, and the Ordinance ordered published and printed as above, by the following vote:

**AYES:** Councilmen: Frad, Burkner, Condit, Stanley, Mayor Shannon.

**NOES:** Councilmen: None.

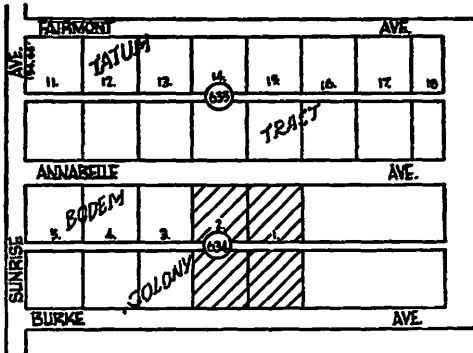
**ABSENT:** Councilmen: None.

Approved:

**CARL W. SHANNON,**  
Mayor.

Attest: **REX E. GAILFUS,**  
City Clerk.

**LAND USE DISTRICT MAP NO. 3-J**



**PORTIONS OF THE TATUM TRACT & BODEM COLONY  
- SEC. 21, T.3, R.9E, M.D. & BM. -**

THE NORTHERLY 154.66 FEET OF LOTS 11, 12, 13, 14 & 15 OF THE TATUM TRACT CLASSIFIED IN THE R-1, SINGLE-FAMILY DISTRICT.

LOTS 1 & 2 OF THE BODEM COLONY CLASSIFIED IN THE R-2, TWO-FAMILY DISTRICT.

REMAINDER OF BLOCKS 634 & 635 PREVIOUSLY ZONED BY ORD. 951.

- APPROVED -

**CARL W. SHANNON**  
MAYOR  
CITY OF MODESTO

**REX E. GAILFUS**  
CLERK

**H. W. RAMONT**  
CHAIRMAN  
PLANNING COMMISSION

ORDINANCE NO. 979  
DATE: FEBRUARY 7, 1951



1 FINAL ADOPTION CLAUSE

2  
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 7th day of February, 1951, 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 February 28, 1951, it was upon roll call so finally  
9 adopted by the following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Acting Mayor Stanley

11 Noes: Councilmen: None

12 Absent: Councilmen: None, Mayor Shannon

13  
14  
15 APPROVED:

*C. J. Stanley*  
ACTING MAYOR C. J. STANLEY

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

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SPECIAL  
NOT IN CODE

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY.

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

SECTION 1. That the City of Modesto Off-Street Parking Authority is hereby authorized and directed to sell the hereinafter described personal property owned by the said City of Modesto Off-Street Parking Authority, which said personal property is hereby declared to be unfit or unnecessary for use by the City or by said City of Modesto Off-Street Parking Authority, to-wit:

That certain building designated as 1208--1214 Eye Street, located on the easterly portion of Lots 29 to 32 inc. Block 94 of the City of Modesto, including certain other buildings and appurtenances situated thereon.

SECTION 2. That said sale shall be made by public auction at 717-Tenth Street, Modesto, California, after advertising for bids for the sale thereof for two days in the Modesto Bee, the official newspaper of the City of Modesto. That said sale shall be conducted by the City of Modesto Off-Street Parking Authority at the hour of 10:00 A.M. on the day specified therefor in the notice of sale, and may be by either written or oral bids.

SECTION 3. 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 4. 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 7th day of February, 1951, by Councilman Burkner who moved its adoption, and passage to print as aforesaid, which motion being duly seconded by Councilman Frad it was upon roll call

1 carried and the ordinance ordered printed and published as above  
2 by the following vote:  
3 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon  
4 Noes: Councilmen: None  
5 Absent: Councilmen: None

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

9 ATTEST: Rex E. Gailfus  
10 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 7th day of February, 1951, and subsequently <sup>quently</sup> 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, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX E. GAIDFUS, CITY CLERK

SPECIAL  
NOTICE IN CODE

ORDINANCE NO. 981 N. S.

2 AN ORDINANCE PROVIDING FOR THE SALE OF USELESS  
3 PERSONAL PROPERTY.

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

5 SECTION 1. That the City of Modesto Off-Street Parking  
6 Authority is hereby authorized and directed to sell the herein-  
7 after described personal property owned by the said City of  
8 Modesto Off-Street Parking Authority, which said personal  
9 property is hereby declared to be unfit or unnecessary for use by  
10 the City or by said City of Modesto Off-Street Parking Authority,  
11 to-wit:

12 That certain building situated on property owned by  
13 the City of Modesto Off-Street Parking Authority and  
particularly described as follows; to-wit:

14 Block 56, Lots 23, 24, 25 and the northwest  
15 9.75 feet of Lot 22 in the CITY OF MODESTO

16 SECTION 2. That said sale shall be made by public auction  
17 at 717-Tenth Street, Modesto, California, after advertising for  
18 bids for the sale thereof for two days in the Modesto Bee, the  
19 official newspaper of the City of Modesto. That said sale shall  
20 be conducted by the City of Modesto Off-Street Parking Authority  
21 at the hour of 10:00 A.M. on the day specified therefor in the  
22 notice of sale, and may be by either written or oral bids.

23 SECTION 3. The foregoing ordinance shall go into effect and be  
24 in full force and operation from and after fifteen days after its  
25 final passage and adoption.

26 SECTION 4. The foregoing ordinance shall be published in  
27 full at least once at least three days prior to its final  
28 adoption in the Modesto Bee, the official newspaper of the City  
29 of Modesto.


1 The foregoing ordinance was introduced at a regular  
2 meeting of the Council of the City of Modesto held on the  
3 14th day of February, 1951 by Councilman Frad  
4 who moved its adoption, and passage to print as aforesaid,  
5 which motion being duly seconded by Councilman Stanley  
6 it was upon roll call carried and the ordinance ordered  
7 printed and published as above by the following vote:

8 AYES: Councilmen: Frad, Stanley, Condit, Mayor Shannon

9 NOES: Councilmen: None

10 ABSENT: Councilmen: Burkner

11  
12 APPROVED:

13   
14 CARL W. SHANNON, Mayor.

15  
16 ATTEST:

17   
18 REX E. GAILFUS, City Clerk.

19  
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21 Dated: February , 1951.

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 February, 1951, 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 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Condit

APPROVED:

CARL W. SHANNON, MAYOR

ATTEST:

REX E. GALLFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 982 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING  
PARKING METERS TO BE INSTALLED ON OFF-STREET PARKING LOTS

---oOo---

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

SECTION 1. The sum of Six Thousand (\$6,000 00) Dollars or  
so much thereof as may be necessary is hereby appropriated out of  
the Parking Meter Fund of the City of Modesto for the purpose of  
purchasing parking meters to be installed on off-street parking  
lots in 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 Modesto Bee, the official newspaper  
of the City of Modesto.

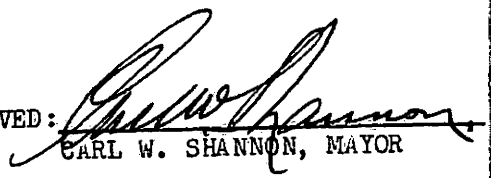
The foregoing ordinance was introduced at a regular meet-  
ing of the Council of the City of Modesto held on the 14th day of  
February, 1951 by Commissioner Stanley, who moved its adoption  
and passage to print which motion being duly seconded by Commis-  
ioner Condit was upon roll call carried and the ordinance ordered  
printed and published by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon


Noes: Councilmen: None

Absent: Councilmen: Burkner

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 regular meeting of the Council of the City of Modesto held on the 14th day of February, 1951, 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 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Condit

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODE

ORDINANCE NO. 983 N.S.

AN ORDINANCE APPROPRIATING MONEY FOR FLOOD DAMAGE REPAIRS AT THE SEWER FARM OF THE CITY OF MODESTO

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

Section 1. The Sum of Six Thousand Two Hundred Fifty (\$6250) 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 repairing the flood damage at the Sewer Farm 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 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 14th day of February, 1951 by Commissioner Stanley, who moved its adoption and passage to print which motion being duly seconded by Commissioner Frad, was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

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

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

SPECIAL  
NOT IN CODE

Ordinance No. 724, M.C.  
**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 February, 1951, 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 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon  
Noes: Councilmen: None  
Absent: Councilmen: Frad and Condit

APPROVED:   
CARL W. SHANNON, MAYOR

ATTEST:   
REX B. GAILFUS, CITY CLERK

This ordinance shall take effect and be in full force and effect from and after its final adoption and publication.

All ordinance copies of ordinances in accordance with the charter shall be retained.

This ordinance shall be published in full in the official newspaper of the City of Modesto, California, within ten days of its final adoption in the official newspaper of the City of Modesto, California.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of February, 1951 by Commissioner Frad, who moved its adoption as

REPEALED BY  
MUNICIPAL CODE

ORDINANCE NO. 984-N.S.

2 AN ORDINANCE AMENDING ORDINANCE NO. 946-N.S. OF THE CITY OF MODESTO  
3 BY INCREASING COMPENSATION OF CERTAIN CITY OFFICIALS OF THE CITY  
4 OF MODESTO

5 ---oOo---

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

7 Section 1--Section oI of Ordinance No. 946-N.S. of the  
8 City of Modesto entitled: "AN ORDINANCE FIXING THE COMPENSATION OF  
9 THE CITY OFFICIALS OF THE CITY OF MODESTO", is hereby amended to  
10 read as follows:

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

13 City Clerk, who likewise occupies the offices of Auditor, Assessor  
14 Treasurer and Collector, the sum of \$6040 00 per annum

15 City Attorney, the sum of \$4840 00 per annum

16 Chief of Police, the sum of \$6040 00 per annum

17 Fire Chief, the sum of \$6040 00 per annum

18 Health Officer, the sum of \$5740 00 per annum

19 City Engineer who likewise occupies the offices of Street Super-  
20 intendent, Building Inspector, Sewer Inspector, Water Superintendent  
21 and Park Superintendent, the sum of \$8440 00 per annum

22 Section 2. This ordinance shall take effect and be in  
23 full force and operation fifteen (15) days after its final passage  
24 and adoption.

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

27 Section 4. This ordinance shall be published in full at  
28 least three days prior to its final adoption in the official news-  
29 paper of the City of Modesto, to-wit: the Modesto Bee.

30 The foregoing ordinance was introduced at a regular  
31 meeting of the Council of the City of Modesto held on the 14th day  
32 of February, 1951 by Commissioner Frad, who moved its adoption and

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

4 Ayes: Councilmen: Condit, Frad, Stanley, Mayor Shannon

5 Noes: Councilmen: None

6 Absent: Councilmen: Burkner

7  
8 Approved:   
CARL W. SHANNON, MAYOR

9  
10 adopted by the following vote:  
11 Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shannon  
12 ATTEST:   
13 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 February, 1951, 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 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Frad and Condit

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

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

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AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S.,  
ADDING ADDITIONAL MAP AND REZONING NEWLY ANNEXED  
TERRITORY.

WHEREAS, proceedings have been instituted by the Modesto City Planning Commission to rezone newly annexed territory being a portion of the Las Palmas Tract from R-A, Residence-Agricultural District into classifications as hereinafter enumerated:

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, and re-classification of the involved area to affect the changes requested,

WHEREAS, a public hearing has been held by the Council of the City of Modesto as provided by law and no person has objected to the classification as suggested,

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

SECTION 1. That the public interest, necessity and general welfare require a change in the use districts as hereinafter set forth:

SECTION 2. Ordinance No. 700 N. S., the zoning ordinance of the City of Modesto is hereby amended as follows:

The following lots and blocks and real property is hereby taken and removed from the R-A, Residence-Agricultural District, and placed in the R-1, Single Family Residence District.

All that certain real property situated in the City of Modesto, County of Stanislaus, State of California and bounded and described as follows:

Lots 14 and 15 and a portion of lots 16 and 17 of the Las Palmas Tract, as filed for record on February 20, 1930, Volume 11 of Maps, Page 16, Stanislaus County Records, which property is more precisely described as follows:

Beginning on the existing city limits line on the center line of North Santa Rosa Avenue and the Northeast corner of Lot 1 of the Las Flores Tract, as filed for record on December 13, 1920, Volume 9 of Maps, Page 47, Stanislaus County Records; thence North  $89^{\circ} 59'$  East 174.30 feet; thence North  $0^{\circ} 53'$  West to a point on the South line of La Loma and the West boundary of Lot 11 of said Las Palmas Tract; thence Northwest-ly along the South line of La Loma to a point on the existing city limits line, which point is also on the center line of

North Santa Rosa Avenue; thence South 0° 53' West along the existing city limits to the point of beginning.

Lots 23, 24 and 25 and a portion of lot 22 of block 1 of the Las Palmas Tract as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records and certain adjacent streets and alleys, which property is more precisely described as follows:

Beginning at a point on the existing city limit line being the intersection of the center line of North Santa Rosa Avenue, and the North line of Roble Avenue, as deeded to the County of Stanislaus by deed recorded June 28, 1938, Instrument No. 7680, projected to the West; thence East along the North line of Roble Avenue 175 feet, more or less, to the East line of the alley in Block 1 of Las Palmas Tract, as filed for record on February 20, 1930 in Vol. 11 of Maps at Page 16, Stanislaus County Records; thence North along the East line of said alley 310 feet, more or less, to the South line of Encina Avenue, which point is the Northwest corner of Lot 1 of Block 1 of said Las Palmas Tract; thence Northwesterly and perpendicular to the center line of Encina Avenue 60 feet, more or less to the existing city limit line, being the North line of Encina Avenue; thence along the existing city limit line Southwesterly along the North line of Encina Avenue to the center line of North Santa Rosa Avenue projected to the North; thence South along the center line of said North Santa Rosa Avenue to the point of beginning.

SECTION 3. The zoning ordinance of the City of Modesto, being Ordinance No. 700 N. S., is hereby amended by annexing thereto that certain map entitled, "Land Use District Map No. 6 C, City of Modesto," a copy of which is hereto attached and said map is hereby incorporated into said zoning ordinance.

SECTION 4. 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 5. 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 regular meeting of the Council of the City of Modesto, held on the 28th day of February, 1951, by Councilman Burkner, who moved its adoption and passage to print. The motion being duly seconded by Councilman Condit, was upon roll call, carried and the ordinance ordered printed and published as above by the following votes:

AYES: Councilmen: Frad, Burkner, Condit Acting Mayor Stanley

NOES: Councilmen: None

ABSENT: Mayor Shannon

Approved: *C. J. Stanley*  
Acting Mayor of the City of Modesto  
C. J. Stanley

ATTEST: *Rex E. Gailfus*  
Rex E. Gailfus, City Clerk

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# LAND USE DISTRICT MAP NO. 6-C

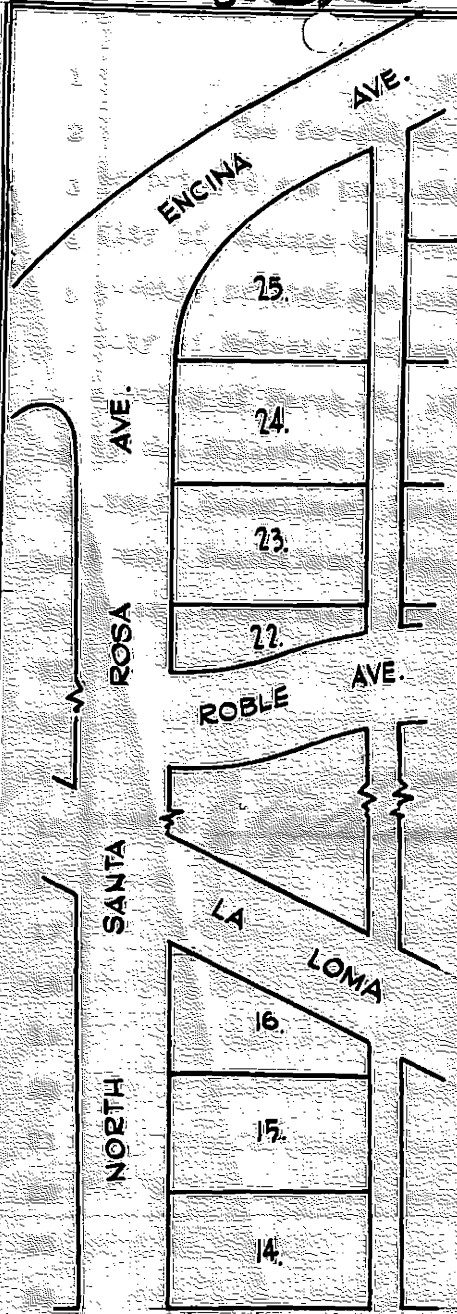
## PORTIONS OF THE LAS PALMAS TRACT

LOTS 23, 24, 25, 14, 15 & A PORTION OF  
LOTS 22, 16 & 17 OF THE LAS PALMAS  
TRACT "

TO BE CLASSIFIED INTO THE R-1, RESID-  
ENTIAL SINGLE FAMILY DISTRICT "

BY ORDINANCE NO. 985 N.S.

DATE: FEBRUARY 28, 1951



APPROVED

*Clare W. Cannon*  
MAYOR

*Paul E. Gagnier*  
CLERK

*Paul E. Gagnier*  
CHAIRMAN

MODESTO CITY PLANNING COMMISSION



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 February, 1951, 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, 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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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AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S.,  
ADDING ADDITIONAL MAP AND REZONING NEWLY ANNEXED  
TERRITORY.

WHEREAS, the Modesto City Planning Commission has instituted proceedings to rezone newly annexed territory known as Campus Tract No. 2 from R-A, ~~Residence~~-Agricultural District into various classifications as hereinafter enumerated.

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, and reclassification of the involved area to affect the changes requested,

WHEREAS, a public hearing has been held by the Council of the City of Modesto as provided by law and no person has objected to the classification as suggested,

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

SECTION 1. That the public interest, necessity and general welfare require a change in the use districts as hereinafter set forth:

SECTION 2. Ordinance No. 700 N.S., the zoning ordinance of the City of Modesto, is hereby amended as follows:

The following lots and blocks are hereby taken and removed from the R-A, Residence-Agricultural District and placed in the classifications as shown:

Into the R-1, Single-Family Residence District:

- Lots 1 to 4, inclusive, of Block 804
- Lots 1 to 10, inclusive, of Block 804A
- Lots 2 to 13, inclusive, of Block 806
- Lots 1 to 9, inclusive, of Block 807
- Lots 1 to 14, inclusive, of Block 808
- Lots 2 to 19, inclusive, of Block 809
- Lots 2 to 8, inclusive, of Block 810
- Lots 1 to 4, inclusive, of Block 811
- Lots 1 to 8, inclusive, of Block 824

Into the R-2, Two-Family Residence District:

- Lots 1 and 14 of Block 806
- Lots 1 and 20 of Block 809
- Lot 1 of Block 810

And that area shown on the map of the Campus Tract as excluded which is bordered on the North by Yale Avenue, on the West by Tully Avenue, on the South by Coldwell Avenue, and on the East by Harvard

Avenue and Block 804-A, (said property now being purchased by the Modesto City School Board for the Junior College District).

Into the R-3, Multiple-Family District:

Lots 5, 6 and 7 of Block 804.

All of the foregoing lots and blocks are situated in the City of Modesto, County of Stanislaus, State of California and are as shown in volume 17, page 17 of Maps, said volume being on file and on record in the office of the County Recorder of Stanislaus County, California.

SECTION 3. The zoning ordinance of the City of Modesto, being Ordinance No. 700 N. S., is hereby amended by annexing thereto that certain map entitled, "Land Use District Map No. 1-E City of Modesto," a copy of which is hereto attached and said map is hereby incorporated into said zoning ordinance.

SECTION 4. 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 5. 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 regular meeting of the Council of the City of Modesto, held on the 28th day of February, 1951, by Councilman Burkner who moved its adoption and passage to print. The motion being duly seconded by Councilman Frad, was upon roll call, carried and the ordinance ordered printed and published as above by the following votes:

AYES: Councilmen: Frad, Burkner, Condit, Acting Mayor Stanley

NOES: Councilmen None

ABSENT: Mayor Shannon

Approved Charles Shannon  
Acting Mayor of the City of Modesto  
C. J. Stanley

ATTEST: Rex E. Gailfus  
Rex E. Gailfus, City Clerk

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# LAND USE DISTRICT MAP NO. 1-E

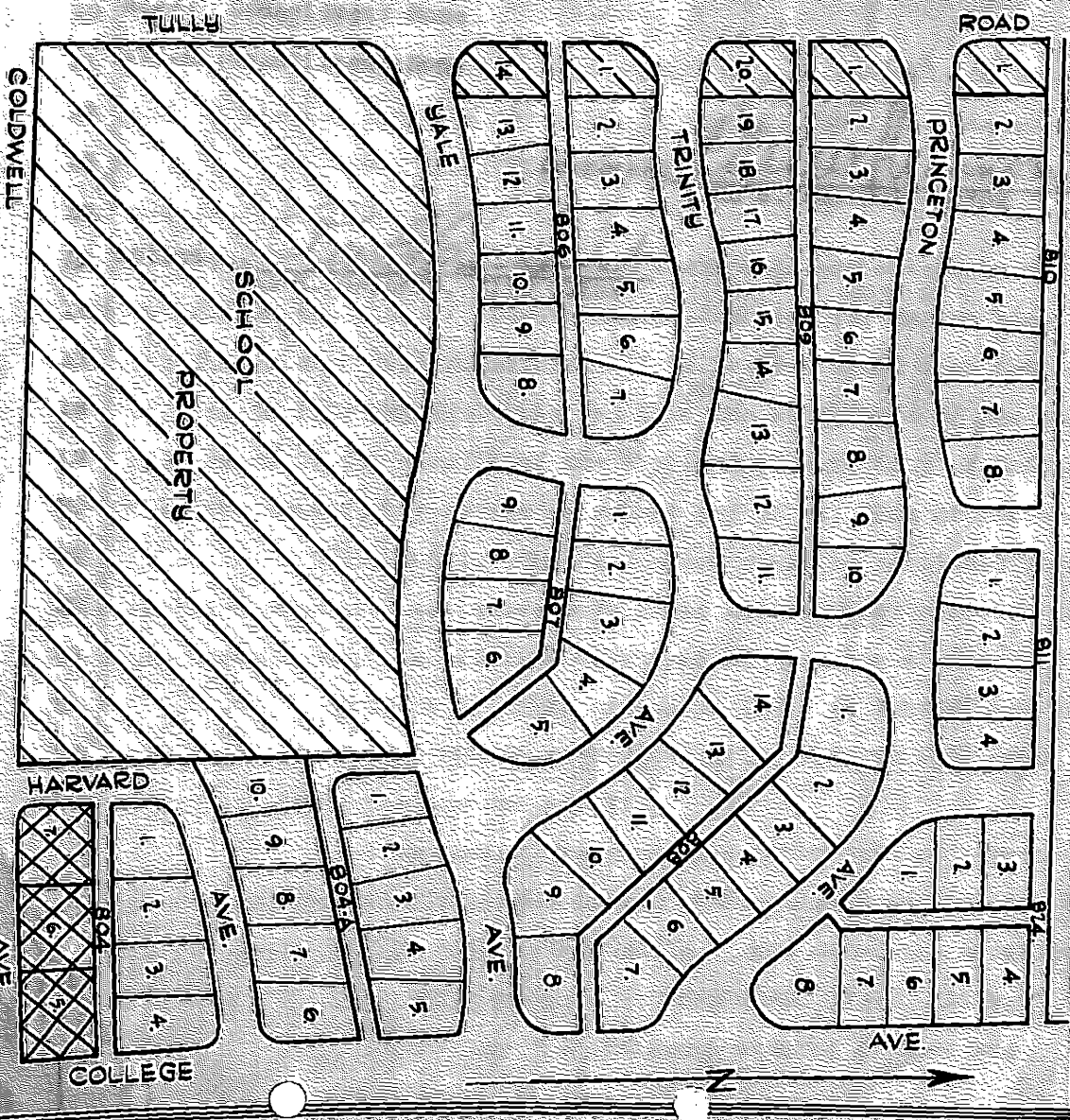
## CAMPUS TRACT NO 2

- LEGEND -

- R-3, MULTIPLE FAMILY DISTRICT
- R-2, TWO FAMILY DISTRICT
- R-1, SINGLE FAMILY DISTRICT

APPROVED -  
*Robert W. Cannon*  
 MAJOR  
 CITY CLERK  
*William D. ...*  
 CHAIRMAN  
 PLANNING COMMISSION

ORDINANCE NO. 986 NS.  
 DATE: FEBRUARY 28, 1951



TELE

GOLDWELL

SCHOOL

PROPERTY

HARVARD

COLLEGE



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 February, 1951, 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 21, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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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SPECIAL  
NOTY IN CODE

ORDINANCE NO. 987 N.S.

2 AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY  
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4 WHEREAS, it appears to the Council of the City of  
5 Modesto that it will be for the benefit of the City of Modesto to  
6 sell and dispose of the interest of said City in and to the build-  
7 ings on the real property owned by the City of Modesto hereinafter  
8 described to wit, lot 24 and the Southeasterly half of lot 25 in  
9 Block 81 in the City of Modesto, County of Stanislaus, State of  
10 California; and

11 WHEREAS, it appears that said property is no longer  
12 suited for the purposes for which it was originally purchased;

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

15 SECTION 1. The City Clerk when authorized by the  
16 Council of the City of Modesto shall advertise for sealed bids  
17 for the sale of said buildings. If it is determined that the price  
18 offered is fair and equitable and that the acceptance of the same  
19 will react to the benefit of the citizens of said City of Modesto,  
20 the City Council may accept or reject any or all bids or proposals.

21 SECTION 2. This ordinance shall be published in full  
22 at least once at least three days prior to its final adoption in  
23 the Modesto Bee, the official newspaper of the City of Modesto.

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

27 The foregoing ordinance was introduced at a regular  
28 meeting of the Council of the City of Modesto held on the 28th day  
29 of February, 1951 by Councilman Condit who moved its adoption,  
30 which motion being duly seconded by Councilman Frad it was  
31 upon roll call carried and the ordinance ordered printed and  
32 published as above by the following vote:

1 Ayes: Councilmen: Condit, Brad, Burkner, Acting Mayor Stanley

2 Noes: Councilmen: None

3 Absent: Councilmen: Mayor Shannon  
The foregoing ordinance, having been introduced and read  
and printed and published at a regular meeting of the Council of

4 the City of Modesto held on the 28th day of February, 1911,

5 subsequently, printed and published as ACTING MAYOR C. J. Stanley

6 the City of Modesto, and reading on for final adoption at the regular

7 meeting of March 14th, 1911, the roll call as usually

8 ATTEST: Rex E. Galfus  
CITY CLERK

9 Ayes: Councilmen: Burkner, Condit, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: Condit and Brad

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13 APPROVED: [Signature]

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15 ATTEST: [Signature]  
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 28th day of February, 1951, 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 14th, 1951 it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Condit, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: Stanley and Frad

APPROVED

Paul W. Shannon  
Mayor

ATTEST:

Dele Sanford  
City Clerk

REPEALED BY  
MUNICIPAL CODE

yes: Councilman: ~~Harry N. Jenks~~, ~~Harry N. Jenks~~, ~~Harry N. Jenks~~, ~~Harry N. Jenks~~

AN ORDINANCE ESTABLISHING THE "POST WAR PUBLIC WORKS FUND" AND APPROPRIATING MONEY FOR THE PAYMENT OF COST OF PREPARING PLANS FOR THE EXPANSION OF THE INDUSTRIAL AND SANITARY WASTE TREATMENT PLANTS

---oOo---

WHEREAS the City of Modesto has received from the State of California the sum of Seven Thousand Five Hundred eighty Four and 89/100 Dollars (\$7,584.89) to be carried in a special account known as the "Post War Public Works Fund", and

WHEREAS the Council of the City of Modesto has heretofore by Resolution No. 9244-N.S. authorized the payment from said fund, the cost of preparing plans and specifications for the expansion of the Industrial and Sanitary Waste Treatment Plants.

NOW THEREFORE the City Council do ordain as follows:

SECTION 1. The sum of Seven Thousand Five Hundred Eighty Four and 89/100 Dollars (\$7584.89) is hereby appropriated out of the "Post War Public Works Fund" to be used for the payment of the cost of preparing plans for the expansion of the Industrial and Sanitary Waste Treatment Plants and the City Clerk is hereby authorized to pay the claim of Harry N. Jenks from said fund in the amount of Twenty Five Hundred and no/100 Dollars (\$2500 00).

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 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 7th day of March, 1951 by Commissioner Frad, who moved its adoption and passage to print which motion being duly seconded by Commissioner Condit, was upon roll call carried and the ordinance ordered printed and published by the following vote:

1 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

2 Noes: Councilmen: None

3 Absent: Councilmen: None

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

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9 ATTEST: Rex E. Galleus  
REX E. GALLEUS, CITY CLERK

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Carl W. Shannon  
CARL W. SHANNON, MAYOR

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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and order-  
4 ed printed and published at a regular meeting of the Council of the  
5 City of Modesto held on the 7th day of March, 1951, and subsequently  
6 printed and published as required by the Charter of the City of  
7 Modesto and coming on for final adoption at the regular meeting of  
8 March 21, 1951, it was upon roll call so finally adopted by the  
9 following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 Approved:   
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CARL W. SHANNON, MAYOR

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17 ATTEST:   
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32 REX E. GAILFUS, CITY CLERK

SPECIAL  
NOT IN CODEAN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL  
PROPERTY.

WHEREAS, it appears to the Council of the City of Modesto,  
and the Council so finds that the following described property to-wit:

All of that portion of lots 12, 13 and 14 lying North  
of the South 80 feet of Block 507 of the City of Modesto,  
except the following described parcel:

Beginning at a point on the Easterly line of lot 12, said  
point being 80.00 feet North of the Southeast corner of  
said lot 12 and running along a curve to the left with radius  
283.49 feet, a distance of 64.26 feet through a central angle  
of  $12^{\circ} 59' 04''$  to a point on the Southerly line of the M.I.D.  
right of way of Lateral No. 4; thence along said Southerly  
line of M.I.D. right of way North  $45^{\circ} 32'$  a distance of 10.15  
feet to the Northeast corner of said lot 12; thence along the  
east line of said lot 12 South  $0^{\circ} 04' 40''$  East a distance of  
70.80 feet to the point of beginning,

is no longer needed and,

WHEREAS, Mr. and Mrs. John S. Brown have offered to pay the  
City the sum of One hundred seventy five (\$175.00) Dollars, for the a-  
bove described property, and have also agreed as part of the considera-  
tion therefore to install a curb and gutter in front of said property  
at their own expense.

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

Section 1. That the City of Modesto sell and convey to Mr.  
and Mrs. John S. Brown the following described property:

All of that portion of lots 12, 13 and 14 lying North  
of the South 80 feet of Block 507 of the City of Modesto,  
except the following described parcel:

Beginning at a point on the Easterly line of lot 12, said  
point being 80.00 feet North of the Southeast corner of  
said lot 12 and running along a curve to the left with radius  
283.49 feet, a distance of 64.26 feet through a central angle  
of  $12^{\circ} 59' 04''$  to a point on the Southerly line of the M.I.D.  
right of way of Lateral No. 4; thence along said Southerly line  
of M.I.D. right of way North  $45^{\circ} 32'$  East a distance of 10.15  
feet to the Northeast corner of said lot 12; thence along the  
East line of said lot 12 South  $0^{\circ} 04'$  East a distance of 70.80  
feet to the point of beginning,

for the consideration hereinabove set forth.

Section 2. The Mayor and the City Clerk of the City of Modesto  
are hereby authorized and directed to execute a Deed conveying all of  
the right, title and interest of said City of Modesto in and to said

property to said Mr. and Mrs. John S. Brown.

Section 3. 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.

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.

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the ~~28th~~ <sup>21st</sup> day of ~~February~~ <sup>March</sup>, 1951, by Councilman **Stanley**, who moved its adoption and passage to print, which motion being duly seconded by Councilman **Burkner**, was upon roll call carried by the following vote:

- AYES: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon
- NOES: Councilmen: None
- ABSENT: Councilmen: None

  
 CARL W. SHANNON, MAYOR.

ATTEST:   
 REX E. GAILFUS, CITY CLERK.



SPECIAL  
NOT IN CODE

ORDINANCE NO. 990 N.S.

2 AN ORDINANCE APPROPRIATING MONEY FOR THE SURFACING, MARKING AND  
3 INSTALLATION OF PARKING METERS IN THE OFF STREET PARKING AREAS IN  
4 BLOCK 94, Lots 29, 30, 31 and 32 and BLOCK 56, all lots 23, 24  
5 and 25, N. 9.75' of 22

---000---

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

8 SECTION 1. The sum of Ten Thousand and n0/100  
9 (\$10,000 00) Dollars, or so much thereof as may be necessary is  
10 hereby appropriated from the Parking Meter Fund of the City of  
11 Modesto for the surfacing, marking and installation of parking  
12 meters in the Off Street Parking areas in Block 94, lots 29, 30  
13 31 and 32 and Block 56, all lots 23, 24 and 25 and North 9.75 feet  
14 of lot 22, in the City of Modesto.

15 SECTION 2. This ordinance shall go into effect from  
16 and after 15 days after its final passage and adoption. It shall  
17 be published in full at least once ~~at~~ least three days prior to  
18 its final adoption in The Modesto Bee, the official newspaper of  
19 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 the 28th day  
22 of March, 1951 by Councilman Condit, who moved its  
23 adoption and passage to print, which motion being duly seconded  
24 by Councilman Burkner was carried and the ordinance ordered  
25 printed and published by the following vote;

26 Ayes: Councilmen: Burkner, Condit, Frad, Mayor Shamon

27 Noes: Councilmen: None

28 Absent: Councilmen: Stanley

29 Approved: Carl W. Shannon  
CARL W. SHANNON, MAYOR

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

1 FINAL ADOPTION CLAUSE

2  
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 28th day of March, 1951 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 April 4, 1951, it was upon roll call so finally adopted  
9 by the following vote:

10 Ayes: Councilmen: Burkner, Condit, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Stanley and Frad

13 APPROVED:   
14 CARL W. SHANNON, MAYOR

15  
16 ATTEST   
17 REX E. GAILFUS, CITY CLERK

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AN ORDINANCE RELATING TO REGULATION AND USE OF OFF-STREET PARKING FACILITIES IN THE CITY OF MODESTO, PROVIDING FOR THE ESTABLISHING OF FEES FOR THE USE THEREOF, AND FOR THE ENFORCEMENT OF THIS ORDINANCE AND OF THE RULES, REGULATIONS, AND RESTRICTIONS CONNECTED WITH THE USE THEREOF BY THE PUBLIC, AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND OF THE RULES, REGULATIONS, AND RESTRICTIONS CONNECTED WITH THE USE OF SUCH OFF-STREET PARKING FACILITIES BY THE GENERAL PUBLIC.

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 herein and 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 the Ordinances of the City of Modesto, and the 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.

(E) The words "public parking facility" when used herein shall mean any lot, space, or area within the City of Modesto now or hereafter used for off-street parking of vehicles by members of the public, and operated for such use by the City of Modesto Off-Street Parking Authority under the Ordinances of the City of Modesto and the provisions of the Parking Law of 1949 of the State of California.

(F) The word "Authority" when used herein shall mean the

1 City of Modesto Off-Street Parking Authority.

2 SECTION 2:

3 The operation, management, regulation, and maintenance  
4 of all off-street public parking facilities within the City of  
5 Modesto, as defined herein, is hereby placed under the control  
6 of the Authority.

7 SECTION 3:

8 The Authority is hereby authorized and directed to  
9 formulate such rules, regulations, restrictions, and requirements  
10 relating to the use by the general public of such public  
11 parking facilities, including the schedule of fees to be charged  
12 therefor, as may be necessary in the discretion of the Authority.

13 SECTION 4:

14 It shall be unlawful for any person to cause, allow,  
15 permit, or suffer any vehicle registered in his name or controlled  
16 by him to be parked or placed in any part of any of said public  
17 parking facilities without first complying with the said rules,  
18 regulations, restrictions, and requirements relating to the use  
19 thereof, including the payment of a fee therefor, as prescribed  
20 by the Authority, and as specified by appropriate signs or  
21 notices posted on or about such parking areas or on each meter.

22 SECTION 5:

23 It shall be unlawful for any person to deposit or cause  
24 to be deposited in any parking meter on any such public parking  
25 facility any slug, device, or substitute for any coin required  
26 for the normal operation thereof.

27 SECTION 6:

28 It shall be unlawful for any person to deface, tamper  
29 with, open, or wilfully break, destroy, damage, or impair any  
30 parking meter, or any part thereof, installed on any public  
31 parking facility.

32

1 SECTION 7: ~~...~~

2 The Authority shall have lines or markings painted or  
3 placed upon the surface of said public parking facilities  
4 adjacent to each parking meter designating the parking space for  
5 which said meter is to be used, and each vehicle parked  
6 adjacent to such meter shall be parked or placed within the lines  
7 or markings so established. It shall be unlawful to park or  
8 place any vehicle across or outside of any such line or marking,  
9 or to park or place a vehicle in such a position so that the  
10 same shall not be entirely within the space designated or  
11 delineated by such lines or markings.

12 SECTION 8:

13 It shall be the duty of the City of Modesto Police  
14 Department to enforce the provisions of this Ordinance, and  
15 the rules, regulations, restrictions, and requirements relating to  
16 the use of such public parking facilities as may be prescribed  
17 by the Authority. It shall be the duty of each police officer  
18 to take the number of any meter at which any vehicle is over-  
19 parked, or which is parked in violation of the provisions of this  
20 ordinance, the State vehicle license number of such vehicle,  
21 the time and date of any such overparking or other violation,  
22 and the make and model of such vehicle; and to issue, in  
23 writing and attach to such vehicle, a citation for overparking or  
24 other violation in the same form and subject to the same  
25 procedure as provided by the laws of the State of California  
26 applicable to the traffic violations within the said City. Any  
27 operator or owner of a vehicle to whom a citation has been issued  
28 may, within twenty-four hours of the time of the issuance of said  
29 citation, pay to the Police Judge or Clerk of the Police Court of  
30 the said City, or such other court or official as may be  
31 hereafter established by law, as a penalty for and in full  
32 satisfaction of such violation the sum of one dollar, (\$1.00), or

1 such other sum as may be prescribed for such violation by the  
2 Authority. The failure by such owner or operator to make such ,  
3 payment within the said twenty-four hours shall render such owner  
4 or operator subject to the penalties hereinafter provided for the  
5 violation of the provisions of this ordinance.

6 SECTION 9:

7 Any person violating any provision of this ordinance  
8 shall be deemed guilty of a misdemeanor, and upon conviction  
9 thereof, shall be punishable by a fine not exceeding Five  
10 Hundred Dollars, (\$500.00), or by imprisonment in the county jail  
11 of Stanislaus County for a period not exceeding six (6) months, or  
12 by both such fine and imprisonment.

13 SECTION 10:

14 This ordinance, so far as consistent therewith, shall be  
15 deemed to be in addition and supplementary to, and not in  
16 conflict with nor a repeal of prior or existing ordinances of the  
17 City, but shall be an additional provision for the regulation of  
18 traffic and parking in the public off-street parking facilities  
19 in the City of Modesto,

20 SECTION 11:

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

30 SECTION 12:

31 All ordinances or parts of ordinances or resolutions in  
32 conflict with the provisions of this ordinance are hereby repealed.

1 SECTION 13:

2 This ordinance shall be published in full at least once  
3 at least three (3) days prior to its final adoption in THE  
4 MODESTO BEE, the official newspaper of the City of Modesto  
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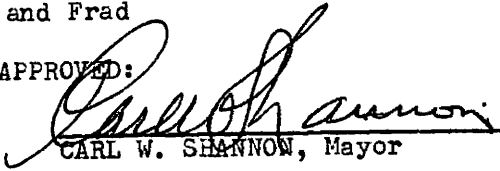
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13 The foregoing Ordinance was introduced at a regular  
14 meeting of the Council of the City of Modesto held on the 4th  
15 day of April, 1951, by Councilman Burkner,  
16 who moved its adoption and passage to print as aforesaid, which  
17 motion being duly seconded <sup>by Commissioner Condit</sup> was upon roll call carried and the  
18 above ordinance ordered published as above by the following  
19 vote:

20  
21 AYES: Councilmen: Burkner, Condit, Mayor Shannon

22 NOES: Councilmen: None

23 ABSENT: Councilman: Stanley and Frad

24 APPROVED:

25   
26 CARL W. SHANNON, Mayor

27 ATTEST:

28   
29 REX E. GAILFUS, City Clerk

30 1 Time

31 100 copies

32

1 FINAL ADOPTION CLAUSE

2  
3 The foregoing ordinance, having been introduced and ordered  
4 printed and published at a regular meeting of the Council of the  
5 City of Modesto held on the 4th day of April, 1951, and subsequently  
6 printed and published as required by the Charter of the City of  
7 Modesto, and coming on for final adoption at the regular meeting  
8 of April 11, 1951, it was upon roll call so finally adopted by  
9 the following vote:

10 Ayes: Councilmen: Burkner, Condit, Frad, Stanley, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13 APPROVED: 

CARL W. SHANNON

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15 ATTEST: 

16 REX E. GAILFUS,  
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SPECIAL  
NOT IN CODE

ORDINANCE NO. 992-N.S.

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

---oOo---

WHEREAS, it appears to the Council of the City of Modesto that it will be for the benefit of the City of Modesto to sell and dispose of the interest of said city in an alarm transmitter, formerly used by the Fire Department, and

WHEREAS, it appears that said personal property is no longer suited for the purposes for which it was originally purchased

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

SECTION 1. The City Clerk, when authorized by the Council of the City of Modesto shall advertise for sealed bids for the sale of said equipment. If it is determined that the price offered is fair and equitable and that the acceptance of the same will react to the benefit of the citizens of said City of Modesto, the City Council may accept or reject any or all bids or proposals

SECTION 2. 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 3. 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.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of April, 1951, by Councilman Frad, who moved its adoption, which motion being duly seconded by Councilman Stanley, it was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Burkner, Condit, Frad, 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

SPECIAL  
NOT IN CODE

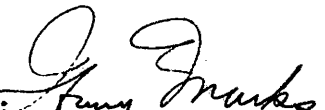
1 FINAL ADOPTION CLAUSE

2  
3 The foregoing ordinance having been introduced and order-  
4 ed printed and published at a regular meeting of the Council of  
5 the City of Modesto held on the 11th day of April, 1951, 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 April 18, 1951, it was upon roll call so finally adopted  
9 by the following vote:

10 Ayes; Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill  
and Mayor Marks

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13  
14 APPROVED:   
HARRY MARKS, MAYOR

15  
16 ATTEST:   
17 REX E. GAILFUS, CITY CLERK  
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ORDINANCE NO. 993 N. S.

AN ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY  
AS TO USE DISTRICT AND AMENDING ZONING ORDINANCE NO.  
700 N.S. BY ADDING ADDITIONAL MAP.

WHEREAS, hearings have been duly held before the Planning Commission of the City of Modesto, and the recommendation of the Planning Commission having been regularly forwarded to the City Council of the City of Modesto, and the City Council having considered the recommendations of the Planning Commission, and a public hearing having been held by the City Council all as provided by law, and no person having objected to the classification as suggested,

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

Section 1. Ordinance No. 700 N.S, the zoning ordinance of the City of Modesto is hereby amended as follows:

That certain area heretofore annexed to the City of Modesto, commonly referred to as First and Second Portions of the Sunset Acres Tract, by and the same is established as R-A, Residence Agricultural District.

Said territory is located in the City of Modesto, County of Stanislaus and described as follows:

Lot 5 of the Sunset Acres Tract, as filed for record on January 14, 1911, in Volume 5 of Maps, Page 25, of Stanislaus County Records, less the Easterly 30 feet of the North 161 feet of said Lot 5 and the East 210 feet, more or less, of the South 103 feet of said Lot 5: the North boundary of said Lot 5 being the township line between Township three (3) and four (4) Range 9 East. M. D. B. & M. and being also the center line of South Avenue ~~and the existing corporate boundary line of the City of Modesto.~~

Lots 6 and 7 of the Sunset Acres Tract as filed for record on January 14, 1911, in Volume 5 of Maps at Page 25 of Stanislaus County Records, less the Westerly 30 feet of said Lot 7: The North boundary of said lots being the township line between Townships three (3) and four (4) Range 9 East, Mount Diablo Base and Meridian, and being also the center line of South Avenue ~~and the existing corporate boundary line of the City of Modesto.~~

Section 2. The Modesto City zoning ordinance, being Ordinance No. 700 N.S., is hereby amended by annexing thereto that certain map entitled "Land Use District Map No. 7-A," a copy of which is hereto attached and said map is hereby incorporated into said zoning ordinance.

Section 3. 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.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the second day of May, 1951, by Councilman Mellis, who moved its adoption and passage to print as aforesaid, which motion being duly seconded by Councilman M. Adams, was upon roll call, carried and the ordinance ordered printed and published as above by the following vote:

AYES: Councilmen Frad, Mellis, Merrill Adams, Merrill, Robert Adams and Mayor Marks.

NOES: Councilmen, None.

ABSENT: Councilmen, Annan.

APPROVED:   
MAYOR

ATTEST:   
CITY CLERK

*2002*

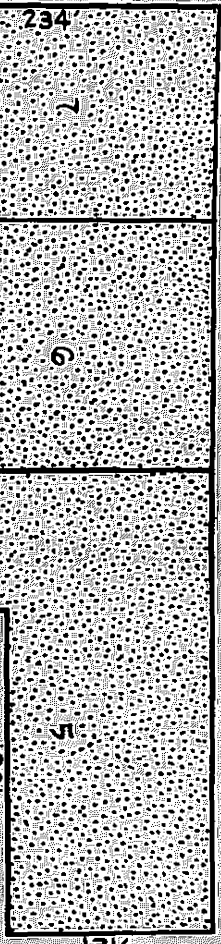
AVE.

SOUTH

AVE.

AVE.

COLORADO



ROSELAWN

# LAND USE DISTRICT MAP NO. 7-A

## A PORTION OF THE SUNSET ACRES TRACT

LOTS 5, 6, 7 & A PORTION OF LOT 5 OF THE SUNSET ACRES TRACT TO BE CLASSIFIED R-4, RESIDENCE-AGRICULTURE DISTRICT

APPROVED

*Henry Hawks*  
MAYOR

*Pat G. Stangor*  
CLERK

*Walter S. Young*  
CHAIRMAN  
PLANNING COMMISSION

ORDINANCE NO. 993

DATE:


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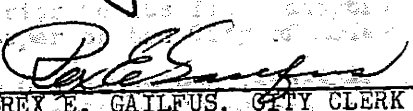
1 The foregoing ordinance having been introduced and  
 2 ordered printed and published at a regular meeting of the Council  
 3 of the City of Modesto held on the Second day of May, 1951, and  
 4 subsequently printed and published as required by the Charter of  
 5 the City of Modesto, and coming on for final adoption at the regular  
 6 meeting of May 16, 1951, it was upon roll call so finally adopted  
 7 by the following vote:

8 Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill  
 9 and Mayor Marks

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12 SECTION 3. Ordinance No. 951  
 13 date as hereby repealed. APPROVED   
 14 HARRY MARKS, MAYOR

15 SECTION 4. This ordinance  
 16 at least once at least three (3) times in each year  
 17 and the same let, the official newspaper  
 18 ATTEST:   
 19 REX E. GAILFUS, CITY CLERK

20 a regular meeting of the Council of  
 21 May 16, 1951, by Councilman Mellis  
 22 and the same motion being carried by Councilman  
 23 and the same motion being carried and the ordinance ordered  
 24 printed and published as above by the following vote:

25 AYES: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis,  
 26 Merrill and Mayor Marks

27 NOES: Councilmen: None

28 ABSENT: Councilmen: None

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AN ORDINANCE PROHIBITING THE USE OF SEARCH LIGHTS IN THE CITY OF MODESTO, AND REPEALING ORDINANCE NO. 910 N.S.

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

SECTION 1. It shall be unlawful for any person, firm or corporation to use or permit to be used in the City of Modesto any type of lights commonly designated as search lights for purposes of advertising or for any other purpose. This Ordinance shall not be construed to apply to any official vehicle of the City of Modesto, nor of the County of Stanislaus when used in the performance of official duties.

SECTION 2. Any person, firm or corporation violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding Five hundred and no/100 (\$500.00) Dollars or by imprisonment in the County Jail of Stanislaus County for a period not exceeding six (6) months or by both such fine and imprisonment.

SECTION 3. Ordinance No. 910 N.S. of the City of Modesto is hereby repealed.

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. The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on May 23, 1951, by Councilman Mellis, who moved its adoption and passage to print, which motion being duly seconded by Councilman Annan was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

- AYES: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis  
Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: *Harry Marks*  
Mayor

ATTEST: *Edith [Signature]*  
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 23rd day of May, 1951, 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 6, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: R. Adams, M. Adams, Anna, Prad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

HARRY MARKS, MAYOR

ATTEST:

REX E. GALLFUS, CITY CLERK

1  
2 SPECIAL  
3 NOT IN CODE

ORDINANCE NO. 995 N.S.

AN EMERGENCY ORDINANCE APPROPRIATING FUNDS FOR  
PAYMENT OF THE USUAL CURRENT EXPENSES OF THE  
CITY OF MODESTO.

4 WHEREAS, the fiscal year of the City of Modesto ends  
5 on June 30, 1951, and

6 WHEREAS, there will be an interim period between June  
7 30, 1951 and the adoption of the budget for the fiscal year begin-  
8 ning July 1, 1951 and terminating June 30, 1952, and

9 WHEREAS, the City Council desires to make an appropria-  
10 tion for the usual current expenses of the City, the City Council  
11 hereby declares this to be an emergency measure for preserving  
12 the public peace, health, or safety and is necessary to cover  
13 expenditures for the interim period above referred to,

14 NOW, THEREFORE, the Council of the City of Modesto does  
15 ordain as follows:

16 Section 1. That the sum of \$200,000, or such portion  
17 thereof as may be necessary, is hereby appropriated for the  
18 payment of the customary and usual current expenses of the City  
19 of Modesto for the period commencing July 1, 1951 and continuing  
20 until the date of the adoption of the budget for the fiscal year  
21 1951-52.

22 Section 2. That this ordinance shall go into effect  
23 and be in full force and operation as of the date of the intro-  
24 duction thereof, to wit, as of July 5, 1951.

25 Section 3. That this ordinance shall be published in  
26 full at least once in the Modesto Bee, the official newspaper  
27 of the City of Modesto.

28 The foregoing ordinance was introduced at a regular  
29 adjourned meeting of the Council of the City of Modesto held  
30 on the 5th day of July, 1951, by Councilman Merrill  
31 who moved its adoption, which motion being duly seconded by

1 Councilman R. Adams was upon roll call carried by  
2 the following vote:

3 AYES: Councilmen R. Adams, Annan, Mellis, Merrill  
4 Mayor Marks

5 \_\_\_\_\_  
6 NOES: Councilmen None  
7 \_\_\_\_\_

8 ABSENT: Councilmen Frad and M. Adams  
9 \_\_\_\_\_

10  
11  
12 APPROVED: Harry Marks  
13 Harry Marks, Mayor of the City of Modesto

14 ATTEST:

15 Rex E. Gailfus  
16 City Clerk, Rex E. Gailfus  
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1 FINAL ADOPTION CLAUSE

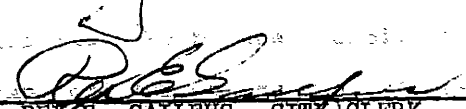
2 The foregoing ordinance, having been introduced and  
3 ordered printed and published at a regular adjourned meeting of the  
4 Council of the City of Modesto held on the 5th day of July, 1951,  
5 and subsequently printed and published as required by the Charter  
6 of the City of Modesto, and coming on for final adoption at the  
7 regular meeting of July 18, 1951, it was upon roll call so finally  
8 adopted by the following vote:

9 Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill and  
 Mayor Marks

10 Noes: Councilmen: None

11 Absent: Councilmen: Frad

12  
13 APPROVED:   
14 HARRY MARKS, MAYOR

15  
16 ATTEST:   
17 REX E. GALFUS, CITY CLERK



and the Council having heard and considered the arguments for and against said proposed rezoning,

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

SECTION 1: That the public interest, necessity, convenience and general welfare requires a change in the use districts as hereinafter set forth, and the City Council hereby declares and finds that said change is required because of the following facts which have been produced at the various hearings held by the Council of the City of Modesto:

(a) McHenry Avenue is a busy thoroughfare and commercial uses are permitted and actually exist along McHenry Avenue in the vicinity of the properties under consideration. It is not reasonable from the standpoint of long range municipal planning to restrict any of these properties to single family residential use only.

(b) In order to effectively put into operation a long range zoning plan, the property fronting on McHenry Avenue should be classified in a business or commercial zone.

(c) That the rezoning as hereinafter set forth is necessary for the orderly and continued growth and development of the property in question and of the City of Modesto in general.

(d) That the rezoning of the property fronting on McHenry Avenue will not be materially detrimental to the remainder of the property in question.

SECTION 2: Ordinance No. 700 N.S., the Zoning Ordinance of the City of Modesto, is hereby amended as follows:

The following described property is hereby rezoned from R-1, Single Family Residence District, to C-1, Neighborhood Business District:

The Easterly 130 feet of Lot 1 and all of Lots 2 and 3 in Block 706.

North of the South 50 feet and East of the West 157 feet of Lot 35 in Block 619 and the North 60 feet of the East 60 feet of Lot 36 in Block 619.

1 The South 110 feet of the West 207 feet of  
2 Block 620.

3 All of said lots and blocks are situated in  
4 the City of Modesto, County of Stanislaus,  
5 State of California, and said lots and blocks  
6 are shown in Volume 15 of Maps, at pages 706,  
7 619 and 620 respectively, which volume is on  
8 file and of record in the office of the County  
9 Recorder of Stanislaus County, California.

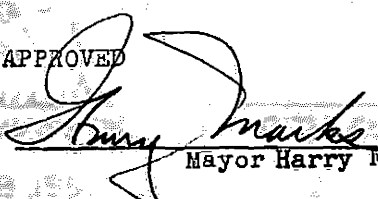
10 SECTION 3: This ordinance shall go into effect and be  
11 in full force and operation from and after fifteen (15) days  
12 after its final passage and adoption.

13 SECTION 4: This ordinance shall be published in full  
14 at least three (3) days prior to its final adoption in the  
15 Modesto Bee, the official newspaper of the City of Modesto.


16 The foregoing ordinance was introduced at a regular  
17 meeting of the Council of the City of Modesto held on the 18th day  
18 of July, 1951 by Councilman R. Adams, who moved its  
19 adoption and passage to print, which motion being duly seconded  
20 by Councilman Merrill, was upon roll call carried  
21 and the ordinance ordered printed and published as above by the  
22 following vote:

23  
24 AYES: Councilman: M. Adams, R. Adams, Annan, Mellis,  
25 Merrill and Mayor Marks  
26 NOES: Councilman: None  
27 ABSENT: Councilman: Fred

28 APPROVED

29   
30 Mayor Harry Marks

31 ATTEST:

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Rex E. Gailfus, City Clerk.

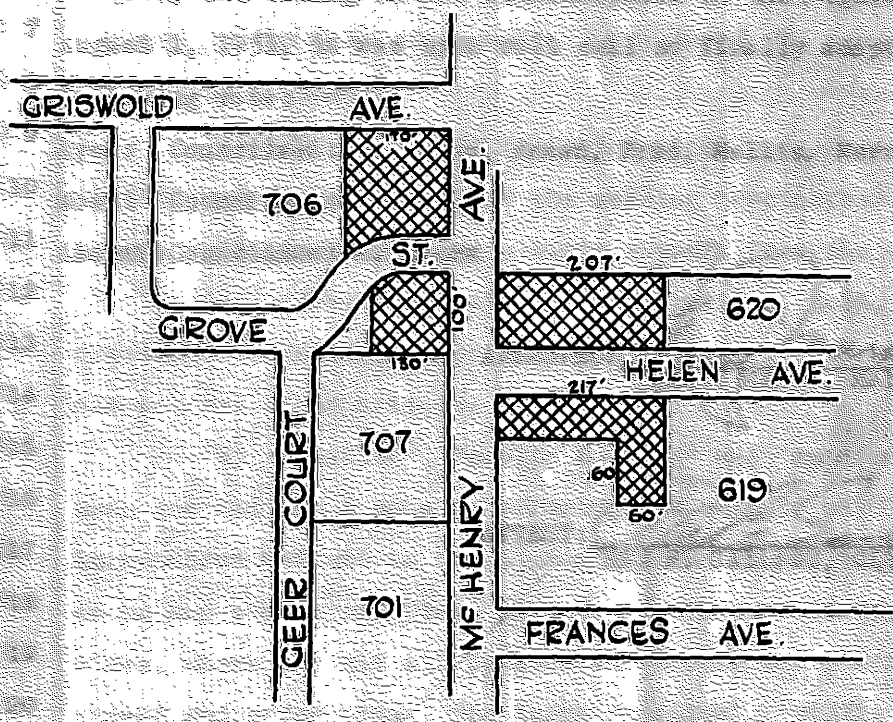
1 time

150 copies

2 Cal - Charge City of Modesto delivered to City

# LAND USE DISTRICT MAP NO. 2-C

PROPERTY TO BE ZONED C-1, NEIGHBORHOOD BUSINESS DISTRICT



BY ORDINANCE NO. 996 NS.

- APPROVED -

*[Signature]*

MAYOR

PLANNING COMMISSION

CITY CLERK

DATE: JULY 18, 1951

960

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 18th day of July, 1951, 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 1, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

Noes: Councilmen: None

Absent: Councilman: M. Adams

APPROVED:

*Harry Marks*  
HARRY MARKS, MAYOR

ATTEST:

*Rex E. Galleus*  
REX E. GALLEUS, CLERK

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ORDINANCE NO. 997 N. S.

AN ORDINANCE AMENDING SECTION ONE OF ORDINANCE 913 N.S. AND DEFINING THE MEANING OF THE WORDS "JEWELRY", "AUCTION", "PUBLIC AUCTION" AND "AUCTION SALE".

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

Section One of Ordinance 913 N.S. of the City of Modesto, entitled "An Ordinance Regulating Sales of Jewelry at Public Auction in the City of Modesto, California", is hereby amended to read as follows:

"SECTION ONE: The following words and phrases when used in this ordinance shall have the meaning hereinafter specified unless a different meaning clearly appears from the context.

(a) 'Jewelry' shall include platinum, gold, silver, plated ware, precious stones, semi-precious stones, watches, clocks, and other articles of jewelry.

(b) 'Auction', 'public auction' and 'auction sale' shall mean and include a sale or offering for sale of any jewelry as hereinabove defined to the highest bidder in any building, or in or on any street or alley, private premises, or in any other place, where any and all persons who choose are permitted to attend and offer bids. The terms 'auction', 'public auction', and 'auction sale' shall also include a sale in which, instead of the bidders making increasingly higher bids for an article or articles of merchandise, the seller or auctioneer announces a price at which he will sell one or more articles of merchandise and then if no sale occurs increasingly adds additional articles of merchandise to those originally offered with or without varying the previously announced price until a buyer is finally induced to buy the accumulated articles at the price fixed."

SECTION TWO: This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after

1 its final passage and adoption.

2 SECTION THREE: This ordinance shall be published in  
3 full at least three (3) days prior to its final adoption in  
4 the Modesto Bee, the official newspaper in the City of Modesto.  
5

6 The foregoing ordinance was introduced at a regular  
7 meeting of the Council of the City of Modesto held on the 25th  
8 day of July, 1951, by Councilman R. Adams who  
9 moved its adoption and passage to print, which motion, being  
10 duly seconded by Councilman Annan was, upon roll call,  
11 carried and the ordinance ordered published by the following vote:

12 AYES: Councilmen: R. Adams, Annan, Mellis, Merrill, Mayor Marks

13 NOES: Councilmen: None

14 ABSENT: Councilmen: M. Adams and Frad

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16 APPROVED:   
17 Harry Marks Mayor

18 ATTEST:

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20 City Clerk, Rex E. Galfus  
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and ordered  
3 printed and published, at a regular meeting of the Council of the  
4 City of Modesto held on the 25th day of July, 1951, and subsequent-  
5 ly printed and published as required by the Charter of the City of  
6 Modesto, and coming on for final adoption at the regular meeting  
7 of August 1, 1951, it was upon roll call so finally adopted by the  
8 following vote:

9 Ayes: Councilmen; R. Adams, Annan, Frad, Mellis, Merrill, Mayor Marks

10 Noes: Councilmen; None

11 Absent: Councilmen; M. Adams

12  
13 APPROVED:   
14 HARRY MARKS, MAYOR

15  
16 ATTEST:   
17 REX E. GAILFUS, CITY CLERK

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AN ORDINANCE AMENDING ORDINANCE NO. 891 N.S.  
OF THE CITY OF MODESTO BY REDUCING THE RENTALS  
FOR HANGARS.

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

SECTION 1: Item 6 of Section 2 of Ordinance No. 891 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., 519 N.S., 795 N.S., and 800 N.S. of the City of Modesto" is hereby amended to read as follows:

Item 6: Hangars and/or lean-tos:

One and two-thirds (1-2/3) cents per square foot per month.

SECTION 2: This ordinance shall be in full force and effect fifteen days from and 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.

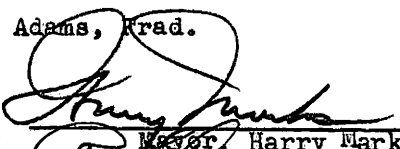

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on July 25, 1951, by Councilman R. Adams, who moved its adoption and passage to print as aforesaid, which motion being duly seconded by Councilman Mellis was, upon roll call, carried and the ordinance ordered published as above by the following vote:

AYES: Councilmen: Mellis, Merrill, Annan, <sup>R.</sup>/Adams, Mayor

Marks.

NOES: Councilmen: None.

ABSENT: Councilmen: Merrill Adams, Grad.

Approved:   
Mayor, Harry Marks  
Attest:   
City Clerk

FINAL ADOPTION CLAUSE

1 The foregoing ordinance having been introduced and  
2 ordered printed and published at a regular meeting of the Council  
3 of the City of Modesto held on the 25th day of July, 1951, and  
4 subsequently printed and published as required by the Charter of  
5 the City of Modesto, and coming on for final adoption at the regu-  
6 lar meeting of August 8, 1951, it was upon roll call so finally  
7 adopted by the following vote:

8 Ayes: Councilmen: M. Adams, R. Adams, Annan, Mellis, Merrill,

9 Mayor Marks

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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APPROVED

  
HARRY MARKS, MAYOR

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16 ATTEST:   
REX E. GALFUS, CITY CLERK

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CODE SEC.  
NO. 2-4.201  
2-4.202  
2-4.301  
2-4.304

ORDINANCE NO. 999 N. S.

AN ORDINANCE AUTHORIZING CERTAIN CITY OFFICIALS TO SIGN CHECKS, DRAFTS OR WARRANTS, APPROVE CLAIMS, ESTABLISHING A FUND TO BE KNOWN AS "PAYROLL FUND" OF THE CITY OF MODESTO, AUTHORIZING THE PAYMENT OF CITY EMPLOYEES FROM SAID FUND AND AUTHORIZING FACSIMILE SIGNATURES.

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

SECTION 1: The City Manager and/or Acting City Manager of the City of Modesto is hereby authorized to approve all claims against the City of Modesto except those required by law or by ordinance to be approved by the City Council, and to sign all checks, drafts or warrants for and on behalf of the City of Modesto.

SECTION 2: Facsimile signatures on checks, drafts or warrants of the City of Modesto in lieu of personal signatures are hereby authorized.

SECTION 3: There is hereby created a fund to be known as "Payroll Fund" of the City of Modesto. Said fund is hereby created for the specific and sole purpose of providing a means for payment to the employees of the City of Modesto by check, warrant, or draft, for services rendered by said employees on behalf of said City, and for which said services the City of Modesto is at the time of payment indebted to said employee or employees.

SECTION 4: It shall be the duty of the City Auditor of the City of Modesto to present to the City Manager of said City the payroll of said City for his examination whenever moneys become due and owing and payable by said City to employees of said City. It is hereby made the duty of the City Manager of said City to examine said payroll and to sign his name to the said payroll, in his capacity of City Manager, if said payroll is in order, and in addition thereto, to draw a check, in the manner

1 prescribed by the Charter of the City of Modesto or by ordinances  
2 or resolutions of said City, against the General Fund, or other  
3 funds of said City, in an amount sufficient to pay the employees  
4 of said City to whom moneys are then and there due and owing  
5 by said City for services rendered to said City, as shown by said  
6 payroll, and to deliver said check to said Auditor. It is  
7 hereby made the duty of said Auditor to deposit said check forth-  
8 with in the Payroll Fund of the City of Modesto.

9 SECTION 5: It is hereby made the duty of said Auditor  
10 to make out said checks, drafts, or warrants to the employees of  
11 the City of Modesto, drawn against said Payroll Fund of said City  
12 of Modesto, in amounts due and owing to said employees for  
13 services rendered by said employees to said City, on the days  
14 regularly provided for the payment of salaries and wages to the  
15 various classes of employees of said City. Notwithstanding the  
16 provisions of Section 1 hereof, payroll checks, drafts, or  
17 warrants may be signed by only the City Auditor or Acting City  
18 Auditor.

19 SECTION 6: The term "Payroll" as used herein shall be  
20 construed to be a written or typewritten statement containing the  
21 names of the employees of said City to whom moneys are due and  
22 owing by said City for services rendered to said City, together  
23 with the amounts then and there due and owing to said employees.

24 SECTION 7: This ordinance shall take effect and be in  
25 full force from and after fifteen (15) days after its final  
26 adoption.

27 SECTION 8: Ordinance No. 563 N.S. and Ordinance No.  
28 570 N.S. are hereby repealed.

29 SECTION 9: This ordinance shall be printed and published  
30 in full at least once at least three days prior to its final  
31 adoption in the Modesto Bee, the official newspaper of the City  
32 of Modesto.



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 August, 1951, 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 22, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill and Mayor Marks

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

HARRY MARKS, MAYOR

ATTEST: REX E. GAILFUS, CLERK

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SPECIAL  
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ORDINANCE NO. 1000 N.S.

3 AN EMERGENCY ORDINANCE APPROPRIATING ADDITIONAL FUNDS FOR  
4 PAYMENT OF THE USUAL CURRENT EXPENSES OF THE CITY OF MODESTO.

5 WHEREAS, the fiscal year of the City of Modesto ends on  
6 June 30, 1951, and,

7 WHEREAS, there will be an interim period between June 30th,  
8 1951, and the adoption of the budget for the fiscal year beginning  
9 July 1st, 1951, and terminating June 30th, 1952, and,

10 WHEREAS, the City Council by Ordinance No. 995 N. S. has  
11 enacted an emergency measure appropriating certain funds for the  
12 usual current expenses of the city during said interim period,  
13 and,

14 WHEREAS, it is necessary that additional funds be appropriated  
15 for the usual current expenses of the city during said interim  
16 period, and prior to the adoption of said budget, and the City  
17 Council hereby declares this to be an emergency measure for  
18 preserving the public peace, health or safety and is necessary  
19 to cover expenditures for the interim period above referred to.

20  
21 THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN as follows:

22 SECTION I.

23 That the sum of \$300,000.00 or such portion thereof that  
24 may be necessary, is hereby appropriated for the payment of the  
25 customary and usual current expenses of the City of Modesto, for  
26 the period commencing July 1st, 1951, and continuing until the  
27 date of the adoption of the budget for the fiscal year 1951-52.

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1 SECTION II.

2 That the above sum shall be in addition to all other and  
3 previous amounts heretofor appropriated for the same purpose  
4 as herein set forth.

5 SECTION III.

6 That this ordinance shall go into effect and be in full  
7 force and operation as of the date of the introduction thereof,  
8 to wit, as of August 15th, 1951.

9 SECTION IV.

10 That this ordinance shall be published in full at least  
11 once in the Modesto Bee, the official newspaper of the City of  
12 Modesto.

13 The foregoing ordinance was introduced at a regular meeting  
14 of the Council of the City of Modesto held on the 15th day of  
15 August, 1951, by Councilman, Frad  
16 who moved its adoption, which motion being duly seconded by  
17 Councilman R. Adams, was upon roll call  
18 carried by the following vote:

19  
20 AYES: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Merrill  
Mayor Marks

21 NOES: Councilmen: None

22 ABSENT: Councilmen: None

23  
24 ATTEST: REX E. GALLFUS,

25 City Clerk

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Approved 

Harry Marks, Mayor

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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 15th day of August, 1951, 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 2, 5, 1951, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: M. Adams, R. Adams, Annan, Frad, Mellis, Mayor  
Marks

Noes: Councilmen: None

Absent: Councilmen: Merrill

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK