

AN ORDINANCE AMENDING SECTIONS 4-4.402,  
4-4.801 AND 4-4.802 OF CHAPTER 4, TITLE IV  
OF THE MODESTO MUNICIPAL CODE RELATING TO  
THE SUBDIVISION OF LAND.

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

SECTION 1. Section 4-4.402 of Article 4, Chapter 4, Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.402. FORM OF TENTATIVE MAP. (a) Preliminary Sketches. Prior to the preparation and submission of a tentative map, subdividers may present preliminary plans or sketches of the proposed subdivision for discussion with the Planning Commission or its staff.

(b) Size and Scale. Tentative maps shall be eighteen by twenty-six (18" x 26") inches in size and to a scale of one (1") inch equals one hundred (100') feet for large areas, and to a scale of one (1") inch equals fifty (50') feet for small areas unless otherwise approved by the Planning Commission.

(c) Information Required. Every tentative map shall be clearly and legibly reproduced and shall contain the following information:

(1) A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads.

(2) The tract name or number, date, north point, scale and sufficient description to define the location and boundaries of the proposed tract.

(3) Name and address of record owner or owners.

(4) Name and address of the subdivider.

(5) Name and business address of the person who prepared the map.

(6) Acreage of proposed tract to the nearest tenth (10th) of an acre.

(7) Sufficient elevations or contours to determine the general slope of the land and the high and low point thereof.

(8) The locations, names, widths and grades of all roads, streets, highways and ways in the proposed subdivision or to be offered for dedication.

1 (9) The locations, names and existing  
2 width of all adjoining and contiguous highways,  
3 streets and ways.

4 (10) Locations and size of all pipe lines  
5 and structures used in connection therewith.

6 (11) Location and character of all exist-  
7 ing and proposed public utilities.

8 (12) The widths, location and purpose of  
9 all existing and proposed assessments.

10 (13) Lot lay-out, dimensions of each lot  
11 and lot numbers.

12 (14) The outline of any existing buildings  
13 to remain in place and their locations in relation  
14 to existing or proposed street and lot lines.

15 (15) Location of all trees proposed to re-  
16 main in place, standing within the boundaries of  
17 proposed public rights-of-way.

18 (16) Location of all areas subject to  
19 inundation or storm water overflow and the location,  
20 width and direction of flow of all water courses.

21 SECTION 2. Section 4-4.801 of Article 8, Chapter 4,  
22 Title IV of the Modesto Municipal Code is hereby amended to read  
23 as follows:

24 SEC. 4-4.801. STANDARDS AND APPROVAL. All improve-  
25 ments ~~mentioned in this article~~ shall conform to the  
26 requirements contained in the "Standard Specifications  
27 for Subdivision Improvements" prepared by the City  
28 Engineer, recommended by the Planning Commission, and  
29 adopted by the Council as the same now exists or may  
30 hereafter be amended. Copies of said Standard  
31 Specifications shall be maintained on file in the  
32 office of the Planning Commission and the City  
33 Engineer.

34 SECTION 3. Section 4-4.802 of Article 8, Chapter 4,  
35 Title IV of the Modesto Municipal Code is hereby amended to read  
36 as follows:

37 SEC. 4-4.802. GENERAL REQUIREMENTS. The subdivider  
38 shall install improvements in accordance with the  
39 general requirements set forth in this section.

40 (a) Streets and Alleys. All streets and alleys  
41 shall be improved in accordance with the requirements  
42

1 of the standard specifications referred to in Section  
2 4-4.801 hereof.

3 (b) Structures. Structures or conduits shall be  
4 installed, as deemed necessary by the City Engineer,  
5 for drainage, access and/or public safety. Such  
6 structures and conduits to be placed to grades and to  
7 be of a design and size approved by the City Engineer.

8 (c) Curbs and Gutters. Curbs and gutters shall  
9 be installed to grades, cross section, layout and  
10 location approved by the City Engineer.

11 (d) Sidewalks. Sidewalks shall be installed along  
12 all streets and may be required in other locations  
13 where sidewalks are deemed necessary by the Planning  
14 Commission.

15 (e) Sewage Disposal. (1) Sanitary sewer facilities  
16 connecting with the existing city system shall be  
17 installed to serve each lot when connection to such  
18 system is available. Sewers shall be installed to  
19 grades, location, design and sizes approved by the  
20 City Engineer in accordance with the provisions of  
21 applicable laws of the City.

22 (2) When connection to a sanitary system is  
23 not available, septic tanks may be permitted for lots  
24 of not less than 10,000 square feet in area, providing  
25 that a letter is submitted from the City Health De-  
26 partment certifying that field investigation has  
27 shown that ground slopes and soil conditions will  
28 allow for satisfactory disposal by this method with  
29 the lot arrangement and sizes as shown on the map of  
30 the proposed subdivision.

31 (f) Water. Water mains connecting with existing  
32 city or public utility system shall be installed to  
serve each lot when connection to such system is  
available. In the latter case, when it is proposed that  
water will be supplied by a private water company,  
the subdivider shall submit a letter from the govern-  
ing body of such water system showing the ability of  
the system to serve the proposed subdivision and  
evidence that a satisfactory agreement has been entered  
into for connection to that system. Water mains shall  
then be installed to grades, location, design, and  
sizes approved by the City Engineer and the engineer  
of the governing body of the water system.

33 (g) Street Lights. Pendant street lighting  
34 standards, underground cables, and all materials and  
35 appurtenances necessary shall be installed of a design  
36 and location approved by the City Engineer. There  
37 shall be at least one electrolier at each intersection,  
38 and intermediate electroliers not more than six hundred  
39 sixty (660') feet apart in blocks exceeding six  
40 hundred sixty (660') feet in length.

41 (h) Railroad Crossings. Provisions shall be made  
42 for any and all railroad crossings necessary to provide  
access to or circulation within the proposed subdivi-  
sion, including the preparation of all documents

1 necessary for application to the California State  
2 Public Utilities Commission for the establishment and  
3 improvement of such crossing. The cost of such rail-  
road crossing improvement shall be borne by the  
subdivider.

4 SECTION 4. EFFECTIVE DATE. This ordinance shall go  
5 into effect and be in full force and operation from and after  
6 fifteen (15) days after its final passage and adoption, provided,  
7 however, that the provisions of this ordinance shall apply  
8 retroactively to every subdivision for which a tentative map has  
9 not been approved by the Planning Commission before May 1st, 1956,

10 SECTION 5. PUBLICATION. This ordinance shall be pub-  
11 lished in full at least once at least three (3) days prior to  
12 its final adoption in the Modesto Journal and Valley Citizen,  
13 the official newspaper of the City of Modesto.

14 The foregoing ordinance was introduced at a regular  
15 meeting of the Council of the City of Modesto held on the 11  
16 day of July, 1956, by Councilman Arata, who moved  
17 its introduction and passage to print, which motion being duly  
18 seconded by Councilman Adams, was upon roll call carried  
19 and ordered printed and published by the following vote:

20 AYES; Councilmen: Adams, Anderson, Arata, Hammond, Robinson,  
and Mayor Marks

21 NOES: Councilmen: None

22 ABSENT: Councilmen: Merrill

23  
24 APPROVED: 

HARRY MARKS, Mayor

25  
26 ATTEST:   
27 REX E. GALFUS, City Clerk

1 SECTION 4. EFFECTIVE DATE. This ordinance shall go  
2 into effect and be in full force and operation from and after  
3 fifteen (15) days after its final passage and adoption, provided,  
4 however, that the provisions of this ordinance shall apply  
5 retroactively to every subdivision for which a tentative map  
6 has not been approved by the Planning Commission before May 1,  
7 1956.

8 The foregoing ordinance was amended at a regular meet-  
9 ing of the Council of the City of Modesto held on the 18th day  
10 of July, 1956, by Councilman Arata, who moved its amendment and  
11 publication, as amended, which motion being duly seconded by  
12 Councilman Robinson, was upon roll call carried and ordered  
13 printed and published by the following vote:


14 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson  
and Mayor Marks

15 NOES: Councilmen: None

16 ABSENT: Councilmen: Merrill

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18 APPROVED:   
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HARRY MARKS, Mayor

20 ATTEST:   
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REX E. GAILFUS, City Clerk

22 (SEAL)  
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Ord. No. 101-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of August, 1956, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 16, 1956

1 AN ORDINANCE LEASING CERTAIN CITY OWNED AIRPORT  
2 PROPERTY TO CHARLES E. SARGENT AND AUTHORIZING THE  
3 EXECUTION OF A LEASE AGREEMENT IN CONNECTION  
4 THEREWITH.

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

7 SECTION 1. APPROVAL OF LEASE. The City of Modesto  
8 hereby leases to Charles E. Sargent, an individual, that certain  
9 tract of land at the Modesto City-County Airport, as shown on the  
10 map attached to that certain lease agreement between the City of  
11 Modesto and Charles E. Sargent, marked "Exhibit A", for a term of  
12 twelve (12) years in accordance with the terms and conditions set  
13 forth in said lease agreement covering the lease of said property,  
14 a copy of which is on file in the Office of the City Clerk of the  
15 City of Modesto. The terms and conditions of said lease agreement  
16 are hereby accepted and approved.

17 SECTION 2. SIGNING AND ATTESTING. The City Manager  
18 and City Clerk of the City of Modesto are hereby authorized to  
19 sign and attest, respectively, said lease agreement on behalf of  
20 the City upon this ordinance becoming effective.

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

24 SECTION 4. PUBLICATION. This ordinance shall be pub-  
25 lished in full at least once at least three (3) days prior to its  
26 final adoption in the Modesto Journal and the Valley Citizen, the  
27 official newspaper of the City of Modesto.

28 The foregoing ordinance was introduced at a regular  
29 meeting of the Council of the City of Modesto held on the 25  
30 day of July, 1956, by Councilman Arata, who  
31 moved its introduction and passage to print, which motion being  
32 duly seconded by Councilman Adams, was upon roll call  
carried and ordered printed and published by the following

1 vote:  
2 AYES: Councilmen: Adams, Arata, Hammond, Merrill and Mayor  
Marks  
3 NOES: Councilmen: None  
4 ABSENT: Councilmen: Anderson and Robinson

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6 APPROVED:   
HARRY MARKS, Mayor

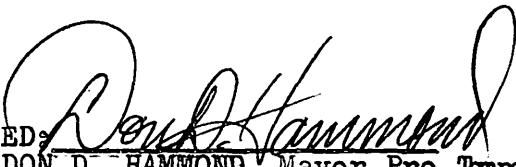
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10 ATTEST:   
REX E. GAILFUS, City Clerk

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12 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8 day of August, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson and  
Mayor Pro Tempore Hammond  
NOES: Councilmen: None  
ABSENT: ~~Councilmen:~~ Mayor Marks

APPROVED:   
DON D. HAMMOND, Mayor Pro Tempore

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 23, 1956

REPEALED ORD 234CS

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AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," AS AMENDED, TO AMEND SECTION 33 THEREOF RELATING TO EARLY MORNING PARKING HOURS, AND SECTION 36.2 THEREOF RELATING TO TRAFFIC REGULATION, AND REPEALING ORDINANCE NO. 68-C.S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 33 of Ordinance No. 345-N.S., entitled "An Ordinance Regulating Traffic Upon the Public Streets of the City of Modesto," as amended, is hereby amended to read as follows:

SECTION 33. EARLY MORNING PARKING LIMITED. It shall be unlawful for the operator of a vehicle to park said vehicle on any paved street for a period of time longer than one (1) hour between the hours of 2 A.M. and 5 A.M. of any day.

SECTION 2. AMENDMENT OF ORDINANCE. Section 36.2 of Ordinance No. 345-N.S., entitled "An Ordinance Regulating Traffic Upon the Public Streets of the City of Modesto," as amended, is hereby amended to read as follows:

SECTION 36.2 DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3(b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of the business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
LA LOMA	30 miles per hour
MILLER, from La Loma to Conejo	30 miles per hour
KEARNEY, entire length in City	30 miles per hour
SUNRISE, entire length in City	30 miles per hour
GRANGER, from Tully to McHenry	30 miles per hour
CARVER, entire length in City	35 miles per hour

1 GRISWOLD, from Virginia to McHenry 30 miles per hour

2 EMERALD beginning at Maze Road and  
3 continuing southerly to  
4 the City Limits. 35 miles per hour

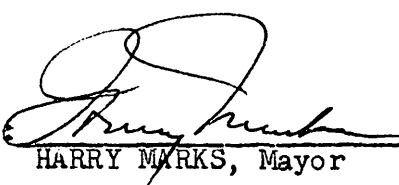
5 SECTION 3. REPEAL. Ordinance No. 68-C.S. adopted by  
6 the Council of the City of Modesto on February 1, 1956, is hereby  
7 repealed.

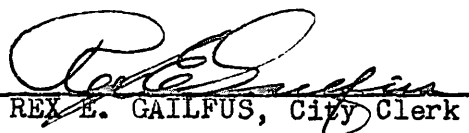
8 SECTION 4. EFFECTIVE DATE. This ordinance shall go  
9 into effect and be in full force and operation from and after  
10 fifteen (15) days after its final passage and adoption.

11 SECTION 5. PUBLICATION. This ordinance shall be pub-  
12 lished in full at least once at least three (3) days prior to  
13 its final adoption in the Modesto Journal and the Valley Citizen,  
14 the official newspaper of the City of Modesto.

15 The foregoing ordinance was introduced at a regular  
16 meeting of the Council of the City of Modesto held on the 25  
17 day of July, 1956, by Councilman Arata, who  
18 moved its introduction and passage to print, which motion being  
19 duly seconded by Councilman Hammond, was upon roll call  
20 carried and ordered printed and published by the following vote:

21 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and  
22 Mayor Marks  
23 NOES: Councilmen: None  
24 ABSENT: Councilmen: Robinson

25 APPROVED:   
26 HARRY MARKS, Mayor

27 ATTEST:   
28 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8 day of August, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson and Mayor Pro Tempore Hammond  
NOES: Councilmen: None  
ABSENT: ~~Councilmen:~~ Mayor Marks

APPROVED:   
DON D. HAMMOND, Mayor Pro Tempore

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: August 23, 1956

1 AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY  
2 OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30,  
3 1957, AND PROVIDING FOR CERTAIN TRANSFERS OF  
4 FUNDS.

5 WHEREAS, pursuant to the Charter of the City of Modesto  
6 a proposed budget for the 1956-57 fiscal year has been submitted  
7 to the City Council by the City Manager, and the City Council has  
8 made such revisions as it has deemed advisable, and

9 WHEREAS, in accordance with the City Charter, a public  
10 hearing has been held upon the adoption of the proposed budget  
11 after due notice, as provided by law, and

12 WHEREAS, copies of the proposed budget have been and are  
13 available for inspection by the public at the office of the City  
14 Clerk,

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

17 SECTION 1. That the "City of Modesto Preliminary  
18 Budget, 1956-57" presented by the City Manager to the City Council  
19 at its meeting held on May 23, 1956, and as thereafter amended  
20 by the City Council, a copy of which budget, as amended, is on  
21 file in the office of the City Clerk, is hereby adopted as the  
22 budget for the City of Modesto for the fiscal year ending June 30,  
23 1957, and the several amounts stated therein as proposed expendi-  
24 tures are hereby appropriated for the various objects therein  
25 described.

26 SECTION 2. That the City Council is authorized by  
27 resolution to transfer funds from one department to another de-  
28 partment and to transfer and authorize the expenditure of funds  
29 from the Reserves for specific purposes.

30 SECTION 3. That the City Manager is authorized to  
31 transfer funds within departmental budgets between the following  
32 classifications, to wit: Salaries, operating expenses, and  
capital outlay; and to transfer and expend funds from the Contin-

1 gency Reserve for specific purposes.

2 SECTION 4. Pursuant to Section 722 of the Charter of  
3 the City of Modesto, this Ordinance shall take effect upon  
4 adoption.

5 SECTION 5. This ordinance shall be published in full  
6 at least once in The Modesto Journal and The Valley Citizen,  
7 the official newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 25  
10 day of July, 1956, by Councilman Anderson, who moved  
11 its adoption, which motion being duly seconded by Councilman  
12 Adams, was upon roll call carried by the following  
13 vote:

14 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and  
Mayor Marks

15 NOES: Councilmen: None

16 ABSENT: Councilmen: Robinson

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18 APPROVED:   
HARRY MARKS, MAYOR

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20 ATTEST:   
REX E. GAILFUS, City Clerk

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1 AN ORDINANCE LEASING CERTAIN CITY OWNED AIRPORT  
2 PROPERTY TO JOHN INGLIS FROZEN FOODS COMPANY, INC.,  
3 AND AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT  
4 IN CONNECTION THEREWITH.

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

7 SECTION 1. APPROVAL OF LEASE. The City of Modesto  
8 hereby leases to John Inglis Frozen Foods Company, a corporation,  
9 that certain tract of land at the Modesto City-County Airport, as  
10 shown on the map attached to that certain lease agreement between  
11 the City of Modesto and John Inglis Frozen Foods Company, marked  
12 "Exhibit A", for a term of twelve (12) years in accordance with  
13 the terms and conditions set forth in said lease agreement cover-  
14 ing the lease of said property, a copy of which is on file in the  
15 Office of the City Clerk of the City of Modesto. The terms and  
16 conditions of said lease agreement are hereby accepted and  
17 approved.

18 SECTION 2. SIGNING AND ATTESTING. The City Manager  
19 and City Clerk of the City of Modesto are hereby authorized to  
20 sign and attest, respectively, said lease agreement on behalf of  
21 the City upon this ordinance becoming effective.

22 SECTION 3. EFFECTIVE DATE. This ordinance shall go  
23 into effect and be in full force and operation from and after  
24 fifteen (15) days after its final passage and adoption.

25 SECTION 4. PUBLICATION. This ordinance shall be pub-  
26 lished in full at least once at least three (3) days prior to its  
27 final adoption in the Modesto Journal and the Valley Citizen, the  
28 official newspaper of the City of Modesto.


29 The foregoing ordinance was introduced at a regular  
30 meeting of the Council of the City of Modesto held on the 1  
31 day of August, 1956, by Councilman Adams, who moved  
32 its introcution and passage to print, which motion being duly  
seconded by Councilman Robinson, was upon roll call

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carried and ordered printed and published by the following  
vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

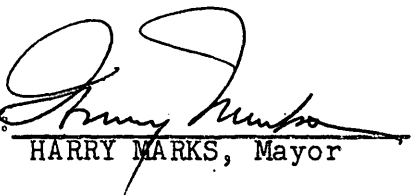
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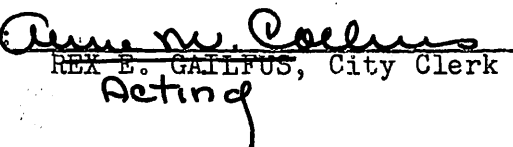
Ord. No. 105-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15 day of August, 1956, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk  
Acting

EFFECTIVE DATE: August 30, 1956

ORDINANCE NO. 106 -C.S.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE COVELL ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

GRACE A. COVELL

on

June 6, 1956, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the COVELL ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th day of June, 1956, set said petition for hearing at the hour of 8:00 o'clock p.m. on the 8th day of August, 1956, in the Council Chamber at the McHenry Public Library, located at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Journal and the Valley Citizen, a newspaper published in the City of Modesto on July 5, 1956, and on July 12, 1956; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on July 5, 1956, and on July 12, 1956, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to

any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 8th day of August, 1956, at the hour of 8:00 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the                     COVELL                     ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and more particularly described as follows:

Beginning at a point on the existing City Limits said point being the Northeastern corner of Block 706 of the City of Modesto, according to the official map recorded in Volume 15 of Maps at Page 706, Stanislaus County Records; thence Northerly along the Northerly extension of the Eastern line of said Block 706, 30 feet to the center

line of Griswold Avenue as shown on the map of the Mission Grove Tract, recorded in Volume 8 of Maps at Page 50, Stanislaus County Records; thence Easterly along said center line five feet to the Southerly extension at the Western line of McHenry Avenue as shown on said map of the Mission Grove Tract; thence Northerly along said Western line of McHenry Avenue, to the Westerly extension of the Southern line of Hintze Avenue as described in the deed recorded in Volume 444, Page 92, Stanislaus County Records; thence Easterly along said extension and the Southern line of Hintze Avenue to the Eastern line of land conveyed to John P. Ross and wife by deed recorded in Volume 269, Page 248, Stanislaus County records; thence Southerly along said Eastern line of Ross property to the Northern line of the land conveyed to G. W. O'Conner by deed recorded in Volume 304 of Deeds at Page 321, Stanislaus County Records, said line being 110 feet Northerly from the Northern line of Helen Avenue, said line also being the existing City Limits; thence following said City Limits, Westerly to the Eastern line of McHenry which is 25 feet at right angles, Easterly from the section line common to Sections 20 and 21; thence continuing along the existing City Limits, Northerly to the Easterly extension of the Northern line of said Block 706; thence continuing along the existing City Limits, Westerly to the point of beginning, containing 1.312 Acres.

SECTION 3. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 4. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 5. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Journal and the Valley Citizen, 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 8 day of August, 1956, by Councilman Arata, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson and  
Mayor Pro Tempore Hammond

NOES: Councilmen: None

ABSENT: ~~Councilmen:~~ Mayor Marks

APPROVED:   
DON D. HAMMOND, Mayor Pro Tempore

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 107 -C.S.

1 AN ORDINANCE AMENDING SECTION 4-1.201, ENTITLED  
2 "PERMISSIBLE HOURS", OF ARTICLE 2 OF CHAPTER 1  
3 OF TITLE IV OF THE MODESTO MUNICIPAL CODE.

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

6 SECTION 1. Section 4-1.201, entitled "Permissible  
7 Hours", of Article 2 of Chapter 1 of Title IV of the Modesto  
8 Municipal Code is hereby amended to read as follows:

9 SEC. 4-1.201 PERMISSIBLE HOURS. It shall be unlawful  
10 and a misdemeanor for any person owning or operating a bowling  
11 alley in the City to keep the same open for bowling between the  
12 hours of 2:30 o'clock A.M. and 8:00 o'clock A.M. of the same day.  
13 Provided however, that any person owning or operating a bowling  
14 alley may keep the same open for use for organized league or  
15 tournament play until the hour of 4 o'clock A.M.

16 SECTION 2. PUBLICATION. This ordinance shall be pub-  
17 lished in full at least once at least three (3) days prior to  
18 its final adoption in the Modesto Journal and the Valley Citizen,  
19 the official newspaper of the City of Modesto.

20 SECTION 3. EFFECTIVE DATE. This ordinance shall go  
21 into effect and be in full force and operation from and after  
22 fifteen (15) days after its final 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 8  
25 day of August, 1956, by Councilman Robinson, who  
26 moved its introduction and passage to print, which motion being  
27 duly seconded by Councilman Anderson, was upon roll call  
28 carried and ordered printed and published by the following vote:

29 AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson  
30 and Mayor Pro Tempore Hammond

31 NOES: Councilmen: None

32 ABSENT: Councilmen: Mayor Marks

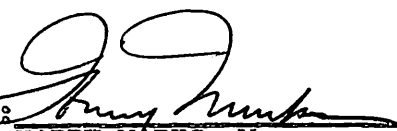
APPROVED:   
DON D. HAMMOND, Mayor Pro Tempore

ATTEST:   
REX E. GALFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 22 day of August, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following votes:

AYES: Councilmen: Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 6, 1956

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1956-1957.

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

SECTION 1. DEFINITION: TAX CODE AREA. A geographical area within the City of Modesto as established by the State Board of Equalization for the purpose of taxation and as shown on the tax code area maps on file in the Office of the Assessor of Stanislaus County, State of California.

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1956 and ending June 30, 1957, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

(a) Tax Code Areas Nos. 2-1, 2-2, 2-6, 2-7 and 2-8;

FOR THE GENERAL FUND . . . . . \$ 1.24

FOR THE BOND REDEMPTION AND INTEREST FUND

(1) Municipal Improvement Bonds of 1947 . . . . . .17  
For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;

FOR THE LIBRARY FUND . . . . . .11

THE AGGREGATE OF SAID SUMS TO WIT. . . . . \$ 1.52

(b) Tax Code Areas Nos. 2-3, 2-4 and 2-5:

FOR THE GENERAL FUND . . . . . \$ 1.24

FOR THE LIBRARY FUND . . . . . .11

THE AGGREGATE OF SAID SUMS TO WIT. . . . . \$ 1.35

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

1 SECTION 4. PUBLICATION. This ordinance shall be pub-  
2 lished in full at least once in The Modesto Journal and Valley  
3 Citizen, 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 held on the 22  
6 day of August, 1956, by Councilman Anderson, who moved  
7 its adoption, which motion being duly seconded by Councilman  
8 Merrill, was upon roll call carried by the following  
9 vote:

- 10 AYES: Councilmen: Anderson, Arata, Hammond, Merrill and Mayor  
11 Marks  
12 NOES: Councilmen: None  
13 ABSENT: Councilmen: Adams and Robinson

14 APPROVED:   
HARRY MARKS, Mayor

15 ATTEST:   
16 REX E. GAILFUS, City Clerk

17 (SEAL)

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1 AN ORDINANCE AMENDING SECTIONS 10-2.226, 10-2.253,  
2 10-2.264, 10-2.302, 10-2.501, 10-2.701, 10-2.709,  
3 10-2.801, 10-2.901, 10-2.1101, 10-2.1401, 10-2.1612,  
4 10-2.1618, 10-2.1804, 10-2.1904, OF CHAPTER 2 OF  
5 TITLE X OF THE MODESTO MUNICIPAL CODE AND ADDING  
6 SECTIONS 10-2.226.1 AND 10-2.1621 THERETO, RELATING  
7 TO ZONING REGULATIONS.

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

10 SECTION 1. Section 10-2.226 of Article 2 of Chapter 2  
11 of Title X of the Modesto Municipal Code is hereby amended to  
12 read as follows:

13 SEC. 10-2.226. FOSTER HOME. The residence of a  
14 private family in which one or more children  
15 under sixteen (16) years of age are cared for as  
16 foster children under a license of the Stanislaus  
17 County Welfare Department, and a certificate  
18 of approval of the Modesto City Health Department.

19 Where all children under sixteen (16) years of  
20 age in the home, including foster children,  
21 number more than six (6), a Conditional Use Permit  
22 shall be secured from the Board of Zoning Adjust-  
23 ment as required by Article 20 of this chapter;  
24 where all such children number six (6) or fewer,  
25 no permit shall be required.

26 SECTION 2. Section 10-2.226.1 is hereby added to  
27 Article 2 of Chapter 2 of Title X of the Modesto Municipal Code  
28 to read as follows:

29 SEC. 10-2.226.1. FRONTAGE. All the property fronting  
30 on one side of the street between intersecting or  
31 intercepting streets, or between a street and a  
32 waterway, end of dead-end street, or political sub-  
division boundary, measured along the street line. An  
intercepting street shall determine only the length  
of the frontage on the side of the street which it  
intercepts.

SECTION 3. Section 10-2.253 of Article 2 of Chapter 2  
of Title X of the Modesto Municipal Code is hereby amended to  
read as follows:

SEC. 10-2.253. PARKING AREA. An open area, other  
than a street, used for the parking of more than  
five (5) automobiles whether free, for compensation,  
or as an accommodation, provided that an area on  
the same lot as a dwelling and used for the parking  
of not more than twice as many automobiles as there  
are dwelling units on the lot, shall not be con-  
sidered a "parking area" under this definition.

SECTION 4. Section 10-2.264 of Article 2 of Chapter 2  
1 of Title X of the Modesto Municipal Code is hereby amended to  
2 read as follows:

3 SEC. 10-2.264. STREET. A thoroughfare which has  
4 been dedicated or abandoned to the public and  
5 accepted by proper public authority, or a thorough-  
6 fare, not less than twenty-five (25') feet wide, which  
7 has been made public by right of use and which affords  
8 the principal means of access to abutting property, pro-  
9 vided that easements, walkways and alleys shall not be  
10 considered as "streets" for the purposes of this chapter.

11 SECTION 5. Section 10-2.302 of Article 3 of Chapter 2  
12 of Title X of the Modesto Municipal Code is hereby amended to  
13 read as follows:

14 SEC. 10-2.302. DEGREE OF RESTRICTIVENESS. "More  
15 restrictive uses" as employed in this chapter means  
16 the following:

17 (a) Those uses first permitted in the R-1 zone  
18 are the most restrictive.

19 (b) Those uses first permitted in the M-2 zone  
20 are the least restrictive.

21 (c) All other uses are less restrictive than  
22 the uses first permitted in the R-1 zone in the  
23 following sequence: R-2, R-3, C-1, C-2, C-M, M-1,  
24 and M-2.

25 SECTION 6. Section 10-2.501 of Article 5 of Chapter 2  
26 of Title X of the Modesto Municipal Code is hereby amended to  
27 read as follows:

28 SEC. 10-2.501. PERMITTED USES. In an R-1 zone only  
29 the following uses are permitted as are hereinafter  
30 specifically provided and allowed.

31 (a) One-Family dwelling.

32 (b) The following uses upon the securing of a  
conditional use permit from the Board of Zoning Ad-  
justment in accordance with Article 20 of this chapter:

(1) Church; wedding chapel.

(2) Child day care for more than six (6)  
children, in addition to members of the family.

(3) Rest home.

(4) Public buildings or grounds operated  
by any governmental agency.

(5) Public utilities or utilities operated  
by mutual agencies, including electrical substations,  
gas metering stations, telephone exchanges, power  
boosters, or conversion plants, with the necessary  
buildings, apparatus or appurtenances thereto.

(6) Radio or television transmitter.

1 (7) Tower.

2 (8) Private recreational grounds and  
3 facilities not open to the general public and  
to which no admission charge is made.

4 (c) The renting of not more than three (3)  
5 rooms to not more than three (3) roomers, or the pro-  
6 viding of table board to not more than three (3)  
7 boarders, or both, but not to exceed three (3) in  
8 any combination thereof; the day care of not more  
9 than six (6) children, in addition to members of  
10 the family, when such care is authorized under per-  
11 mits granted by the Stanislaus County Welfare  
Department, the County Fire Warden, the City Health  
Department and the Secretary of the Commission. Use  
of the premises for day care of more than six (6)  
children, in addition to members of the family,  
shall be permitted only after the securing of a  
conditional use permit from the Board of Zoning  
Adjustment.

12 (d) Home occupations when authorized under a  
13 permit granted in accordance with the provisions of  
Section 10-2.2502.

14 (e) The following fowl and animals under the  
15 following conditions:

16 (1) Household pets, subject to the pro-  
visions of Section 10-2.233.

17 (2) Not more than four (4) rabbits and/or  
18 hares; and domestic fowl (hens only), providing not  
19 more than twelve (12) of any one or combination of  
such animals and fowl may be maintained on a lot.

20 (3) The keeping of all domestic animals  
21 and fowl provided for in item (2) above shall con-  
22 form to all other provisions of law governing same  
and no fowl or animal except household pets, or any  
23 pen or coop, except those used for household pets,  
shall be kept or maintained except under the follow-  
ing conditions:

24 (aa) Animals or fowl shall be kept or  
25 maintained only at a distance of forty (40) feet  
or more from the window or door of any residence or  
other building used for human habitation.

26 (ab) Animals or fowl shall be kept or  
27 maintained only on the rear one-third (1/3) of the  
lot.

28 (ac) Animals or fowl shall be main-  
29 tained only at a distance from the property line  
not less than the required side yard.

30 (f) Two-family dwelling, when the lot upon  
31 which it is located has a side line that abuts  
property zoned for R-3, C-1, C-2, C-M, M-1 or M-2,  
32 but in no case shall the property used for such  
two-family dwelling consist of more than one lot or

1 be more than seventy-five (75) feet in width, which-  
2 ever is the lesser.

3 (g) The following signs:

4 (1) One unlighted sign not exceeding  
5 eight (8) square feet in area pertaining only to  
6 the sale, lease or hire of only the particular  
7 building, property, or premises upon which displayed.

8 (2) A name plate not exceeding one square  
9 foot in area for each dwelling unit.

10 (3) One bulletin board or identification  
11 sign not exceeding twelve (12) square feet in area  
12 for uses permitted under a conditional use permit.

13 (4) If such name plate referred to in (2)  
14 above or bulletin board or identification sign re-  
15 ferred to in (3) above is illuminated, indirect  
16 lighting only shall be used, the source of light shall  
17 not be visible from the street, and no flashing or  
18 intermittent illumination shall be employed, provided  
19 that in no case shall a home occupation name plate  
20 be illuminated.

21 (h) Servants quarters and guest houses may be  
22 maintained on any lot provided that such quarters and  
23 guest houses are used as an accessory to the single  
24 dwelling unit and also provided no cooking facilities  
25 are maintained therein.

26 (i) A parking area, provided:

27 (1) A conditional use permit has been ob-  
28 tained in accordance with Article 20 of this chapter.

29 (2) Development is as required by Section  
30 10-2.1807.

31 (3) The parking area is clearly incidental  
32 and accessory to a use permitted in this Section or  
is accessory to a commercial use which is located in  
a commercial or industrial zone immediately adjacent  
to the property to be used for a parking area.

(j) Accessory uses and buildings customarily in-  
cidental to the above.

SECTION 7. Section 10-2.701 of Article 7 of Chapter 2  
of Title X of the Modesto Municipal Code is hereby amended to  
read as follows:

SEC. 10-2.701. PERMITTED USES. In an R-3 zone only  
the following uses are permitted as are hereinafter  
specifically provided and allowed.

(a) Any use permitted in the R-2 Zone.

(b) Multiple dwelling.

(c) Group dwellings.

1 (d) Boarding and lodging house.

2 (e) The following uses subject to the granting  
3 of a conditional use permit by the Board of Zoning  
Adjustment:

4 (1) Motel

5 (2) Hotel

6 (3) Nonprofit membership organization,  
7 private club, fraternity, sorority and lodge, ex-  
cepting those the chief activity of which is a  
8 service customarily carried on as a business.

9 (f) The following signs:

10 (1) A name plate not exceeding one (1)  
square foot in area for each dwelling unit.

11 (2) One bulletin board or identification  
12 sign not exceeding twelve (12) square feet in area  
for a use permitted under a conditional use permit.

13 (3) One identification sign, not to ex-  
14 ceed four (4) square feet in area, for a boarding  
house, lodging house, or multiple dwelling.

15 (4) One unlighted sign not exceeding  
16 eight (8) square feet in area pertaining only to  
the sale, lease, or hire of only the particular build-  
17 ing, property, or premises upon which displayed.

18 (5) If any sign referred to in this  
19 section is illuminated, indirect lighting only shall  
be used, the source of light shall not be visible  
20 from the street, and no flashing or intermittent  
illumination shall be employed.

21 SECTION 8. Section 10-2.709 of Article 7 of Chapter 2  
22 of Title X of the Modesto Municipal Code is hereby amended to  
23 read as follows:

24 SEC. 10-2.709. BUILDINGS, PLACEMENT. Placement of  
buildings on any lot shall conform to the following:

25 (a) No building may occupy any portion of a  
26 required yard.

27 (b) All buildings used for human habitation  
shall not be located closer to a property line  
28 than the distance required in the side yard.

29 (c) The distance between any building used for  
human habitation and any accessory building or other  
30 building used for human habitation on any lot shall  
be equal to twice the required side yard.

31 (d) In the case of a reversed corner lot no  
32 building shall be located closer to the side yard of

1 the abutting lot to the rear than the width of the  
2 required side yard on such lot to the rear.

3 (e) Any building having a door or window in a  
4 wall facing on an alley shall be located not closer  
5 than five (5) feet to such alley.

6 SECTION 9. Section 10-2.801 of Article 8 of Chapter 2  
7 of Title X of the Modesto Municipal Code is hereby amended to  
8 read as follows:

9 SEC. 10-2.801. PERMITTED USES. In a C-1 zone only  
10 the following uses are permitted as are hereinafter  
11 specifically provided and allowed.

12 (a) The following general merchandising stores:

13 (1) Variety

14 (2) Dry goods, notions and general mer-  
15 chandise, but not including department stores.

16 (b) The following food stores:

17 (1) Grocery.

18 (2) Meat, fish, egg and poultry, provided  
19 there shall be no sales of live poultry or animals  
20 and no killing of fowl, fish or animals.

21 (3) Fruit and vegetable.

22 (4) Candy, nut and confectionery.

23 (5) Dairy products.

24 (6) Bakery; catering establishment.

25 (7) Delicatessen.

26 (8) Coffee, tea, spices and health foods.

27 (9) Frozen food lockers, individual re-  
28 tail rental.

29 (c) The following automobile service facilities:

30 (1) Service station.

31 (2) Parking area.

32 (3) Parking garage.

(d) The following apparel and accessory stores:

(1) Men's and Boys' clothing and furnish-  
ings.

(2) Women's ready to wear.

(3) Women's accessory and specialty.

1 (4) Children's and infants'.

2 (5) Shoe.

3 (6) Family clothing.

4 (7) Custom tailors.

5 (8) Custom dressmaking.

6 (e) The following home furnishings and equip-  
7 ment stores:

8 (1) Drapery, curtain and upholstery mater-  
9 ial.

10 (2) China, glassware and metalware.

11 (3) Miscellaneous home furnishings, such  
12 as pictures, frames, lamps and shades, awnings and  
13 window shades.

14 (4) Radio and television.

15 (5) Musical instruments and records.

16 (f) The following building materials stores:

17 (1) Paint, glass and wallpaper.

18 (2) Hardware, limited to household and  
19 garden hardware.

20 (g) The following eating and drinking establish-  
21 ments:

22 (1) Cafe, ice cream parlor, commercial  
23 lunch service, cafeteria, excluding the following:

24 (aa) Dancing and entertainment, except  
25 music.

26 (ab) Dispensing of alcoholic beverages,  
27 except beer.

28 (h) The following miscellaneous retail business:

29 (1) Drug and proprietary medicine.

30 (2) Liquor, for consumption off the pre-  
31 mises.

32 (3) Book and stationery; office supply.

(4) Sporting goods.

(5) Jewelry.

(6) Florist; greenhouse; plant materials  
nursery.

(7) Cigar store and stand.

(8) News dealer and newsstand.

- 1 (9) Music.
- 2 (10) Camera and photographic supply.
- 3 (11) Gift, novelty and souvenir.
- 4 (12) Luggage and leather goods.
- 5 (13) Autograph and philatelist supply.
- 6 (14) Artist's supplies and art shop.
- 7 (15) Toys.
- 8 (16) Christmas tree sales.
- 9 (17) Five-and-ten-cent store.
- 10 (18) Ice dealer, provided storage of not  
11 more than five (5) tons capacity is provided.
- 12 (19) Garden supply.
- 13 (20) Pet store.
- 14 (i) The following finance, insurance and real  
15 estate businesses:
  - 16 (1) Bank.
  - 17 (2) Credit agency.
  - 18 (3) Security and commodity broker, dealer,  
19 exchange and service.
  - 20 (4) Insurance carrier, agent, broker and  
21 service.
  - 22 (5) Realtor and real estate; abstractor;  
23 subdivider and developer.
  - 24 (6) Holding and other investment company.
- 25 (j) The following personal services:
  - 26 (1) Laundry agency; dry cleaning agency;  
27 self-service laundry; coal and fuel sales office.
  - 28 (2) Photographic studio; film processing.
  - 29 (3) Barber shop; beauty shop.
  - 30 (4) Shoe repair shop; shoe shine parlor.
  - 31 (5) Hat cleaning, hemstitching, embroider-  
32 ing and sewing shops.
  - (6) Tailor shop, including pressing, al-  
teration and garment repair.
  - (7) Diaper service.
  - (8) Funeral service, subject to the secur-  
ing of a conditional use permit.

1 (9) Ambulance service.

2 (k) The following miscellaneous business services:

3 (1) Advertising agency, including agency  
4 for outdoor and miscellaneous advertising.

5 (2) Consumer credit reporting agency; mer-  
6 cantile reporting agency; adjustment and collection  
7 agency.

8 (3) Duplicating, addressing, mailing, mail-  
9 ing list and stenographic services; blueprinting and  
10 photostating services.

11 (4) Window cleaning; disinfecting and ex-  
12 terminating service; janitorial service, floor waxing  
13 and office cleaning.

14 (5) Accounting, auditing and bookkeeping  
15 services.

16 (1) The following miscellaneous repair services:

17 (1) Electrical repair shop.

18 (2) Watch, clock and jewelry repair.

19 (3) Bicycle repair shop.

20 (4) Locksmith shop; gunsmith shop.

21 (5) Musical instrument repair.

22 (6) Camera repair; fountain pen repair;  
23 key duplicating; lawn mower sharpening and repair;  
24 saw, knife and tool sharpening and repair.

25 (m) The following medical and other health ser-  
26 vices:

27 (1) Offices of physicians and surgeons.

28 (2) Offices of dentists and dental surgeons.

29 (3) Offices of osteopathic physicians.

30 (4) Offices of chiropractors.

31 (5) Medical and dental laboratories.

32 (6) Offices of chiropodists, nutrition-  
ists, occupational therapists and psycho-therapists.

(7) Medical clinics, other than animal  
clinics.

(8) Nurses registry.

(9) Optometrist oculist.

- 1 (n) Legal services.
- 2 (o) The following educational services:
- 3 (1) Library.
- 4 (2) Music, art, dramatic, language and  
5 children's dancing schools.
- 6 (3) Correspondence school.
- 7 (p) The Following miscellaneous services:
- 8 (1) Engineering and architectural service.
- 9 (2) Office of actuaries, lecturers and  
10 writers.
- 11 (3) Art Studio.
- 12 (4) Baby sitters' agency.
- 13 (5) Taxi stand.
- 14 (6) Coal and fuel sales office.
- 15 (7) Interior decorating service.
- 16 (q) Signs pertaining only to a use conducted  
17 within the building or on the lot or to the lease or  
18 sale of the property, or to trespassing.
- 19 (r) The following residential-type uses:
- 20 (1) Lodging house; boarding house.
- 21 (2) Motel; hotel; membership hotel.
- 22 (3) Nonprofit membership organization,  
23 private club; fraternity; sorority; lodge.
- 24 (s) The following uses upon the securing of a  
25 conditional use permit from the Board of Zoning Ad-  
26 justment in accordance with Article 20 of this chapter:
- 27 (1) Church; wedding chapel.
- 28 (2) Child day care for more than six (6)  
29 children, in addition to members of the family.
- 30 (3) Rest home.
- 31 (4) Public buildings or grounds operated  
32 by any governmental agency.
- (5) Public utilities or utilities operated  
by mutual agencies, including electrical substations,  
gas metering stations, telephone exchanges, power  
boosters, or conversion plants, with the necessary  
buildings, apparatus or appurtenances thereto.
- (6) Radio or television transmitter.

1 (7) Tower.

2 (8) Private recreational grounds and  
3 facilities not open to the general public and  
to which no admission charge is made.

4 (t) Accessory uses and buildings customarily  
5 incidental to the above.

6 ✓ SECTION 10. Section 10-2.901 of Article 9 of Chapter  
7 2 of Title X of the Modesto Municipal Code is hereby amended to  
8 read as follows:

9 SEC. 10-2.901. PERMITTED USES. In a C-2 zone only  
10 the following uses are permitted as are hereinafter  
specifically provided and allowed.

11 (a) Any use permitted in the C-1 (Neighborhood  
Commercial Zone).

12 (b) The following residential-type services;

13 (1) Hotel.

14 (2) Rooming house; boarding house.

15 (3) Motel.

16 (4) Membership hotel and lodging house.

17 (c) The following building materials stores:

18 (1) Heating and plumbing equipment dealer.

19 (2) Electrical supply.

20 (3) Hardware.

21 (4) Roofing sales.

22 (d) The following general merchandise stores;

23 (1) Department store.

24 (2) Mail order house.

25 (e) The following automotive dealers:

26 (1) Motor vehicle dealer, new and used  
27 vehicles.

28 (2) Tire, battery and accessory dealer, not  
including tire recapping and vulcanizing.

29 (3) Automobile trailer, airplane, motor-  
30 cycle, motorboat, or automotive parts dealer.

31 (f) The following apparel and accessory stores;

32 (1) Furrier and fur shop.

1 (g) The following furniture, home furnishings,  
2 and equipment stores:

3 (1) Furniture; household appliance.

4 (2) Floor covering.

5 (3) Weather stripping.

6 (h) The following eating and drinking places:

7 (1) Eating place.

8 (2) Drinking place.

9 (i) The following miscellaneous retail businesses:

10 (1) Antique store.

11 (2) Secondhand store.

12 (3) Farm and garden supply store.

13 (4) Ice Dealer.

14 (5) Orthopedic and artificial limb store:

15 (6) Stone monument business, retail sales  
16 only, excluding stone cutting and blasting, other than  
17 lettering.

18 (j) The following personal services:

19 (1) Funeral service.

20 (2) Fur repair and fur storage.

21 (3) Steam bath; massage.

22 (k) The following miscellaneous business services:

23 (1) News syndicate.

24 (2) Employment agency.

25 (3) Sign painting shop.

26 (4) Auctioneer's establishment.

27 (5) Coin operated machine rental service.

28 (6) Detective and watching agency.

29 (7) Armored car service.

30 (8) Public address system business.

31 (9) Commercial research agency and testing  
32 laboratory.

(10) Advertising signs and structures.

(11) Printing shop.

1 (12) Car laundry, subject to the granting  
2 of a conditional use permit by the Board of Zoning  
Adjustment.

3 (1) The following automobile repair services  
4 and garages:

5 (1) Automobile rental; trailer rental.

6 (2) Automobile repair, excluding painting,  
upholstering, and body and fender work, except that  
7 which is incidental to general repair.

8 (m) The following miscellaneous repair services:

9 (1) Upholstery and furniture repair.

10 (2) Leather goods repair.

11 (n) The following motion picture establishments:

12 (1) Motion picture distribution.

13 (2) Motion picture service business.

14 (3) Motion picture theatre, indoor.

15 (o) The following amusement and recreation ser-  
vices, except motion pictures:

16 (1) Dance hall, dance studio and school of  
the dance.

17 (2) Theatre and theatrical production ex-  
18 cept outdoor theatres.

19 (3) Bowling alley; billiard and pool parlor.

20 (4) Swimming pool.

21 (5) Skating rink.

22 (6) Band, orchestra and entertainers.

23 (7) Amusement concession.

24 (8) Shooting gallery.

25 (9) Coin operated amusement device parlor.

26 (p) Radio or television broadcasting studio.

27 (q) Vocational school.

28 (r) Private museum or art gallery.

29 (s) Nonprofit membership organization, except a  
30 church.

31 (t) Nonprofit educational and scientific research  
agency.

32 (u) Bus terminal.

1 (v) Express office.

2 (w) Hobby shop; house equipment display; hospital  
3 supply.

4 (x) Insulation Sales.

5 (y) Travel bureau; taxidermist; taxicab central  
6 office, cab maintenance, storage and repair, excluding  
7 painting, upholstering, and body and fender work, ex-  
8 cept that which is incidental to general repair.

9 (z) Small animal hospital, subject to securing  
10 (1) approval of City Health Department prior to se-  
11 curing building permit, and (2) approval of Building  
12 Department concerning general requirements and specifi-  
13 cations, including one hour fire wall restrictive con-  
14 struction throughout, and the use of acoustical plaster  
15 or its equivalent, so that the animal noises will not  
16 be heard outside the premises.

17 (aa) Accessory uses and buildings customarily in-  
18 cidental to the above.

19 SECTION 11. Section 10-2.1101 of Article 11 of Chapter  
20 2 of Title X of the Modesto Municipal Code is hereby amended to  
21 read as follows:

22 SEC. 10-2.1101. PERMITTED USES. In an M-1 zone only  
23 the following uses are permitted as are hereinafter  
24 specifically provided and allowed.

25 (a) Any use permitted in the C-M zone, and the  
26 following uses, providing they are accessory to and  
27 incidental to and located upon the same piece of property  
28 as a commercial or an industrial use permitted in this  
29 zone:

30 (1) School.

31 (2) Church.

32 (3) Hospital.

(4) Dwelling.

(b) Armature rewinding shop.

(c) Battery rebuilding.

(d) Bottling plant.

(e) Brewery.

(f) Distributing plant.

(g) Draying, freighting or trucking yard or  
terminal.

(h) Electric or neon sign manufacturing.

- 1 (i) Flour mill.
- 2 (j) Food products manufacturing, storage and  
3 processing of, except lard, pickles, sauerkraut, saus-  
4 ages or vinegar.
- 5 (k) Fruit and vegetable canning, preserving and  
6 freezing.
- 7 (l) Garment manufacture.
- 8 (m) Hatchery, and sale of baby chicks.
- 9 (n) Ice and cold storage plant.
- 10 (o) Lumber yard; building materials sales and  
11 storage, including rock, sand, gravel, brick and  
12 building blocks, but excluding concrete mixing, build-  
13 ing block manufacture and rock crushing.
- 14 (p) Manufacture of prefabricated buildings.
- 15 (q) Mill, planing, except that burning operations  
16 shall require a conditional use permit as set forth in  
17 Article 20 of this chapter.
- 18 (r) Paint mixing, provided a boiling process is not  
19 employed, no tank farm is permitted and above-surfacing  
20 thinner storage is limited to two hundred (200) gallons.
- 21 (s) Pipe line booster or pumping plant in connec-  
22 tion with water, oil, petroleum, gasoline or other pet-  
23 roleum products.
- 24 (t) Plastics, fabrication from.
- 25 (u) Poultry and rabbit slaughter, including  
26 custom dressing.
- 27 (v) Public utility service yard or electrical re-  
28 ceiving and/or transforming stations.
- 29 (w) Rubber, fabrication of products made from  
30 finished rubber.
- 31 (x) Seed processing, packaging, treatment,  
32 storage and sale.
- (y) Shoe manufacture.
- (z) Soap manufacture, cold mix only.
- (aa) Storage space for transit and transportation  
equipment, except freight classification yards.
- (ab) Stone monuments and tombstone works.
- (ac) Textile manufacture.
- (ad) Tile, manufacture of wall and floor tile and  
related small tile products.
- (ae) Transfer, moving and storage of furniture  
and household goods.

1 (af) Truck repairing, overhauling, and rental.

2 (ag) Manufacture, compounding, processing,  
3 packaging or treatment of such products as bakery goods,  
4 candy, cosmetics, dairy products, drugs, perfumes,  
5 pharmaceuticals, toilet soap and toiletries.

6 (ah) Manufacture, compounding, assembling, or  
7 treatment of articles of merchandise from the following  
8 previously prepared materials: bone, cellophane, canvas,  
9 cloth, cork, feathers, felt, fiber, fur, glass, hair,  
10 horn, rubber, leather, paper, plastics, precious or  
11 semi-precious metals or stones, shell, straw, textiles,  
12 tobacco, wood, wool, yarn and paint.

13 (ai) Manufacture and maintenance of electric and  
14 neon signs, billboards, commercial advertising struct-  
15 ures, sheet metal products, venetian blinds, window  
16 shades and awnings.

17 (aj) Manufacture of musical instruments, toys,  
18 novelties, rubber and metal stamps, cameras and photo-  
19 graphic equipment, business machines, household equip-  
20 ment.

21 (ak) Accessory uses and buildings customarily in-  
22 cidental to the above.

23 ✓ SECTION 12. Section 10-2.1401 of Article 14 of Chapter  
24 2 of Title X of the Modesto Municipal Code is hereby amended to  
25 read as follows:

26 SEC. 10-2.1401. PERMITTED USES. All of the following,  
27 and all matters directly related thereto are declared  
28 to be uses possessing characteristics of such unique  
29 and special form as to make impractical their being  
30 included automatically in any classes of use as set  
31 forth in the various zones herein defined, and the  
32 authority for the location and operation thereof shall  
be subject to review and the issuance of an un-  
classified use permit. The purpose of review shall be  
to determine that the characteristics of any such use  
shall not be unreasonably incompatible with type of  
use permitted in surrounding area and for the further  
purpose of stipulating such conditions as may reason-  
ably assure that the basic purposes of this Chapter  
shall be served. Factors to be considered are (1)  
damage or nuisance from noise, smoke, odor, dust,  
vibration, etc; (2) hazard from explosion, con-  
tamination or fire; (3) hazard occasioned by unusual  
volume or character of traffic or the congregating of  
a large number of people or vehicles. Unclassified  
Use Permits shall be processed in the manner specified  
in Article 21 of this chapter.

33 (a) Airport and landing field.

34 (b) Borrow pit to a depth of over three (3')  
35 feet.

36 (c) Cemetery.

37 (d) Columbarium, crematory, and mausoleum, pro-

1 vided these uses are specifically excluded from the  
2 R-A, R-1, and R-2 zones, unless inside of a cemetery.

3 (e) Dump.

4 (f) Educational institutions.

5 (g) Equestrian establishment.

6 (h) The following uses:

7 (1) Establishment or enterprise involving  
8 large assemblage of people or automobiles as follows:

9 (aa) Amusement park.

10 (ab) Circus, carnival, or fairgrounds.

11 (ac) Labor camp.

12 (ad) Open air theater.

13 (ae) Race track and rodeo.

14 (af) Trailer camp.

15 (2) Institution for treatment of alcoholics.

16 (3) Hospital and sanitarium.

17 (4) Mental hospital.

18 (i) Natural mineral resources, the development  
19 of, together with the necessary buildings, apparatus  
20 or appurtenances incident thereto, provided that no  
21 review or permit shall be required for the exploration  
22 of oil, rock, sand, gravel, or clay if this or  
23 any other chapter makes separate provisions with  
24 respect thereto.

25 (j) Refuse, disposal of.

26 (k) Sewage disposal plant.

27 SECTION 13. Section 10-2.1612 of Article 16 of Chapter  
28 2 of Title X of the Modesto Municipal Code is hereby amended to  
29 read as follows:

30 SEC. 10-2.1612. WALL OR FENCE MAY BE MAINTAINED. A  
31 wall, fence, or hedge not more than forty-two (42")  
32 inches in height may be located and maintained on  
any part of a lot except within the clear vision  
triangle as required in Section 10-2.1609. A fence,  
wall, or hedge more than forty-two (42") inches in  
height but not more than six (6') feet in height  
may be located anywhere on the lot, provided that  
no fence over forty-two (42") inches in height shall  
be located closer than fifteen (15') feet to any  
street line, except that in the case of substandard  
corner lots referred to in Section 10-2.1618 and cer-  
tain specified corner lots referred to in Section

1 10-2.1620 a fence not higher than six (6') feet may  
2 be located not closer than seven and one-half (7-1/2')  
3 feet to the side street.

4 SECTION 14. Section 10-2.1618 of Article 16 of Chapter  
5 2 of Title X of the Modesto Municipal Code is hereby amended to  
6 read as follows:

7 SEC. 10-2.1618. SUBSTANDARD LOTS. When a lot has less  
8 than the minimum required area or width as set forth  
9 in any of the zones contained herein, or in a precised  
10 plan, and was of record on the effective date of this  
11 chapter or is a part of a subdivision, the tentative  
12 map of which was approved by the City or County  
13 Planning Commission prior to the effective date of this  
14 chapter, such lot shall be deemed to have complied  
15 with the minimum required lot area and width as set  
16 forth in any such zone or precised plan. The area per  
17 dwelling unit shall, however, remain as specified in  
18 each zone, except that such substandard lot shall  
19 qualify for only one single-family residence. On such  
20 substandard lot the width of each side yard for a  
21 dwelling may be reduced to a width which is not less  
22 than the same percentage of the width of the lot as  
23 the required side yard would be of the required lot  
24 width, provided that on interior lots no side yard  
25 shall be less than three (3') feet and on corner and  
26 reversed corner lots the side yard on the side street  
27 side shall in no case be less than seven and one-half  
28 (7-1/2') feet and the other side yard shall be not  
29 less than three (3') feet.

30 SECTION 15. Section 10-2.1621 is hereby added to  
31 Article 16 of Chapter 2 of Title X of the Modesto Municipal Code  
32 to read as follows:

33 SEC. 10-2.1621. MODIFICATION OF LOT WIDTH. Where a  
34 lot meets the area requirements of the zone in which  
35 it is located and is of a shape other than generally  
36 rectangular or square and has a street frontage which  
37 is less than the lot width, the required lot width  
38 may be reduced to not less than fifty (50') feet for  
39 an interior lot or sixty (60') feet for a corner lot,  
40 provided that in no case shall the street frontage  
41 be less than forty (40') feet for an interior lot or  
42 less than fifty (50') feet for a corner lot.

43 SECTION 16. Section 10-2.1804 of Article 18 of Chapter  
44 2 of Title X of the Modesto Municipal Code is hereby amended to  
45 read as follows:

46 SEC. 10-2.1804. IN LIEU PAYMENTS. In lieu of furnish-  
47 ing the parking spaces required by the provisions of  
48 this article, the requirements thereof may be satisfied  
49 by the payment to the City prior to the issuance of a  
50 building permit the sum of Seven Hundred Fifty and  
51 no/100ths (\$750.00) Dollars per parking space for each  
52 parking space required by the provisions of this chapter.

1 Said funds shall be deposited with the City of Modesto  
2 in a special fund and shall be used and expended ex-  
3 clusively for the purpose of acquiring and developing  
4 off-street parking facilities located insofar as practi-  
5 cal in the general vicinity of the buildings for which  
6 the in lieu payments were made. Where payments are  
7 made in lieu of furnishing off-street parking spaces  
8 equal to fifty (50%) per cent of the gross floor area,  
9 the number of parking spaces shall be calculated on the  
10 basis that one parking space requires two hundred fifty  
11 (250) square feet.

12 SECTION 17. Section 10-2.1904 of Article 19 of Chapter  
13 2 of Title X of the Modesto Municipal Code is hereby amended to  
14 read as follows:

15 SEC. 10-2.1904. POWERS AND DUTIES. The Board shall  
16 have the following powers and duties:

17 (a) To grant certain variances and conditional  
18 use permits in accordance with the provisions of  
19 Article 20 of this chapter.

20 (b) To hear and determine appeals from the  
21 decisions of the Chief Building Official or any other  
22 administrative officer of the City which involves the  
23 application of any of the provisions of this chapter.

24 (c) To hear and determine appeals from the  
25 granting or denying of any other permit of any kind  
26 or nature affected by this chapter, the master plan, or  
27 any other plan or regulation authorized and adopted  
28 pursuant to the provisions of the Planning Act of 1953  
29 (Title 7, Chapter 1 of the Government Code).

30 (d) Where a zone boundary line divides a lot in  
31 a single ownership at the time of the effective date  
32 of this chapter, the Board of Zoning Adjustment may  
33 permit a use authorized on either portion of such lot  
34 to extend not more than seventy-five (75) feet into  
35 the other portion of the lot.

36 In granting any conditional use permits or variances,  
37 the Board may impose such conditions as it deems  
38 necessary or desirable to protect the public health,  
39 safety, or welfare, in accordance with the purpose and  
40 intent of this chapter.

41 SECTION 18. EFFECTIVE DATE. This ordinance shall go  
42 into effect and be in full force and operation from and after  
43 fifteen (15) days after its final passage and adoption.

44 SECTION 19. PUBLICATION. This ordinance shall be  
45 published in full at least once at least three (3) days prior to  
46 its final adoption in The Modesto Journal and Valley Citizen,  
47 the official newspaper of the City of Modesto.

1 The foregoing ordinance was introduced at a regular  
2 meeting of the Council of the City of Modesto held on the 5th  
3 day of September, 1956, by Councilman Arata, who  
4 moved its introduction and passage to print, which motion being  
5 duly seconded by Councilman Adams, was upon roll call  
6 carried and ordered printed and published by the following vote:

7 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
8 NOES: Councilmen: None  
9 ABSENT: Councilmen: None

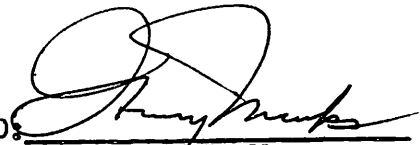
10  
11 APPROVED:   
12 HARRY MARKS, Mayor

13  
14 ATTEST:   
15 GUY S. CALLIPUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19 day of September, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson, Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 4, 1956

1 AN ORDINANCE AMENDING SECTIONS 5-6.201, 5-6.206, 5-6.207,  
2 AND 5-6.208 OF ARTICLE 2 OF CHAPTER 6 OF TITLE V  
3 OF THE MODESTO MUNICIPAL CODE, REPEALING SECTIONS  
4 5-6.211 AND 5-6.213 OF SAID CODE AND REPEALING  
5 ORDINANCE NO. 21-C.S. RELATING TO INDUSTRIAL WASTE  
6 CHARGES.

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

9 SECTION 1. Section 5-6.201 of Article 2 of Chapter 6  
10 of Title V of the Modesto Municipal Code is hereby amended to read  
11 as follows:

12 SEC. 5-6.201. DEFINITIONS.

13 (a) "Industrial Waste": Liquid and/or  
14 solids contained within a liquid, other than  
15 sanitary sewage, and discharged into either  
16 the industrial waste system or sanitary sewage  
17 system.

18 (b) "Industrial Waste Plant": The treat-  
19 ment plant or plants owned or to be owned by  
20 the City which may be designed and used for  
21 the treatment and disposal of "industrial  
22 waste".

23 (c) "Industrial Waste System": The in-  
24 dustrial waste plant and all appurtenant pipe  
25 lines and/or laterals which discharge into  
26 said industrial waste plant.

27 (d) "Sanitary Sewage": Waste discharging  
28 into the City sewage system and which contains  
29 human or animal excreta.

30 (e) "Sanitary Sewer Plant": The plant  
31 owned by the City and designed for the treatment  
32 and disposal of sanitary sewage.

(f) "Sanitary Sewage System": The sanitary  
sewer plant and all appurtenant pipe lines and  
laterals discharging into said plant.

(g) "Sewage": Industrial waste or sanitary  
sewage, or both.

(h) "Sewer Service": The services and fa-  
cilities for the treatment and disposal of in-  
dustrial wastes and sanitary sewage.

(i) "Sewer System": The facilities for the  
collection, treatment and disposal of industrial  
wastes and sanitary sewage.

(j) "Director": The Director of Public  
Works of the City or such other person as may  
be designated by the Director of Public Works  
to perform the services or make the determina-  
tions permitted or required under this article  
to be made by the Director of Public Works of the  
City.

1 (k) "Premise": Any lot, piece or parcel of  
2 land, any building or other structure or any part  
3 of any building or structure used or useful for  
human habitation or gathering or carrying on any  
business or occupation.

4 (l) "User": Any person responsible for pay-  
5 ment of sewer service fees for premises served  
as provided in this article.

6 (m) "Residential User": Any user whose pre-  
7 mises are used solely for residential purposes  
as defined in Section 5-6.101 of this Code.

8 (n) "Industrial User": Any user engaged in  
9 the business of processing or manufacturing agri-  
cultural products, animals, poultry, goods, wares  
10 or other products or materials, who processes or  
manufactures the same for the purpose of sale, re-  
11 sale, or redelivery in processed or manufactured  
form.

12 (1) "Industrial User, Class A": Any  
13 industrial user producing sewage which has a five  
(5) day Biochemical Oxygen Demand (B.O.D.) not  
exceeding 20 parts per million (p.p.m.) by weight.

14 (2) "Industrial User, Class B": Any  
15 industrial user producing sewage which has a five  
(5) day B.O.D. exceeding 20 p.p.m. by weight but  
16 not exceeding 300 p.p.m. by weight.

17 (3) "Industrial User, Class C": Any  
18 industrial user producing sewage which has a five  
(5) day B.O.D. exceeding 300 p.p.m. by weight but  
not exceeding 1,000 p.p.m. by weight.

19 (4) "Industrial User, Class D": Any  
20 industrial user producing sewage which has a five  
(5) day B.O.D. exceeding 1,000 p.p.m. by weight.

21 (o) "Commercial User": Any user not defined  
22 as a residential or industrial user.

23 (p) "Outside User": Any person responsible  
24 for payment of sewer service fees for premises  
served outside the City limits.  
SECTION 2. Section 5-6.206 of Article 2 of Chapter 6

25 of Title V of the Modesto Municipal Code is hereby amended to read  
26 as follows:

27 SEC. 5-6.206. SEWER SERVICE CHARGES, RATE SCHEDULES.  
28 All users of the sewer system shall pay to the City,  
29 as rental for the use of such facilities, a sewer  
service charge in accordance with the following  
schedules:

30 (a) Residential User, Inside City: Charges  
31 for residential users, inside City, shall be as  
established by sub sections (a) and (b) of Section  
32 5-6.102, Article 1 of this chapter.

(b) Residential User, Outside City: Charges

1 for residential users, outside City, shall be Three  
2 and no/100ths (\$3.00) Dollars per month, per dwell-  
ing unit, payable bi-monthly.

3 (c) Commercial User, Inside City: Charges for  
4 all commercial users, inside City, shall be fifty  
5 (50%) per cent of the bi-monthly water bill, pro-  
6 vided that all water used on the premises is from  
7 City facilities. If any or all water used by any com-  
8 mercial user is from other than City facilities,  
user shall install metering facilities approved by  
the Director at the user's expense and the sewer ser-  
vice charge shall be an amount equal to fifty (50%)  
per cent of the charge which would be made, were such  
water from City facilities.

9 (d) Commercial User, Outside City: Charges  
10 for commercial users, outside City, shall be the  
11 charges for commercial users, inside City, multiplied  
12 by three (3).

13 (e) Industrial User, Class A: Charges for in-  
14 dustrial users, Class A, inside City, shall be as  
15 follows, based on either sewage discharge or water  
16 used:

14 CUBIC FEET	RATE OF CHARGE
15 3,000 CF or less - - - - -	\$ 5.00 per month
16 Next 12,000 CF	0.04 per 100 CF
17 Next 185,000 CF	0.03 per 100 CF
18 Next 400,000 CF	0.025 per 100 CF
19 Next 600,000 CF	0.0225 per 100 CF
20 All over 1,200,000 CF	0.015 per 100 CF

21 (f) Industrial User, Class B: Charges for in-  
22 dustrial users, Class B, inside City shall be as  
23 follows:

24 (1) If water used is the basis selected:

24 CUBIC FEET OF WATER USED	RATE OF CHARGE
25 3,000 CF or less	\$ 5.00 per month
26 Next 12,000 CF	0.05 per 100 CF
27 Next 185,000 CF	0.04 per 100 CF
28 Next 400,000 CF	0.035 per 100 CF
29 Next 600,000 CF	0.030 per 100 CF
30 All over 1,200,000 CF	0.020 per 100 CF

31 (2) If sewage discharged is the basis  
32 selected:

28 CUBIC FEET OF SEWAGE DISCHARGE	RATE OF CHARGE
29 2,400 CF or less	\$ 5.00 per month
30 Next 9,600 CF	0.05 per 80 CF
31 Next 148,000 CF	0.04 per 80 CF
32 Next 320,000 CF	0.035 per 80 CF
Next 480,000 CF	0.030 per 80 CF
All over 960,000 CF	0.020 per 80 CF

1 (g) Industrial User, Class C: Charges for  
2 industrial users, Class C, inside City, shall be one  
3 hundred twenty (120%) per cent of the charges  
4 listed above for Industrial User, Class B.

5 (h) Industrial User, Class D: Charges for in-  
6 dustrial users, Class D, inside City, shall be one  
7 hundred forty (140%) per cent of the charges listed  
8 above for Industrial User, Class B.

9 (i) Industrial User, Standby Rate: Any in-  
10 dustrial user, inside City, during any whole month  
11 in which the Industrial Waste Plant operates for  
12 less than fifteen (15) days shall pay fifty (50%)  
13 per cent of the applicable rate established by  
14 sub-sections (e), (f), (g), and (h).

15 (j) Industrial User, Outside City: Charges to  
16 industrial users, outside City, shall be as es-  
17 tablished by the Council by agreement or resolution.

18 (k) Schools and Churches. No charge shall be  
19 made for service to schools or churches.

20 (l) Governmental Agencies: Anything to the  
21 contrary herein stated notwithstanding, the Council  
22 shall have the power to establish by agreement or  
23 resolution the rates to be charged for providing  
24 sewer services to governmental agencies at rates  
25 different from those heretofore set forth and on a  
26 basis that is fair and equitable to all parties con-  
27 cerned.

28 SECTION 3. Section 5-6.207 of Article 2 of Chapter 6  
29 of Title V of the Modesto Municipal Code is hereby amended to  
30 read as follows:

31 SEC. 5-6.207. RULES AND REGULATIONS. (a) No person  
32 shall discharge, or allow the discharge of, or dump  
sanitary sewage or industrial sewage or other waste  
matter into the sewer system of the City except in  
compliance with the terms of, and upon the payment of  
the charges provided in this article.

(b) Any industrial user may select as his basis  
for payment either cubic feet of water used or cubic  
feet of sewage discharged, in accordance with the  
schedules set forth above, and shall install and  
maintain the required meter if an approved meter is  
not already installed. The City, at its discretion,  
may waive the requirements of meters, if, in the  
opinion of the Director, a satisfactory method of  
measurement has been determined.

(c) The values of B. O. D. to be used in deter-  
mining the class of an industrial user shall be the  
averages of four (4) grab samples taken at reasonable  
intervals during the billing period, except that in-  
dustrial users whose wastes are found to fall continu-  
ously within the limits of one class will only be  
checked upon the request of the industrial user or at  
the discretion of the Director. The class of user as

1 determined by such samples shall apply for the  
2 entire billing period during which the samples are  
3 taken.

4 SECTION 4. Section 5-6.208 of Article 2 of Chapter 6  
5 of Title V of the Modesto Municipal Code is hereby amended to  
6 read as follows:

7 SEC. 5-6.208. PAYMENT OF CHARGES. (a) Method of  
8 payment. On premises served with City water, the  
9 charge for sewer service shall be added to the  
10 charge for water service, and shall become due and  
11 payable on the same basis as provided in Section  
12 11-1.11, Chapter 1, Title XI regulating the payment  
13 of water service charges. If a premise with sewer  
14 service is not connected with the municipal water  
15 system, a separate bill shall be rendered for sewer  
16 service only. The time and manner for billing for  
17 services on premises not served with City water  
18 shall be determined by the Director of Finance.  
19 Notwithstanding anything in this section to the  
20 contrary, the Director of Finance shall have the  
21 power to authorize or require payment to be made  
22 on a monthly basis if he is of the opinion that  
23 such a procedure is in the best interests of the  
24 City.

25 (b) Advance deposits. In the case of any  
26 user whose premise is not connected to the City  
27 water system, the Director of Finance may require  
28 an advance deposit of Ten and no/100ths (\$10.00)  
29 Dollars except that if the Director of Finance is  
30 of the opinion that a larger deposit is required in  
31 order to protect the interests of the City, he may  
32 require an amount not to exceed twice the amount  
of the normal billing period. In the case of any  
user whose premises is connected with the City  
water system, the Director of Finance may require  
that the deposit required by Section 11-1.10 of  
the Code be increased by an amount not to exceed  
twice the amount of the normal sewer service charge,  
Such an advance deposit may be used to apply against  
a delinquent sewer service account after written  
notice to the depositor of the delinquency and of  
the intention to use the deposit to apply against  
the account.

33 (c) Information. Any authorized agent of the  
34 City shall have the right to go upon the premises  
35 or any part thereof, of the person discharging sew-  
36 age into the City sewer system for the purpose of  
37 protecting the rights of the City and to obtain any  
38 information deemed necessary to protect such rights.  
39 This right shall include the right to examine the  
40 books of the user.

41 SECTION 5. Section 5-6.211 and Section 5-6.213 and  
42 Ordinance 21-C.S. of the Modesto Municipal Code are hereby re-  
pealed.


1 SECTION 6. 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 7. This ordinance shall be published in full  
5 at least once at least three (3) days prior to its final adoption  
6 in the Modesto Journal and the Valley Citizen, the official  
7 newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 12  
10 day of September, 1956, by Councilman Robinson,  
11 who moved its introduction and passage to print, which motion  
12 being duly seconded by Councilman Hammond, was upon roll  
13 call carried and ordered printed and published by the following  
14 vote:

15 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
16 ROBES: Councilmen: None  
17 ABSENT: Councilmen: None

18  
19 APPROVED:   
20 HARRY MARKS, Mayor

21  
22 ATTEST:   
23 ANNE M. COLLINS, Assistant City Clerk  
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Ord. No. 110-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26 day of September, 1956, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson and  
Mayor Pro Tempore Hammond  
NOES: Councilmen: None  
ABSENT: ~~Councilmen~~: Mayor Marks

APPROVED

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 9, 1956

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM E. K.  
3 FINNEY AND MINNIE W. FINNEY.

4 WHEREAS, the City of Modesto now owns and operates an  
5 airport in Stanislaus County, located in an area bounded on the  
6 north by Tenaya Drive, on the south by the Tuolumne River, on the  
7 west by Conejo Avenue and on the east by Snowden Avenue, known as  
8 the Modesto City-County Airport, and

9 WHEREAS, the City of Modesto and the County of Stanis-  
10 laus entered into an agreement, dated May 25, 1955, relating to  
11 the further development of said airport, which agreement provides  
12 in part for the acquisition of additional land for the construction  
13 of new runway facilities adequate for passenger and freight oper-  
14 ations, and

15 WHEREAS, E. K. Finney and Minnie W. Finney own that  
16 certain parcel of real property hereinafter described, which is  
17 needed for the further development of said airport, and

18 WHEREAS, the City of Modesto and the County of Stanis-  
19 laus desire to acquire said parcel of real property for the purpose  
20 of further developing said airport,

21 NOW, THEREFORE, the Council of the City of Modesto does  
22 ordain as follows:

23 SECTION 1. PURCHASE AUTHORIZED. The purchase of an  
24 undivided one-half (1/2) interest in the following described real  
25 property from E. K. Finney and Minnie W. Finney for the sum of  
26 Twelve Thousand One Hundred Eighty (\$12,180.00) Dollars in  
27 accordance with the provisions of that certain agreement referred  
28 to in Section 2 of this ordinance; plus escrow charges and inci-  
29 dental expenses, is hereby approved. Said real property is  
30 described as follows:

31 All that portion of Section 35, Township 3 South,  
32 Range 9 East, M. D. B. & M., more particularly  
described as follows:

1 Commencing at the Southeast corner of the South-  
2 west quarter of Section 35; thence along the  
3 quarter section line North 00° 28' 20" West,  
4 165.00 feet to the true point of beginning;  
5 thence continuing along said quarter section line,  
6 North 00° 28' 20" West 486.71 feet to a point on  
7 the Southwesterly line of a 100 foot road right  
8 of way; thence along said road right of way,  
9 North 55° 55' West 865.74 feet to a point on the  
10 fence line between the property conveyed to  
11 John J. Maggi, et ux, by Deed recorded October 31,  
12 1950, Instrument No. 25052, and the property con-  
13 veyed to Minnie W. Finney by Deed recorded  
14 November 2, 1931, Instrument No. 13777; thence  
15 along said fence line, South 00° 43' 17" West  
16 970.43 feet to a point on the Northerly property  
17 line of land conveyed to Walter G. Olson, et ux,  
18 by Deed recorded December 18, 1952, Instrument  
19 No. 30324; thence along said Northerly line of  
20 said Olson property, South 89° 51' 20" East, 733.19  
21 feet more or less to the true point of beginning.

22 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
23 ment between the City of Modesto, the County of Stanislaus, and  
24 E. K. Finney and Minnie W. Finney relating to the purchase of  
25 certain real property for airport purposes, a copy of which is on  
26 file in the Office of the City Clerk of the City of Modesto, is  
27 hereby approved, and the City Manager and the City Clerk are  
28 hereby authorized to execute and attest said agreement, respec-  
29 tively, on behalf of the City of Modesto and do all things neces-  
30 sary to carry out the terms of said agreement.

31 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
32 of Modesto hereby accepts the deed from sellers conveying an un-  
33 divided one-half (1/2) interest in the above described property  
34 to the City of Modesto and hereby authorizes the City Clerk to  
35 record said deed with the Recorder of Stanislaus County.

36 SECTION 4. EFFECTIVE DATE. This ordinance shall go  
37 into effect and be in full force and operation from and after  
38 fifteen (15) days after its final passage and adoption.

39 SECTION 5. PUBLICATION. This ordinance shall be pub-  
40 lished in full at least once at least three (3) days prior to  
41 its final adoption in the Modesto Journal and the Valley Citizen,  
42 the official newspaper of the City of Modesto.

1 The foregoing ordinance was introduced at a regular  
2 meeting of the Council of the City of Modesto held on the 12  
3 day of September, 1956, by Councilman Arata, who  
4 moved its introduction and passage to print, which motion being  
5 duly seconded by Councilman Hammond, was upon roll call  
6 carried and ordered printed and published by the following vote:

7 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
8 Robinson and Mayor Marks  
9 NOES: Councilmen: None  
10 ABSENT: Councilmen: None

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12 APPROVED:   
HARRY MARKS, Mayor


13  
14 ATTEST:   
ANNE M. COLLINS, Assistant City Clerk

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16 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of September, 1956, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson and  
Mayor Pro Tempore Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Marks

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: October 9, 1956

AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," AS AMENDED, TO AMEND SECTION 36.2 THEREOF RELATING TO TRAFFIC REGULATION, AND REPEALING SECTION 2 OF ORDINANCE NO. 103-C.S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 36.2 of Ordinance No. 345-N.S., entitled "An Ordinance Regulating Traffic Upon the Public Streets of the City of Modesto," as amended is hereby amended to read as follows:

SECTION 36.2. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3 (b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of the business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BRIGGSMORE, between McHenry and Tully Road	30 miles per hour
GRANGER, from Tully to McHenry	30 miles per hour
GRISWOLD, from Virginia to McHenry	30 miles per hour
KEARNEY, entire length in City	30 miles per hour
LA LOMA	30 miles per hour
MILLER, from La Loma to Conejo	30 miles per hour
SUNRISE, entire length in City	30 miles per hour
CARVER, entire length in City	35 miles per hour
EMERALD, beginning at Maze Road and continuing southerly to the City Limits	35 miles per hour

SECTION 2. REPEAL. Section 2 of Ordinance No. 103-C.S. adopted by the Council of the City of Modesto on August 8, 1956, is hereby repealed.

REPEALED ORD 234 CS


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

4 SECTION 5. PUBLICATION. This ordinance shall be pub-  
5 lished in full at least once at least three (3) days prior to  
6 its final adoption in the Modesto Journal and the Valley Citizen,  
7 the official newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 19  
10 day of September, 1956, by Councilman Adams, who  
11 moved its introduction and passage to print, which motion being  
12 duly seconded by Councilman Robinson, was upon roll call  
13 carried and ordered printed and published by the following vote:

14 AYES: Councilmen: Adams, Anderson, Arata, Merrill, Hammond  
15 NOES: Councilmen: None  
16 ABSENT: Councilmen: None

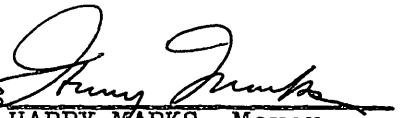
17  
18 APPROVED:   
HARRY MARKS, Mayor

19  
20 ATTEST:   
21 ANNE M. COLLINS, Assistant City Clerk  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3 day of October, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 18, 1956

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
 2 CERTAIN REAL PROPERTY BY THE CITY OF  
 3 MODESTO FROM THEODORE W. SEYBOLD AND DOROTHY  
 4 W. SEYBOLD.

5 WHEREAS, Theodore W. Seybold and Dorothy W. Seybold  
 6 own that certain parcel of real property hereinafter described,  
 7 and

8 WHEREAS, the City of Modesto desires to acquire said  
 9 parcel of real property hereinafter described for use for muni-  
 0 cipal purposes,

11 NOW, THEREFORE, the Council of the City of Modesto does  
 12 ordain as follows:

13 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
 14 following described real property from Theodore W. Seybold and  
 15 Dorothy W. Seybold, husband and wife, individuals, for the sum  
 16 of Two Thousand and no/100ths (\$2,000.00) Dollars, in accordance  
 17 with the provisions of that certain agreement referred to in  
 18 Section 2 of this ordinance, plus costs of title insurance and  
 19 transfer of said property, including the cost of the policy of  
 20 title insurance, is hereby approved. Said real property is  
 21 described as follows:

22 All that portion of Block 206 of the CITY OF  
 23 MODESTO, as per map filed March 3, 1930 in Vol.  
 24 12 of Maps, described as follows:

25 Beginning at a point on the West line of Block  
 26 206 being on the East line of James Street  
 27 and the Southerly line of La Loma (a street)  
 28 as said streets existed on March 23, 1955;  
 29 thence South along the East line of James Street  
 30 39.32 feet; thence East and parallel to the  
 31 South line of said Block 206, 75 feet; thence  
 32 North and parallel to the East line of James  
 Street to a point at the intersection of the  
 Southerly line of said La Loma, 17.52 feet;  
 thence Westerly along the Southerly line of  
 La Loma on a curve with a radius of 1092 feet,  
 central angle of 17° 53', a distance of 78.11  
 feet to the point of beginning.

The above described property is also described  
 as portion of Lot 6 in Block 206 of La Loma Terrace  
 as per map filed February 26, 1938 in Vol. 11 of  
 Maps, page 39, and also as portion Lot 6 Block 206

1 of the City of Modesto as per map filed December 21,  
2 1942 in Vol. 15 of Maps, described as follows:

3 Beginning at the Northwest corner of Lot 6 in Block  
4 206; thence South along the West line of said Lot  
5 39.42 feet; thence East and parallel with the South  
6 line of said Lot 6, 75 feet to the East line thereof;  
7 thence North along the East line of said Lot 6, 17.52  
8 feet to the Northeast corner thereof; thence North-  
9 westerly along the Northerly line of said Lot 6 on a  
10 curve with a radius of 1092 feet, central angle of  
11  $17^{\circ} 53'$ , a distance of 73.11 feet to the point of  
12 beginning.

13 SECTION 2. APPROVAL OF AGREEMENT. That certain  
14 agreement between the City of Modesto and Theodore W. Seybold  
15 and Dorothy W. Seybold, relating to the purchase of certain real  
16 property for municipal purposes, a copy of which is on file in the  
17 Office of the City Clerk of the City of Modesto, is hereby approved,  
18 and the City Manager and the City Clerk are hereby authorized to  
19 execute and attest said agreement, respectively, on behalf of the  
20 City of Modesto and do all things necessary to carry out the  
21 terms of said agreement.

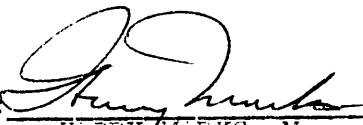
22 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
23 of Modesto hereby accepts the deed from Theodore W. Seybold and  
24 Dorothy W. Seybold, conveying the above described property to  
25 the City of Modesto and hereby authorizes the City Clerk to record  
26 said deed with the Recorder of Stanislaus County.

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

30 SECTION 5. PUBLICATION. This ordinance shall be pub-  
31 lished in full at least once at least three (3) days prior to  
32 its final adoption in the Modesto Journal and the Valley Citizen,  
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 19  
day of September, 1956, by Councilman Robinson, who  
moved its introduction and passage to print, which motion being

1 duly seconded by Councilman Anderson, was upon roll call  
2 carried and ordered printed and published by the following vote:  
3 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
4 NOES: Councilmen: Robinson, Mayor Marks  
5 ABSENT: Councilmen: None

6  
7 APPROVED:   
8 HARRY MARKS, Mayor


9  
10 ATTEST   
11 ANNE M. COLLINS, Assistant City Clerk


12 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3 day of October, 1956, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 18, 1956

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
2 CERTAIN REAL PROPERTY BY THE CITY OF MODESTO  
3 FROM ISABEL M. HEIMANN, HARRY D. CROW, LENNA B.  
4 CROW AND DORIS E. WILLIAMS.

5 WHEREAS, Isabel M. Heimann, Harry D. Crow, Lenna B. Crow,  
6 and Doris E. Williams own that certain parcel of real property  
7 hereinafter described for use for municipal purposes,

8 NOW, THEREFORE, the Council of the City of Modesto does  
9 ordain as follows:

10 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
11 following described real property from Isabel M. Heimann, Harry D.  
12 Crow, Lenna B. Crow and Doris E. Williams, individuals, for the  
13 sum of Two Hundred Fifty Thousand and no/100ths (\$250,000.00)  
14 Dollars in accordance with the provisions of that certain agreement  
15 referred to in Section 2 of this ordinance, plus costs of title  
16 insurance and transfer of said property, including the cost of  
17 the policy of title insurance, is hereby approved. Said real  
18 property is described as follows:

19 All that certain real property situate in the  
20 City of Modesto, County of Stanislaus, State of  
21 California, described as follows, to-wit:

22 Lots 10, 11, 12, 13, 14, 15 and 16 in Block 69  
23 of the CITY OF MODESTO, according to the Official  
24 Map thereof, filed in the office of the Recorder  
25 of Stanislaus County, California, on December 21,  
26 1942 in Volume 15 of Maps.

27 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
28 ment between the City of Modesto and Isabel M. Heimann, Harry D.  
29 Crow, Lenna B. Crow and Doris E. Williams, relating to the pur-  
30 chase of certain real property for municipal purposes, a copy of  
31 which is on file in the Office of the City Clerk of the City of  
32 Modesto, is hereby approved, and the City Manager and the City  
33 Clerk are hereby authorized to execute and attest said agreement,  
34 respectively, on behalf of the City of Modesto and do all things  
35 necessary to carry out the terms of said agreement.

36 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City

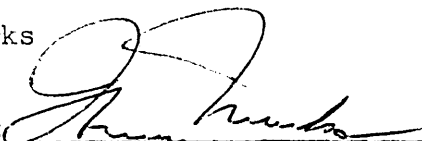
1 of Modesto hereby accepts the deed from Isabel M. Heimann, Harry  
2 D. Crow, Lenna B. Crow and Doris E. Williams, conveying the  
3 above described property to the City of Modesto and hereby  
4 authorizes the City Clerk to record said deed with the Recorder  
5 of Stanislaus County.

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


9 SECTION 5. PUBLICATION. This ordinance shall be  
10 published in full at least once at least three (3) days prior to  
11 its final adoption in the Modesto Journal and the Valley Citizen,  
12 the official newspaper of the City of Modesto.

13 The foregoing ordinance was introduced at a regular  
14 meeting of the Council of the City of Modesto held on the 26  
15 day of September, 1956, by Councilman Merrill, who  
16 moved its introduction and passage to print, which motion being  
17 duly seconded by Councilman Robinson, was upon roll  
18 call carried and ordered printed and published by the following  
19 vote:

20 AYES: Councilmen: Adams, Arata, Merrill, Robinson, Mayor Pro  
21 Tempore Hammond  
22 NOES: Councilmen: Anderson  
23 ABSENT: Councilmen: Mayor Marks

24 APPROVED: 

HARRY MARKS, Mayor

25 ATTEST: 

26 CITY CLERK

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28 (SEAL)  
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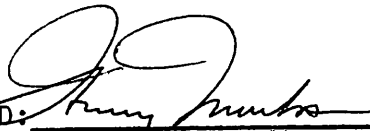
FINAL ADOPTION CLAUSE

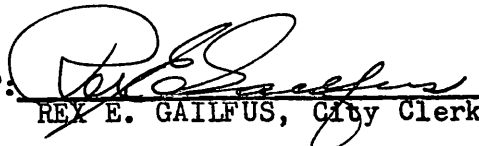
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1 day of October, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Arata, and upon roll call failed of adoption by the following vote:

AYES: Councilmen: Anderson, Arata and Merrill

NOES: Councilmen: Adams, Hammond, Robinson and Mayor Marks

ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: ~~failed of adoption~~

1 AN ORDINANCE REPEALING ORDINANCE NO. 573-N.S.  
2 ENTITLED "AN ORDINANCE PROVIDING FOR THE  
3 CREATION AND ORGANIZATION OF A BOARD OF PARK  
4 COMMISSIONERS AND REPEALING ORDINANCES NO.  
5 377-N.S., 439-N.S. AND ORDINANCE NO. 83-N.S.  
6 ENTITLED 'AN ORDINANCE REGULATING THE PLANTING,  
7 REMOVAL AND CARING FOR TREES AND SHRUBS IN THE  
8 STREETS OF THE CITY OF MODESTO', AND REPEALING  
9 ALL ORDINANCES IN CONFLICT THEREWITH";

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


12 SECTION 1. REPEALS. Ordinance No. 573-N.S. entitled  
13 "An Ordinance Providing for the Creation and Organization of a  
14 Board of Park Commissioners and Repealing Ordinances No. 377-N.S.,  
15 439-N.S. and Ordinance No. 83-N.S. entitled 'An Ordinance Regulat-  
16 ing the Planting, Removal and Caring for Trees and Shrubs in the  
17 Streets of the City of Modesto', and Repealing all Ordinances in  
18 Conflict Therewith", adopted by the Council of the City of Modesto  
19 on May 25, 1938, is hereby repealed.

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

23 SECTION 3. PUBLICATION. This ordinance shall be pub-  
24 lished in full at least once at least three (3) days prior to its  
25 final adoption in the Modesto Journal and the Valley Citizen, the  
26 official newspaper of the City of Modesto.

27 The foregoing ordinance was introduced at a regular  
28 meeting of the Council of the City of Modesto held on the 26th  
29 day of September, 1956, by Councilman Arata, who  
30 moved its introduction and passage to print, which motion being duly  
31 seconded by Councilman Adams, was upon roll call carried  
32 and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson  
and Mayor Pro Tempore Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Mayor Marks


APPROVED:   
MAYOR PRO-TEMPORE


ATTEST:   
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of October, 1956, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 25, 1956

1 AN ORDINANCE APPROVING A LEASE AGREEMENT WITH  
2 THE YOSEMITE AREA COUNCIL BOY SCOUTS OF AMERICA,  
3 RELATING TO THE RENTAL OF CERTAIN ROOMS IN THE  
4 MODESTO COMMUNITY SERVICE CENTER IN THE CITY OF  
5 MODESTO.

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

8 SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain  
9 Lease Agreement between the City of Modesto and the Yosemite Area  
10 Council Boy Scouts of America, relating to the rental of rooms  
11 in the Modesto Community Service Center designated as No. 201,  
12 203, and 205 on a copy of the floor plan of said premises, on file  
13 in the office of the City Clerk of the City of Modesto is hereby  
14 approved and the City Manager and City Clerk are hereby authorized  
15 to execute said Lease Agreement on behalf of the City and do all  
16 things necessary to carry out the terms of said Lease Agreement.

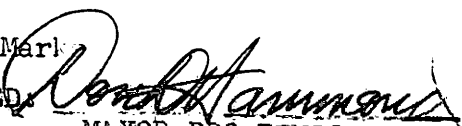
17 SECTION 2. EFFECTIVE DATE. This ordinance shall go  
18 into effect and be in full force and operation from and after fif-  
19 teen (15) days after its final passage and adoption.

20 SECTION 3. PUBLICATION. This ordinance shall be pub-  
21 lished in full at least once at least three (3) days prior to  
22 its final adoption in the Modesto Journal and the Valley Citizen,  
23 the official newspaper of the City of Modesto.

24 The foregoing ordinance was introduced at a regular  
25 meeting of the Council of the City of Modesto held on the 26  
26 day of September, 1956, by Councilman Anderson, who  
27 moved its introduction and passage to print, which motion being  
28 duly seconded by Councilman Arata, was upon roll call  
29 carried and ordered printed and published by the following vote:

30 AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor  
31 Pro Tempore Hammond  
32 NOES: Councilmen: None  
33 ABSENT Councilmen: Merrill and Mayor Mark

APPROVED: 

  
MAYOR - PRO TEMPORE


ATTEST:   
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of October, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following votes:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 25, 1956

ORDINANCE NO. 117-C.S.

AN ORDINANCE AMENDING SECTION MAP 17 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 17 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 3 day of October, 1956, by Councilman Anderson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Merrill, upon roll call failed of adoption by the following vote:

AYES: Councilmen: Anderson and Merrill


NOES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor Marks

ABSENT: Councilmen: None

APPROVED

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

(SEAL)

1 AN ORDINANCE AMENDING SECTION 8-2.106 OF CHAPTER  
2 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE RE-  
3 LATING TO EXEMPTIONS FROM SALES AND USE TAX.

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

6 SECTION 1. AMENDMENT OF CODE. Section 8-2.106 of  
7 Article 1 of Chapter 2 of Title VIII of the Modesto Municipal  
8 Code is hereby amended to read as follows:

9 SEC. 8-2.106. EXEMPTIONS. (a) No sales tax shall  
10 be due hereunder if a sales tax imposed by any other  
11 city of the State has been paid on the same trans-  
12 action. No use tax shall be due hereunder if a  
13 sales tax imposed by any city of the State is due or  
14 has been paid on the same transaction.

15 (b) In addition to the exemptions contained in  
16 Part 1 of Division 2 of the Revenue and Taxation  
17 Code of the State of California, there shall be ex-  
18 cluded from the computation of the tax the following:

19 (1) Sales or purchases of meals, food and  
20 drinks sold or served on common carriers operating  
21 into, through or out of the City from or to points  
22 outside the City.

23 (2) Sales or purchases of property im-  
24 ported into this State from a foreign country and  
25 sold by the importer in the original package in which  
26 imported.

27 (3) Sales or purchases of property sold  
28 to foreign purchasers for shipment abroad and delivered  
29 to a ship, airplane, or other conveyance furnished  
30 by the purchaser for the purpose of carrying the  
31 property abroad and actually carried to a foreign  
32 destination, title and control of the property passing  
to the foreign purchaser upon delivery, and no portion  
of the property being used or consumed in the United  
States. Copies of U. S. Customs shippers' exports  
declarations filed with the Collector of Customs must  
be obtained and retained by retailers to support de-  
ductions taken under this sub-section. Tax applies to  
the transaction if the property is diverted in transit  
or for any reason not actually delivered outside the  
State pursuant to the contract of sale or not shipped  
abroad by a foreign purchaser, regardless of docu-  
mentary evidence held by the retailer of delivery of  
the property to a carrier for shipment outside the  
State, or to a foreign purchaser for shipment abroad.

(4) Sales or purchases of property mailed  
by the seller, pursuant to the contract of sale, to  
persons in the armed forces at points outside contin-  
ental United States, notwithstanding the property is  
addressed in care of the Postmaster at San Francisco  
and forwarded by him to the addressee.

1 When mail is addressed to Army Post Offices  
2 (A.P.O.'s) in care of the Postmaster at San Francisco  
3 or to naval forces addressed in care of the Postmaster  
4 at San Francisco, it will be presumed that it is  
5 forwarded outside California. The seller must keep  
6 records showing the names and addresses as they appear  
7 on the mailing matter and should keep evidence that the  
8 mailing was done by him.

9 (5) Sales or purchases of property shipped  
10 to a point outside this State pursuant to the contract  
11 of sale when the property is marked for export and de-  
12 livered by the retailer to the "contracting officer",  
13 "officer in charge", "port quartermaster", or other  
14 officer of the United States for transportation and  
15 delivery to the purchaser at such a point.

16 (6) Sales or purchases of property to or by  
17 operators of common carriers and waterborne vessels to  
18 be used or consumed, in the operation of such common  
19 carriers or waterborne vessels, principally outside  
20 the city.

21 (c) No tax shall be due hereunder for sales of  
22 airplanes and parts and equipment for airplanes trans-  
23 ported to a point outside this city pursuant to the  
24 contract of sale when such property is delivered to  
25 the United States Air Force or any other agency or in-  
26 strumentality of the United States for transportation  
27 and delivery to the purchaser or someone designated by  
28 him at that point.

29 SECTION 2. EFFECTIVE DATE. This ordinance shall go  
30 into effect and be in full force and operation on and after  
31 January 1, 1957.

32 SECTION 3. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to  
its final adoption in the Modesto Journal and the Valley Citizen,  
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 3  
day of October, 1956, by Councilman Hammond,  
who moved its introduction and passage to print, which motion being  
duly seconded by Councilman Merrill, was upon roll  
call carried and ordered printed and published by the following

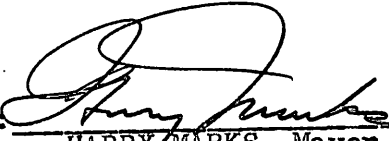
1 vote:

2 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks


3 NOES: Councilmen: None

4 ABSENT: Councilmen: None

5 APPROVED:

  
HARRY MARKS, Mayor

6  
7 ATTEST:

  
RES. E. GAILFUS, City Clerk

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10 (SEAL)


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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14 day of November, 1956, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson  
NOES: Councilmen: Mayor Marks  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: Jan 1 - 1957

AN ORDINANCE AMENDING SECTION 4-1.802 OF THE  
MODESTO MUNICIPAL CODE RELATING TO THE  
REGULATION OF SKATING RINKS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-1.802 of  
Article 8 of Chapter 1 of Title IV of the Modesto Municipal Code  
is hereby amended to read as follows:

SEC. 4-1.802. SKATING RINKS, REGULATION OF. It shall  
be unlawful and a misdemeanor for any person owning  
or operating a skating rink, where roller skates are  
used, to keep the same open for skating later than the  
hour of 12 o'clock P.M. and earlier than the hour of  
8 o'clock A.M. save and except that on Friday and  
Saturday nights of each week, said skating rink may  
be operated and may remain open from the hour of  
8 o'clock A.M. to the hour of 12:30 o'clock A.M.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to its  
final adoption in the Modesto Journal and the Valley Citizen, 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 3  
day of October, 1956, by Councilman Arata, who  
moved its introduction and passage to print, which motion being  
duly seconded by Councilman Hammond, was upon roll call  
carried and ordered printed and published by the following vote:

- AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of October, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Merrill

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 1, 1956

1 AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES FOR EXPENDITURE  
2 DURING THE 1956-57 FISCAL YEAR AND ALLOCATING THEM FOR THE  
3 GENERAL RESERVE.

4 WHEREAS, it is anticipated that an additional sum of \$15,072.00  
5 not heretofore appropriated will be received during the 1956-57  
6 fiscal year from property tax rates levied after adoption of the  
7 budget, and

8 WHEREAS, the Council desires to increase the general reserve  
9 of the general fund to provide for expenditures during the 1956-57  
10 fiscal year which may be hereafter approved by them and for which  
11 funds have not been appropriated, and

12 WHEREAS, the Council by resolution authorized the Director  
13 of Finance to accept advance green fees for the proposed 18-hole  
14 golf course and has ordered that such fees shall be placed in the  
15 General Fund to be expended for the development of the proposed  
16 18-hole golf course, and

17 WHEREAS there has been received a sum of \$2,200 in advance  
18 green fees not heretofore appropriated,

19 NOW, THEREFORE, the Council of the City of Modesto does  
20 ordain as follows:

21 SECTION 1. Appropriation. The sum of \$ 15,072.00 which  
22 is estimated to be received from property taxes and deposited into  
23 the General Fund during the 1956-57 fiscal year, not heretofore  
24 appropriated, is hereby appropriated as follows:

25  
26 PURPOSE  
GENERAL RESERVE

27 AMOUNT  
28 \$ 15,072.00

29 and the sum of \$2,200 which has been received as advance green  
30 fees, not heretofore appropriated, is hereby appropriated as follows:  
31  
32

PURPOSE  
Golf Course Budget - Capital Outlay  
18-hole Golf Course

Amount \$2,200.60

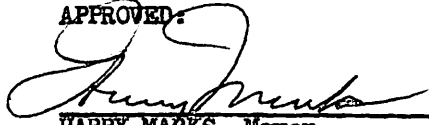
SECTION 2. Effective Date. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 3. Publication. This ordinance shall be published in full at least once in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

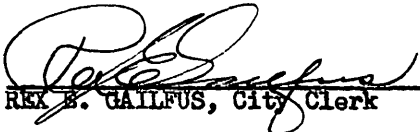
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of October, 1956, by Councilman Arata, who moved its adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried by the following vote:

AYES: COUNCILMEN: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: COUNCILMEN: None  
ABSENT: COUNCILMEN: None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

1 AN ORDINANCE APPROVING A LEASE AGREEMENT WITH  
2 THE LEAGUE OF WOMEN VOTERS OF MODESTO, RELATING  
3 TO THE RENTAL OF ROOM NO. 200 IN THE MODESTO  
4 COMMUNITY SERVICE CENTER IN THE CITY OF MODESTO.

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

7 SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain  
8 Lease Agreement between the City of Modesto and the League of  
9 Women Voters of Modesto, relating to the rental of a room in the  
10 Modesto Community Service Center designated as No. 200 on a copy  
11 of the floor plan of said premises, on file in the office of the  
12 City Clerk of the City of Modesto, is hereby approved, and the  
13 City Manager and City Clerk are hereby authorized to execute said  
14 Lease Agreement on behalf of the City and do all things necessary  
15 to carry out the terms of said Lease Agreement.

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

19 SECTION 3. PUBLICATION. This ordinance shall be pub-  
20 lished in full at least once at least three (3) days prior to  
21 its final adoption in the Modesto Journal and the Valley Citizen,  
22 the official newspaper of the City of Modesto.

23 The foregoing ordinance was introduced at a regular  
24 meeting of the Council of the City of Modesto held on the 3  
25 day of October, 1956, by Councilman Adams, who  
26 moved its introduction and passage to print, which motion being  
27 duly seconded by Councilman Robinson, was upon roll call  
28 carried and ordered printed and published by the following vote:

29 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
30 Robinson and Mayor Marks

31 NOES: Councilmen: None

32 ABSENT: Councilmen: None

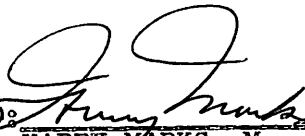
APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7 day of November, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: November 22, 1956

ORDINANCE NO. 123-C.S.

AN ORDINANCE PROVIDING FOR THE SALE OF SURPLUS, USELESS AND UNCLAIMED PERSONAL PROPERTY.

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

SECTION 1. The City Manager 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 surplus and of no use to the city, to-wit:

3 Traffic Counters

1 Paint Machine

Miscellaneous Electrical Fixtures

1 Offset Duplicator

2 Large Book Easels

2 Edison Transcribers

3 Edison Voicewriters

1 Edison Record Shaver

1 Royal 12-inch typewriter

1 Copy Stand

1 Desk Lamp

1 Coffee Table

1 Footstool

1 Airtool Clayspade Size 58

1 Airtool Light Jack hammer

1 Leadite Kettle

1 G.E. 75-h.p. Electric Motor

1 Deep well turbine pump

4 Single-nose fire hydrants

16 Two-light cast iron street light standards

5 One-light street light standards

2 One-light corrugated iron street light standards

Scrap steel

scrap cast iron

Scrap Copper wire

Scrap Brass

Scrap Aluminum

Scrap Tin

SECTION 2. The City Manager is hereby authorized and directed to sell the following described personal property now in the possession of the City Police Department, which has been unclaimed for a period of at least six months, to-wit:

- 27 bicycles, assorted
- 3 dog collars
- 4 watches
- 15 purses
- 1 drive-in type tray
- 1 set door knobs
- 3 BB guns
- 2 crow bars
- 1 auto battery
- 4 rubber boots
- 5 pr. shoes
- 1 skill saw
- 1 garden shovel
- 1 electric drill
- 1 gas motor
- 2 hunting knives
- 1 camera w/case
- 4 boxes clothing
- 4 boxes tools
- 15 pr. glasses
- 3 raincoats
- 16 coats and jackets
- 5 rings
- 4 fender skirts
- 1 camera
- 5 pr. gloves
- 1 set carpenter tools w/metal box
- 1 set carpenter tools w/wood box
- 4 air filter pads
- 1 box tin can lids

1 rubber floor mat  
2 toy pistols and holsters  
1 golf club  
6 wallets  
1 tennis racket  
10 new golf balls  
3 flashlights  
1 whiskey flask  
4 baseballs  
1 pkg. mens' underclothes  
3 cans black pepper  
1 candy dispenser  
2 belts  
1 flute  
1 pr. binoculars  
1 battery tester  
1 pc. rawhide  
5 towels  
1 parking meter head  
1 lubricator  
1 box groceries  
3 cans groceries  
6 satchels and/or suitcases  
1 clock  
3 pr. bumper guards  
2 radios  
2 milk cans  
1 toy drum  
1 hydraulic jack  
2 car jacks  
1 mailbox  
1 vacuum cleaner  
1 boots leather  
4 5-gallon gas cans

6 blankets  
4 pr. trousers  
1 lantern  
2 hats  
8 handkerchiefs  
6 pr. socks  
9 shirts  
2 sweaters  
1 bedspread  
15 records  
1 box tile  
1 roll copper wire  
1 sleeping bag  
3 Navy blouses  
5 pr. mens' shorts  
4 tee shirts  
1 undershirt  
1 pr. swimming trunks  
1 womans' suit  
1 horse collar  
1 canvas belt w/canteen, sheath knife, first aid kit  
1 boat seat  
1 710 x 15 inner tube  
1 box containing cuff links, tie clasp, pen and pencil  
1 blinker lamp  
1 lunch box  
1 box needles  
1 toy pistol  
1 bag miscellaneous items  
1 hook cuff  
1 dispenser  
39 chrome hub caps  
22 gas caps

SECTION 3. The foregoing sales shall be made at public auction in the City of Modesto. The City Manager is hereby authorized to fix the time and place for said sales. At least five (5) days before the time fixed for each sale, the City Clerk shall cause notice thereof to be published once in the Modesto Journal and Valley Citizen, the official newspaper of the City of Modesto. Said notice shall set forth the time and place of the sale and the items of property to be offered for sale.

The sale shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold at said auction sales shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

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 at least three days prior to its final adoption in the Modesto Journal and Valley Citizen, the official newspaper of the City of Modesto.

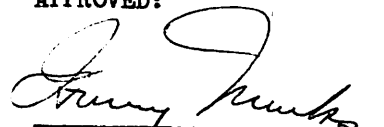
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of October, 1956, by Councilman Anderson who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks


NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

  
Harry Marks, Mayor

ATTEST:


  
Rex E. Gallfus, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24 day of October, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill and Mayor Pro  
Tempore Hammond  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson and Mayor Marks

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 8, 1956

AN ORDINANCE ADDING CHAPTER 7, ENTITLED "LICENSING AND REGULATION OF AMBULANCES" TO TITLE III OF THE MODESTO MUNICIPAL CODE.

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

SECTION 1. Chapter 7, entitled "Licensing and Regulation of Ambulances" is hereby added to Title III of the Modesto Municipal Code to read as follows:

CHAPTER 7 - LICENSING AND REGULATION OF AMBULANCES

SEC. 3-7.01. DEFINITION. Ambulance means any privately owned vehicle equipped or used for transporting those who are wounded, injured, or sick, and shall include, but is not restricted to, emergency vehicles used for such purposes.

SEC. 3-7.02. LICENSE REQUIRED. No person shall engage in the business of operating an ambulance upon the streets of the City without first obtaining a license as provided in this chapter and paying the business license fees provided in Title VI.

SEC. 3-7.03. APPLICATION FOR LICENSE. An application for a license for the operation of an ambulance shall be filed with the Director of Finance upon forms provided by the City. Each application shall be verified under oath and shall furnish the following information:

(a) The name, business, and residence address and citizenship status of the applicant;

(b) The experience of the applicant in the transportation and care of sick or injured persons;

(c) The number and type, age, condition and patient capacity of each private ambulance proposed to be operated by the applicant, and the location and description of the premises which are to serve as the base of operations;

(d) The color scheme to be used to designate the private ambulance or private ambulances of the applicant;

(e) The names, addresses, and experience in first

aid of each driver and helper employed or to be employed and his driving experience; and

(f) Such further information as the Director of Finance may require.

SEC. 3-7.04. FILING FEE. An application as required by this chapter shall be accompanied by a filing fee of Five and no/100ths (\$5.00) Dollars for one private ambulance and Two and 50/100ths (\$2.50) Dollars for each additional private ambulance for which application for a license is made, to cover administrative and other costs incident to such application.

SEC. 3-7.05. DUTIES OF THE DIRECTOR OF FINANCE. (a) Except as provided in paragraph (b) hereof, the Director of Finance shall issue a license to applicant under this chapter when he finds:

- (1) That the ambulances and premises have been approved by the Health Officer;
- (2) That insurance policies as required by this chapter have been provided;
- (3) That the applicant and all attendants and drivers are fit and proper persons to conduct the work in the proposed business;
- (4) That all of the requirements of this chapter and all other governing laws have been met.

(b) Any person engaging in business as a mortician shall not be eligible to obtain a license for the operation of an ambulance.

SEC. 3-7.06. LIABILITY INSURANCE. No license for the operation of an ambulance shall be issued, nor shall such license be valid after issuance, nor shall any ambulance be operated unless there is at all times in force and effect to provide adequate protection against liability for damages which may be or have been imposed for each negligent operation of each such ambulance, its driver, or attendant a liability insurance policy or policies approved by the Director of Finance and issued by an insurance company authorized to do business in the State of California.

Such policy or policies shall provide protection against liability of the licensee of an ambulance for the payment of damages in amounts, at least, as follows:

In the amount of One Hundred Thousand and no/100ths (\$100,000.00) Dollars on account of bodily injuries to, or death, of one person;

In the amount of Two Hundred Thousand and no/100ths (\$200,000.00) Dollars against the total liability of the licensee on account of bodily injuries to, or death of, more than one person as a result of any one accident;

In the amount of Ten Thousand and no/100ths (\$10,000.00) Dollars for one accident resulting in damage or destruction of property, whether the property of one or more than one claimant.

A liability insurance policy required by this section shall inure to the benefit of any persons who shall be injured or who shall sustain damage to property proximately caused by the negligence of the licensee insured by such policy, his employees or agents.

Satisfactory evidence that the liability insurance required by this section is at all times in full force and effect shall be furnished the Director of Finance by each licensee required to provide such insurance.

SEC. 3-7.07. TRANSFER OF LICENSE. No license for the operation of an ambulance may be sold, assigned, mortgaged, or otherwise transferred without the consent of the Director of Finance.

Application for transfer of any license for an ambulance shall be subject to the same terms, conditions, and requirements as is the application for an original license.

SEC. 3-7.08. EQUIPMENT AND MAINTENANCE. (a) Prior Inspection - Equipment Required. Prior to the initial use and operation of any vehicle as an ambulance, said vehicle and the premises from which it is to be operated shall be thoroughly examined and inspected by the Health Officer for safety and sanitation and thereafter its licensee shall be required to comply with such reasonable rules and regulations relating to safety and sanitation as may be prescribed by the Health Officer. Such

rules and regulations shall specify among other things such safety and sanitary equipment and regulatory devices as the Health Officer shall deem necessary.

(b) Periodic Inspections. Every ambulance, as well as the premises from which it is operated, shall be periodically inspected by the Health Officer at such times as shall be designated by him.

(c) Unsafe Ambulances. No ambulance which is unsafe or in any way unsuitable for ambulance service shall be operated.

SEC. 3-7.09. AMBULANCES: COLOR SCHEME. The licensee of every ambulance shall adopt a color scheme, and, after approval thereof by the Director of Finance, shall apply such color scheme to each ambulance authorized by a particular license. The Director of Finance shall not approve nor permit adoption or application of any color scheme which imitates or conflicts with any other color scheme authorized by this chapter, or which is misleading or would tend to deceive the public.

No sign, letter, color, appliance, or thing of decorative or distinguishing nature shall be attached or applied to any ambulance other than such as have been approved by the Director of Finance in the color scheme authorized for each such private ambulance.

SEC. 3-7.10. ADDITIONAL VEHICLES. Any person holding a license to operate one or more ambulances as provided in this chapter, who desires to add to the number of such vehicles, shall do so only by obtaining a license therefor from the Director of Finance, which shall be granted only upon an application made in the same manner and under the same proceedings as are required in the instance of obtaining the original license as required by this chapter.

SEC. 3-7.11. SUBSTITUTE VEHICLES. Any person holding a license to operate one or more ambulances as provided in this chapter, who desires to substitute a different vehicle for a

vehicle operated under such license, shall do so only upon obtaining from the Director of Finance permission therefor, which shall be granted only upon written application setting forth the particulars of such proposed substitution, and upon otherwise complying with the requirements of this chapter.

SEC. 3-7.12. CHAUFFEUR'S LICENSE. No person shall operate an ambulance upon the streets of the City, and no licensee for the operation of an ambulance shall permit it to be so driven at any time, for hire, unless the driver of said ambulance shall have first obtained and shall have then in force a current chauffeur's license issued by the State of California.

SEC. 3-7.13. PERMIT FOR DRIVERS AND ATTENDANTS. No person shall drive or serve as an attendant of an ambulance licensed under this chapter without first obtaining a permit in writing to do so from the Chief of Police.

SEC. 3-7.14. APPLICATION FOR DRIVERS' AND ATTENDANTS' PERMIT. Applications for permits under Section 3-7.13 shall be made upon blank forms furnished by the City and shall contain:

(a) A statement giving applicant's full name, present residence address, and any other residence address during the past year.

(b) Age, sex, marital status, weight, height, color of eyes and hair, whether or not the applicant has ever been convicted of a felony or misdemeanor, giving particulars of each such conviction; and

(c) Whether applicant has previously been licensed as a driver, chauffeur, or attendant, and, if so, when and where, and whether his license has ever been revoked or suspended and for what cause.

SEC. 3-7.15. APPLICATION FEE. Applicants for drivers' and attendants' permits shall pay to the Director of Finance a fee of \$3.00 for each application. A copy of the receipt for fees paid, shall be filed with the Chief of Police.

**SEC. 3-7.16. ISSUANCE OF PERMIT.** (a) The Chief of Police shall issue a permit when he finds that the applicant:

- (1) For a driver's permit is of the age of twenty-one (21) years or over;
- (2) For an attendant's permit is of the age of eighteen (18) years or over;
- (3) Is morally fit for the position;
- (4) Is able to speak, read, and write the English language;
- (5) Has an adequate knowledge of first aid; and
- (6) Has complied with the requirements of this chapter and all other governing laws and ordinances.

(b) No permit shall be issued to any of the following persons:

- (1) Any person who has been convicted of a felony or a crime involving moral turpitude, use or possession of narcotics, or for operating a vehicle under the influence of intoxicating liquor within the five (5) years immediately preceding application for a permit; or
- (2) Any person who himself handles the dead.

**SEC. 3-7.17. NATURE OF PERMIT.** The permit shall be in the form of a card which shall bear the signature, photograph, and fingerprints of the applicant. Such card shall be issued in duplicate, and one copy with the fingerprints, photograph, and signature of the applicant shall be placed on file with the Chief of Police. The other card shall be carried on the person of the permittee at all times while driving or serving as an attendant of an ambulance.

**SEC. 3-7.18. REVOCATION OF PERMIT.** The Chief of Police may revoke any permit issued by him when, in his opinion, the permittee is unfit to serve as an attendant or driver of an ambulance under the qualifications prescribed in this chapter.

**SEC. 3-7.19. REVOCATION OF LICENSES.** The City Council, after a public hearing, may revoke any license granted pursuant to this chapter on any one or more of the following grounds;

(a) That the license was obtained by fraud or misrepresentation;

(b) That the licensee has failed to operate an ambulance in accordance with the provisions and requirements of this chapter;

(c) That the Council finds that the licensee's past record is unsatisfactory;

(d) That the licensee has ceased to operate any ambulance for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council.

SEC. 3-7.20. SUPPLEMENTAL REGULATIONS. The provisions of this chapter shall be deemed as supplemental to the provisions of Title VI relating to the business license tax and any other pertinent laws or ordinances of the City.

SECTION 2. REPEALS. Section 6-7.101 of Article 1 of Chapter 7 of Title VI of the Modesto Municipal Code is hereby repealed.

SECTION 3. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

The foregoing ordinance was ~~introduced~~ <sup>amended</sup> at a ~~regular~~ <sup>adjourned</sup> meeting of the Council of the City of Modesto held on the      1st day of November, 1956, by Councilman Merrill, who moved its ~~introduction and passage to print~~ <sup>amendment as set forth above, and republication</sup>, which motion being duly seconded by Councilman Hammond, was upon roll call carried and ordered ~~printed and~~ <sup>re</sup> published by the following vote:  
AYES: Councilmen: Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None

ABSENT: Councilmen: Adams

ATTEST:   
REX E. GAILFUS, City Clerk


APPROVED:   
HARRY MARKS, Mayor

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14 day of November, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson, Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED: HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: Nov. 29-1956

1 AN ORDINANCE APPROVING THE LEASING OF CERTAIN  
2 REAL PROPERTY FROM SIDNEY E. LOSHER, SR.,  
3 GUSTAVE T. ALLIBERT AND MARGUERITE ALLIBERT,  
4 AND JESSIE V. TRUEBLOOD FOR OFF-STREET PARKING  
5 PURPOSES AND AUTHORIZING THE EXECUTION OF LEASE  
6 AGREEMENTS IN CONNECTION THEREWITH.

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

8 SECTION 1. APPROVAL OF LEASES. The City of Modesto  
9 hereby approves the leasing of certain real properties for off-  
10 street parking purposes for a term of ten (10) years from Sidney  
11 E. Losher, Sr., Gustave T. Allibert and Marguerite Allibert, and  
12 Jessie V. Trueblood as more particularly described in those  
13 certain lease agreements covering said premises, copies of which  
14 are on file in the Office of the City Clerk in the City of  
15 Modesto, all in accordance with the terms and conditions as set  
16 forth in said lease agreements.

17 SECTION 2. SIGNING AND ATTESTING. The City Manager and  
18 the City Clerk of the City of Modesto are hereby authorized and  
19 empowered to sign and attest, respectively, said lease agreements  
20 on behalf of the City upon this ordinance becoming effective.

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

24 SECTION 4. PUBLICATION. This ordinance shall be pub-  
25 lished in full at least once at least three (3) days prior to its  
26 final adoption in The Modesto Journal and The Valley Citizen, the  
27 official newspaper of the City of Modesto.

28 The foregoing ordinance was introduced at a regular  
29 meeting of the Council of the City of Modesto held on the 17  
30 day of October, 1956, by Councilman Anderson, who  
31 moved its introduction and passage to print, which motion being  
32 duly seconded by Councilman Adams, was upon roll call

1 carried and ordered printed and published by the following vote:

2 AYES: Councilmen: Adams, Anderson, Robinson and Mayor Marks

3 NOES: Councilmen: None

4 ABSENT: Councilmen: Arata, Hammond, Merrill

5  
6 APPROVED:   
HARRY MARKS, Mayor

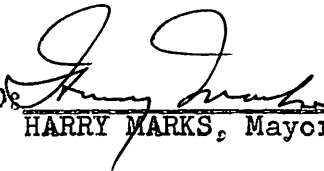
7  
8 ATTEST:   
9 REX E. GAILFUS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 1st day of November, 1956, Councilman Hammond moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Hammond, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams, Arata and Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 16, 1956

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
2 CERTAIN REAL PROPERTY BY THE CITY OF MODESTO  
3 FROM THE MODESTO CITY SCHOOL DISTRICT OF  
4 STANISLAUS COUNTY, CALIFORNIA.

5 WHEREAS, the Modesto City School District of Stanislaus  
6 County, California, owns that certain parcel of real property  
7 hereinafter described, and

8 WHEREAS, the City of Modesto desires to acquire said  
9 parcel of real property hereinafter described for use for  
10 municipal park purposes,

11 NOW, THEREFORE, the Council of the City of Modesto does  
12 ordain as follows:

13 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
14 following described real property from the Modesto City School  
15 District of Stanislaus County, California, for the sum of Six  
16 Thousand Seven Hundred and no/100ths (\$6,700.00) Dollars, in  
17 accordance with the provisions of that certain agreement referred  
18 to in Section 2 of this ordinance, plus costs of title insurance  
19 and transfer of said property, including the cost of the policy  
20 of title insurance, is hereby approved. Said real property is  
21 described as follows:

22 The following described land situate in the City  
23 of Modesto, Modesto Irrigation District, County  
24 of Stanislaus, State of California, to-wit:

25 All that portion of Lot 22 of Maze Ranch Subdivision,  
26 as per map filed March 19, 1909 in Vol. 4 of Maps,  
27 page 18, Stanislaus County Records, described as  
28 follows:

29 Commencing at the corner common to Sections 29, 30,  
30 31, 32, Township 3 South, Range 9 East, M. D. B. & M.,  
31 said corner being also the Southeast corner of said  
32 Lot 22; thence North 0° 34' West along the Section  
line between Sections 29 and 30, and along the East  
line of Lot 22, a distance of 417.90 feet; thence  
North 89° 45' 30" West along the North line of an  
80 foot street known as Locust Street, 339.00 feet  
to the true point of beginning of this description;  
thence continuing North 89° 45' 30" West along the  
North line of Locust Street 319.97 feet to a point  
on the West line of Lot 22; thence North 0° 21' 30"  
East along the West line of Lot 22, a distance of

1 480.07 feet to the Northwest corner of Lot 22,  
2 said corner being also on the center line of  
3 Lateral No. 4 of Modesto Irrigation District;  
4 thence following the center line of Lateral  
5 No. 4 and along the North boundary of Lot 22 the  
6 following three courses and distances: South  
7 79° 49' East 380.88 feet; North 62° 47' East  
8 128.04 feet; North 31° 19' 30" East 251.04 feet  
9 to a point on the West line of Franklin Street;  
10 thence South 0° 34' East along the West line  
11 of Franklin Street 373.47 feet; thence North  
12 89° 45' 30" West 308.13 feet; thence South 0°  
13 24' 30" East 315.00 feet to the true point of  
14 beginning of this description, containing  
15 4.589 acres.

16 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
17 ment between the City of Modesto and the Modesto City School  
18 District, relating to the purchase of certain real property for  
19 municipal purposes, a copy of which is on file in the Office of  
20 the City Clerk of the City of Modesto, is hereby approved, and the  
21 City Manager and the City Clerk are hereby authorized to execute  
22 and attest said agreement, respectively, on behalf of the City of  
23 Modesto and do all things necessary to carry out the terms of  
24 this agreement.

25 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
26 of Modesto hereby accepts the deed from the Modesto City School  
27 District, conveying the above described property to the City of  
28 Modesto and hereby authorizes the City Clerk to record said deed  
29 with the Recorder of Stanislaus County.

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

SECTION 5. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to  
its final adoption in the Modesto Journal and the Valley Citizen,  
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 24

1 day of October, 1956, by Councilman Anderson, who  
2 moved its introduction and passage to print, which motion being  
3 duly seconded by Councilman Arata, was upon roll call  
4 carried and ordered printed and published by the following vote:

- 5 AYES: Councilmen: Adams, Anderson, Arata, Merrill and Mayor Pro  
6 Tempore Hammond  
7 NOES: Councilmen: None  
8 ABSENT: Councilmen: Robinson and Mayor Marks

9 APPROVED: Don Hammond  
10 DON HAMMOND, Mayor Pro  
11 Tempore

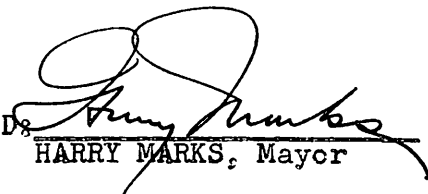
12 ATTEST: Rex E. Gailfus  
13 REX E. GAILFUS, City Clerk

14 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7 day of November, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following votes:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: November 22, 1956

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S.  
2 ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON  
3 THE PUBLIC STREETS OF THE CITY OF MODESTO," AS  
4 AMENDED, TO AMEND SECTION 23 THEREOF RELATING TO  
5 TRAFFIC REGULATIONS AND REPEALING SECTION 1 OF  
6 ORDINANCE NO. 45-C.S.

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

9 SECTION 1. Section 23 of Ordinance No. 345-N.S. entitled  
10 "An Ordinance Regulating Traffic Upon the Public Streets of the  
11 City of Modesto," as amended, is hereby amended to read as follows:

12 Section 23. Through Streets Stop Signs. The  
13 following named streets and parts of streets  
14 are hereby declared to be through streets for  
15 the purposes of this section:

16 BURNEY STREET, from the northerly line of Grand  
17 Avenue to the southwesterly line of La Loma;

18 CALIFORNIA STREET, from the northwesterly line  
19 of H Street to the center line of Franklin  
20 Street;

21 COLLEGE AVENUE, from the northerly line of Needham  
22 Avenue to the northerly line of Orangeburg Avenue;

23 DOWNEY AVENUE, from the easterly line of McHenry  
24 Avenue to the southeasterly line of Scenic Drive;

25 FIFTH STREET, from the southerly line of L Street  
26 to the northwesterly line of H Street, and from  
27 the southeasterly line of H Street to the northerly  
28 line of Sierra Drive;

29 FOURTEENTH STREET, from the northwesterly line of  
30 D Street to the southeasterly line of H Street, and  
31 from the northwesterly line of H Street to the  
32 southeasterly line of J Street;

G STREET, from the northeasterly line of Ninth Street  
to the southwesterly line of Fourteenth Street;

H STREET, from the center line of Washington Street  
to the southwesterly line of Ninth Street and from  
the northeasterly line of Ninth Street to the  
westerly line of Burney Street;

I STREET, from the northeasterly line of Fifth Street  
to the southwesterly line of Ninth Street;

L STREET, from the northeasterly line of Ninth Street  
to the southerly line of Needham Avenue;

LA LOMA from the westerly line of Burney Street to  
the northerly line of Yosemite Boulevard;

R EPEALED ORD 234CS  
R EPEALED ORD 254CS

1 MILLER AVENUE, from the northeasterly line of  
2 La Loma to the westerly line of El Vista Avenue;

3 NEEDHAM AVENUE, from the northeasterly line of  
4 Ninth Street to the easterly line of McHenry  
5 Avenue;

6 PARADISE AVENUE, from the center line of Wash-  
7 ington Street to the center line of Franklin  
8 Street;

9 SCENIC DRIVE, from the northerly line of Downey  
10 Avenue to the city limit;

11 SEVENTH STREET, from the southeasterly line of  
12 Tuolumne Boulevard to the southeasterly line of  
13 H Street;

14 SIERRA DRIVE, from the northeasterly line of  
15 Fifth Street to the southwesterly line of Seventh  
16 Street;

17 SUTTER AVENUE, from the southerly line of Nian Way  
18 to the southeasterly line of Paradise Road;

19 TENTH STREET, from the southerly line of Needham  
20 Avenue to the northwesterly line of L Street;

21 TUOLUMNE BOULEVARD, from the southeasterly line  
22 of Paradise Road to the southwesterly line of  
23 Seventh Street;

24 WASHINGTON STREET, from the northwesterly line of H  
25 Street to the southerly line of Maze Boulevard.

26 The Traffic Engineer is hereby authorized to erect  
27 and maintain, or cause to be erected and maintained,  
28 at specified entrances to said through streets,  
29 stop signs requiring all operators of vehicles to  
30 stop at said signs before entering said through  
31 streets.

32 The Council is hereby authorized, by resolution, to  
designate any intersection under its exclusive  
jurisdiction as a stop intersection and cause stop  
signs to be erected at one or more entrances there-  
to. It shall be unlawful to fail to obey any such  
sign.

SECTION 2. SAVINGS CLAUSE. Nothing herein contained  
shall be construed as changing or modifying in any way that portion  
of any ordinance herein amended or repealed or any resolution  
appertaining thereto, by the terms of which through highways or  
boulevards have been heretofore created in the City of Modesto, and  
which are now posted with stop signs.

1 SECTION 3. REPEALS. Section 1 of Ordinance No. 45-C.S.  
2 entitled "An Ordinance Amending Ordinance No. 345-N.S. Entitled  
3 'An Ordinance Regulating Traffic Upon the Public Streets<sup>5</sup> of the  
4 City of Modesto,' as Amended, to Amend Section 23 Thereof and Add  
5 Section 23.1 and Section 36.2 Relating to Traffic Regulation and  
6 Repealing Ordinance No. 558-N.S.", adopted by the Council of the  
7 City of Modesto on November 2, 1955, is hereby repealed.

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

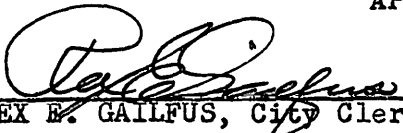
11 SECTION 5. PUBLICATION. This ordinance shall be pub-  
12 lished in full at least once at least three (3) days prior to  
13 its final adoption in the Modesto Journal and the Valley Citizen,  
14 the official newspaper of the City of Modesto.

15 The foregoing ordinance was introduced at a regular  
16 meeting of the Council of the City of Modesto held on the 14  
17 day of November, 1956, by Councilman Anderson,  
18 who moved its introduction and passage to print, which motion being  
19 duly seconded by Councilman Robinson, was upon roll call  
20 carried and ordered printed and published by the following vote:

21 AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
Mayor Marks  
22 NOES: Councilmen: None  
23 ABSENT: Councilmen: Arata

24  
25 APPROVED: 

HARRY MARKS, Mayor

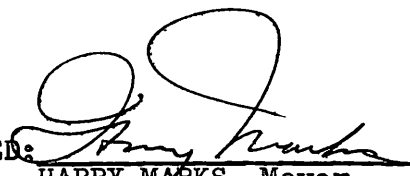
26  
27 ATTEST: 


REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28 day of November, 1956, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES:	Councilmen:	Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: December 13, 1956

ORDINANCE NO. 127 -C.S.

AN ORDINANCE AMENDING SECTION MAP 21 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 21 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

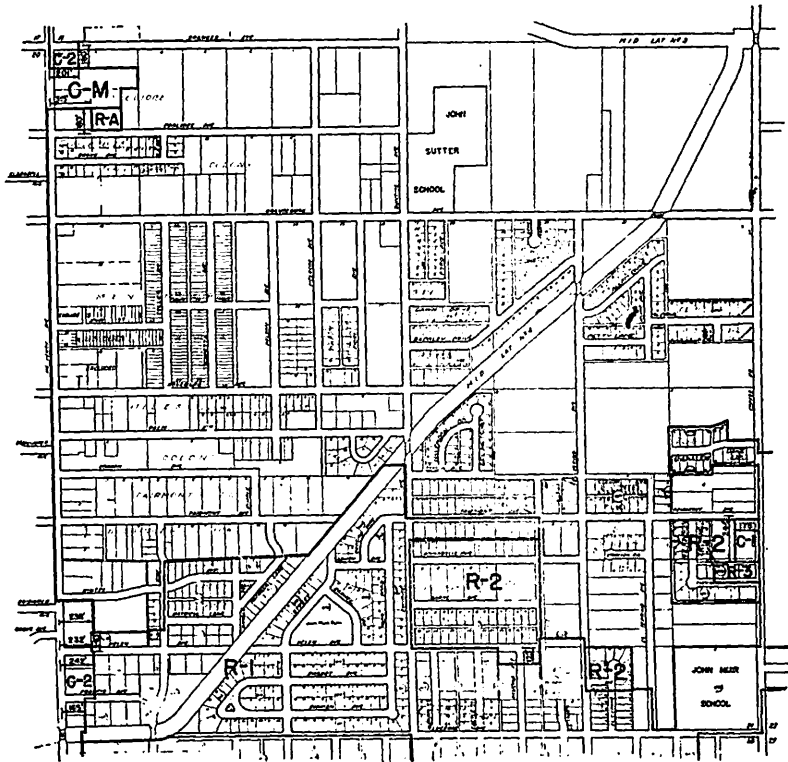
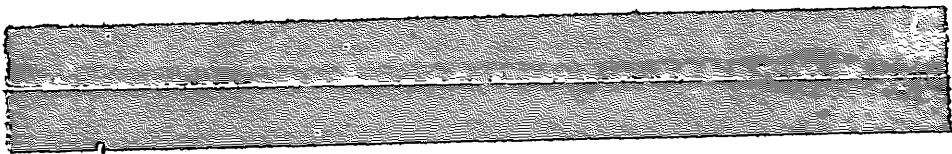
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 21 day of November, 1956, by Councilman Anderson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Anderson, Adams, Arata, Hammond, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Merrill

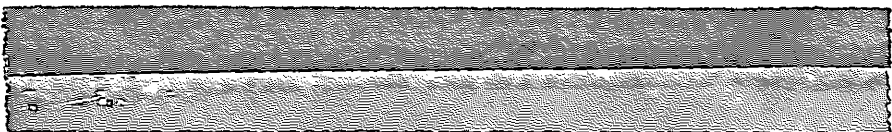
APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)



**SECTION 21**  
As amended by Ord. 127-C.S.



Ord. No. 127-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of December, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 20, 1956

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
2 CERTAIN REAL PROPERTY BY THE CITY OF MODESTO  
3 FROM P. S. BOMBERGER AND DOROTHY P. BOMBERGER.

4 WHEREAS, P. S. Bomberger and Dorothy P. Bomberger own  
5 that certain parcel of real property hereinafter described, and

6 WHEREAS, the City of Modesto desires to acquire said  
7 parcel of real property hereinafter described for use for municipal  
8 purposes,

9 NOW, THEREFORE, The Council of the City of Modesto does  
10 ordain as follows:

11 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
12 following described real property from P. S. Bomberger and Dorothy  
13 P. Bomberger, husband and wife, individuals, for the sum of Fifteen  
14 Thousand and no/100ths (\$15,000.00) Dollars, in accordance with the  
15 provisions of that certain agreement referred to in Section 2 of  
16 this ordinance, plus the usual buyer's fees, is hereby approved.

17 Said real property is described as follows:

18 Parcel No. 2:

19 The South 40 feet of Lot 1 in Block 204 of the City  
20 of Modesto as per map filed December 21, 1942 in  
21 Vol. 15 of Maps, Stanislaus County Records.

22 Excepting therefrom the East 150 feet thereof.

23 Parcel No. 3:

24 All that portion of Lots 1 and 2 in Block 204 of the  
25 City of Modesto, as per map filed December 21, 1942  
26 in Vol. 15 of Maps, Stanislaus County Records,  
27 described as follows:

28 Commencing at the Southwest corner of said Lot 1  
29 and running thence East along the South line of said  
30 Lot, a distance of 250 feet to the Southeast corner  
31 of the property conveyed to M. E. Angelo, by Deed  
32 recorded November 29, 1948 as Instrument No. 24970;  
thence North along the East line of said Angelo  
property, a distance of 40 feet to the true point  
of beginning; thence West, parallel to and 40 feet  
North of the South line of said Lot 1, a distance  
of 22 feet; thence North, parallel to and 22 feet  
West of the East line of said Angelo property, and  
the extension thereof, a distance of 140 feet,  
more or less, to a point on the Southwesterly line  
of La Loma Avenue, as described in the Deed to the  
City of Modesto, recorded January 11, 1936 as

1 Instrument No. 392; thence Southeasterly along  
2 the Southwesterly line of said La Loma Avenue,  
3 a distance of 60 feet, more or less, to the  
4 intersection thereof with the North line of  
5 said Lot 1 and thence West along the North line  
6 of said Lot 1, a distance of 28.02 feet, to the  
7 Northeast corner of said Angelo property, here-  
8 inabove referred to; thence South along the  
9 East line of said Angelo property, a distance of  
10 110 feet, to the true point of beginning.

11 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
12 ment between the City of Modesto and P. S. Bomberger and Dorothy  
13 P. Bomberger, relating to the purchase of certain real property  
14 for municipal purposes, a copy of which is on file in the Office  
15 of the City Clerk of the City of Modesto, is hereby approved, and  
16 the City Manager and the City Clerk are hereby authorized to  
17 execute and attest said agreement, respectively, on behalf of the  
18 City of Modesto and do all things necessary to carry out the terms  
19 of said agreement.

20 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
21 of Modesto hereby accepts the deed from P. S. Bomberger and  
22 Dorothy P. Bomberger, conveying the above described property to  
23 the City of Modesto and hereby authorizes the City Clerk to record  
24 said deed with the Recorder of Stanislaus County.

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

28 SECTION 5. PUBLICATION. This ordinance shall be pub-  
29 lished in full at least once at least three (3) days prior to  
30 its final adoption in the Modesto Journal and the Valley Citizen,  
31 the official newspaper of the City of Modesto.

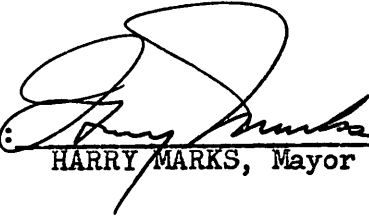
32 The foregoing ordinance was introduced at a regular  
meeting of the Council of the City of Modesto held on the 28  
day of November, 1956, by Councilman Arata,  
who moved its introduction and passage to print, which motion  
being duly seconded by Councilman Adams, was upon roll

1 call carried and ordered printed and published by the following  
2 vote:

3 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
Robinson and Mayor Marks

4 NOES: Councilmen: None

5 ABSENT: Councilmen: None

6 APPROVED:   
HARRY MARKS, Mayor

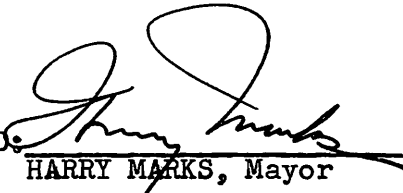
7  
8 ATTEST:   
9 REX E. GAILFUS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19 day of December, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 3, 1957

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
REAL PROPERTY BY THE CITY OF MODESTO FROM  
CECIL E. SWANN AND ELSIE E. SWANN.

WHEREAS, CECIL E. SWANN and ELSIE E. SWANN, husband and wife,  
own that certain parcel of real property hereinafter described, and  
WHEREAS, the City of Modesto desires to acquire said parcel  
of real property hereinafter described for use for municipal purposes,  
NOW, THEREFORE, the Council of the City of Modesto does ordain  
as follows:

SECTION 1. PURCHASE AUTHORIZED. The purchase of the follow-  
ing described real property from Cecil E. Swann and Elsie E. Swann  

---

  
for the sum of Five Thousand Nine Hundred and no/100ths (\$5,900.00)  

---

Dollars, in accordance with the provisions  
of that certain agreement referred to in Section 2 of this ordinance.  
Said real property is described as follows:

The West 60 feet of the East 150 feet of the South  
50 feet of Lot 1 in Block 204 of the City of  
Modesto, as per map filed December 21, 1942 in Vol.  
15 of Maps, Stanislaus County Records.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Cecil E. Swann and Elsie E. Swann,

relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Cecil E. Swann and Elsie E. Swann conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

SECTION 4. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final

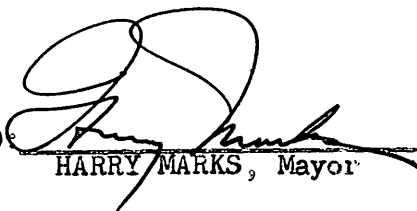
adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of November, 1956 by Councilman Merrill, who moved its introduction and passage to print, which motion being duly seconded by Councilman Anderson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson, and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALFUS, City Clerk

Ord. No. 129-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19 day of December, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED: 

HARRY MARKS, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 3, 1957



SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Pierre E. Jones and Hazel H. Jones

relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Pierre E. Jones and Hazel H. Jones

conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

SECTION 4. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final

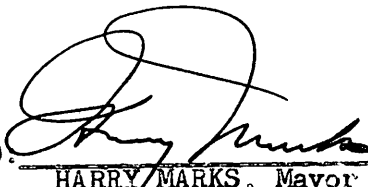
adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of November, 1956 by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Anderson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

HARRY MARKS, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

Ord. No. 130-C.S.

FINAL ADOPTION CLAUSE

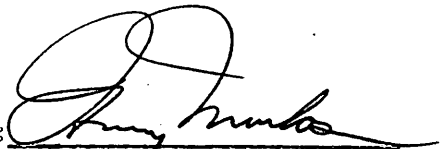
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19 day of December, 1956, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 3, 1957

1 AN ORDINANCE AMENDING SECTIONS 8-2.104, 8-2.105,  
2 8-2.106, 8-2.108 OF CHAPTER 2 OF TITLE VIII OF  
3 THE MODESTO MUNICIPAL CODE AND REPEALING SECTION  
4 8-2.107 THEREOF, RELATING TO ~~EXEMPTIONS FROM~~  
5 SALES AND USE TAX.

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

8 SECTION 1. AMENDMENT OF CODE. Section 8-2.104 of  
9 Article 1 of Chapter 2 of Title VIII of the Modesto Municipal Code  
10 is hereby amended to read as follows:

11 SEC. 8-2.104. TAX LEVIED IN SAME MANNER AS STATE TAX.  
12 The taxes hereby levied, except as otherwise herein  
13 provided, are levied in the same manner, to the same  
14 extent and under the same conditions as sales and use  
15 taxes are levied pursuant to Part 1 of Division 2 of  
16 the Revenue and Taxation Code of the State of California,  
17 known as the "Sales and Use Tax Law," as amended and  
18 in force and effect on January 1, 1957.

19 SECTION 2. AMENDMENT OF CODE. Section 8-2.105 of  
20 Article 1 of Chapter 2 of Title VIII of the Modesto Municipal Code  
21 is hereby amended to read as follows:

22 SEC. 8-2.105. ADOPTION OF STATE SALES AND USE TAX LAW  
23 BY REFERENCE. EXCEPTIONS. All of the provisions of  
24 the "Sales and Use Tax Law", as amended and in force  
25 and effect on January 1, 1957, except Sections 6006, 6008,  
26 6051, 6052, 6053, 6066, 6067, 6068, 6069, 6070, 6071,  
27 6201, 6202, 6203, 6204, 6207, 6226, 6451, 6826, 7052,  
28 7056, 7057, 7101, 7102, 7151, 7152, and 7153 applicable  
29 to sales or purchase of property at retail, are hereby  
30 adopted and made a part of this article as though fully  
31 set forth herein, and all provisions of any other law  
32 in conflict therewith are inapplicable to this article  
and the tax hereby imposed; provided, however, the term  
"gross receipts," as used herein, does not include the  
amount of any tax imposed by the State upon or with re-  
spect to retail sales whether imposed upon the retailer  
or upon the consumer.

All of the provisions of the "Sales and Use Tax Law"  
hereby adopted, providing for the adoption of rules and  
regulations and for hearings on the part of the State  
Board of Equalization, shall be performed by the Council  
of the City. All other provisions of the "Sales and Use  
Tax Law", hereby adopted, providing for the performance  
of official action on the part of the State Board of  
Equalization, shall be performed by the Director of  
Finance.

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

1 The City Attorney of the City of Modesto shall be deemed  
2 substituted for the Attorney General whenever the  
3 Attorney General is referred to in said "Sales and Use  
4 Tax Law".

5 The Director of Finance shall be deemed substituted for  
6 the State Controller and State Board of Control whenever  
7 the State Controller or State Board of Control is re-  
8 ferred to in said "Sales and Use Tax Law".

9 The County of Stanislaus shall be deemed substituted for  
10 the County of Sacramento whenever the County of Sacra-  
11 mento is referred to in said "Sales and Use Tax Law".

12 SECTION 3. AMENDMENT OF CODE. Section 8-2.106 of

13 Article 1 of Chapter 2 of Title VIII of the Modesto Municipal Code  
14 is hereby amended to read as follows:

15 SEC. 8-2.106. EXEMPTIONS. (a) In addition to the  
16 exemptions contained in Part I of Division 2 of the  
17 Revenue and Taxation Code of the State of California,  
18 there shall be excluded from the computation of the tax,  
19 gross receipts from:

20 (1) The amount of any sales or use tax im-  
21 posed by the State of California upon a retailer or  
22 consumer;

23 (2) Receipts from the sale of tangible per-  
24 sonal property upon which a sales or use tax has become  
25 due by reason of the same transaction to any other city  
26 and county, county other than Stanislaus County, or city  
27 in this state under a sales or use tax ordinance enacted  
28 by that city and county, county other than Stanislaus  
29 County, or city in this state, whether in accordance with,  
30 or purporting to be in accordance with Part 1.5 of Divi-  
31 sion 2 of the Revenue and Taxation Code of the State of  
32 California, or in accordance with the organic law of any  
such city.

(3) Sales or purchases of property imported  
into this State from a foreign country and sold by the  
importer in the original package in which imported.

(4) Sales or purchases of property sold to  
foreign purchasers for shipment abroad and delivered to  
a ship, airplane, or other conveyance furnished by the  
purchaser for the purpose of carrying the property abroad  
and actually carried to a foreign destination, title and  
control of the property passing to the foreign purchaser  
upon delivery, and no portion of the property being used  
or consumed in the United States. Copies of U. S.  
Customs shippers' exports declarations filed with the  
Collector of Customs must be obtained and retained by re-  
tailers to support deductions taken under this sub-section.  
Tax applies to the transaction if the property is diverted  
in transit or for any reason not actually delivered out-  
side the State pursuant to the contract of sale or not  
shipped abroad by a foreign purchaser, regardless of docu-  
mentary evidence held by the retailer of delivery of the  
property to a carrier for shipment outside the State, or  
to a foreign purchaser for shipment abroad.

1 (5) Sales or purchases of property mailed  
2 by the seller, pursuant to the contract of sale, to  
3 persons in the armed forces at points outside contin-  
4 ental United States, notwithstanding the property is  
5 addressed in care of the Postmaster at San Francisco and  
6 forwarded by him to the addressee.

7 When mail is addressed to Army Post Offices (A.P.O.'s)  
8 in care of the Postmaster at San Francisco or to Naval  
9 forces addressed in care of the Postmaster at San  
10 Francisco, it will be presumed that it is forwarded out-  
11 side California. The seller must keep records showing  
12 the names and addresses as they appear on the mailing  
13 matter and should keep evidence that the mailing was done  
14 by him.

15 (6) Sales or purchases of property shipped to  
16 a point outside this State pursuant to the contract of  
17 sale when the property is marked for export and delivered  
18 by the retailer to the "contracting officer", "officer  
19 in charge", "port quartermaster", or other officer of  
20 the United States for transportation and delivery to the  
21 purchaser at such a point.

22 (7) Sales or purchases of property to or by  
23 operators of common carriers and waterborne vessels to  
24 be used or consumed, in the operation of such common  
25 carriers or waterborne vessels, principally outside the  
26 city.

27 (b) No tax shall be due hereunder for sales of  
28 airplanes and parts and equipment for airplanes trans-  
29 ported to a point outside this city pursuant to the con-  
30 tract of sale when such property is delivered to the  
31 United States Air Force or any other agency or instru-  
32 mentality of the United States for transportation and  
33 delivery to the purchaser or someone designated by him  
34 at that point.

35 (c) The sales tax does not apply (either in inter-  
36 state or intrastate commerce) to sales of property shipped  
37 from a point outside the City to a purchaser inside the  
38 City, or to the retailer's agent in the City, for de-  
39 livery to the purchaser, if none of the elements of sale,  
40 other than such delivery, takes place in the City.

41 (d) The sales tax does apply (either in interstate  
42 or intrastate commerce) to sales of property shipped from  
43 a point outside of the City to a purchaser inside the  
44 City, or to the retailer's agent in the City, for de-  
45 livery to the purchaser where any element of the sale, in  
46 addition to such delivery, takes place in the City.

47 (e) "Element of Sale" is hereby defined to include  
48 solicitation of an order, the acceptance of an order,  
49 the giving of an order, whether such order is given in  
50 person, by telephone or by mail, or the payment of the  
51 purchase price.

1 SECTION 4. AMENDMENT OF CODE. Section 8-2.108 of  
2 Article 1 of Chapter 2 of Title VIII of the Modesto Municipal Code  
3 is hereby amended to read as follows:

4 SEC. 8-2.108. ADOPTION OF RULES AND REGULATIONS BY  
5 REFERENCE. The rules and regulations of the State Board  
6 of Equalization as amended and in force and effect on  
7 January 1, 1957, pertaining to the interpretation, ad-  
8 ministration, and enforcement of the "Sales and Use Tax  
9 Law", insofar as applicable, except Rule No. 55 (Section  
2015, Title 18, California Administrative Code, Sales  
and Use Tax) shall apply in the interpretation of this  
article until specifically abandoned by the rules or  
regulations adopted by the Council pursuant to this  
article.

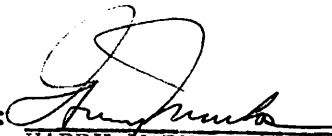
10 SECTION 5. REPEALS. Section 8-2.107 of the Modesto  
11 Municipal Code is hereby repealed.

12 SECTION 6. EFFECTIVE DATE. This ordinance shall go  
13 into effect and be in full force and operation from and after  
14 January 1, 1957.

15 SECTION 7. PUBLICATION. This ordinance shall be pub-  
16 lished in full at least once at least three (3) days prior to its  
17 final adoption in the Modesto Journal and the Valley Citizen, the  
18 official newspaper of the City of Modesto.

19 The foregoing ordinance was introduced at a regular meet-  
20 ing of the Council of the City of Modesto held on the 28 day  
21 of November, 1956, by Councilman Anderson, who  
22 moved its introduction and passage to print, which motion being  
23 duly seconded by Councilman Robinson, was upon roll call  
24 carried and ordered printed and published by the following vote:

25 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
26 NOES: Councilmen: None  
27 ABSENT: Councilmen: None

28 APPROVED:   
29 HARRY MARKS, Mayor

30 ATTEST:   
31 REX E. GALLFUS, City Clerk

32 (SEAL)

Ord. No. 131-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12 day of December, 1956, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
NOES: Councilmen: Mayor Marks  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 1, 1957

1 AN ORDINANCE ADDING CHAPTER 8, ENTITLED  
2 "LICENSING AND REGULATION OF AMBULANCES"  
3 TO TITLE III OF THE MODESTO MUNICIPAL CODE.

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

5 SECTION 1. Chapter 8, entitled, "Licensing and Regulation of  
6 Ambulances" is hereby added to Title III of the Modesto Municipal Code to  
7 read as follows:

8 CHAPTER 8 - LICENSING AND REGULATION OF AMBULANCES

9 SEC. 3--8.01. DEFINITION. Ambulance means any privately  
10 owned vehicle equipped or used for transporting those who are wounded, in-  
11 jured, or sick, and shall include, but is not restricted to, emergency vehicles  
12 used for such purposes.

13 SEC. 3-8.02. LICENSE REQUIRED. No person shall engage in the  
14 business of operating an ambulance upon the streets of the City without first  
15 obtaining a license as provided in this chapter and paying the business license  
16 fees provided in Title VI.

17 SEC. 3-8.03. APPLICATION FOR LICENSE. An application for a  
18 license for the operation of an ambulance shall be filed with the Director of  
19 Finance upon forms provided by the City. Each application shall be verified  
20 under oath and shall furnish the following information:

21 (a) The name, business, and residence address and citizenship  
22 status of the applicant;

23 (b) The experience of the applicant in the transportation and care  
24 of sick or injured persons;

25 (c) The number and type, age, condition and patient capacity of  
26 each private ambulance proposed to be operated by the applicant, and the  
27 location and description of the premises which are to serve as the base of  
28 operations;

29 (d) The color scheme to be used to designate the private ambu-  
30 lance or private ambulances of the applicant;

31 (e) The names, addresses, and experience in first aid of each  
32 driver and helper employed or to be employed and his driving experience; and

(f) Such further information as the Director of Finance may

1 require.

2 SEC. 3-8.04. FILING FEE. An application as required by this  
3 chapter shall be accompanied by a filing fee of Five and no/100ths (\$5.00)  
4 Dollars for one private ambulance and Two and 50/100ths (\$2.50) Dollars for  
5 each additional private ambulance for which application for a license is made,  
6 to cover administrative and other costs incident to such application.

7 SEC. 3-8.05. DUTIES OF THE DIRECTOR OF FINANCE. (a)  
8 Except as provided in paragraph (b) hereof, the Director of Finance shall  
9 issue a license to applicant under this chapter when he finds:

10 (1) That the ambulances and premises have been approved  
11 by the Health Officer;

12 (2) That insurance policies as required by this chapter have  
13 been provided;

14 (3) That the applicant and all attendants and drivers are fit  
15 and proper persons to conduct the work in the proposed business; and

16 (4) That all of the requirements of this chapter and all  
17 other governing laws have been met.

18 (b) Any person engaging in business as a mortician shall not be  
19 eligible to obtain a license for the operation of an ambulance.

20 SEC. 3-8.06. LIABILITY INSURANCE. No license for the operation  
21 of an ambulance shall be issued, nor shall such license be valid after issuance,  
22 nor shall any ambulance be operated unless there is at all times in force and  
23 effect to provide adequate protection against liability for damages which may  
24 be or have been imposed for each negligent operation of each such ambulance,  
25 its driver, or attendant a liability insurance policy or policies approved by  
26 the Director of Finance and issued by an insurance company authorized to do  
27 business in the State of California.

28 Such policy or policies shall provide protection against liability of  
29 the licensee of an ambulance for the payment of damages in amounts, at  
30 least, as follows:

31 In the amount of One Hundred Thousand and no/100ths (\$100,000.00)  
32 Dollars on account of bodily injuries to, or death of, one person;

1 In the amount of Two Hundred Thousand and no/100ths (\$200,000.00)  
2 Dollars against the total liability of the licensee on account of bodily injuries  
3 to, or death of, more than one person as a result of any one accident;

4 In the amount of Ten Thousand and no/100ths (\$10,000.00) Dollars  
5 for one accident resulting in damage or destruction of property, whether the  
6 property of one or more than one claimant.

7 A liability insurance policy required by this section shall inure to  
8 the benefit of any persons who shall be injured or who shall sustain damage to  
9 property proximately caused by the negligence of the licensee insured by  
10 such policy, his employees or agents.

11 Satisfactory evidence that the liability insurance required by this  
12 section is at all times in full force and effect shall be furnished the Director  
13 of Finance by each licensee required to provide such insurance.

14 SEC. 3-8.07. TRANSFER OF LICENSE. No license for the opera-  
15 tion of an ambulance may be sold, assigned, mortgaged, or otherwise trans-  
16 ferred without the consent of the Director of Finance.

17 Application for transfer of any license for an ambulance shall be  
18 subject to the same terms, conditions, and requirements as is the application  
19 for an original license.

20 SEC. 3-8.08. EQUIPMENT AND MAINTENANCE. (a) Prior  
21 Inspection - Equipment Required. Prior to the initial use and operation of  
22 any vehicle as an ambulance, said vehicle and the premises from which it is  
23 to be operated shall be thoroughly examined and inspected by the Health Offi-  
24 cer for safety and sanitation and thereafter its licensee shall be required to  
25 comply with such reasonable rules and regulations relating to safety and  
26 sanitation as may be prescribed by the Health Officer. Such rules and regula-  
27 tions shall specify among other things such safety and sanitary equipment  
28 and regulatory devices as the Health Officer shall deem necessary.

29 (b) Periodic Inspections. Every ambulance, as well as the  
30 premises from which it is operated, shall be periodically inspected by the  
31 Health Officer at such times as shall be designated by him.

32 (c) Unsafe Ambulances. No ambulance which is unsafe or in

1 any way unsuitable for ambulance service shall be operated.

2 SEC. 3-8.09. AMBULANCES: COLOR SCHEME. The licensee of  
3 every ambulance shall adopt a color scheme, and, after approval thereof by  
4 the Director of Finance, shall apply such color scheme to each ambulance  
5 authorized by a particular license. The Director of Finance shall not approve  
6 nor permit adoption or application of any color scheme which imitates or con-  
7 flicts with any other color scheme authorized by this chapter, or which is  
8 misleading or would tend to deceive the public.

9 No sign, letter, color, appliance, or thing of decorative or distin-  
10 guishing nature shall be attached or applied to any ambulance other than such  
11 as have been approved by the Director of Finance in the color scheme auth-  
12 orized for each such private ambulance.

13 SEC. 3-8.10. ADDITIONAL VEHICLES. Any person holding a  
14 license to operate one or more ambulances as provided in this chapter, who  
15 desires to add to the number of such vehicles, shall do so only by obtaining  
16 a license therefor from the Director of Finance, which shall be granted only  
17 upon an application made in the same manner and under the same proceedings  
18 as are required in the instance of obtaining the original license as required by  
19 this chapter.

20 SEC. 3-8.11. SUBSTITUTE VEHICLES. Any person holding a  
21 license to operate one or more ambulances as provided in this chapter, who  
22 desires to substitute a different vehicle for a vehicle operated under such  
23 license, shall do so only upon obtaining from the Director of Finance per-  
24 mission therefor, which shall be granted only upon written application setting  
25 forth the particulars of such proposed substitution, and upon otherwise com-  
26 plying with the requirements of this chapter.

27 SEC. 3-8.12. CHAUFFER'S LICENSE. No person shall operate an  
28 ambulance upon the streets of the City, and no licensee for the operation of  
29 an ambulance shall permit it to be so driven at any time, for hire, unless  
30 the driver of said ambulance shall have first obtained and shall have then in  
31 force a current chauffeur's license issued by the State of California.

32 SEC. 3-8.13. PERMIT FOR DRIVERS AND ATTENDANTS. No

1 person shall drive or serve as an attendant of an ambulance licensed under  
2 this chapter without first obtaining a permit in writing to do so from the  
3 Chief of Police.

4 SEC. 3-8.14. APPLICATION FOR DRIVERS' AND ATTENDANTS'  
5 PERMIT. Applications for permits under Section 3-8.13 shall be made upon  
6 blank forms furnished by the City and shall contain:

7 (a) A statement giving applicant's full name, present residence  
8 address, and any other residence address during the past year;

9 (b) Age, sex, marital status, weight, height, color of eyes and  
10 hair, whether or not the applicant has ever been convicted of a felony or  
11 misdemeanor, giving particulars of each such conviction; and

12 (c) Whether applicant has previously been licensed as a driver,  
13 chauffeur, or attendant, and, if so, when and where, and whether his license  
14 has ever been revoked or suspended and for what cause.

15 SEC. 3-8.15. APPLICATION FEE. Applicants for drivers' and  
16 attendants' permits shall pay to the Director of Finance a fee of \$3.00 for  
17 each application. A copy of the receipt for fees paid, shall be filed with the  
18 Chief of Police.

19 SEC. 3-8.16. ISSUANCE OF PERMIT. (a) The Chief of Police  
20 shall issue a permit when he finds that the applicant:

21 (1) For a driver's permit is of the age of twenty-one (21)  
22 years or over;

23 (2) For an attendant's permit is of the age of eighteen (18)  
24 years or over;

25 (3) Is morally fit for the position;

26 (4) Is able to speak, read, and write the English language;

27 (5) Has an adequate knowledge of first aid; and

28 (6) Has complied with the requirements of this chapter and  
29 all other governing laws and ordinances.

30 (b) No permit shall be issued to any of the following persons:

31 (1) Any person who has been convicted of a felony or a  
32 crime involving moral turpitude, use or possession of narcotics, or for

1 operating a vehicle under the influence of intoxicating liquor within the five  
2 (5) years immediately preceding application for a permit; or

3 (2) Any person who is employed by a funeral home.

4 SEC. 3-8.17. NATURE OF PERMIT. The permit shall be in the  
5 form of a card which shall bear the signature, photograph, and fingerprints  
6 of the applicant. Such card shall be issued in duplicate, and one copy with  
7 the fingerprints, photograph, and signature of the applicant shall be placed on  
8 file with the Chief of Police. The other card shall be carried on the person  
9 of the permittee at all times while driving or serving as an attendant of an  
10 ambulance.

11 SEC. 3-8.18. REVOCATION OF PERMIT. The Chief of Police may  
12 revoke any permit issued by him when, in his opinion, the permittee is unfit  
13 to serve as an attendant or driver of an ambulance under the qualifications  
14 prescribed in this chapter.

15 SEC. 3-8.19. REVOCATION OF LICENSES. The City Council,  
16 after a public hearing, may revoke any license granted pursuant to this chap-  
17 ter on any one or more of the following grounds;

18 (a) That the license was obtained by fraud or misrepresentation;

19 (b) That the licensee has failed to operate an ambulance in  
20 accordance with the provisions and requirements of this chapter;

21 (c) That the Council finds that the licensee's past record is  
22 unsatisfactory; or

23 (d) That the licensee has ceased to operate any ambulance for  
24 a period of thirty (30) consecutive days without having obtained permission  
25 for cessation of such operation from the Council.

26 SEC. 3-8.20. SUPPLEMENTAL REGULATIONS. The provisions of  
27 this chapter shall be deemed as supplemental to the provisions of Title VI  
28 relating to the business license tax and any other pertinent laws or ordinances  
29 of the City.

30 SECTION 2. REPEALS. Section 6-7.101 of Article 1 of Chapter 7  
31 of Title VI of the Modesto Municipal Code and Ordinance No. 123-C.S. are  
32 hereby repealed.

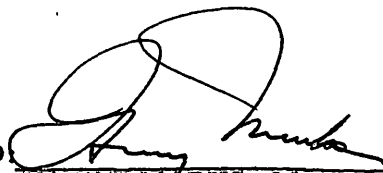
1 SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect  
2 and be in full force and operation from and after fifteen (15) days after its final  
3 passage and adoption.

4 SECTION 4. PUBLICATION. This ordinance shall be published in  
5 full at least once at least three (3) days prior to its final adoption in the  
6 Modesto Journal and the Valley Citizen, the official newspaper of the City of  
7 Modesto.

8 The foregoing ordinance was introduced at a regular meeting of the  
9 Council of the City of Modesto held on the 5 day of December, 1956,  
10 by Councilman Merrill, who moved its introduction and  
11 passage to print, which motion being duly seconded by Councilman  
12 Adams, was upon roll call carried and ordered printed

13 and published by the following vote:

- 14 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
15 ROBINSON and Mayor Marks  
16 NOES: Councilmen: None  
17 ABSENT: Councilmen: None

18 APPROVED:   
19 HARRY MARKS, Mayor

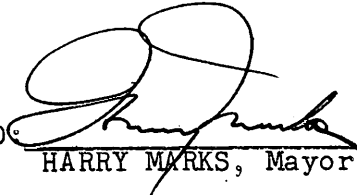
20 ATTEST:   
21 REX E. GAILFUS, City Clerk

22 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19th day of December, 1956, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 3, 1957

1 AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO AND SHERDA A.  
SHELBOURNE (EXTENSION OF G STREET)

3 WHEREAS, City owns those certain parcels of real property  
4 hereinafter described, and

5 WHEREAS, Sherda A. Shelbourne owns that certain parcel  
6 of real property hereinafter described, and

7 WHEREAS, City desires to acquire said parcel of real  
8 property owned by Sherda A. Shelbourne for use for municipal pur-  
9 poses, and

10 WHEREAS, Sherda A. Shelbourne is willing to exchange her  
11 parcel of real property for said parcels of real property owned by  
12 City,

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

15 SECTION 1. EXCHANGE AUTHORIZED. The exchange of the  
16 following described parcels of real property by the City of Modesto  
17 and Sherda A. Shelbourne in accordance with the provisions of that  
18 certain agreement referred to in Section 2 of this ordinance is  
19 hereby authorized. Said real property is described as follows:

20 PARCELS OWNED BY CITY:

21 PARCEL NO. 1:

22 All that portion of Lots 1 and 2 of Block 204  
23 of the City of Modesto, as per map filed  
24 December 21, 1942 in Volume 15 of Maps, Page  
204, Stanislaus County Records, described as  
follows:

25 Beginning at the intersection of the Southern  
26 line of said Lot 2 with the Southwestern line  
27 of the street known as La Loma, as described  
28 in the deed to the City of Modesto, recorded  
January 11, 1936 as Instrument Number 392;  
29 thence along said Southwestern line of La Loma  
on a curve to the right, having a Radius of  
30 1092.00 feet, central angle  $3^{\circ} 01' 14''$ , and  
Arc Length 57.57 feet, to a line parallel to  
and 172.00 feet at right angles Westerly from  
31 the Eastern line of said Lot 1; thence Southerly  
along said parallel line to a point on a line  
32 parallel to and 40.00 feet at right angles  
Northerly from the Southern line of said Lot 1;

1 thence on a tangent curve to the left having  
2 a Radius of 250.00 feet, Central Angle  
3 5° 02' 56", and Arc Length of 22.03 feet, to  
4 a point on a line which is parallel to and  
5 150.00 feet at right angles Westerly from the  
6 Eastern line of said Lot 1; thence Northerly  
7 along said parallel line to a point on the  
8 Southern line of Lot 2; thence Easterly along  
9 said Southern line to the point of beginning.

6 PARCEL NO. 2:

7 All that portion of Lot 1 of Block 204 of the  
8 City of Modesto, as per map filed December 21,  
9 1942 in Volume 15 of Maps, Page 204, Stanislaus  
10 County Records, described as follows:

11 Commencing at the Southwestern corner of said  
12 Lot 1; thence Northerly along the Western line  
13 of said Lot 1, to a line which is parallel to  
14 and 40.00 feet at right angles Northerly from  
15 the Southern line of said Lot 1; thence Easterly  
16 along said parallel line 228.00 feet; thence  
17 on a tangent curve to the left having a Radius  
18 of 250.00 feet, Central Angle of 5° 02' 56",  
19 and Arc Length of 22.03 feet to the true point  
20 of beginning of this description; thence con-  
21 tinuing along said curve to the left having a  
22 Radius of 250.00 feet, Central Angle of 11° 12'  
23 40", and Arc Length of 48.92 feet, to a point  
24 on a line which is parallel to and 50.00 feet  
25 at right angles Northerly from the Southern line  
26 of said Lot 1; thence Westerly along said parallel  
27 line to a point on a line parallel to and 150.00  
28 feet at right angles Westerly from the Eastern  
29 line of said Lot 1; thence Southerly along said  
30 parallel line to the point of beginning.

20 PARCEL OWNED BY SHERDA A. SHELBOURNE:

21 All that portion of Lot 1 in Block 204 of the  
22 City of Modesto, as per map filed December 21,  
23 1942 in Vol. 15 of Maps, Stanislaus County  
24 Records, described as follows:

25 Beginning at a point on the East line of said  
26 Lot 1, distant 50 feet North from the Southeast  
27 corner thereof; thence North along said East  
28 line, a distance of 44.49 feet to the inter-  
29 section of said line with the Southerly line of  
30 La Loma Avenue (sometimes known as 19th Street  
31 Extension) as described in Deed from A. M.  
32 Robinson to the City of Modesto, recorded  
November 16, 1933, Instrument No. 14329; thence  
following the Southerly line of said La Loma  
Avenue, along a curve to the right having a  
radius of 1092 feet, angle 4° 00' 4" a distance  
of 76.24 feet; thence along a reverse curve to  
the right having a radius of 35 feet, angle  
130° 43' 18", a distance of 79.86 feet; thence  
continue on a curve to the right, having a  
radius of 250 feet, angle 8° 03' 42", a distance

1 of 35.20 feet to a point which said point is  
2 50 feet North measured at right angles from the  
3 South line of said Lot 1; thence East parallel  
4 with and distant 50 feet North of the South  
5 line of said Lot 1, a distance of 102 feet to  
6 the point of beginning.

7 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
8 ment between the City of Modesto and Sherda A. Shelbourne relating  
9 to the exchange of certain real property, a copy of which is on  
10 file in the Office of the City Clerk of the City of Modesto, is  
11 hereby approved, and the City Manager and the City Clerk are  
12 hereby authorized to execute and attest said agreement, respectively,  
13 on behalf of the City of Modesto and do all things necessary to  
14 carry out the terms of said agreement.

15 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
16 of Modesto hereby accepts the deed from Sherda A. Shelbourne  
17 conveying the above described property to the City of Modesto and  
18 hereby authorizes the City Clerk to record said deed with the  
19 Recorder of Stanislaus County.

20 SECTION 4. EXECUTION OF DEED. The Mayor and the City  
21 Clerk are hereby authorized to execute and attest respectively a  
22 deed to the aforesaid property now owned by the City and described  
23 in Section 1 hereof on behalf of the City of Modesto to Sherda A.  
24 Shelbourne.


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

28 SECTION 6. PUBLICATION. This ordinance shall be pub-  
29 lished in full at least once at least three (3) days prior to its  
30 final adoption in the Modesto Journal and the Valley Citizen,  
31 the official newspaper of the City of Modesto.

32 The foregoing ordinance was introduced at a regular  
meeting of the Council of the City of Modesto held on the 19

1 day of December, 1956, by Councilman Anderson,  
2 who moved its introduction and passage to print, which motion  
3 being duly seconded by Councilman Adams, was upon  
4 roll call carried and ordered printed and published by the  
5 following vote:

6 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
7 NOES: Councilmen: None  
8 ABSENT: Councilmen: None

9  
10 APPROVED   
11 HARRY MARKS, Mayor

12  
13 ATTEST   
REX E. GALLFUS, City Clerk

14 (SEAL)  
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Ord. No. 133-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26 day of December, 1956, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson and  
Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 10, 1957

AN ORDINANCE REPEALING SECTION 7-3.408 OF THE  
MODESTO MUNICIPAL CODE, RELATING TO RENT FOR LAND.

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

SECTION 1. REPEALS. Section 7-3.408 of Article 4 of  
Chapter 3 of Title VII of the Modesto Municipal Code is hereby  
repealed.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to its  
final adoption in the Modesto Journal and the Valley Citizen, 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 2  
day of January, 1957, by Councilman Arata,  
who moved its introduction and passage to print, which motion being  
duly seconded by Councilman Hammond, was upon roll  
call carried and ordered printed and published by the following  
vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of January, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 31, 1957

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM MIKE  
3 KALLAS AND LENA KALLAS.

4 WHEREAS, the City of Modesto now owns and operates an  
5 airport in Stanislaus County, located in an area bounded on the  
6 north by Tenaya Drive, on the south by the Tuolumne River, on the  
7 west by Conejo Avenue and on the east by Snowden Avenue, known as  
8 the Modesto City-County Airport, and

9 WHEREAS, the City of Modesto and the County of Stanislaus  
10 entered into an agreement, dated May 25, 1955, relating to the  
11 further development of said airport, which agreement provides in  
12 part for the acquisition of additional land for the construction of  
13 new runway facilities adequate for passenger and freight operations,  
14 and

15 WHEREAS, Mike Kallas and Lena Kallas own that certain  
16 parcel of real property hereinafter described, which is needed for  
17 the further development of said airport, and

18 WHEREAS, the City of Modesto and the County of Stanislaus  
19 desire to acquire said parcel of real property for the purpose  
20 of further developing said airport,

21 NOW, THEREFORE, the Council of the City of Modesto does  
22 ordain as follows:

23 SECTION 1. PURCHASE AUTHORIZED. The purchase of an  
24 undivided one-half (1/2) interest in the following described real  
25 property from Mike Kallas and Lena Kallas for the sum of Seven  
26 Thousand Six Hundred Ninety One and 49/100ths (\$7,691.49) Dollars  
27 in accordance with the provisions of that certain agreement referred  
28 to in Section 2 of this ordinance; plus escrow charges and incident-  
29 al expenses, is hereby approved. Said real property is described as  
30 follows:

31 All that portion of Section 35, Township 3 South,  
32 Range 9 East, M. D. B. & M., as follows:

Beginning at the South quarter corner of said  
Section 35, said point being the Southwest corner of

1 the property conveyed to Mike and Lena Kallas  
2 by Deed recorded January 9, 1948, Instrument  
3 No. 537; thence along the quarter section line,  
4 North 0° 26' 30" West 716.44 feet to a point  
5 on the center line of the proposed extension  
6 of Snowden Avenue; thence along said proposed  
7 center line, South 55° 55' East 1284 feet more  
8 or less to a point on the South line of said  
9 Section 35; thence Westerly along said South  
10 line of Section 35; to the point of beginning.  
11 Excepting therefrom all that portion of a 50  
12 foot strip of land lying Southwesterly of the  
13 above mentioned center line of the proposed  
14 extension of Snowden Avenue.

15 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
16 ment between the City of Modesto, the County of Stanislaus, and  
17 Mike Kallas and Lena Kallas relating to the purchase of certain  
18 real property for airport purposes, a copy of which is on file  
19 in the Office of the City Clerk of the City of Modesto, is hereby  
20 approved, and the City Manager and the City Clerk are hereby  
21 authorized to execute and attest said agreement, respectively, on  
22 behalf of the City of Modesto and do all things necessary to carry  
23 out the terms of said agreement.

24 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
25 of Modesto hereby accepts the deed from sellers conveying an un-  
26 divided one-half (1/2) interest in the above described property  
27 to the City of Modesto and hereby authorizes the City Clerk to  
28 record said deed with the Recorder of Stanislaus County.

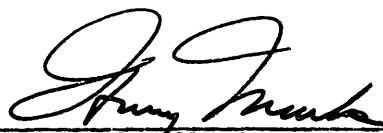
29 SECTION 4. EFFECTIVE DATE. This ordinance shall go into  
30 effect and be in full force and operation from and after fifteen  
31 (15) days after its final passage and adoption.

32 SECTION 5. PUBLICATION. This ordinance shall be pub-  
33 lished in full at least once at least three (3) days prior to its  
34 final adoption in the Modesto Journal and the Valley Citizen, the  
35 official newspaper of the City of Modesto.

36 The foregoing ordinance was introduced at a regular meet-  
37 ing of the Council of the City of Modesto held on the 2 day of  
38 January, 1956, by Councilman Robinson, who

1 moved its introduction and passage to print, which motion being  
2 duly seconded by Councilman Arata, was upon roll call  
3 carried and ordered printed and published by the following vote:

4 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
5 NOES: Councilmen: None  
6 ABSENT: Councilmen: None

7  
8 APPROVED:   
9 HARRY MARKS, Mayor

10 ATTEST:   
11 REX E. GAILFUS, City Clerk

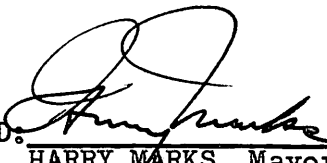
12  
13 (SEAL)

Ord. No. 135-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of January, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: January 31, 1957

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM J. P.  
DIEU AND VINITA F. DIEU

3 WHEREAS, the City of Modesto now owns and operates an  
4 airport in Stanislaus County, located in an area bounded on the  
5 north by Tenaya Drive, on the south by the Tuolumne River, on the  
6 west by Conejo Avenue and on the east by Snowden Avenue, known as  
7 the Modesto City-County Airport, and

8 WHEREAS, the City of Modesto and the County of Stanis-  
9 laus entered into an agreement, dated May 25, 1955, relating to  
10 the further development of said airport, which agreement provides  
11 in part for the acquisition of additional land for the construction  
12 of new runway facilities adequate for passenger and freight oper-  
13 ations, and

14 WHEREAS, J. P. Dieu and Vinita F. Dieu own that certain  
15 parcel of real property hereinafter described, which is needed for  
16 the further development of said airport, and

17 WHEREAS, the City of Modesto and the County of Stanis-  
18 laus desire to acquire said parcel of real property for the purpose  
19 of further developing said airport,

20 NOW, THEREFORE, the Council of the City of Modesto does  
21 ordain as follows:

22 SECTION 1. PURCHASE AUTHORIZED. The purchase of an  
23 undivided one-half (1/2) interest in the following described real  
24 property from J. P. Dieu and Vinita F. Dieu for the sum of Four  
25 Hundred Ninety Five and no/100ths (\$495.00) Dollars in accordance  
26 with the provisions of that certain agreement referred to in  
27 Section 2 of this ordinance; plus escrow charges and incidental  
28 expenses, is hereby approved. Said real property is described as  
29 follows: All that certain real property situate in the County of  
30 Stanislaus, State of California, described as follows, to-wit:  
31 All that portion of the Southwest quarter of Section  
and Meridian, described as follows:

32 Commencing at the quarter Section corner common to

1 to Sections 34 and 35, Township 3 South, Range 9 East,  
2 Mount Diablo Base and Meridian; thence along the  
3 Section line common to said Sections 34 and 35, South  
4 0° 15' East, 138.03 feet; thence South 55° 55' East,  
5 1509.88 feet to a point on the Westerly line of the  
6 property conveyed to J. P. Dieu and Vinita F. Dieu,  
7 husband and wife, by Deed recorded July 22, 1936, as  
8 Recorder's Series No. 8855, said point being on the  
9 center line of the proposed extension of Snowden  
10 Avenue and the creation of a new public highway to  
11 be known as East Modesto Road, as described in Notice  
12 of Lis Pendens recorded August 27, 1956 in Volume 1382  
13 of Official Records, at Page 94, (Instrument No. 23065)  
14 and point of beginning of this description; thence  
15 continuing along said center line, South 55° 55' East,  
16 477.12 feet to the Southerly line of said Dieu property;  
17 thence West along the Southerly line of said Dieu property  
18 to the Southwest corner thereof; thence North along  
19 the Westerly line of said Dieu property to the point  
20 of beginning.

21 Excepting therefrom all that portion thereof included  
22 within the proposed extension of said Snowden Avenue.

23 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
24 ment between the City of Modesto, the County of Stanislaus, and  
25 J. P. Dieu and Vinita F. Dieu relating to the purchase of certain  
26 real property for airport purposes, a copy of which is on file in  
27 the Office of the City Clerk of the City of Modesto, is hereby  
28 approved, and the City Manager and the City Clerk are hereby  
29 authorized to execute and attest said agreement, respectively, on  
30 behalf of the City of Modesto and do all things necessary to carry  
31 out the terms of said agreement.

32 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
of Modesto hereby accepts the deed from sellers conveying an un-  
divided one-half (1/2) interest in the above described property  
to the City of Modesto and hereby authorizes the City Clerk to  
record said deed with the Recorder of Stanislaus County.

SECTION 4. <sup>EFFECTIVE DATE</sup> 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. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to its  
final adoption in the Modesto Journal and the Valley Citizen, the

1 official newspaper of the City of Modesto.

2 The foregoing ordinance was introduced at a regular  
3 meeting of the Council of the City of Modesto held on the 9  
4 day of January, 1957, by Councilman Arata,  
5 who moved its introduction and passage to print, which motion being  
6 duly seconded by Councilman Merrill, was upon roll call  
7 carried and ordered printed and published by the following vote:

8 AYES: Councilmen: Adams, Arata, Hammond, Merrill and Mayor  
Marks

9 NOES: Councilmen: None

10 ABSENT: Councilmen: Anderson and Robinson

11  
12 APPROVED:   
13 HARRY MARKS, Mayor

14  
15 ATTEST:   
16 REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 23 day of January, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 7, 1957

AN ORDINANCE ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE LA LOMA SCHOOL ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

THE MODESTO CITY SCHOOL DISTRICT OF STANISLAUS COUNTY, STATE  
OF CALIFORNIA, on

June 21, 1955, to annex to the City of Modesto  
under the provisions of the Annexation of Uninhabited Territory  
Act of 1939, as amended, certain uninhabited territory, hereinafter  
described and designated as the LA LOMA SCHOOL ADDITION,  
situate in the County of Stanislaus, State of California, and con-  
tiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the  
28th day of November, 1956, set said petition for hear-  
ing at the hour of 8:30 o'clock p.m. on the 9th day of January,  
1957, in the Council Chamber at the McHenry Public Library,  
located at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds  
that a copy of the resolution giving notice of the proposed annexation  
and fixing the time and place for hearing objections to the proposed  
annexation was published in newspapers of general circulation, to wit:  
The Modesto Journal and Valley Citizen, a newspaper published  
in the City of Modesto on December 6, 1956, and on  
December 13, 1956; and in the Turlock Daily Journal,  
a newspaper published outside the City of Modesto, but in the  
County of Stanislaus, on December 6, 1956, and on  
December 13, 1956, for the time and in the manner  
required by law, which publications were completed at least twenty  
(20) days prior to the date set for hearing; that written notice  
of the proposed annexation has been mailed by the City Clerk of  
the City of Modesto to each person to whom land within the terri-  
tory proposed to be annexed was assessed on the last equalized  
assessment roll available on the date the proceedings were initiated,  
at the address as shown thereon, or as known to said Clerk, and to

any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 9th day of January, 1957, at the hour of 8:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the LA LOMA SCHOOL ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, being a portion of the East half of the Northeast quarter of the Southwest quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and more particularly described as follows:

Beginning at a point on the existing Corporate City Limits, said point being at the intersection of the Southerly line of Modesto Irrigation District Lateral

Number 2 with the Northerly projection of the Westerly line of Rosina Avenue as shown on the map of the Covena Park Tract Number 2 as recorded in Volume 14 of Maps, at Page 49, Stanislaus County Recorder's Office thence along the existing Corporate City Limits Southerly along said projection and Westerly line of Rosina Avenue to its intersection with the Westerly projection of the Northerly line of Lot 16, Block 2031-A of said Covena Park Tract Number 2; thence continuing along the existing Corporate City Limits, Easterly along said Westerly projection and boundary of said Covena Park Tract Number 2, South  $89^{\circ} 49' 30''$  East, 658.84 feet to the Westerly line of Conejo Avenue as shown on the map of the Uccello Tract recorded in Volume 16 of Maps, at Page 56, Stanislaus County Recorder's Office, thence continuing along the Corporate City Limits, Northerly along said Westerly line of said Conejo Avenue to its intersection with the Westerly projection of the Northerly boundary of said Uccello Tract; thence continuing along the existing Corporate City Limits, Easterly along said Westerly projection of the Northerly line of said Uccello Tract to its intersection with the Easterly quarter section line of the Southwest quarter of said Section 27, said line being the Easterly boundary of the Modesto City School property as described in Volume 1269 at Page 26, Stanislaus County Records; thence Northerly along said quarter section line to its intersection with the Southerly line of said Modesto Irrigation District Lateral Number 2; thence Westerly along said Southerly line of Lateral Number 2, to the point of beginning of this description.

SECTION 3. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 4. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

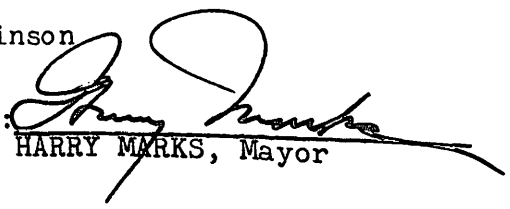
SECTION 5. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Journal and Valley Citizen, 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 9 day of January, 1957, by Councilman Hammond, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Adams, Arata, Hammond, Merrill and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Anderson and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)



7

DESCRIPTION FOR GARRISON SCHOOL ADDITION

All that certain real property situate in the State of California, County of Stanislaus, Sections 19 and 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and more particularly described as follows:

Beginning at a point on the corporate limits of the City of Modesto, said point being on the center line of Kearney Avenue and its intersection with the Northern line of the Wilen Tract, said point also being the Northeastern corner of said Wilen Tract as filed in Volume 14 of Maps at Page 32, Stanislaus County Records; thence Westerly along the Northern line of said Wilen Tract and the Westerly projection thereof to a point on the Western line of Carver Road as shown on the Map of the Dunham Tract filed in Volume 16 of Maps at Page 15, Stanislaus County Records; thence Northerly along the Western line of said Carver Road to its intersection with the Southern line of Evergreen Road as shown on the map of said Dunham Tract; thence Westerly along the Southern line of Evergreen Road to its intersection with the Eastern line of Lot B of said Dunham Tract; thence Southerly along the Eastern line of said Lot B to its intersection with the Northern line of Pearl Street as shown on the map of said Dunham Tract; thence Westerly along the Northern line of said Pearl Street to its intersection with the Western line of the Dunham Tract, said line being the center line of an irrigation ditch; thence Southerly along the Western line of the Dunham Tract and the Southerly projection thereof to the most Eastern corner of property conveyed to the Modesto City Schools District May 2, 1955, by instrument No. 20300, Stanislaus County Records; thence North  $89^{\circ} 21' 30''$  West, 113.73 feet; thence North  $0^{\circ} 34' 30''$  West, 211.62 feet; thence North  $89^{\circ} 21' 30''$  West, 588.85 feet; thence South  $0^{\circ} 34' 30''$  East, 669.63 feet; thence South  $89^{\circ} 44' 30''$  East along the Southern line of said Modesto City Schools property to its intersection with the Northerly projection of the Eastern line of Martin Avenue as shown on the map of Ben-Don Village as filed in Volume 17 of Maps at Page 6, Stanislaus County Records; thence Southerly along the Eastern line of said Martin Avenue to its intersection with the Southern line of said Ben-Don Village; thence Easterly along the Southern line of Ben-Don Village and the Easterly projection thereof to a point on the corporate limits of the City of Modesto, said point being the center line of Carver Road as said road is shown on the Map of the Chiquita Colony filed for record on March 16, 1904 in Volume 1 of Maps, page 43, Stanislaus County Records; thence following along the existing city limits line the following courses and distances: Northerly along the center line of Carver Road to its intersection with the Northerly Quarter Quarter Section line of Section 19, said line being the center line of Orangeburg Avenue; thence Easterly along the Northerly Quarter Quarter Section line of Section 19 to its intersection with the North South Section line common to Sections 19 and 20; thence continuing Easterly along the Northerly Quarter Quarter Section line of Section 20, a distance of 20 feet; thence Northerly along a line 20 feet at right angles Easterly of and parallel to said section line common to Sections 19 and 20 to the intersection thereof with the Easterly extension of the Southern line of Fremont Park Subdivision as shown on the map filed in Volume 18 of Maps, page 13, Stanislaus County Records; thence along said Easterly extension of the Southern line of Fremont Park Subdivision, Westerly to the Southeastly corner of said Fremont Park Subdivision; thence continuing along said Southern line of Fremont Park Subdivision, Westerly 180 feet; thence along a line parallel to said section line common to Sections 19 and 20, Southerly 60.00 feet to the Easterly extension of the Northern line of the Wilen Tract No. 2 as filed in Volume 14 of Maps at Page 43, Stanislaus County Records; thence along said Easterly extension of the Northern line of Wilen Tract No. 2. to the intersection thereof with the Northern line of said Wilen Tract No. 2; thence continuing along said Eastern line of Wilen Tract No. 2, Westerly to a point at the intersection thereof with the Eastern line of Tebbutt Avenue as shown on the maps of

said Wilen Tract No. 2, and the Davis Tract as filed in Volume 17 of Maps at Page 18, Stanislaus County Records; thence along said Eastern line of Tebbutt Avenue, Northerly to a point at the intersection thereof with the Northern line of said Davis Tract, said point also being the Southern line of said Fremont Park Subdivision; thence along the Southern line of said Fremont Park Subdivision, Westerly to a point at the intersection thereof with the Eastern line of Kearney Avenue as shown on map of said Fremont Park Subdivision, said point being 30.00 feet at right angles Easterly of the North-South quarter quarter section line of the Northeast quarter of Section 19, said quarter quarter section line also being the Eastern line of the Wilen Tract as shown on the map filed in Volume 14 of Maps at Page 32, Stanislaus County Records; thence along said Eastern line of Kearney Avenue, Northerly to the intersection thereof with the Northern line of said Fremont Park Subdivision; thence continuing along a line 30.00 feet at right angles Easterly of and parallel to said North-South quarter quarter section line, Northerly to a point at the intersection thereof with the Easterly projection of the Northern line of said Wilen Tract; thence Westerly along the Easterly projection of the Northern line of said Wilen Tract 30.00 feet to a point on the North-South quarter quarter section line of the Northeast quarter of Section 19 and the true point of beginning of this description.

1 be, and the same is hereby approved.

2 SECTION 2. That the said territory hereinabove described  
3 be, and the same is hereby annexed to, incorporated in, and made a  
4 part of the said City of Modesto, to be effective upon the filing  
5 with the Secretary of State of the State of California of a copy  
6 of the record of the canvass of the returns of said election in  
7 such new territory and a certified copy of this ordinance.

8 SECTION 3. The Clerk of the City of Modesto is hereby  
9 authorized and directed to make and certify, under the seal of  
10 the City of Modesto, and transmit to the Secretary of State of  
11 the State of California, a copy of the record of the canvass of  
12 the returns of said election in such new territory, and a copy of  
13 this ordinance, giving the date of its passage in accordance with  
14 the statutes providing therefor.

15 SECTION 4. That the said territory hereinabove described  
16 shall, after such annexation, be subjected to taxation equally with  
17 the property within the City of Modesto to pay the bonded indebt-  
18 edness of the City of Modesto for the acquisition, construction or  
19 completion of municipal improvements outstanding or authorized at the  
20 date of the first publication of the notice of the election to be  
21 held to determine whether or not said property shall be annexed  
22 to the city.

23 SECTION 5. Pursuant to Section 722 of the Charter of  
24 the City of Modesto, this ordinance shall take effect and be in  
25 full force and operation as of the date hereof.

26 SECTION 6. This ordinance shall be published in full  
27 in The Modesto Journal and Valley Citizen, the official newspaper  
28 of the City of Modesto.

29 The foregoing ordinance was introduced at an adjourned  
30 regular meeting of the Council of the City of Modesto held on the  
31 21st day of January, 1957, by Councilman Hammond, who moved


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

4 Ayes: Adams, Hammond, Robinson and Mayor Marks

5  
6 Noes: None

Absent: Anderson, Arata, Merrill

7  
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9 APPROVED:   
MAYOR

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13 ATTEST:   
City Clerk

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ORDINANCE NO. 139 -C.S.

AN ORDINANCE AMENDING SECTION MAP 32 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 32 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 23 day of January, <sup>1957</sup>~~1956~~, by Councilman Anderson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Merrill, was upon roll call ~~carried~~<sup>defeated</sup> and not ordered printed and published by the following vote:

AYES: Councilmen: Anderson, Arata, Merrill

NOES: Councilmen: Adams, Hammond, Robinson, Mayor Marks

ABSENT: Councilmen: NOne

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 140 -C.S.

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM THE  
3 MODESTO IRRIGATION DISTRICT FOR A SITE FOR OFF-  
4 STREET PUBLIC PARKING FACILITIES IN THE CITY OF  
5 MODESTO.

6 WHEREAS, the Modesto Irrigation District owns that  
7 certain parcel of real property hereinafter described, and

8 WHEREAS, the City of Modesto desires to acquire said  
9 parcel of real property hereinafter described, together with the  
10 improvements located thereon, for a site for off-street public  
11 parking facilities,

12 NOW, THEREFORE, the Council of the City of Modesto does  
13 ordain as follows:

14 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
15 following described real property, together with the improvements  
16 located thereon, from the Modesto Irrigation District for the sum  
17 of Forty Thousand and no/100ths (\$40,000.00) Dollars, in accordance  
18 with the provisions of that certain agreement referred to in Section  
19 2 of this ordinance is hereby authorized.

20 Said real property is described as follows:

21 The following described land situate in the City of  
22 Modesto, Modesto Irrigation District, County of  
23 Stanislaus, State of California, to-wit:

24 Lot 5 and the Northeasterly 80 feet 6 inches of  
25 Lot 4 in Block 69 of the City of Modesto, according  
26 to the Official Map thereof, filed in the office  
27 of the County Recorder of Stanislaus County, Calif-  
28 ornia, on December 21, 1942, in Vol. 15 of Maps; also  
29 a right of way over the Southeasterly 6 feet of the  
30 Southwesterly 59-1/2 feet of said Lot 4 above referred  
31 to.

32 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
ment between the City of Modesto and the Modesto Irrigation Dis-  
trict relating to the purchase of certain real property for a site  
for off-street public parking facilities, a copy of which is on  
file in the Office of the City Clerk of the City of Modesto, is  
hereby approved, and the City Manager and the City Clerk are hereby  
authorized to execute and attest said agreement, respectively, on

1 behalf of the City of Modesto and do all things necessary to carry  
2 out the terms of said agreement.


3 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
4 of Modesto hereby accepts the deed from the Modesto Irrigation  
5 District conveying the above described property to the City of  
6 Modesto and hereby authorizes the City Clerk to record said deed  
7 with the Recorder of Stanislaus County.

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

11 SECTION 5. PUBLICATION. This ordinance shall be pub-  
12 lished in full at least once at least three (3) days prior to its  
13 final adoption in the Modesto Journal and the Valley Citizen, the  
14 official newspaper of the City of Modesto.

15 The foregoing ordinance was introduced at a regular  
16 meeting of the Council of the City of Modesto held on the 23  
17 day of January, 1957, by Councilman Robinson, who  
18 moved its introduction and passage to print, which motion being  
19 duly seconded by Councilman Anderson, was upon roll call  
20 carried and ordered printed and published by the following vote:

- 21 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
22 Robinson and Mayor Marks  
23 NOES: Councilmen: None  
24 ABSENT: Councilmen: None

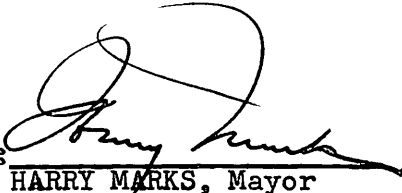
25 APPROVED:   
26 MAYOR MARKS, Mayor

27 ATTEST:   
28 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of February, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 21, 1957

1 AN ORDINANCE PROVIDING FOR THE LEASE OF HAWKE  
2 HANGAR AT THE MODESTO CITY-COUNTY AIRPORT TO  
3 GARY SMITH AND WALTER FOUNTAIN, A PARTNERSHIP,  
4 AND AUTHORIZING THE EXECUTION OF A LEASE  
5 AGREEMENT IN CONNECTION THEREWITH, AND REPEAL-  
6 ING ORDINANCE NO. 83-C.S.

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

9 SECTION 1. LEASE OF HAWKE HANGAR. The City of Modesto  
10 hereby leases to Gary Smith and Walter Fountain, a partnership,  
11 the following hangar located at the Modesto City-County Airport,  
12 situate in the County of Stanislaus, State of California, and  
13 more particularly described as follows, to wit:

14 That certain hangar approximately 6,000 square  
15 feet in area known as Hawke Hangar and located  
16 in the Northwest corner of the Southwest quarter  
17 of the Southeast quarter of Section 34, Township  
18 3 South, Range 9 East, M. D. B. & M.

19 for a term commencing on the first day of February, 1957, and end-  
20 ing on the 30th day of April, 1958, in accordance with all the  
21 terms and conditions as set forth in that certain lease agreement  
22 covering the lease of said property, a copy of which is on file in  
23 the Office of the City Clerk in the City of Modesto. The terms  
24 and conditions of said lease agreement are hereby accepted and  
25 approved.

26 SECTION 2. SIGNING AND ATTESTING OF LEASE. The City  
27 Manager and City Clerk of the City of Modesto are hereby authorized  
28 to sign and attest, respectively, said lease agreement on behalf of  
29 the City upon this ordinance becoming effective.

30 SECTION 3. REPEAL. Ordinance No. 83-C.S. entitled,  
31 "An Ordinance Providing for the Lease of Hawke Hangar at the  
32 Modesto City-County Airport to W. G. Dunlop, an individual, and  
Authorizing the Execution of a Lease Agreement in Connection There-  
with", adopted by the Council of the City of Modesto on April 11,  
1956, is hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall go

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

3 SECTION 5. PUBLICATION. This ordinance shall be pub-  
4 lished in full at least once at least three (3) days prior to its  
5 final adoption in the Modesto Journal and the Valley Citizen, the  
6 official newspaper of the City of Modesto.

7 The foregoing ordinance was introduced at a regular meet-  
8 ing of the Council of the City of Modesto held on the 23 day of  
9 January, 1957, by Councilman Merrill, who moved  
10 its introduction and passage to print, which motion being duly  
11 seconded by Councilman Anderson, was upon roll call carried  
12 and ordered printed and published by the following vote:

13 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
14 ROBINSON and Mayor Marks  
15 NOES: Councilmen: None  
16 ABSENT: Councilmen: None

17 APPROVED:   
18 HARRY MARKS, Mayor

19 ATTEST:   
20 REX E. GAILFUS, City Clerk  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of February, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 21, 1957

1 AN ORDINANCE LEASING CERTAIN CITY OWNED AIRPORT  
2 PROPERTY TO GARY SMITH AND WALTER FOUNTAIN AND  
3 AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT  
4 IN CONNECTION THEREWITH.

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

7 SECTION 1. APPROVAL OF LEASE. The City of Modesto  
8 hereby leases to Gary Smith and Walter Fountain, a partnership,  
9 the following described premises located at the Modesto City-  
10 County Airport, situate in the County of Stanislaus, State of  
11 California, and more particularly described as follows, to wit:

12 The West side of the Service Station is located  
13 on a line 36 feet East from, and paralleling the  
14 produced line of the East side of the existing  
15 hangar, and the North side of the Service Station  
16 is located on a line 76 feet South from, and  
17 paralleling the produced line of the South side of  
18 the existing hangar.

19 The North side of the Gas Pit is located on a  
20 line 20 feet North from and paralleling the produced  
21 line of the South side of the existing hangar, and  
22 the West side of the Gas Pit is located 90 feet  
23 East from, and paralleling the East side of the  
24 existing hangar,

25 for a term of five (5) years commencing on the first day of  
26 February, 1957, in accordance with the terms and conditions set  
27 forth in that certain lease agreement covering the lease of said  
28 property, a copy of which is on file in the Office of the City  
29 Clerk of the City of Modesto. The terms and conditions of said  
30 lease agreement are hereby accepted and approved.

31 SECTION 2. SIGNING AND ATTESTING. The City Manager and  
32 City Clerk of the City of Modesto are hereby authorized to sign  
and attest, respectively, said lease agreement on behalf of the  
City upon this ordinance becoming effective.

SECTION 3. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to its

1 final adoption in the Modesto Journal and the Valley Citizen, the  
2 official newspaper of the City of Modesto.

3 The foregoing ordinance was introduced at a regular  
4 meeting of the Council of the City of Modesto, held on the 6  
5 day of February, 1957, by Councilman Hammond,  
6 who moved its introduction and passage to print, which motion being  
7 duly seconded by Councilman Arata, was upon roll call  
8 carried and ordered printed and published by the following vote:

9 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
Robinson and Mayor Marks

10 NOES: Councilmen: None

11 ABSENT: Councilmen: None

12 APPROVED:   
13 HARRY MARKS, Mayor


14 ATTEST:   
15 REX E. GAILFUS, City Clerk

16 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of February, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 7, 1957

1 AN ORDINANCE LEASING CERTAIN CITY OWNED AIRPORT  
2 PROPERTY TO E. & J. GALLO WINERY AND AUTHORIZING  
3 THE EXECUTION OF A LEASE AGREEMENT IN CONNECTION  
4 THEREWITH.

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

7 SECTION 1. The City of Modesto hereby leases to E. & J.  
8 Gallo Winery, a corporation, the following described premises  
9 located at the Modesto City-County Airport, situate in the County  
10 of Stanislaus, State of California, and more particularly described  
11 as follows, to wit:

12 All that certain real property situate in the  
13 State of California, County of Stanislaus,  
14 Section 34, Township 3 South, Range 9 East,  
15 Mount Diablo Base and Meridian, and more  
16 particularly described as follows:

17 Commencing at the point of intersection of the  
18 Easterly property line of Conejo Avenue and  
19 the Southerly property line of Monterey  
20 Avenue as said streets are shown on the map  
21 of the Legion Park Tract filed in Volume 14,  
22 Page 10, Stanislaus County Records, produced  
23 Easterly; thence along the Easterly property  
24 line of Conejo Avenue extended Northerly,  
25 663.78 feet; thence at right angles Easterly,  
26 99.6 feet to the true point of beginning; thence  
27 continuing at right angles, Easterly, 100 feet;  
28 thence at right angles Southerly, 60 feet;  
29 thence at right angles Westerly, 100 feet;  
30 thence at right angles Northerly, 60 feet to  
31 point of beginning,

32 for a term of twelve (12) years commencing from the occupation of  
the building by any of the Lessor's aircraft equipment or supplies  
or with the filing of a Notice of Completion by the Lessor, which-  
ever occurs first, in accordance with the terms and conditions set  
forth in that certain lease agreement covering the lease of said  
property, a copy of which is on file in the Office of the City  
Clerk of the City of Modesto. The terms and conditions of said  
lease agreement are hereby accepted and approved.

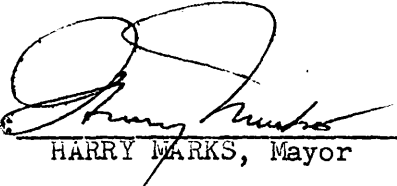
SECTION 2. The City Manager and City Clerk of the City  
of Modesto are hereby authorized to sign and attest, respectively,  
said lease agreement on behalf of the City upon this ordinance  
becoming effective.

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

4 SECTION 4. PUBLICATION. This ordinance shall be pub-  
5 lished in full at least once at least three (3) days prior to its  
6 final adoption in the Modesto Journal and the Valley Citizen, the  
7 official newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 6  
10 day of February, 1957, by Councilman Merrill, who  
11 moved its introduction and passage to print, which motion being  
12 duly seconded by Councilman Arata, was upon roll call  
13 carried and ordered printed and published by the following vote:

- 14 AYES: Councilman: Adams, Anderson, Arata, Hammond, Merrill,  
15 Robinson and Mayor Marks
- 16 NOES: Councilman: None
- 17 ABSENT: Councilman: None

18 APPROVED:   
19 HARRY MARKS, Mayor

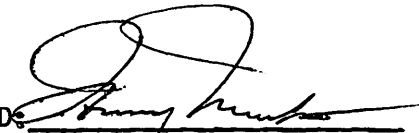
20 ATTEST:   
21 REX E. GAILFUS, City Clerk

22 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of February, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 7, 1957

1 AN ORDINANCE ADDING ARTICLE 4 TO CHAPTER 2 OF  
2 TITLE VIII OF THE MODESTO MUNICIPAL CODE  
3 IMPOSING A CITY SALES AND USE TAX: PROVIDING  
4 FOR THE PERFORMANCE BY THE STATE BOARD OF  
5 EQUALIZATION OF ALL FUNCTIONS INCIDENT TO THE  
6 ADMINISTRATION, OPERATION, AND COLLECTION OF  
7 THE SALES AND USE TAX HEREBY IMPOSED: AND  
8 SUSPENDING THE PROVISIONS OF ARTICLE 1, CHAPTER  
9 2, TITLE VIII OF THE MODESTO MUNICIPAL CODE  
10 DURING SUCH TIMES AS SAID ARTICLE 4 IS OPERATIVE.

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

13 SECTION 1. Article 4 of Chapter 2 of Title VIII of the  
14 Modesto Municipal Code, relating to Sales and Use Tax, is hereby  
15 added to read as follows:

16 ARTICLE 4. SALES AND USE TAX

17 SEC. 8-2.401. SHORT TITLE. This article shall be known  
18 as the Uniform Local Sales and Use Tax Law of the City of Modesto.

19 SEC. 8-2.402. PURPOSE. The Council of the City of  
20 Modesto hereby declares that this article is adopted to achieve  
21 the following, among other, purposes, and directs that the pro-  
22 visions hereof be interpreted in order to accomplish those purposes:

23 (a) To adopt a sales and use tax law which complies  
24 with the requirements and limitations contained in Part 1.5 of  
25 Division 2 of the Revenue and Taxation Code of the State of  
26 California;

27 (b) To adopt a sales and use tax law which incor-  
28 porates provisions identical to those of the Sales and Use Tax  
29 Law of the State of California insofar as those provisions are not  
30 inconsistent with the requirements and limitations contained in  
31 Part 1.5 of Division 2 of the said Revenue and Taxation Code;

32 (c) To adopt a sales and use tax law which imposes  
a ninety-two and one-half one hundredths (0.925) of one per cent  
(1%) tax and provides a measure therefor that can be administered  
and collected by the State Board of Equalization in a manner that  
adapts itself as fully as practical to, and requires the least

1 possible deviation from, the existing statutory and administrative  
2 procedures followed by the State Board of Equalization in adminis-  
3 tering and collecting the California State Sales and Use Taxes;

4 (d) To adopt a sales and use tax law which can be  
5 administered in a manner that will, to the degree possible consist-  
6 ent with the provisions of Part 1.5 of Division 2 of the said  
7 Revenue and Taxation Code, minimize the cost of collecting city  
8 sales and use taxes and at the same time minimize the burden of  
9 record keeping upon persons subject to taxation under the pro-  
10 visions of this article;

11 (e) To adopt a sales and use tax law which can be  
12 administered in a manner that will exclude the receipts of particu-  
13 lar sales from the measure of the sales tax imposed by this City  
14 which have been included in the measure of the sales tax imposed  
15 by any other city and county, county other than the county in  
16 which this City is located, or city in this State, and avoid im-  
17 posing a use tax on the storage, use or other consumption of  
18 tangible personal property in this City when the gross receipts  
19 from the sale of, or the use of, that property has been subject  
20 to a sales or use tax by any other city and county, county other  
21 than the county in which this City is located, or city in this  
22 State, pursuant to a sales and use tax law enacted under the pro-  
23 visions of Part 1.5 of Division 2 of the said Revenue and Taxation  
24 Code.

25 SEC. 8-2.403. SALES TAX. (a) (1) For the privilege of  
26 selling tangible personal property at retail a tax is hereby im-  
27 posed upon all retailers in the City at the rate of Ninety-two  
28 and one-half one hundredths (0.925) of one (1%) per cent of the  
29 gross receipts of the retailer from the sale of all tangible per-  
30 sonal property sold at retail in the City of Modesto on and after  
31 the operative date of this article.  
32

1 (2) For the purposes of this article, all re-  
2 tail sales shall be presumed to have been consummated at the place  
3 of business of the retailer unless the tangible personal property  
4 sold is delivered by the retailer or his agent to an out-of-state  
5 destination or to a common carrier for delivery to an out-of-state  
6 destination. Delivery charges shall be included in the gross re-  
7 ceipts by which the tax is measured, regardless of the place to  
8 which delivery is made, when such charges are included in the  
9 measure of the sales or use tax imposed by the State of California.  
10 In the event a retailer has no permanent place of business in the  
11 State of California, or has more than one place of business, the  
12 place or places at which retail sales are consummated shall be as  
13 determined under rules and regulations prescribed and adopted by  
14 the Board of Equalization.

15 (b) (1) Except as hereinafter provided, and ex-  
16 cept insofar as they are inconsistent with the provisions of Part  
17 1.5 of Division 2 of the said Revenue and Taxation Code, all of  
18 the provisions of Part 1 of Division 2 of said Code, as amended  
19 and in force and effect on April 1, 1957, applicable to sales taxes  
20 are hereby adopted and made a part of this section as though fully  
21 set forth herein.

22 (2) Wherever, and to the extent that, in Part  
23 1 of Division 2 of the said Revenue and Taxation Code, the State  
24 of California is named or referred to as the taxing agency, the  
25 City of Modesto shall be substituted therefor. Nothing in this  
26 subdivision shall be deemed to require the substitution of the  
27 name of the City of Modesto for the word "State" when that word is  
28 used as part of the title of the State Controller, the State  
29 Treasurer, the State Board of Control, the State Board of Equaliza-  
30 tion, or the name of the State Treasury, or of the Constitution of  
31 the State of California; nor shall the name of the City be sub-  
32 stituted for that of the State in any section when the result of

1 that substitution would require action to be taken by or against  
2 the City or any agency thereof, rather than by or against the  
3 State Board of Equalization, in performing the functions incident  
4 to the administration or operation of this article; and neither  
5 shall the substitution be deemed to have been made in those sec-  
6 tions, including, but not necessarily limited to, sections refer-  
7 ring to the exterior boundaries of the State of California, where  
8 the result of the substitution would be to provide an exemption  
9 from this tax with respect to certain gross receipts which would  
10 not otherwise be exempt from this tax while those gross receipts  
11 remain subject to tax by the State under the provisions of Part 1  
12 of Division 2 of the said Revenue and Taxation Code; nor to impose  
13 this tax with respect to certain gross receipts which would not be  
14 subject to tax by the State under the said provisions of that  
15 Code; and, in addition, the name of the City shall not be sub-  
16 stituted for that of the State in Sections 6701, 6702 (except in  
17 the last sentence thereof), 6711, 6715, 6737, 6797 and 6828 of  
18 the said Revenue and Taxation Code as adopted.

19 (3) If a seller's permit has been issued to a  
20 retailer under Section 6068 of the said Revenue and Taxation Code,  
21 an additional seller's permit shall not be required by reason of  
22 this section.

23 (4) There shall be excluded from the gross re-  
24 ceipts by which the tax is measured:

25 (i) The amount of any sales or use tax  
26 imposed by the State of California upon a retailer or consumer.

27 (ii) Receipts from the sale of tangible  
28 personal property upon which a sales or use tax has become due by  
29 reason of the same transaction to any other city and county, county  
30 other than the county in which this City is located, or city in  
31 this State under a sales or use tax ordinance enacted by that city  
32 and county, county other than the County in which this City is

1 located, or city in this State in accordance with Part 1.5 of  
2 Division 2 of the said Revenue and Taxation Code.

3 (iii) Receipts from sales to operators  
4 of common carrier and waterborne vessels of property to be used  
5 or consumed in the operation of such common carriers or waterborne  
6 vessels principally outside of this City.

7 SEC. 8-2.404. USE TAX. (a) An excise tax is hereby  
8 imposed on the storage, use or other consumption in the City of  
9 Modesto of tangible personal property purchased from any retailer  
10 on or after the operative date of this article, for storage, use  
11 or other consumption in the City at the rate of ninety-two and one-  
12 half one hundredths (0.925) of one per cent (1%) of the sales  
13 price of the property. The sales price shall include delivery  
14 charges when such charges are subject to State sales or use tax  
15 regardless of the place to which delivery is made.

16 (b) (1) Except as hereinafter provided, and ex-  
17 cept insofar as they are inconsistent with the provisions of Part  
18 1.5 of Division 2 of the said Revenue and Taxation Code, all of  
19 the provisions of Part 1 of Division 2 of said Code, as amended  
20 and in force and effect on April 1, 1957, applicable to use taxes  
21 are hereby adopted and made a part of this section as though fully  
22 set forth herein.

23 (2) Wherever, and to the extent that, in Part  
24 1 of Division 2 of the said Revenue and Taxation Code the State of  
25 California is named or referred to as the taxing agency, the City  
26 of Modesto shall be substituted therefor. Nothing in this sub-  
27 division shall be deemed to require the substitution of the name of  
28 the City of Modesto for the word "State" when that word is used as  
29 part of the title of the State Controller, the State Treasurer, the  
30 State Board of Control, the State Board of Equalization, or the  
31 name of the State Treasury, or of the Constitution of the State of  
32 California; nor shall the name of the City be substituted for that

1 of the State in any section when the result of that substitution  
2 would require action to be taken by or against the City or any  
3 agency thereof rather than by or against the State Board of Equali-  
4 zation, in performing the functions incident to the administration  
5 or operation of this article; and neither shall the substitution  
6 be deemed to have been made in those sections, including but not  
7 necessarily limited to, sections referring to the exterior bound-  
8 aries of the State of California, where the result of the sub-  
9 stitution would be to provide an exemption from this tax with  
10 respect to certain storage, use or other consumption of tangible  
11 personal property which would not otherwise be exempt from this  
12 tax while such storage, use or other consumption remains subject  
13 to tax by the State under the provisions of Part 1 of Division 2  
14 of the said Revenue and Taxation Code, or to impose this tax with  
15 respect to certain storage, use or other consumption of tangible  
16 personal property which would not be subject to tax by the State  
17 under the said provisions of that Code; and in addition, the name  
18 of the City shall not be substituted for that of the State in  
19 Sections 6701, 6702 (except in the last sentence thereof), 6711,  
20 6715, 6737, 6797, and 6828 of the said Revenue and Taxation Code  
21 as adopted.

22 (3) There shall be exempt from the tax due under  
23 this section:

24 (i) The amount of any sales or use tax im-  
25 posed by the State of California upon a retailer or consumer.

26 (ii) The storage, use or other consumption of  
27 tangible personal property, the gross receipts from the sale of or  
28 the cost of which has been subject to sales or use tax under a  
29 sales or use tax law enacted in accordance with Part 1.5 of Division  
30 2 of the said Revenue and Taxation Code by any other city and county,  
31 county other than the county in which this City is located, or city  
32 in this State.

1 (iii) The storage or use of tangible per-  
2 sonal property in the transportation or transmission of persons,  
3 property or communications, or in the generation, transmission or  
4 distribution of electricity or in the manufacture, transmission or  
5 distribution of gas in intrastate, interstate or foreign commerce  
6 by public utilities which are regulated by the Public Utilities  
7 Commission of the State of California.

8 (iv) The use or consumption of property  
9 purchased by operators of common carrier and waterborne vessels  
10 to be used or consumed in the operation of such common carriers or  
11 waterborne vessels principally outside the City.

12 SEC. 8-2.405. AMENDMENTS. All amendments of the said  
13 Revenue and Taxation Code enacted subsequent to the effective date  
14 of this article which relate to the sales and use tax and which  
15 are not inconsistent with Part 1.5 of Division 2 of the said  
16 Revenue and Taxation Code shall automatically become a part of this  
17 article.

18 SEC. 8-2.406. ENJOINING COLLECTION FORBIDDEN. No in-  
19 junction or writ of mandate or other legal or equitable process  
20 shall issue in any suit, action or proceeding in any court against  
21 the State or this City, or against any officer of the State or this  
22 City, to prevent or enjoin the collection under this article, or  
23 Part 1.5 of Division 2 of the Revenue and Taxation Code, of any tax  
24 or any amount of tax required to be collected.

25 SEC. 8-2.407. OPERATIVE DATE.. CONTRACT WITH STATE.  
26 Except as hereinafter provided, this article shall become operative  
27 on April 1, 1957, and prior thereto the City shall contract with  
28 the State Board of Equalization to perform all functions incident  
29 to the administration and operation of this sales and use tax law;  
30 provided, that if this City shall not have contracted with the said  
31 State Board of Equalization, as above set forth, prior to April 1,  
32

1 1957, this article shall not be operative until the first day of  
2 of the first calendar quarter following the execution of such a  
3 contract by the City and by the State Board of Equalization; and  
4 provided further that in no event shall this article become opera-  
5 tive prior to the operative date of the Uniform Local Sales and  
6 Use Tax Ordinance of the County of Stanislaus.

7           SEC. 8-2.408. EXISTING SALES AND USE TAX LAW SUSPENDED.

8 At the time this article goes into operation, the then existing pro-  
9 visions of Article 1, Chapter 2, Title VIII of the Modesto Municipal  
10 Code shall be suspended and shall not again be of any force or  
11 effect until and unless for any reason the State Board of Equaliza-  
12 tion ceases to perform the functions incident to the administration  
13 and operation of the sales and use tax hereby imposed; provided,  
14 however, that if for any reason it is determined that the City of  
15 Modesto is without power to adopt this article, or that the State  
16 Board of Equalization is without power to perform the functions  
17 incident to the administration and operation of the taxes imposed  
18 by this article, the provisions of Article 1, Chapter 2, Title VIII  
19 of the Modesto Municipal Code shall not be deemed to have been sus-  
20 pended, but shall be deemed to have been in full force and effect  
21 at the rate of one per cent (1%) continuously from and after April  
22 1, 1957. Upon the ceasing of the State Board of Equalization to  
23 perform the functions incident to the administration and operation  
24 of the taxes imposed by this article, the provisions of Article 1,  
25 Chapter 2, Title VIII of the Modesto Municipal Code shall again be  
26 in full force and effect at the rate of one per cent (1%). Nothing  
27 in this article shall be construed as relieving any person of the  
28 obligation to pay to the City of Modesto any sales or use tax  
29 accrued and owing by reason of the provisions of Article 1, Chapter  
30 2, Title VIII of the Modesto Municipal Code. in force and effect  
31 prior to the operative date of this article.  
32

1 SECTION 2. EFFECTIVE DATE. This ordinance, inasmuch  
2 as it provides for a tax levy for the usual current expenses of  
3 the city, shall take effect immediately.

4 SECTION 3. PUBLICATION. This ordinance shall be pub-  
5 lished in full at least once at least three (3) days prior to its  
6 final adoption in the Modesto Journal and the Valley Citizen, the  
7 official newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular  
9 meeting of the Council of the City of Modesto held on the 6  
10 day of February, 1957, by Councilman Hammond, who  
11 moved its introduction and passage to print, which motion being  
12 duly seconded by Councilman Robinson, was upon roll call  
13 carried and ordered printed and published by the following vote:

14 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
15 NOES: None Robinson and Mayor Marks  
16 ABSENT: None

17  
18 APPROVED:   
HARRY MARKS, Mayor

19  
20 ATTEST:   
REX. E. GAILFUS, City Clerk

21  
22 (SEAL)

1 AN ORDINANCE ADDING ARTICLE 5 TO CHAPTER 2 OF  
2 TITLE VIII OF THE MODESTO MUNICIPAL CODE RE-  
3 LATING TO THE DISPOSITION OF CITY SALES AND USE  
4 TAX FUNDS.

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

7 SECTION 1. Article 5 of Chapter 2 of Title VIII of the  
8 Modesto Municipal Code is hereby added to read as follows:

9 ARTICLE 5. DISPOSITION OF SALES AND USE TAX FUNDS.

10 SEC. 8-2.501. DISPOSITION OF PROCEEDS. All moneys re-  
11 ceived by the City under or pursuant to the provisions of Article  
12 4 of Chapter 2 of Title VIII of the Modesto Municipal Code shall  
13 be deposited as follows:

14 (a) One-half (1/2) of said moneys shall be de-  
15 posited and paid into the General Fund of the City; and

16 (b) One-half (1/2) of said moneys shall be de-  
17 posited and paid into the Special Capital Outlay Fund of the City  
18 and shall be expended solely for capital outlays.

19 SECTION 2. EFFECTIVE DATE. This ordinance shall go  
20 into effect and be in full force and operation from and after  
21 fifteen (15) days after its final passage and adoption.

22 SECTION 3. PUBLICATION. This ordinance shall be pub-  
23 lished in full at least once at least three (3) days prior to its  
24 final adoption in the Modesto Journal and the Valley Citizen, the  
25 official newspaper of the City of Modesto.

26 The foregoing ordinance was introduced at a regular  
27 meeting of the Council of the City of Modesto held on the 6  
28 day of February, 1957, by Councilman Robinson, who  
29 moved its introduction and passage to print, which motion being duly  
30 seconded by Councilman Anderson, was upon roll call carried  
31 and ordered printed and published by the following vote:

32 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks

NOES: None

ABSENT: None

ATTEST: [Signature]  
Rex E. Gailfus, City Clerk

APPROVED: [Signature]  
HARRY MARKS, Mayor

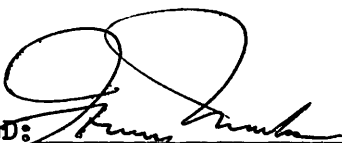
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of February, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Arata and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: March 7, 1957

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
2 CERTAIN REAL PROPERTY BY THE CITY OF  
3 MODESTO FROM ISABEL M. HEIMANN, HARRY D.  
4 CROW, LENNA B. CROW, AND DORIS E. WILLIAMS

5 WHEREAS, Isabel M. Heimann, Harry D. Crow, Lenna B. Crow,  
6 and Doris E. Williams own that certain parcel of real property hereinafter  
7 described, and

8 WHEREAS, the City of Modesto desires to purchase said real  
9 property for use for municipal purposes,

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

12 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
13 following described real property, with improvements thereto, from Isabel M.  
14 Heimann, Harry D. Crow, Lenna B. Crow, and Doris E. Williams, individ-  
15 uals, for the sum of Two Hundred Forty Thousand and no/100ths (\$240,000.00)  
16 Dollars in accordance with the provisions of that certain agreement referred  
17 to in Section 2 of this ordinance is hereby authorized. Said real property is  
18 described as follows:

19 All that certain real property situate in the City of Modesto,  
20 County of Stanislaus, State of California, described as fol-  
21 lows, to wit:

22 Lots 10, 11, 12, 13, 14, 15, and 16 in Block 69 of the CITY  
23 OF MODESTO, according to the Official Map thereof, filed  
24 in the Office of the Recorder of Stanislaus County, California,  
25 on December 21, 1942 in Volume 15 of Maps.

26 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
27 ment between the City of Modesto and Isabel M. Heimann, Harry D. Crow,  
28 Lenna B. Crow, and Doris E. Williams, relating to the purchase of certain  
29 real property for municipal purposes, a copy of which is on file in the Office  
30 of the City Clerk of the City of Modesto, is hereby approved, and the City  
31 Manager and the City Clerk are hereby authorized to execute and attest said  
32 agreement, respectively, on behalf of the City of Modesto and do all things  
33 necessary to carry out the terms of said agreement.

34 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The  
35 City of Modesto hereby accepts the deed from Isabel M. Heimann, Harry D.  
36 Crow, Lenna B. Crow, and Doris E. Williams, conveying the above described

1 property to the City of Modesto and hereby authorizes the City Clerk to record  
2 said deed with the Recorder of Stanislaus County.

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

6 SECTION 5. PUBLICATION. This ordinance shall be published in  
7 full at least once at least three (3) days prior to its final adoption in the  
8 Modesto Journal and the Valley Citizen, the official newspaper of the City of  
9 Modesto.

10 The foregoing ordinance was introduced at a regular meeting of  
11 the Council of the City of Modesto held on the 13 day of February,  
12 1957, by Councilman Hammond, who moved its introduction and  
13 passage to print, which motion being duly seconded by Councilman  
14 Anderson, was upon roll call carried and ordered printed  
15 and published by the following vote:

16 AYES: Councilmen: Adams, Anderson, Hammond, Merrill and  
17 Mayor Marks  
18 NOES: Councilmen: Robinson  
19 ABSENT: Councilmen: Arata

20 APPROVED: 

HARRY MARKS, Mayor

21  
22 ATTEST: 

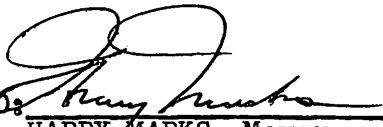
23 REX E. GAILFUS, City Clerk

24 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of February, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 14, 1957

1 AN ORDINANCE AUTHORIZING THE ACQUISITION FROM TIDE-  
2 WATER SOUTHERN RAILWAY COMPANY BY THE CITY OF MODESTO,  
3 OF CERTAIN REAL PROPERTY PARTICULARLY HEREINAFTER  
4 DESCRIBED, LOCATED IN THE COUNTY OF STANISLAUS, FOR  
5 USE FOR WELL SITE PURPOSES IN THE TIDEWATER SOUTHERN  
6 INDUSTRIAL TRACT, AND SETTING FORTH THE FORM OF SAID  
7 DEED IN FULL.

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

9 SECTION 1. It is hereby declared that the following  
10 described property is necessary for use for well site purposes in  
11 the Tidewater Southern Industrial Tract.

12 SECTION 2. The City of Modesto hereby acquires from the  
13 Tidewater Southern Railway Company certain real property particu-  
14 larly hereinafter described, for the purposes hereinabove specified,  
15 located in the County of Stanislaus, State of California.

16 SECTION 3. That said deed shall be in words and figures  
17 as follows, to-wit:

18 DEED

19 TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation, herein  
20 called "Grantor", hereby grants to the CITY OF MODESTO, a municipal  
21 corporation of the State of California, herein called "Grantee",  
22 all that certain real property situate in the County of Stanislaus,  
23 State of California, described as follows:

24 PARCEL 1:

25 A portion of the northwest quarter of the south-  
26 east quarter of Section 9, Township 4 South, Range 9 East,  
27 M. D. B. & M., said portion being described as follows:

28 Commencing at the center of said Section 9;  
29 thence from said point of commencement easterly along  
30 the north line of the southeast quarter of said Section  
31 9, a distance of 53.0 feet; thence southerly parallel  
32 with the west line of said northwest quarter of the  
southeast quarter, a distance of 40.0 feet to the  
point of beginning of the tract of land to be described;  
thence from said point of beginning southerly, parallel  
with said west line, a distance of 100.0 feet; thence  
easterly parallel with said north line a distance of  
100.0 feet; thence northerly parallel with said west  
line, a distance of 100.0 feet to a point distant  
40.0 feet southerly from said north line; thence west-  
erly parallel with said north line, a distance of 100.0  
feet to the point of beginning.

Containing 10,000 square feet, more or less.

PARCEL 2:

A portion of the southwest quarter of the southeast quarter of Section 9, Township 4 South, Range 9 East, M. D. B. & M., said portion being described as follows:

Commencing at the northwest corner of the southwest quarter of the southeast quarter of said Section 9; thence easterly along the north line of said southwest quarter of the southeast quarter, a distance of 53.0 feet; thence southerly parallel with the west line of said southwest quarter of the southeast quarter, a distance of 40.0 feet to the point of beginning of the parcel to be described; thence from said point of beginning, southerly parallel with said west line a distance of 150.0 feet; thence easterly parallel with said north line, a distance of 100.0 feet; thence northerly parallel with said west line, a distance of 150.0 feet to a point distant 40.0 feet southerly from said north line; thence westerly parallel with said north line, a distance of 100.0 feet to the point of beginning.

Containing 15,000 square feet, more or less.

TO HAVE AND TO HOLD the same, together with the appurtenances, unto the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has executed these presents this 5th day of February, 1957, by its officers thereunto duly authorized by resolution of its Board of Directors, a certified copy of which resolution is hereto attached.

TIDEWATER SOUTHERN RAILWAY COMPANY

By S/ R. T. KEARNEY  
President and General Manager

Attest: M. F. ZIEHN  
Secretary

SECTION 4: That the City Clerk of the City of Modesto hereby accepts the deed above set forth from the Tidewater Southern Railway Company, conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

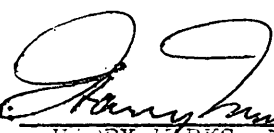
SECTION 5. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 6. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in

1 the Modesto Journal and the Valley Citizen, the official newspaper  
2 of the City of Modesto.

3 The foregoing ordinance was introduced at a regular meeting  
4 of the Council of the City of Modesto held on the 13 day of  
5 February, 1957, by Councilman Anderson, who moved  
6 its introduction and passage to print, which motion being duly  
7 seconded by Councilman Merrill, was upon roll call  
8 carried and ordered printed and published by the following vote:

- 9 AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
and Mayor Marks
- 10 NOES: Councilmen:
- 11 ABSENT: Councilmen: Arata

12  
13 APPROVED:   
HARRY MARKS, Mayor

14 ATTEST:   
15 R. E. GAILFUS, City Clerk

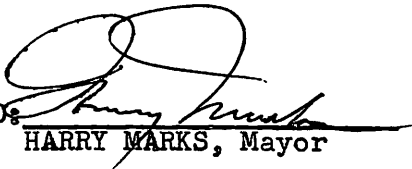
16 (SEAL)

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of February, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: March 14, 1957

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF  
2 CERTAIN REAL PROPERTY BY THE CITY OF  
3 MODESTO FOR USE FOR MUNICIPAL PURPOSES  
4 FROM WILLARD K. MC BRIDE AND FAY T. MCBRIDE.

5 WHEREAS, Willard K. McBride and Fay T. McBride own that  
6 certain parcel of real property hereinafter described, and

7 WHEREAS, the City of Modesto desires to acquire said parcel of  
8 real property hereinafter described, together with any improvements located  
9 thereon, for use for municipal purposes,

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

12 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
13 following described real property, together with any improvements located  
14 thereon, from Willard K. McBride and Fay T. McBride for the sum of Twenty-  
15 Eight Thousand Six Hundred and no/100ths (\$28,600.00) Dollars, in accordance  
16 with the provisions of that certain agreement referred to in Section 2 of this  
17 ordinance is hereby authorized.

18 Said real property is described as follows:

19 The following described land situate in the Modesto Irrigation  
20 District, County of Stanislaus, State of California, to wit:

21 All that portion of Lot 4 in the East half of the Southeast  
22 quarter of Section 1, Township 4 South, Range 8 East, M.D.  
23 B.&M., lying South of the County Road between Modesto and  
24 Tuolumne City, known as "Paradise Road".

25 EXCEPTING THEREFROM all that portion falling within the  
26 boundaries of the subdivision known as Tuolumne Terrace,  
27 as per Map filed November 5, 1945 in Vol. 14 of Maps, page  
28 39, Stanislaus County Records.

29 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
30 ment between the City of Modesto and Willard K. McBride and Fay T. McBride  
31 relating to the purchase of certain real property for use for municipal purposes,  
32 a copy of which is on file in the Office of the City Clerk of the City of Modesto,  
is hereby approved, and the City Manager and City Clerk are hereby authorized  
to execute and attest said agreement, respectively, on behalf of the City of  
Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The  
City of Modesto hereby accepts the deed from Willard K. McBride and Fay T.


1 McBride conveying the above described property to the City of Modesto and  
2 hereby authorizes the City Clerk to record said deed with the Recorder of  
3 Stanislaus County.

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

7 SECTION 5. PUBLICATION. This ordinance shall be published in  
8 full at least once at least three (3) days prior to its final adoption in the  
9 Modesto Journal and the Valley Citizen, the official newspaper of the City of  
10 Modesto.

11 The foregoing ordinance was introduced at a regular meeting of  
12 the Council of the City of Modesto held on the 20 day of February,  
13 1957, by Councilman Anderson, who moved its introduction and  
14 passage to print, which motion being duly seconded by Councilman  
15 Robinson, was upon roll call carried and ordered printed  
16 and published by the following vote:

- 17 AYES: Councilmen: Anderson, Adams, Hammond, Merrill, Robinson  
18 and Mayor Marks  
19 NOES: Councilmen: None  
20 ABSENT: Councilmen: Arata

21 APPROVED:   
22 HARRY MARKS, Mayor

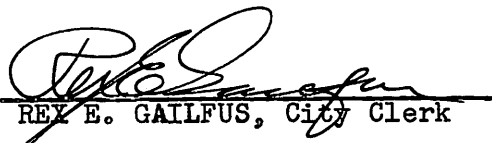
23 ATTEST:   
24 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of March, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 21, 1957

AN ORDINANCE ANNEXING UNINHABITED TERRITORY  
 KNOWN AS THE SYCAMORE ADDITION TO  
 THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Mr. and Mrs. Earl F. Jacobson, Rev. and Mrs. Nick VanderVeur,  
Ludwig Erickson, Riley McCabe, Marcelino Alonzo,  
and Mark Randy on

December 14, 1956, to annex to the City of Modesto  
 under the provisions of the Annexation of Uninhabited Territory  
 Act of 1939, as amended, certain uninhabited territory, hereinafter  
 described and designated as the SYCAMORE ADDITION,  
 situate in the County of Stanislaus, State of California, and con-  
 tiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the  
9th day of January, 1957, set said petition for hear-  
 ing at the hour of 4:30 o'clock p.m. on the 20th day of February,  
 1957, in the Council Chamber at the McHenry Public Library,  
 located at Fourteenth and I Streets in ~~the~~ City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds  
 that a copy of the resolution giving notice of the proposed annexation  
 and fixing the time and place for hearing objections to the proposed  
 annexation was published in newspapers of general circulation to wit:  
The Modesto Journal and the Valley Citizen, a newspaper published  
 in the City of Modesto on January 19, 1957, and on  
January 24, 1957; and in the Turlock Daily Journal,  
 a newspaper published outside the City of Modesto, but in the  
 County of Stanislaus, on January 17, 1957, and on  
January 24, 1957, for the time and in the manner  
 required by law, which publications were completed at least twenty  
 (20) days prior to the date set for hearing; that written notice  
 of the proposed annexation has been mailed by the City Clerk of  
 the City of Modesto to each person to whom land within the terri-  
 tory proposed to be annexed was assessed on the last equalized  
 assessment roll available on the date the proceedings were initiated,  
 at the address as shown thereon, or as known to said Clerk, and to

any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 20th day of February, 1957, at the hour of 4:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

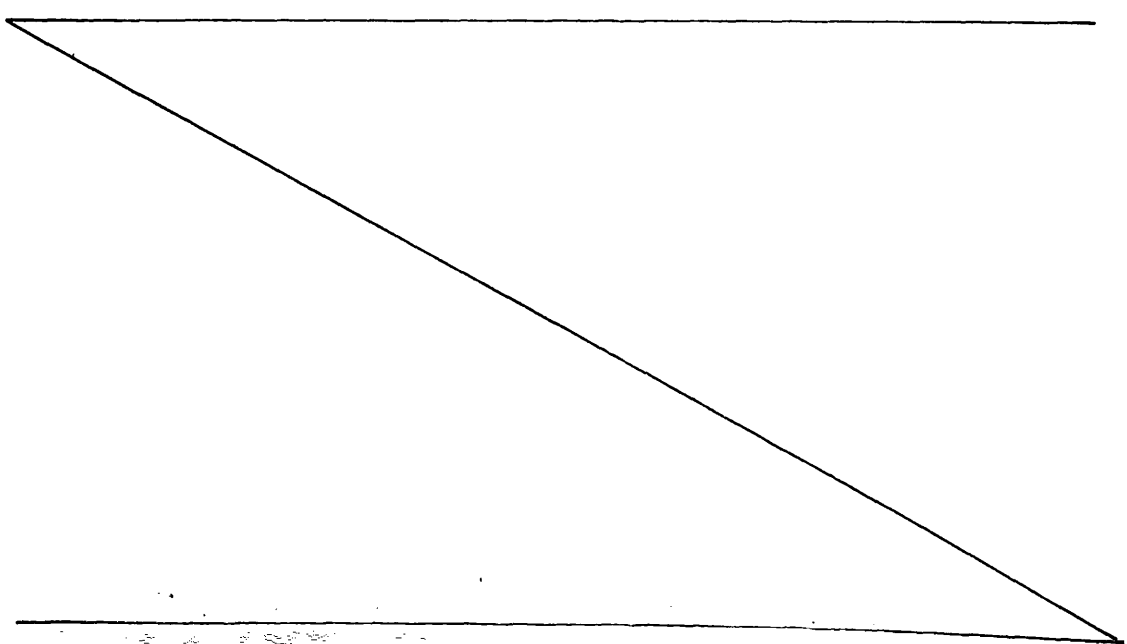
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the SYCAMORE ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 5 and 8 of the Fresno Tract according to the map filed March 14, 1903 in Volume 1 of Maps, Page 76, Stanislaus County Records and more particularly described as follows:

Beginning at a point on the existing Corporate City Limits, said point being the Northeastern corner of the existing City limits as described in the boundary description of the La Villa Rose Addition as filed in Volume 1202, at Page 454, Stanislaus County

Records, said point being on the East-West quarter section line of Section 17; thence Southerly along existing City limits and Eastern line of said La Villa Rose Addition, and the Western line of Sycamore Avenue as described in the deed recorded in Volume 1243, Page 269, Stanislaus County Records; thence along said line parallel to and 30 feet at right angles from the Eastern line of said Lot 8, South  $00^{\circ} 48'$  East, to a point on the Southern line of the Modesto Irrigation District Lateral No. 3; thence along the Southern line of the Modesto Irrigation District Lateral No. 3, Easterly, to its intersection with the Southerly extension of the Western line of the Briggsmore Tract, recorded in Volume 17 of Maps at Page 43, Stanislaus County Records; thence Northerly along the Western line of Briggsmore Tract and its Southerly extension, to the intersection of said Western line of Briggsmore Tract and the Southern line of Bowen Avenue, as shown said Briggsmore Tract, said point being 30 feet at right angles Southerly from the Northern line of Lot 5, of Fresno Tract; thence Easterly along the Southern line of Bowen Avenue as shown on Map of Briggsmore Tract to its intersection with the Eastern line of the Briggsmore Tract, said Eastern line also being the Eastern line of Lot 5 of the Fresno Tract; thence Northerly along the Northerly extension of the said Eastern line of the Briggsmore Tract and said Eastern line of Lot 5 of the Fresno Tract, to the Northern line of Bowen Avenue as shown on Map of Leveland Tract as filed in Volume 9 of Maps, at Page 71, Stanislaus County Records, said Northern line of Bowen also being existing Corporate City Limits; thence Westerly along the Northern line of said Bowen Avenue to its intersection with the Northerly extension of the Eastern line of said La Villa Rose Addition; thence along the said Northerly extension of the Eastern line of said La Villa Rose Addition, Southerly, 25.00 feet to the point of beginning.



SECTION 3. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 4. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 5. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Journal and the Valley Citizen, 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 20th day of February, 1957, by Councilman Hammond, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 150 -C.S.

AN ORDINANCE AMENDING SECTION MAP 18 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 18 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

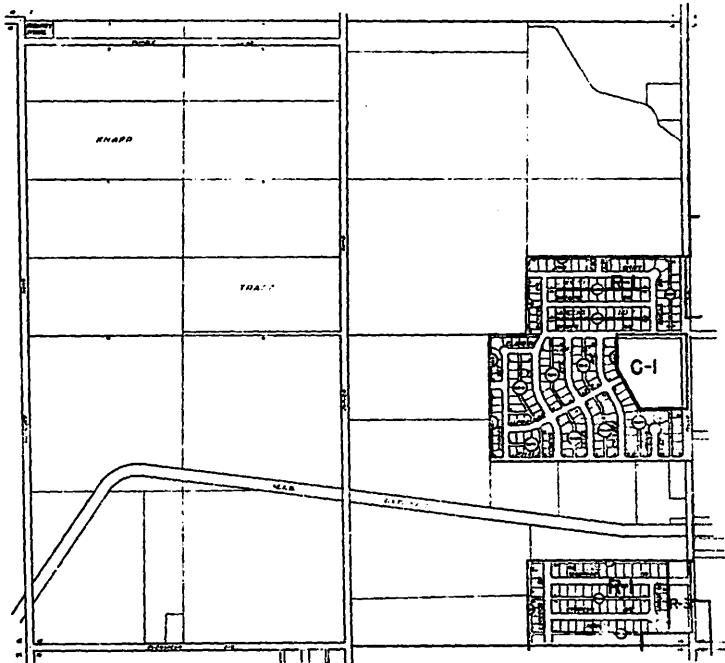
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of February, 1957, by Councilman Mayor Marks, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: Merrill  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)



**SECTION 18**

As Amended by Ord. No. 150-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of March, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 21, 1957

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED  
2 "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC  
3 STREETS OF THE CITY OF MODESTO", AS AMENDED, TO AMEND  
4 SECTION 23 THEREOF RELATING TO TRAFFIC REGULATIONS  
5 AND REPEALING ORDINANCE NO. 126-C.S.

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

7 SECTION 1. Section 23 of Ordinance No. 345-N.S. entitled  
8 "An Ordinance Regulating Traffic Upon the Public Streets of the  
9 City of Modesto", as amended, is hereby amended to read as follows:

10 Section 23. Through Streets. Stop Signs. The  
11 following named streets and parts of streets are  
12 hereby declared to be through streets for the  
13 purposes of this section:

14 BURNEY STREET, from the northerly line of Grand  
15 Avenue to the southwesterly line of La Loma;

16 CALIFORNIA STREET, from the northwesterly line  
17 of H Street to the center line of Franklin Street;

18 COLLEGE AVENUE, from the northerly line of Needham  
19 Avenue to the northerly line of Granger Avenue;

20 DOWNEY AVENUE, from the easterly line of McHenry  
21 Avenue to the southeasterly line of Scenic Drive;

22 FIFTH STREET, from the southerly line of L Street  
23 to the northwesterly line of H Street, and from  
24 the southeasterly line of H Street to the northerly  
25 line of Sierra Drive;

26 FOURTEENTH STREET, from the northwesterly line of  
27 D Street to the southeasterly line of H Street, and  
28 from the northwesterly line of H Street to the  
29 southeasterly line of J Street;

30 G STREET, from the northeasterly line of Ninth Street  
31 to the southwesterly line of Fourteenth Street;

32 H STREET, from the center line of Washington Street  
to the southwesterly line of Ninth Street and from  
the northeasterly line of Ninth Street to the  
westerly line of Burney Street;

I STREET, from the northeasterly line of Fifth Street  
to the southwesterly line of Ninth Street;

L STREET, from the northeasterly line of Ninth Street  
to the southerly line of Needham Avenue;

LA LOMA, from the westerly line of Burney Street to  
the northerly line of Yosemite Boulevard;

MILLER AVENUE, from the northeasterly line of  
La Loma to the westerly line of El Vista Avenue;

REPEALED ORD 234CS

1 NEEDHAM AVENUE, from the northeasterly line of  
2 Ninth Street to the easterly line of McHenry  
Avenue;

3 PARADISE AVENUE, from the center line of Washington  
4 Street to the center line of Franklin Street;

5 SCENIC DRIVE, from the northerly line of Downey  
6 Avenue to the city limit;

7 SEVENTH STREET, from the southeasterly line of  
8 Tuolumne Boulevard to the southeasterly line of  
9 H Street;

10 SIERRA DRIVE, from the northeasterly line of  
11 Fifth Street to the southwesterly line of Seventh  
12 Street;

13 SUTTER AVENUE, from the southerly line of Nian way  
14 to the southeasterly line of Paradise Road;

15 TENTH STREET, from the southerly line of Needham  
16 Avenue to the northwesterly line of L Street;

17 TULLY ROAD, from the northerly line of Highway 99  
18 northerly to the City limits;

19 TUOLUMNE BOULEVARD, from the southeasterly line of  
20 Paradise Road to the southwesterly line of Seventh  
21 Street;

22 WASHINGTON STREET, from the northwesterly line of H  
23 Street to the southerly line of Maze Boulevard.

24 The Traffic Engineer is hereby authorized to erect  
25 and maintain, or cause to be erected and maintained,  
26 at entrances to said through streets, stop signs re-  
27 quiring all operators of vehicles to stop at said  
28 signs before entering said through streets.

29 The Council is hereby authorized, by resolution, to  
30 designate any intersection under its exclusive  
31 jurisdiction as a stop intersection and cause stop signs  
32 to be erected at one or more entrances thereto. It  
shall be unlawful to fail to obey any such sign.

SECTION 2. SAVINGS CLAUSE. Nothing herein contained shall  
be construed as changing or modifying in any way that portion of  
any ordinance herein amended or repealed or any resolution apper-  
taining thereto, by the terms of which through highways or boulev-  
ards have been heretofore created in the City of Modesto, and  
which are now posted with stop signs.

SECTION 3. REPEALS. Ordinance No. 126-C.S.  
entitled "An Ordinance Amending Ordinance No. 345-N.S. entitled  
'An Ordinance Regulating Traffic Upon the Public Streets of the

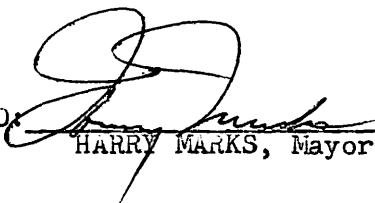
1 City of Modesto,' as amended, to Amend Section 23 Thereof Relating  
2 to Traffic Regulations and Repealing Section 1 of Ordinance No.  
3 45-C.S.", adopted by the Council of the City of Modesto on  
4 the 28th day of November, 1956, is hereby repealed.

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

8 SECTION 5. PUBLICATION. This ordinance shall be published  
9 in full at least once at least three (3) days prior to its final  
10 adoption in the Modesto Journal and the Valley Citizen, the  
11 official newspaper of the City of Modesto.

12 The foregoing ordinance was introduced at a regular meeting  
13 of the Council of the City of Modesto held on the 20 day of  
14 February, 1957, by Councilman Robinson, who  
15 moved its introduction and passage to print, which motion being  
16 duly seconded by Councilman Anderson, was upon roll call  
17 carried and ordered printed and published by the following vote:

18 AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
19 and Mayor Marks  
20 NOES: Councilmen: None  
21 ABSENT: Councilmen: Arata


22 APPROVED:   
HARRY MARKS, Mayor

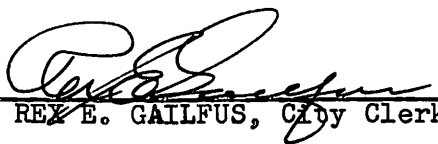
23  
24 ATTEST:   
REX L. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of March, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 21, 1957

1 AN ORDINANCE ADDING SECTION 4-2.03.1 TO CHAPTER 2  
2 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING  
3 TO DANGEROUS WEAPONS.

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

6 AMENDMENT OF CODE.

7 SECTION 1./ Section 4-2.03.1 is hereby added to Chapter 2  
8 of Title IV of the Modesto Municipal Code to read as follows:

9 SEC. 4-2.03.1. DANGEROUS WEAPONS. (a) Definition.  
10 As used in this section "dangerous weapon" shall mean  
11 and include, but is not limited to:

12 (1) Any knife having a blade three inches  
13 or more in length, or any snap-blade or spring-blade  
14 knife regardless of the length of the blade;

15 (2) Any ice pick or similar sharp stabbing  
16 tool;

17 (3) Any straight-edge razor or any razor  
18 blade fitted to a handle;

19 (4) Any cutting, stabbing or bludgeoning  
20 weapon or device capable of inflicting grievous bodily  
21 harm; or

22 (5) Any dirk or dagger or bludgeon.

23 (b) Carrying Dangerous Weapon. It shall be unlaw-  
24 ful for any person to carry upon his person or to have  
25 in his possession or under his control any dangerous  
26 weapon; provided that it shall be a defense to any  
27 prosecution for a violation of this section, if, at the  
28 time of the alleged violation, the instrument or device  
29 alleged to be a dangerous weapon was in good faith  
30 carried upon the person of the accused or was in good  
31 faith in his possession or control for use in his lawful  
32 occupation or employment or for the purpose of lawful  
recreation; and provided, further, that the provisions  
of this section shall not apply to the commission of  
any act which is made a public offense by any law of  
this State.

(c) Disorderly Conduct. It shall be unlawful for  
any person who has upon his person or in his possession  
or control any dangerous weapon to engage in any fight  
or participate in any rough or disorderly conduct upon  
any public place or way or upon the premises of another.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished in full at least once at least three (3) days prior to its  
final adoption in the Modesto Journal and the Valley Citizen, the

1 official newspaper of the City of Modesto.

2 The foregoing ordinance was introduced at a regular meet-  
3 ing of the Council of the City of Modesto, held on the 27 day of  
4 February, 1957, by Councilman Anderson who  
5 moved its introduction and passage to print, which motion being duly  
6 seconded by Councilman Arata, was upon roll call  
7 carried and ordered printed and published by the following vote:

8 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
and Mayor Marks

9 NOES: Councilmen: None

10 ABSENT: Councilmen: Robinson

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ATTEST:

  
REX E. GAILFUS, City Clerk

APPROVED:

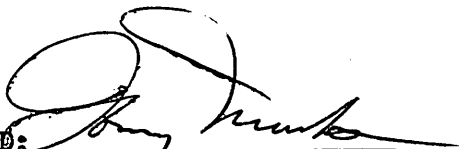
  
HARRY MARKS, Mayor

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13 day of March, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 28, 1957

AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," AS AMENDED, TO AMEND SECTION 36.2 THEREOF RELATING TO TRAFFIC REGULATION, AND REPEALING ORDINANCE NO. 112-C. S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 36.2 of Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic Upon the Public Streets of the City of Modesto," as amended, is hereby amended to read as follows:

SECTION 36.2. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3 (b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of the business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof.

NAME OF STREET OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMITS
BRIGGSMORE, between McHenry and Tully Road	30 miles per hour
GRANGER, from Tully to McHenry	30 miles per hour
GRISWOLD, from Virginia to McHenry	30 miles per hour
KEARNEY, entire length in City	30 miles per hour
LA LOMA	30 miles per hour
MILLER, from La Loma to Conejo	30 miles per hour
MORTON BOULEVARD, between Grand Street and La Loma Avenue	30 miles per hour
SUNRISE, entire length in City	30 miles per hour
CARVER, entire length in City	35 miles per hour
EMERALD, beginning at Maze Road and continuing southerly to the City limits	35 miles per hour

REPEALED ORD 234CS


1 SECTION 2. REPEAL. Ordinance No. 112-C.S. adopted by  
2 the Council of the City of Modesto on October 3, 1956, is hereby  
3 repealed.

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

7 SECTION 4. PUBLICATION. This ordinance shall be pub-  
8 lished in full at least once at least three (3) days prior to its  
9 final adoption in the Modesto Journal and the Valley Citizen, the  
10 official newspaper of the City of Modesto.

11 The foregoing ordinance was introduced at a regular  
12 meeting of the Council of the City of Modesto held on the 27  
13 day of February, 1957, by Councilman Arata,  
14 who moved its introduction and passage to print, which motion being  
15 duly seconded by Councilman Adams, was upon roll call  
16 carried and ordered printed and published by the following vote:

- 17 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and  
Mayor Marks
- 18 NOES: Councilmen: None
- 19 ABSENT: Councilmen: Robinson

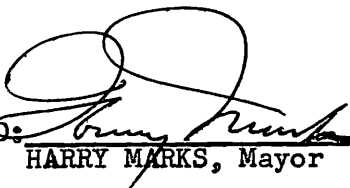
20  
21 APPROVED:   
HARRY MARKS, Mayor


22  
23 ATTEST:   
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13 day of March, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 28, 1957

1 AN ORDINANCE AMENDING SECTION 6-1.101 OF ARTICLE  
2 1 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICI-  
3 PAL CODE RELATING TO THE LICENSING OF BUSINESSES,  
4 PROFESSIONS, AND TRADES.

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

6 SECTION 1. AMENDMENT OF CODE. Section 6-1.101 of  
7 Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code  
8 is hereby amended to read as follows:

9 SEC. 6-1.101. DEFINITIONS. For the purpose of this  
10 chapter, words and phrases in this chapter shall be  
11 held to mean, unless the context shows a different  
12 meaning, the following:

13 (a) "Business" shall be held and construed to  
14 mean and include professions, trades, occupations  
15 and all and every kind of calling carried on for  
16 profit or livelihood.

17 (b) "Vehicle" means and includes every device  
18 in, upon or by which any person or property is or  
19 may be transported or drawn upon a public highway,  
20 except devices moved by human power or used ex-  
21 clusively upon stationary rails or tracks.

22 (c) "Collector" shall mean the Director of  
23 Finance, or such other officer of the City as may  
24 be charged with the collection of the license  
25 fees and the issuance of the licenses.

26 (d) "Quarter", when used herein shall mean  
27 quarter-annually, and each quarter shall be deemed  
28 to be a period of three (3) months. The quarters  
29 begin on the first day of January, April, July and  
30 October of each year. The quarter shall include  
31 fractions thereof.

32 (e) The term "hawker" or "peddler" when used  
herein shall be construed to mean and include any  
person who shall travel from house to house or  
apartment to apartment, or office to office, or place  
to place, or from person to person upon the streets  
for the purpose of selling, offering for sale or  
soliciting orders for goods, wares or merchandise  
by sample or otherwise.

(f) "Wholesale" shall be construed to mean and  
include selling goods in gross to retail dealers and  
not by small quantity or parcel to consumers thereof.

(g) "Fixed place of business" shall be defined  
as the premises occupied for the particular purpose of  
conducting the business thereat and regularly kept  
open for that purpose with a competent person in  
attendance for the purpose of attending to said busi-  
ness, and which have been so maintained and established  
for not less than ninety (90) days, or which premises  
so used for said business may hereafter be acquired

1 by the owner of such business, either by the  
2 ownership of said premises or by a bona fide lease  
3 thereon for a period of not less than six (6) months  
4 thence next ensuing.

5 (h) "Gross income, receipts, or sales" as used  
6 in this chapter shall mean the total amount of the  
7 sale price of all sales and the total amount charged  
8 or received for the performance of any act, service,  
9 or employment for whatever nature it may be, for which  
10 a charge is made or credit allowed. Included in gross  
11 income, receipts, or sales shall be all receipts,  
12 cash, credits, and property of any kind or nature  
13 and any amount for which credit is allowable by the  
14 seller to the purchaser without any deduction there-  
15 from on account of the cost of the property sold,  
16 the cost of the materials used, labor or service  
17 cost, interest paid or payable, or losses or other  
18 expenses whatever.

19 The following shall be excluded from gross income,  
20 receipts, or sales:

21 (1) Cash discounts allowed and taken on sales;

22 (2) Value of property accepted as part of the  
23 purchase price;

24 (3) Any taxes collected which are separately  
25 stated and collected for and paid to a governmental  
26 agency;

27 (4) Such part of the sale price of property re-  
28 turned by the purchaser upon rescission of the contract  
29 of sale as is refunded either in cash or by credit;

30 (5) Receipts of refundable deposits, except that  
31 refundable deposits forfeited and taken into income  
32 of the business shall not be excluded;

(6) Collection for others where the business is  
acting as an agent or trustee to the extent that pay-  
ments are made to those for whom collected;

(7) Sales of real estate by an agent, except  
that portion of the sale which represents commissions  
or other income to the agent; and

(8) That portion of the receipts of a general con-  
tractor which represents payments to subcontractors,  
providing such subcontractors are licensed under Section  
6-1.201 and further provided that the general contractor  
furnishes the collector with the names and addresses  
of the subcontractors and the amounts paid each sub-  
constructor.

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

1 SECTION 3. OPERATIVE DATE. This ordinance shall be  
2 operative retroactively to apply on and after January 1, 1957.

3 SECTION 4. PUBLICATION. This ordinance shall be pub-  
4 lished in full at least once at least three (3) days prior to its  
5 final adoption in the Modesto Journal and the Valley Citizen, the  
6 official newspaper of the City of Modesto.

7 The foregoing ordinance was introduced at a regular  
8 meeting of the Council of the City of Modesto held on the 6  
9 day of March, 1957, by Councilman Merrill  
10 who moved its introduction and passage to print, which motion being  
11 duly seconded by Councilman Anderson, was upon roll call  
12 carried and ordered printed and published by the following vote:

- 13 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
14 NOES: Councilmen: None and Mayor Marks  
15 ABSENT: Councilmen: Robinson

16  
17 APPROVED:   
18 HARRY MARKS, Mayor


19 ATTEST:   
20 E. GAILFUS, City Clerk

21 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of March, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALFUS, City Clerk

EFFECTIVE DATE: April 4, 1957

1 AN ORDINANCE APPROVING A LEASE AGREEMENT WITH  
2 THE CENTRAL CALIFORNIA ART LEAGUE, INC. RELATING  
3 TO THE RENTAL OF ROOM NO. 102 IN THE MODESTO  
4 COMMUNITY SERVICE CENTER IN THE CITY OF MODESTO.

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

7 SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain  
8 Lease Agreement between the City of Modesto and the Central  
9 California Art League, Inc., relating to the rental of a room in  
10 the Modesto Community Service Center designated as No. 102 on a  
11 copy of the floor plan of said premises, on file in the Office of  
12 the City Clerk of the City of Modesto, is hereby approved, and the  
13 City Manager and City Clerk are hereby authorized to execute said  
14 Lease Agreement on behalf of the City and do all things necessary  
15 to carry out the terms of said Lease Agreement.

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

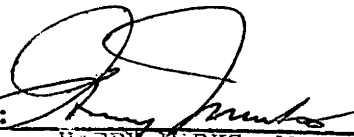
19 SECTION 3. PUBLICATION. This ordinance shall be pub-  
20 lished in full at least once at least three (3) days prior to its  
21 final adoption in the Modesto Journal and the Valley Citizen, the  
22 official newspaper of the City of Modesto.


23 The foregoing ordinance was introduced at a regular  
24 meeting of the Council of the City of Modesto held on the 6  
25 day of March, 1957, by Councilman Arata,  
26 who moved its introduction and passage to print, which motion being  
27 duly seconded by Councilman Anderson, was upon roll call  
28 carried and ordered printed and published by the following vote:

29 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill and  
30 Mayor Marks

31 NOES: Councilmen: None

32 ABSENT: Councilmen: Robinson

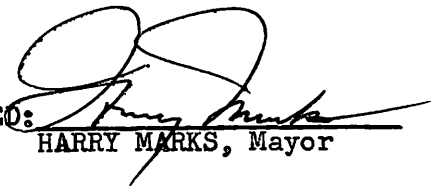
APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of March, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 4, 1957

1 AN ORDINANCE ADDING SUBSECTION (f) TO SECTION  
2 8-2.106 OF CHAPTER 2 OF TITLE VIII OF THE MODESTO  
MUNICIPAL CODE RELATING TO SALES AND USE TAX.

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

5 SECTION 1. AMENDMENT OF CODE. Subsection (f) is  
6 hereby added to Section 8-2.106 of Article 1 of Chapter 2 of  
7 Title VIII of the Modesto Municipal Code to read as follows:

8 SEC. 8-2.106. EXEMPTIONS.

9 (f) No sales or use tax shall be due here-  
10 under if a sales tax, purchase tax, use tax, or  
11 purchase and use tax imposed by any other city,  
city and county, or county of the State of  
California has been paid on the same transaction.

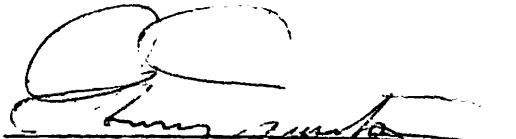
12 SECTION 2. EFFECTIVE DATE. This ordinance, inasmuch as  
13 it relates to the imposition of a tax levy for the usual current  
14 expenses of the city, shall take effect immediately upon its  
15 adoption, and shall be operative retroactively as of July 1, 1956.

16 SECTION 3. PUBLICATION. This ordinance shall be pub-  
17 lished in full in the Modesto Journal and the Valley Citizen, the  
18 official newspaper of the City of Modesto within fifteen (15)  
19 days after its adoption.

20 . The foregoing ordinance was introduced at a regular  
21 meeting of the Council of the City of Modesto held on the 13th day  
22 of March, 1957, by Councilman Robinson, who moved its adoption and  
23 passage to print, which motion being duly seconded by Councilman  
24 Anderson, was upon roll call carried and the ordinance adopted by  
25 the following vote:

- 26 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson, and Mayor Marks.
- 27 NOES: Councilmen: None
- 28 ABSENT: Councilmen: None

29 APPROVED:

  
HARRY MARKS, Mayor

30 ATTEST:   
31 REX E. GAILFUS, City Clerk

32 (SEAL)

1 AN ORDINANCE AMENDING SECTIONS 4-7.201, 4-7.202,  
2 AND 4-7.203 AND REPEALING SECTION 4-7.204 OF ARTI-  
3 CLE 2 OF CHAPTER 7 OF TITLE IV OF THE MODESTO  
4 MUNICIPAL CODE RELATING TO CURFEW REGULATIONS  
5 IN THE CITY OF MODESTO.

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

7 SECTION 1. AMENDMENT OF CODE. Section 4-7.201 of Article  
8 2 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended  
9 to read as follows:

10 SEC. 4-7.201. CURFEW AGE LIMIT AND HOURS. It shall  
11 be unlawful for any minor under the age of eighteen (18) years  
12 to loiter on a public street or in or about any public place in  
13 the City between the hours of 11 o'clock p. m. and 5 o'clock a. m.  
14 of the day immediately following unless such minor is accom-  
15 panied by a parent, guardian, or other adult person having legal  
16 control or charge of such minor, or unless such minor has in  
17 his possession a permit issued by the Chief of Police showing  
18 the necessity of such minor to use such street or public place.

19 SECTION 2. AMENDMENT OF CODE. Section 4-7.202 of Article  
20 2 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended  
21 to read as follows:

22 SEC. 4-7.202. PARENTAL RESPONSIBILITY. It shall be  
23 unlawful for any parent, guardian, or any adult person having  
24 legal control or charge of any minor under the age of eighteen  
25 (18) years to permit, allow, or let such minor loiter on a pub-  
26 lic street or in or about any public place in the City between the  
27 hours of 11 o'clock p. m. and 5 o'clock a. m. of the day imme-  
28 diately following, unless such minor is accompanied by a parent,  
29 guardian, or other adult person having legal control or charge of  
30 such minor, or unless such minor has in his possession a per-  
31 mit issued by the Chief of Police showing the necessity of such  
32 minor to use such street or public place.

SECTION 3. AMENDMENT OF CODE. Section 4-7.203 of Article  
2 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended  
to read as follows:

SEC. 4-7.203. AIDING OR ABETTING PROHIBITED. It shall  
be unlawful for any person to assist, aid, abet, or encourage  
any minor under the age of eighteen (18) years to loiter on a  
public street or in or about any public place in the City between  
the hours of 11 o'clock p. m. and 5 o'clock a. m. of the day imme-  
diately following, unless such minor is accompanied by a parent,  
guardian, or other adult person having legal control or charge of  
such minor, or unless such minor has in his possession a permit  
issued by the Chief of Police showing the necessity of such minor  
to use such street or public place.

SECTION 4. REPEAL. Section 4-7.204 of Article 2 of Chapter 7  
of Title IV of the Modesto Municipal Code is hereby repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall go into

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

3 SECTION 6. PUBLICATION. This ordinance shall be published  
4 in full at least once at least three (3) days prior to its final adoption in the  
5 Modesto Journal and the Valley Citizen, the official newspaper of the City of  
6 Modesto.

7 The foregoing ordinance was introduced at a regular meeting of the  
8 Council of the City of Modesto held on the 20 day of March,  
9 1957 by Councilman Anderson, who moved its introduction and  
10 passage to print, which motion being duly seconded by Councilman  
11 Arata, was upon roll call carried and ordered printed  
12 and published by the following vote:

13 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
14 NOES: None Robinson and Mayor Marks  
15 ABSENT: None

16  
17 APPROVED:   
18 HARRY MARKS, Mayor

19 ATTEST:   
20 REX E. GAILFUS, City Clerk

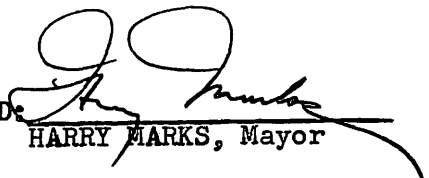
21  
22 (SEAL)

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3 day of April, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 18, 1957

1 AN ORDINANCE AUTHORIZING THE CONVEYANCE TO THE  
2 COUNTY OF STANISLAUS OF AN UNDIVIDED ONE-HALF  
3 INTEREST IN THE JOHN J. MAGGI PROPERTY ACQUIRED  
BY THE CITY OF MODESTO THROUGH CONDEMNATION PRO-  
CEEDINGS FOR AIRPORT EXPANSION PURPOSES.

4 WHEREAS, the City of Modesto operates an airport in  
5 Stanislaus County, located in an area bounded on the north by  
6 Tenaya Drive, on the south by the Tuolumne River, on the west by  
7 Conejo Avenue and on the east by Snowden Avenue, known as the  
8 Modesto City-County Airport, and

9 WHEREAS, the City of Modesto and the County of Stanislaus  
10 entered into an agreement, dated May 25, 1955, relating to the  
11 further development of said airport, which agreement provides in  
12 part for the acquisition of additional land for the construction of  
13 new runway facilities adequate for passenger and freight operations,  
14 and

15 WHEREAS, the City of Modesto instituted condemnation pro-  
16 ceedings to acquire a parcel of real property with improvements  
17 thereon from John J. Maggi, et al, for the expansion of said airport,  
18 and

19 WHEREAS, said litigation has been completed and the City  
20 has acquired title to the property with the approval of the County,  
21 and

22 WHEREAS, the aforesaid agreement requires that title to  
23 one-half of the aforesaid property be transferred to the County in  
24 accordance with the provisions thereof,

25 NOW, THEREFORE, the Council of the City of Modesto does  
26 ordain as follows:

27 SECTION 1. CONVEYANCE AUTHORIZED. That an undivided one-  
28 half interest in the following described real property, with im-  
29 provements thereon, acquired by the City of Modesto through con-  
30 demnation proceedings from John J. Maggi, et al, be conveyed to the  
31 County of Stanislaus, State of California, as tenants in common with  
32

1 equal interests, upon payment by the County of the sum of Fifteen  
2 Thousand One Hundred Twenty Five (\$15,125.00) Dollars, plus one-  
3 half of the costs and incidental expenses incurred in connection  
4 with the acquisition of the property through condemnation proceed-  
5 ings. Said real property is described as follows:

6 The following described land situate in the Modesto  
7 Irrigation District, County of Stanislaus, State of  
8 California, to-wit:

9 All that portion of the Southwest quarter of Section  
10 35, Township 3 South, Range 9 East, M. D. B. & M.,  
11 described as follows:

12 The West one-half of the following:

13 Beginning at the quarter corner between said Section  
14 35 and Section 2, Township 4 South, Range 9 East,  
15 M. D. B. & M., running thence North 89° 07' West  
16 22.31 chains; thence North 2° 04' East 21.25 chains;  
17 thence South 87° 10' East 21.63 chains; thence  
18 South 0° 11' West 20.50 chains to the point of be-  
19 ginning.

20 Excepting therefrom that portion thereof described  
21 as follows:

22 Beginning at the quarter corner between said Section  
23 35 and Section 2, Township 4 South, Range 9 East,  
24 running thence North 89° 07' West 22.31 chains along  
25 the Township line between said Sections 2 and 35;  
26 thence North 2° 04' East 2.50 chains; thence South  
27 89° 07' East 22.24 chains to the East line of the  
28 Southwest quarter of said Section 35; thence South  
29 0° 11' West 2.50 chains to the point of beginning.

30 Also excepting therefrom, that portion thereof de-  
31 scribed as follows:

32 Commencing at the quarter section corner common to  
Sections 34 and 35, Township 3 South, Range 9 East,  
M. D. B. & M.; thence South 0° 15' East along the  
Section line, a distance of 204.07 feet to a point;  
thence South 55° 59' East along the Southwesterly  
line of Snowden Avenue extension, a distance of 1864.46  
feet to a point; which point is also the point of be-  
ginning of this description; thence continuing South  
55° 59' East, a distance of 468.19 feet to a point;  
thence North 0° 41' East, a distance of 244.70 feet;  
thence North 87° 28-1/4' West, a distance of 391.37  
feet to the point of beginning. Containing 1.10  
acres more or less.

SECTION 2. EXECUTION OF DEED. The Mayor and the City

Clerk are hereby authorized to execute and attest respectively  
a deed to the aforesaid property now owned by the City and

1 described in Section 1 hereof on behalf of the City of Modesto to  
2 the County of Stanislaus.

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

6 SECTION 4. PUBLICATION. This ordinance shall be pub-  
7 lished in full at least once at least three (3) days prior to its  
8 final adoption in the Modesto Journal and the Valley Citizen, the  
9 official newspaper of the City of Modesto.

10 The foregoing ordinance was introduced at a regular  
11 meeting of the Council of the City of Modesto held on the 27  
12 day of March, 1957, by Councilman Arata  
13 who moved its introduction and passage to print, which motion being  
14 duly seconded by Councilman Adams, was upon roll call  
15 carried and ordered printed and published by the following vote:

16 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks

17 NOES: Councilmen: None

18 ABSENT: Councilmen: None


19  
20 APPROVED:   
HARRY MARKS, Mayor


21  
22  
23 ATTEST:   
REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of April, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 25, 1957

ORDINANCE NO. 159 -C.S.

AN ORDINANCE AMENDING SECTIONS 17 & 19 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 17 & 19 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.


SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 27 day of March, 1957, by Councilman Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

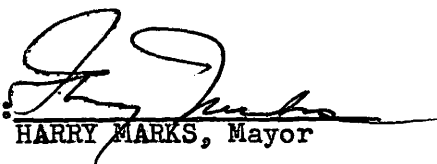
(SEAL)



FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24 day of April, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: May 9, 1957

1 AN ORDINANCE AMENDING SECTION 3-1.201 OF ARTICLE 2 OF  
2 CHAPTER 1 OF TITLE III OF THE MODESTO MUNICIPAL CODE  
3 RELATING TO FIRE ZONES.

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

6 SECTION 1. AMENDMENT OF CODE. Section 3-1.201 of  
7 Article 2 of Chapter 1 of Title III of the Modesto Municipal Code  
8 is hereby amended to read as follows:

9 SEC. 3-1.201. SPECIFIC DISTRICTS. For the purpose of  
10 regulating the erection, construction, enlargement,  
11 alteration, repair, moving, removal, demolition, con-  
12 version, occupancy, equipment, use, height, area and  
13 maintenance of buildings and/or structures in the City  
14 as defined in the Building Code of the City of Modesto,  
15 the entire City is hereby declared to be and is estab-  
16 lished as a fire district comprising three zones re-  
17 spectively known and designated as Fire Zone No. 1,  
18 Fire Zone No. 2 and Fire Zone No. 3.

19 The territory or portion of the City included in each  
20 of said zones is more particularly described as follows:

21 FIRE ZONE NO. 1 shall include and comprise all the  
22 territory within the City described as follows:

23 Lots 1 to 4 inclusive in Block 54  
24 Lots 1 to 16 inclusive in Block 55  
25 Lots 1 to 16 inclusive in Block 56  
26 Lots 1 to 16 inclusive in Block 57  
27 Lots 13 to 16 inclusive in Block 58  
28 Lots 13 to 20 inclusive in Block 66  
29 Lots 1 to 32 inclusive in Block 67  
30 Lots 1 to 32 inclusive in Block 68  
31 Lots 1 to 32 inclusive in Block 69  
32 Lots 1 to 4 inclusive and Lots 29 to 32 inclusive  
in Block 70  
Lots 1 to 4 inclusive and Lots 29 to 32 inclusive  
in Block 82  
All of Block 83 (Court House)  
Lots 1 to 32 inclusive in Block 84  
Lots 1 to 32 inclusive in Block 85  
Lots 13 to 20 inclusive in Block 86  
Lots 13 to 20 inclusive in Block 91  
Lots 1 to 32 inclusive in Block 92  
Lots 1 to 32 inclusive in Block 93  
Lots 1 to 32 inclusive in Block 94  
Lots 1 to 4 inclusive and Lots 29 to 32 inclusive  
in Block 95  
Lots 29 to 32 inclusive in Block 104  
Lots 17 to 32 inclusive in Block 105  
Lots 17 to 32 inclusive in Block 106  
Lots 17 to 32 inclusive in Block 107  
Lots 17 to 20 inclusive in Block 108

1 FIRE ZONE NO. 2 shall include and comprise all the  
2 territory within the City described as follows:

3 Lots 1 and 2 in Block A  
4 All of Block B  
5 Lots 17 to 21 inclusive in Block G  
6 Lots 13 to 26 inclusive in Block H  
7 All of Block I  
8 Lots 17 to 22 inclusive in Block J  
9 All of Block K  
10 All of Block L  
11 Lots 1 to 9 inclusive in Block O  
12 All of Block P  
13 Lots 1 to 7 inclusive in Block Z  
14 Lots 1 to 32 inclusive in Block 1  
15 Lots 1 to 32 inclusive in Block 2  
16 Lots 1 to 4 inclusive and Lots 29 to 32 inclusive in  
17 Block 3  
18 Lots 1 to 32 inclusive in Block 4  
19 Lots 1 to 32 inclusive in Block 5  
20 Lots 13 to 20 inclusive in Block 6  
21 Lots 13 to 20 inclusive in Block 8  
22 Lots 1 to 32 inclusive in Block 9  
23 Lots 1 to 32 inclusive in Block 10  
24 North Westerly 100 feet of Block 11 (Westside Park)  
25 Lots 1 to 4 inclusive and Lots 29 to 32 inclusive in  
26 Block 14  
27 Lots 1 to 32 inclusive in Block 15  
28 Lots 1 to 32 inclusive in Block 16  
29 Lots 1 to 20 inclusive in Block 17  
30 Lots 1 to 16 inclusive in Block 18  
31 Lots 5 to 16 inclusive in Block 19  
32 Lots 17 to 32 inclusive in Block 20  
33 Lots 17 to 32 inclusive in Block 21  
34 Lots 13 to 32 inclusive in Block 22  
35 Lots 1 to 32 inclusive in Block 23  
36 Lots 1 to 32 inclusive in Block 24  
37 Lots 1 to 4 inclusive and Lots 29 to 32 inclusive in  
38 Block 25  
39 Lots 29 to 32 inclusive in Block 31  
40 Lots 1 to 32 inclusive in Block 32  
41 Lots 1 to 32 inclusive in Block 33  
42 Lots 1 to 20 inclusive in Block 34  
43 Lots 1 to 32 inclusive in Block 42  
44 Lots 1 to 32 inclusive in Block 43  
45 Lots 1 to 32 inclusive in Block 44  
46 Lots 13 to 20 inclusive in Block 51  
47 Lots 1 to 32 inclusive in Block 53  
48 Lots 5 to 32 inclusive in Block 54  
49 Lots 17 to 32 inclusive in Block 55  
50 Lots 17 to 32 inclusive in Block 56  
51 Lots 17 to 32 inclusive in Block 57  
52 Lots 1 to 12 inclusive and Lots 17 to 32 inclusive in  
53 Block 58  
54 Lots 1 to 32 inclusive in Block 59  
55 Lots 1 to 32 inclusive in Block 60  
56 Lots 1 to 32 inclusive in Block 61  
57 Lots 1 to 32 inclusive in Block 62  
58 Lots 1 to 32 inclusive in Block 63  
59 Lots 1 to 32 inclusive in Block 64  
60 Lots 1 to 32 inclusive in Block 65

1 Lots 1 to 12 inclusive and Lots 21 to 32 inclusive in  
Block 66  
2 Lots 5 to 28 inclusive in Block 70  
Lots 1 to 32 inclusive in Block 71  
3 Lots 13 to 20 inclusive in Block 73  
Lots 1 to 20 inclusive in Block 79  
4 Lots 1 to 16 inclusive in Block 80  
Lots 1 to 32 inclusive in Block 81  
5 Lots 5 to 28 inclusive in Block 82  
Lots 1 to 12 inclusive and Lots 21 to 32 inclusive in  
6 Block 86  
Lots 1 to 32 inclusive in Block 87  
7 Lots 1 to 32 inclusive in Block 88  
Lots 9 to 30 inclusive in Block 89  
8 All of Block 90  
Lots 1 to 12 inclusive and Lots 21 to 32 inclusive in  
9 Block 91  
Lots 5 to 28 inclusive in Block 95  
10 Lots 1 to 32 inclusive in Block 96  
Lots 1 to 32 inclusive in Block 97  
11 Lots 1 to 32 inclusive in Block 98  
Lots 1 to 32 inclusive in Block 101  
12 Lots 1 to 32 inclusive in Block 102  
Lots 1 to 32 inclusive in Block 103  
13 Lots 1 to 28 inclusive in Block 104  
Lots 1 to 16 inclusive in Block 105  
14 Lots 1 to 16 inclusive in Block 106  
Lots 1 to 16 inclusive in Block 107  
15 Lots 1 to 16 inclusive and Lots 21 to 32 inclusive in  
Block 108  
16 Lots 4 to 32 inclusive in Block 109  
Lots 1 to 32 inclusive in Block 110  
17 Lots 1 to 32 inclusive in Block 111  
Lots 1 to 32 inclusive in Block 112  
18 Lots 1 to 32 inclusive in Block 113  
Lots 1 to 32 inclusive in Block 114  
19 Lots 1 to 32 inclusive in Block 115  
Lots 1 to 32 inclusive in Block 116  
20 Lots 1 to 32 inclusive in Block 117  
Lots 17 to 32 inclusive in Block 118  
21 Lots 17 to 32 inclusive in Block 119  
Lots 1 to 4 inclusive and Lots 17 to 32 inclusive in  
22 Block 120  
Lots 1 to 32 inclusive in Block 121  
23 Lots 1 to 32 inclusive in Block 122  
Lots 1 to 32 inclusive in Block 123  
24 Lots 16 to 26 inclusive in Block 124  
Lots 1 to 32 inclusive in Block 125  
25 Lots 1 to 32 inclusive in Block 126  
Lots 1 to 4 inclusive and Lots 29 to 32 inclusive in  
26 Block 127  
Lots 1 to 4 inclusive and Lots 29 to 32 inclusive in  
27 Block 129  
All of Block 130  
28 All of Block 131  
All of Block 132  
29 Lots 2 to 11 inclusive and Lots 17 to 32 inclusive in  
30 Block 133  
31  
32

1 All of Block 141  
2 All of Block 142  
3 All of Block 143  
4 All of Block 144  
5 All of Block 145  
6 All of Block 146  
7 All of Block 147  
8 Lots 1 to 23 inclusive in Block 200  
9 West 150 feet of Lot 1, all of Lot 2 in block 204  
10 South 100 feet of Lot 3 and South 100 feet of Lot 9  
11 in Block 213  
12 Lots 26 to 33 inclusive and Lots 50 to 57 inclusive  
13 in Block 213  
14 South 100 feet of Lot 1 in Block 214  
15 Lots 13 to 16 inclusive in Block 215  
16 Lots 13 to 20 inclusive in Block 216  
17 Lots 13 to 20 inclusive in Block 217  
18 North 63.22 feet of Lot 7 in Block 218  
19 North 133 feet of Block 219  
20 Lots 1 to 14 inclusive in Block 418  
21 Lots 1 to 14 inclusive in Block 419  
22 Lots 1 to 14 inclusive in Block 420  
23 Lots 15 to 28 inclusive in Block 421  
24 Lots 15 to 28 inclusive in Block 422  
25 Lots 15 to 28 inclusive in Block 423  
26 Lots 11 to 14 inclusive in Block 433  
27 Lots 1 to 14 inclusive in Block 434  
28 Lots 1 to 14 inclusive in Block 435  
29 All of Block 436  
30 All of Block 437  
31 All of Lot 15 in Block 438  
32 Lots 1 to 14 inclusive in Block 439  
33 Lots 1 and 2 in Block 440  
34 All of Block 441  
35 Lots 11 to 32 inclusive in Block 506  
36 Lots 15 to 22 inclusive in Block 509  
37 Lots 15 to 22 inclusive in Block 510  
38 Lots 15 to 22 inclusive in Block 515  
39 Lots 16 to 22 inclusive in Block 516  
40 Lots 15 to 23 inclusive in Block 527  
41 Lots 15 to 20 inclusive in Block 528  
42 The Graceada Park Portion in Block 533  
43 Lots 14 to 21 inclusive in Block 534  
44 Lots 14 to 21 inclusive in Block 549  
45 Lots 14 to 34 inclusive in Block 550  
46 Lots 17 to 32 inclusive in Block 551  
47 Lots 11 to 20 inclusive in Block 552  
48 Lots 1 to 12 inclusive in Block 553  
49 Lots 3 to 6 inclusive and Lot 24 in Block 554  
50 The east 157 feet of Block 555  
51 Lot 1 and Lots 39 to 41 inclusive in Block 556  
52 Lots 18 to 27 inclusive in Block 558  
53 The west 151 feet of Lots 1 to 4 inclusive in block 559  
54 The west 150 feet of Lots 17 to 20 inclusive  
55 in Block 562  
56 Lots 20 to 23 inclusive and Lots 57 and 58 inclusive  
57 in Block 563 and the westerly 145 feet of Lot 56  
58 Lots 21 to 24 inclusive in Block 564  
59 Lots 21 to 24 inclusive in Block 565  
60 Lots 25 and 40, west 30 feet of Lot 26, and west 50  
61 feet of Lot 39 in Block 566  
62 West 118 feet of Lot 2 in Block 567  
63 Lots 1 to 25 inclusive and Lots 46 to 49 inclusive  
64 in Block 568

- 1 Lots 6 to 9 inclusive in Block 569
- 2 Lots 1 to 11 inclusive in Block 579
- 3 Lots 14 to 25 inclusive in Block 580
- 4 Lots 7 to 18 inclusive in Block 587
- 5 Lots 1 to 12 inclusive in Block 588
- 6 Lots 1 to 13 inclusive in Block 589
- 7 Lots 23 to 37 inclusive in Block 590
- 8 All of Block 595 except northerly 566.75 feet
- 9 Lots 1 to 6 inclusive in Block 596
- 10 West 140 feet of Lots 50 and 51 in Block 618
- 11 West 140 feet of Lots 35 to 37 in Block 619
- 12 East 140 feet of Block 701
- 13 Lots 1 and 22, and East 35 feet of Lots 2 and 21
- 14 in Block 707
- 15 Lots 1 to 12 inclusive in Block 4095

FIRE ZONE NO. 3 shall include and comprise all of the territory within the corporate limits of the City not included in either Fire Zone No. 1 or Fire Zone No. 2.

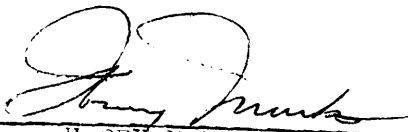
In event any lot or parcel of land within said city lies partly within two or more of said fire zones, it shall be considered as lying wholly in the zone within which the greater portion thereof is situated.


SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 3 day of April, 1957, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

- 27 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks
- 28 NOES: Councilmen: None
- 29 ABSENT: Councilmen: None


APPROVED:   
 HARRY MARKS, Mayor

ATTEST:   
 REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of April, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Adams, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 2, 1957

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S.  
 2 ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON  
 3 THE PUBLIC STREETS OF THE CITY OF MODESTO," AS  
 4 AMENDED, TO AMEND SECTION 36.2 THEREOF RELATING  
 5 TO TRAFFIC REGULATION, AND REPEALING ORDINANCE  
 6 NO. 153-C.S.

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

9 SECTION 1. AMENDMENT OF ORDINANCE. Section 36.2 of  
 10 Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic  
 11 Upon the Public Streets of the City of Modesto," as amended, is  
 12 hereby amended to read as follows:

13 SECTION 36.2. DECREASE OF STATE LAW MAXIMUM SPEED.  
 14 Pursuant to authority contained in Section 511.3 (b)  
 15 of the Vehicle Code of the State of California, it  
 16 is hereby determined upon the basis of an engineering  
 17 and traffic survey that the prima facie limit of  
 18 55 miles per hour permitted by state law outside of the  
 19 business and residence districts as applicable upon  
 20 the following streets is greater than is reasonable  
 21 or safe under the conditions found to exist upon such  
 22 streets, and it is hereby declared that the prima  
 23 facie speed limit shall be as herein set forth on  
 24 those streets or parts of streets herein designated  
 25 when signs are erected giving notice thereof.

NAME OF STREET OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMITS
BRIGGSMORE, Between McHenry and Tully Road	30 miles per hour
GRANGER, from Tully to McHenry	30 miles per hour
GRISWOLD, from Virginia to McHenry	30 miles per hour
KLARNLEY, entire length in City	30 miles per hour
LA LOMA	30 miles per hour
LUCERNE AVENUE, Between Johnson Street and Coffee Road	30 miles per hour
MILLER, from La Loma to Conejo	30 miles per hour
MORTON BOULEVARD, between Grand Street and La Loma Avenue	30 miles per hour
SUNRISE, entire length in City	30 miles per hour
CARVER, entire length in City	35 miles per hour
EMERALD, beginning at Maze Road and continuing southerly to the City limits	35 miles per hour

REPEALED ORD 234CS

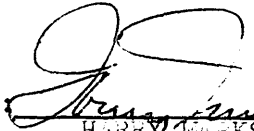
1 SECTION 2. REPEAL. Ordinance No. 153-C.S. adopted by  
2 the Council of the City of Modesto on March 13, 1957, is hereby  
3 repealed.

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

7 SECTION 4. PUBLICATION. This ordinance shall be pub-  
8 lished in full at least once at least three (3) days prior to its  
9 final adoption in the Modesto Journal and the Valley Citizen, the  
10 official newspaper of the City of Modesto.

11 The foregoing ordinance was introduced at a regular  
12 meeting of the Council of the City of Modesto held on the 3  
13 day of April, 1957, by Councilman Anderson  
14 who moved its introduction and passage to print, which motion  
15 being duly seconded by Councilman Robinson, was upon roll  
16 call carried and ordered printed and published by the following  
17 vote:

- 18 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks
- 19 NOES: Councilmen: None
- 20 ABSENT: Councilmen: None

21 APPROVED:   
22 HARRY MARKS, Mayor


23 ATTEST:   
24 REX E. GAILFUS, City Clerk

25  
26 (SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of April, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 2, 1957

1 AN ORDINANCE REPEALING SECTION 18 OF ORDINANCE NO.  
2 345-N.S. ENTITLED "AN ORDINANCE REGULATING TRAFFIC  
3 UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," AS  
4 AMENDED, AND REPEALING ORDINANCE NO. 843-N.S. ENTITLED  
5 "AN ORDINANCE PROHIBITING RIGHT TURNS BY VEHICLES  
6 AGAINST A RED OR 'STOP' SIGNAL AT INTERSECTION OF  
7 9TH AND B STREETS".

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

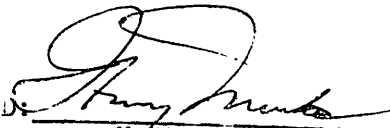
10 SECTION 1. REPEALS. Section 18 of Ordinance No. 345-N.S.  
11 entitled "An Ordinance Regulating Traffic Upon the Public Streets  
12 of the City of Modesto", as amended, and Ordinance No. 843-N.S.  
13 entitled "An Ordinance Prohibiting Right Turns by Vehicles Against  
14 a Red or 'Stop' Signal at Intersection of 9th and B Streets", are  
15 hereby repealed.

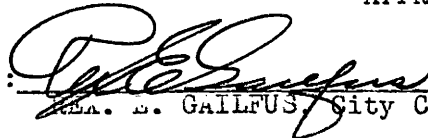
16 SECTION 2. EFFECTIVE DATE. This ordinance shall go into  
17 effect and be in full force and operation from and after fifteen  
18 (15) days after its final passage and adoption.

19 SECTION 3. PUBLICATION. This ordinance shall be pub-  
20 lished in full at least once at least three (3) days prior to its  
21 final adoption in the Modesto Journal and the Valley Citizen, the  
22 official newspaper of the City of Modesto.

23 The foregoing ordinance was introduced at a regular meet-  
24 ing of the Council of the City of Modesto held on the 17 day  
25 of April, 1957, by Councilman Merrill,  
26 who moved its introduction and passage to print, which motion being  
27 duly seconded by Councilman Arata, was upon roll call  
28 carried and ordered printed and published by the following vote:

29 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
30 Robinson and Mayor Marks  
31 NOES: Councilmen: None  
32 ABSENT: Councilmen: None

33 APPROVED:   
HARRY MARKS, Mayor

34 ATTEST:   
E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1 day of May, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 16, 1957

1 AN ORDINANCE AMENDING CHAPTER 1 OF TITLE IX OF  
2 THE MODESTO MUNICIPAL CODE TO ADD SECTION 9-1.11.1  
3 ENTITLED "ROOF COVERINGS".

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

6 SECTION 1. AMENDMENT OF CODE. Chapter 1 of Title IX of  
7 the Modesto Municipal Code is hereby amended to add Section 9-1.11.1  
8 to read as follows:

9 SEC. 9-1.11.1. ROOF COVERINGS. That Section 1704 of  
10 said Building Code be amended to read as follows:

11 Section 1704. Roof covering shall be "Fire-Re-  
12 tardant" except in Type V buildings housing Groups  
13 H, I, or J occupancies it may be "Ordinary", as  
14 specified in Section 3204; provided, however, that  
15 in Fire Zone 3 roofs of cedar or redwood shakes having  
16 a nominal thickness of one inch (1") at the butt may  
17 be used in buildings of group F, Division 2,  
18 occupancies of Type V construction where there are no  
19 general requirements for fire resistance, provided  
20 that the horizontal clearance between cornice and  
21 property line, except street fronts, is not less than  
22 ten feet (10').

23 Skylights shall be constructed as required in  
24 Chapter 34.

25 Penthouses shall be constructed as required in  
26 Chapter 36.

27 SECTION 2. EFFECTIVE DATE. This ordinance shall go  
28 into effect and be in full force and operation from and after  
29 fifteen (15) days after its final passage and adoption.

30 SECTION 3. PUBLICATION. This ordinance shall be pub-  
31 lished in full at least once at least three (3) days prior to its  
32 final adoption in the Modesto Journal and the Valley Citizen, the  
official newspaper of the City of Modesto.


33 The foregoing ordinance was introduced at a regular  
34 meeting of the Council of the City of Modesto held on the 17  
35 day of April, 1957, by Councilman Merrill  
36 who moved its introduction and passage to print, which motion being  
37 duly seconded by Councilman Anderson, was upon roll call

1 carried and ordered printed and published by the following vote:

2 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks

3 NOES: Councilmen: None

4 ABSENT: Councilmen: None

5 APPROVED:   
HARRY MARKS, Mayor

6  
7 ATTEST:   
REX E. GALLUS, City Clerk


8  
9 (SEAL)


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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1 day of May, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 16, 1957

AN ORDINANCE APPROPRIATING ADDITIONAL REVENUE FOR EXPENDITURE DURING THE 1956-57 FISCAL YEAR AND ALLOCATING IT FOR CAPITAL OUTLAY PURPOSES.

WHEREAS, the sum of \$200.00 has been donated to the City for the purpose of improving the playground at Graceada Park, and

WHEREAS, the Council desires to appropriate said money for expenditure during the 1956-57 fiscal year and allocate it for capital outlay purposes,

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

SECTION 1. APPROPRIATION. The sum of \$200.00, not heretofore appropriated, is hereby appropriated as follows:

Fund

General Fund, Parks and Recreation Department, Parks

Amount

\$ 200.00

Purpose

Capital Outlay - Improvement of Playground at Graceada Park.

SECTION 2. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once in the Modesto Journal and the Valley Citizen, 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 24 day of April, 1957, by Councilman Merrill, who moved its adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks

NOES: None

ABSENT: None

ATTEST: E. G. Galluzzi  
E. G. GALLUZZI, City Clerk

APPROVED: Harry Marks  
Harry Marks, Mayor

AN ORDINANCE AMENDING SECTION 5-6.102 AND SUB-  
SECTIONS (a) and (c) OF SECTION 5-6.206 OF  
CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL  
CODE RELATING TO SEWER SERVICE CHARGES.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.102 of  
Article 1 of Chapter 6 of Title V of the Modesto Municipal Code is  
hereby amended to read as follows:

SEC. 5-6.102. SEWER SERVICE CHARGES. Each person owning  
property within the corporate limits of the City shall  
pay a charge for domestic sewage service to the City  
in accordance with the following rates:

(a) In all areas within the City Limits as of  
July 1, 1950, the monthly sewer service charges for  
dwelling units connected to the sewer system shall  
be:

Each single family dwelling on a lot	\$ .85
One (1) additional dwelling on the same lot	.50
Each dwelling unit in a duplex	.65
Each dwelling unit in an apartment building or dwelling group	.50

(b) In areas annexed to the City after July 1,  
1950, the monthly sewer service charges for dwelling  
units connected to the sewer system shall be:

Each single family dwelling on lot	\$1.10
One (1) additional dwelling unit on same lot	.65
Each dwelling unit in a duplex	.85
Each dwelling unit in an apartment building or dwelling group	.65

(c) All monthly sewer service charges for  
dwelling units not connected to the sewer system  
shall be:

Each single family dwelling on a lot	\$ .75
One (1) additional dwelling unit on the same lot	.45
Each dwelling unit in a duplex	.60
Each dwelling unit in an apartment building or dwelling group	.45

SECTION 2. AMENDMENT OF CODE. Subsections (a) and (c)  
of Section 5-6.206 of Article 2 of Chapter 6 of Title V of the  
Modesto Municipal Code are hereby amended to read as follows:

SEC. 5-6.206. SEWER SERVICE CHARGES, RATE SCHEDULES.  
All users of the sewer system shall pay to the City, as  
rental for the use of such facilities, a sewer service  
charge in accordance with the following schedules:

1 (a) Residential User, Inside City: Charges for  
2 residential users, inside City, shall be as established  
3 by subsections (a), (b) and (c) of Section 5-6.102,  
4 Article 1 of this chapter.

5 (c) Commercial User, Inside City:

6 (1) Charges for all commercial users, inside  
7 City, connected to the sewer system, shall be fifty (50%)  
8 percent of the bi-monthly water bill, provided that all  
9 water used on the premises is from City facilities. If  
10 any or all water used by any commercial user is from other  
11 than City facilities, user shall install metering facil-  
12 ities approved by the Director at the user's expense  
13 and the sewer service charge shall be an amount equal  
14 to fifty (50%) percent of the charge which would be made,  
15 were such water from City facilities, but in no event  
16 shall said charge be less than a bi-monthly rate of  
17 Two and 25/100ths (\$.25) Dollars.

18 (2) Charges for all commercial users, inside  
19 City, not connected to the sewer system, shall be a  
20 bi-monthly rate of Two and 25/100ths (\$.25) Dollars.

21 SECTION 3. EFFECTIVE DATE. This ordinance shall go into  
22 effect and be in full force and operation on and after June 1, 1957.

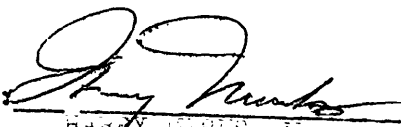
23 SECTION 4. PUBLICATION. This ordinance shall be pub-  
24 lished in full at least once at least three (3) days prior to its  
25 final adoption in the Modesto Journal and the Valley Citizen, the  
26 official newspaper of the City of Modesto.

27 The foregoing ordinance was introduced at a regular meet-  
28 ing of the Council of the City of Modesto held on the 1 day  
29 of May, 1957, by Councilman Adams,  
30 who moved its introduction and passage to print, which motion being  
31 duly seconded by Councilman Robinson, was upon roll call  
32 carried and ordered printed and published by the following vote:

33 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
34 Robinson and Mayor Marks

35 NOES: Councilmen: None

36 ABSENT: Councilmen: None


37 APPROVED:   
38 HARRY MARKS, Mayor


39 ATTEST:   
40 R. L. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15 day of May, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Robinson and  
NOES: Councilmen: Mayor Marks  
ABSENT: Councilmen: Arata and Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: \_\_\_\_\_

1 AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM GEORGE  
HANSEN FOR USE FOR MUNICIPAL PURPOSES.

3 WHEREAS, the City of Modesto desires to improve Tully Road as a  
4 major City street, and

5 WHEREAS, it is necessary to acquire rights of way to a minimum width  
6 of 80' in order to properly provide for this development, and

7 WHEREAS, this project should be undertaken as soon as possible  
8 within the financial means of the City, and

9 WHEREAS, George Hansen owns that certain real property hereinafter  
10 described which is needed for said street improvement purposes, and

11 WHEREAS, the City desires to acquire said real property, and

12 WHEREAS, it is necessary that a part of the existing building owned by  
13 George Hansen and located on said property be removed in order to clear the  
14 right of way for street improvement purposes, and

15 WHEREAS, George Hansen is willing to dedicate said property to the  
16 City on the condition that he is recompensed for the cost of removing and re-  
17 modeling said building,

18 NOW, THEREFORE, the Council of the City of Modesto does ordain as  
19 follows:

20 SECTION 1. ACQUISITION AUTHORIZED. The acquisition of the foll-  
21 owing described real property from George Hansen for the sum of Sixteen  
22 Thousand Seven Hundred One and no/100ths (\$16,701.00) Dollars, in accordance  
23 with the provisions of that certain agreement referred to in Section 2 of this  
24 ordinance is hereby authorized. Said real property is described as follows:

25 All that certain real property situate in the State of California,  
26 County of Stanislaus, Section 30, Township 3 South, Range 9  
East, Mount Diablo Base and Meridian, and more particularly  
described as follows:

27 All that portion of Lots 5 and 7 of the Perdue Tract, according  
28 to the Official Map thereof, filed in the office of the Recorder  
29 of Stanislaus County, California, on December 29, 1908, in  
Volume 4 of Maps, at page 11, more particularly described as  
follows:

30 Beginning at a point on the Western line of a 40 foot county road  
31 known as Tully Road, said point being the Southeastern corner  
32 of said Lot 5 and the Northeastern corner of said Lot 7; thence  
along the Eastern line of said Lot 5 and the Western line of said

1 Tully Road, North 0° 43' West, 70 feet; thence parallel with the  
2 Southern line of said Lot 5, North 89° 41' West, 20 feet; thence  
3 along a line parallel to and 20 feet at right angles from said  
4 Eastern line of said Lots 5 and 7 and the Western line of said  
5 Tully Road, South 0° 43' East, 115.50 feet; thence parallel to  
6 the Northern line of said Lot 7, South 89° 41' East, 20 feet;  
7 thence along said Eastern line of said Lot 7 and the Western  
8 line of said Tully Road, North 0° 43' West, 45.50 feet to the  
9 point of beginning.

6 SECTION 2. APPROVAL OF AGREEMENT. That certain agreement  
7 between the City of Modesto and George Hansen relating to the acquisition of  
8 certain real property by the City for use for municipal purposes, a copy of  
9 which is on file in the Office of the City Clerk of the City of Modesto, is hereby  
10 approved, and the City Manager and City Clerk are hereby authorized to  
11 execute and attest said agreement, respectively on behalf of the City of Modesto  
12 and do all things necessary to carry out the terms of said agreement.

13 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of  
14 Modesto hereby accepts the deed from George Hansen conveying the above  
15 described property to the City of Modesto and hereby authorizes the City Clerk  
16 to record said deed with the Recorder of Stanislaus County.

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

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

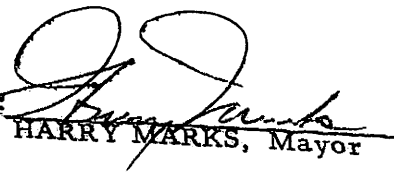
23 The foregoing ordinance was introduced at a regular meeting of the  
24 Council of the City of Modesto held on the 15 day of May, 1957,  
25 by Councilman Anderson, who moved its introduction and passage  
26 to print, which motion being duly seconded by Councilman Adams,  
27 was upon roll call carried and ordered printed and published by the following vote:

28 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robins on  
and Mayor Marks

29 NOES: Councilmen: None

30 ABSENT: Councilmen: Merrill

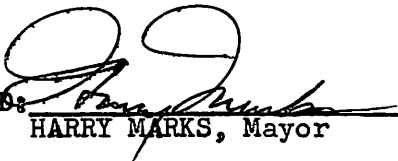
31  
32 ATTEST:   
REX E. GAILFUS, City Clerk

APPROVED:   
HARRY MARKS, Mayor

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: **Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks**  
NOES: Councilmen: **None**  
ABSENT: Councilmen: **Adams and Anderson**

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: June 20, 1957

REPEALED ORD 234CS

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AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," AS AMENDED, TO AMEND SECTION 36.2 THEREOF RELATING TO TRAFFIC REGULATION, AND REPEALING ORDINANCE NO. 161-C.S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 36.2 of Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic Upon the Public Streets of the City of Modesto," as amended, is hereby amended to read as follows:

SECTION 36.2. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3 (b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of the business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof.

NAME OF STREETS OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMITS
BRIGGSMORE, between McHenry and Tully Road	30 miles per hour
GRANGER, from Tully to McHenry	30 miles per hour
GRISWOLD, from Virginia to McHenry	30 miles per hour
KEARNEY, entire length in City	30 miles per hour
LA LOMA	30 miles per hour
LUCERNE AVENUE, between Johnson Street and Coffee Road	30 miles per hour
MILLER, from La Loma to Conejo	30 miles per hour
MORTON BOULEVARD, between Grand Street and La Loma Avenue	30 miles per hour
NEECE DRIVE, between Tuolumne Boulevard and the City limits	30 miles per hour
SUNRISE, entire length in City	30 miles per hour
CARVER, entire length in City	35 miles per hour
EMERALD, beginning at Maze Road and continuing southerly to the City limits	35 miles per hour

1 SECTION 2. REPEAL. Ordinance No. 161-C.S. adopted by  
2 the Council of the City of Modesto on April 17, 1957, is hereby  
3 repealed.

4 SECTION 3. EFFECTIVE DATE. This ordinance shall go  
5 into effect and be in full force and operation from and after fif-  
6 teen (15) days after its final passage and adoption.

7 SECTION 4. PUBLICATION. This ordinance shall be pub-  
8 lished in full at least once at least three (3) days prior to its  
9 final adoption in the Modesto Journal and the Valley Citizen, the  
10 official newspaper of the City of Modesto.

11 The foregoing ordinance was introduced at a regular  
12 meeting of the Council of the City of Modesto held on the 15  
13 day of May, 1957, by Councilman Merrill,  
14 who moved its introduction and passage to print, which motion being  
15 duly seconded by Councilman Anderson, was upon roll call  
16 carried and ordered printed and published by the following vote:

17 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
18 NOES: Councilmen: None Robinson and Mayor Marks  
19 ABSENT: Councilmen: None

20 APPROVED: 

HARRY MARKS, Mayor


21 ATTEST:   
22 REX E. GAILFUS, City Clerk


23  
24 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Anderson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 20, 1957

1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FROM OLIVE  
M. DENNETT

3 WHEREAS, the City of Modesto now operates an airport  
4 in Stanislaus County, located in an area bounded on the north by  
5 Tenaya Drive, on the south by the Tuolumne River, on the west by  
6 Conejo Avenue and on the east by Snowden Avenue, known as the  
7 Modesto City-County Airport, and

8 WHEREAS, the City of Modesto and the County of Stanislaus  
9 entered into an agreement, dated May 25, 1955, relating to the  
10 further development of said airport, which agreement provides in  
11 part for the acquisition of additional land for the construction  
12 of new runway facilities adequate for passenger and freight opera-  
13 tions, and

14 WHEREAS, Olive M. Dennett owns those certain parcels of  
15 real property hereinafter described, which are needed for the  
16 further development of said airport, and

17 WHEREAS, the City of Modesto and the County of Stanislaus  
18 desire to acquire said parcels of real property for the purpose of  
19 further developing said airport,

20 NOW, THEREFORE, the Council of the City of Modesto does  
21 ordain as follows:

22 SECTION 1. PURCHASE AUTHORIZED. The purchase of an  
23 undivided one-half (1/2) interest in the following described real  
24 property from Olive M. Dennett for the sum of Four Thousand Two  
25 Hundred Fifty and no/100ths (\$4,250.00) Dollars in accordance with  
26 the provisions of that certain agreement referred to in Section 2  
27 of this ordinance; plus escrow charges and incidental expenses, is  
28 hereby approved. Said real property is described as follows:  
29

30 PARCEL NO. 1

31 That portion of the Northwest quarter of Section 2,  
Township 4 South, Range 9 East, M. D. S. & M.,  
described as follows:

32 Beginning at the Northwest corner of said Section 2;  
running thence South along the West line of said

1 Section to the Tuolumne River; thence meandering  
2 upstream to the West boundary line of the land  
3 heretofore conveyed by L. L. Dennett to W. L.  
4 Phillips, et ux, by Deed recorded January 27,  
5 1911 in Vol. 143 of Deeds, page 227; thence North  
6  $0^{\circ} 53'$  East along the West line of said Phillips  
7 land, a distance of 7.68 chains to the North line  
8 of said Section 2; thence North  $89^{\circ} 07'$  West along  
9 said North line to the Southeast corner of the land  
10 conveyed to the City of Modesto, a municipal cor-  
11 poration, by Deed recorded July 29, 1941, Instrument  
12 No. 9961; thence following the Southerly boundary  
13 line of said City of Modesto land, South  $85^{\circ} 21'$   
14 West 447.28 feet and North  $86^{\circ} 49'$  West 709.00 feet  
15 to the point of beginning.

9 PARCEL NO. 2

10 That portion of the Southwest quarter of Section  
11 35, Township 3 South, Range 9 East, M. D. B. & M.,  
12 described as follows:

13 Commencing at the Southwest corner of said Section  
14 35; thence North  $0^{\circ} 15'$  West along the West line  
15 of said Section, a distance of 1416.99 feet to the  
16 Northwest corner of the land conveyed to the City  
17 of Modesto, a municipal corporation, by Deed re-  
18 corded July 29, 1941, Instrument No. 9961, and being  
19 the true point of beginning of this description;  
20 thence following the boundary of said City of  
21 Modesto land South  $87^{\circ} 45'$  East 1152.83 feet; South  
22  $43^{\circ} 01' 30''$  East 68.80 feet and South  $1^{\circ} 42'$  West  
23 1324.85 feet to the Southeast corner of said City  
24 of Modesto land; thence leaving said City land and  
25 running South  $89^{\circ} 07'$  East along the South line of  
26 said Section 35 to the Southwest corner of land  
27 conveyed to Walter G. Olson, et ux, by Deed recorded  
28 December 18, 1952, as Instrument No. 30324; thence  
29 North  $2^{\circ} 04'$  East along the West line of said Olson  
30 land and also along the West line of land conveyed  
31 to John J. Maggi, et ux, by Deed recorded October  
32 31, 1950, Instrument No. 25052, a distance of 1402.50  
feet to the Southeast corner of land conveyed to  
the City of Modesto, a municipal corporation, by  
Deed recorded March 29, 1946 Instrument No. 7982;  
thence North  $86^{\circ} 46'$  West along the South line of  
said City of Modesto land, a distance of 1257.30  
feet to the Southwest corner thereof and being on  
the West line of said Section 35; thence South and  
along last mentioned line to the true point of  
beginning.

EXCEPTING THEREFROM that portion thereof heretofore  
abandoned by Order of the Board of Supervisors re-  
corded March 16, 1949 in Vol. 924 of Official Records,  
page 306, Instrument No. 5785.

The above described parcel includes a portion of that  
certain road as shown in the Stanislaus County  
Surveyor's Records, in Vol. 10 of Survey No. 1010,  
page 140.

1 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
2 ment between the City of Modesto, the County of Stanislaus, and  
3 Olive M. Dennett relating to the purchase of certain real property  
4 for airport purposes, a copy of which is on file in the Office of  
5 the City Clerk of the City of Modesto, is hereby approved, and  
6 the City Manager and the City Clerk are hereby authorized to exe-  
7 cute and attest said agreement, respectively, on behalf of the  
8 City of Modesto and do all things necessary to carry out the  
9 terms of said agreement.

10 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
11 of Modesto hereby accepts the deed from seller conveying an un-  
12 divided one-half (1/2) interest in the above described property  
13 to the City of Modesto and hereby authorizes the City Clerk to  
14 record said deed with the Recorder of Stanislaus County.

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

18 SECTION 5. PUBLICATION. This ordinance shall be pub-  
19 lished in full at least once at least three (3) days prior to  
20 its final adoption in the Modesto Journal and the Valley Citizen,  
21 the official newspaper of the City of Modesto.

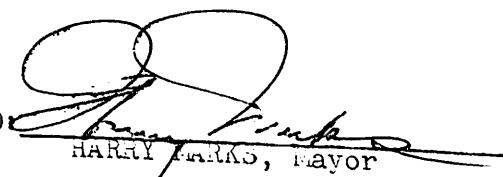
22 The foregoing ordinance was introduced at a regular  
23 meeting of the Council of the City of Modesto held on the 15  
24 day of May - \_\_\_\_\_, 1957, by Councilman Arata,  
25 who moved its introduction and passage to print, which motion being  
26 duly seconded by Councilman Anderson, was upon roll  
27 call carried and ordered printed and published by the following  
28 vote:

29 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
30 Roberson and Mayor Marks  
31 NOES: Councilmen: None  
32 ABSENT: Councilmen: None

ATTEST

  
REX L. GAILLFUS, City Clerk

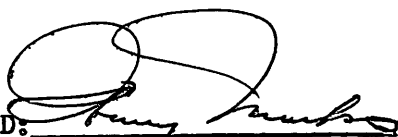
APPROVED

  
HARRY MARKS, Mayor

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: **Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks**  
NOES: Councilmen: **None**  
ABSENT: Councilmen: **Adams and Anderson**

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALFUS, City Clerk

EFFECTIVE DATE: June 20, 1957

ORDINANCE NO.° 169 -C.S.

AN ORDINANCE AMENDING SECTION MAP 17 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KIRKPATRICK PROPERTY)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 17 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

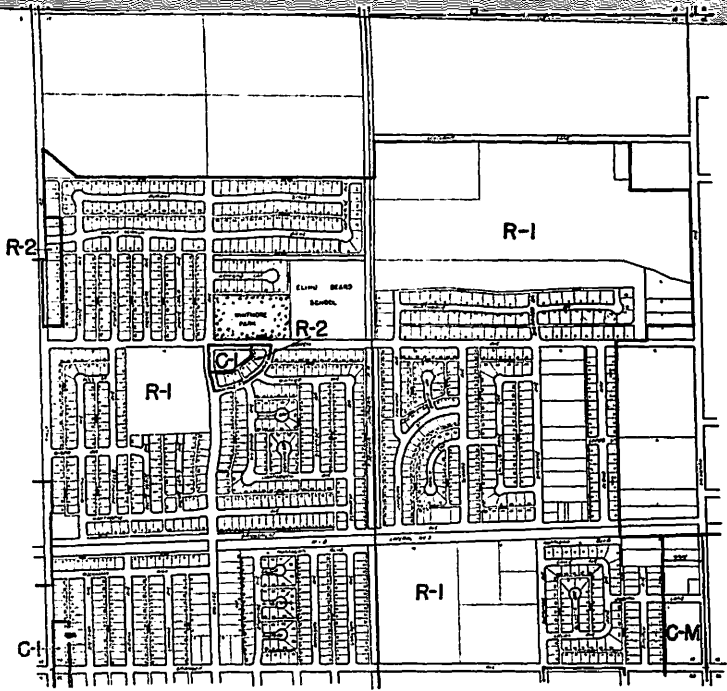
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of May, 1957, by Councilman Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)




**SECTION 17**  
As Amended by Ord. 169-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: ~~Anderson~~, Arata, Hammond, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Anderson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 20, 1957

ORDINANCE NO. 170 -C.S.

AN ORDINANCE AMENDING SECTION MAP 32 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ANNA GROUND PROPERTY)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 32 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 22 day of May, 1957, by Councilman Merrill, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Merrill, Robinson  
and Mayor Marks

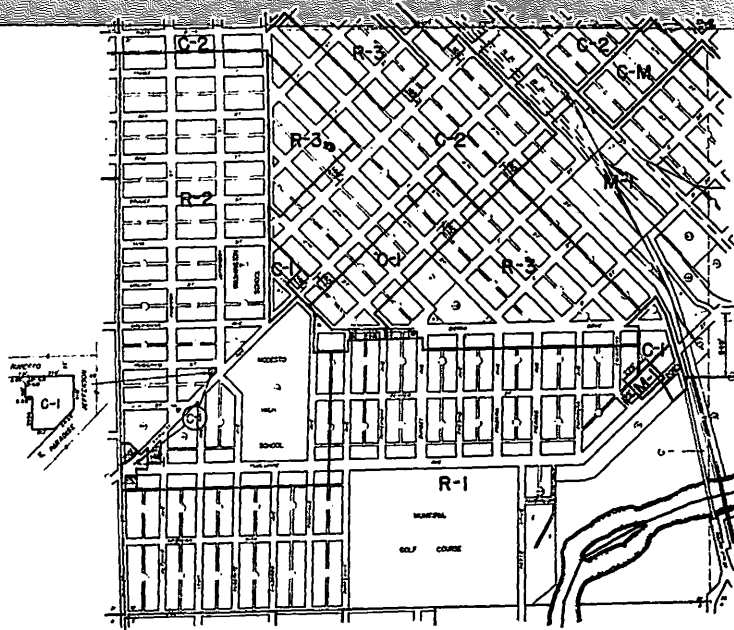
NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)




**SECTION 32**  
As Amended by Ord. 170-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Andersen, Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Anderson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 20, 1957

1 AN ORDINANCE APPROVING THE LEASING OF CERTAIN REAL  
2 PROPERTY OWNED BY THE CITY OF MODESTO TO THE COUNTY  
3 OF STANISLAUS AND AUTHORIZING THE EXECUTION OF A  
4 LEASE AGREEMENT IN CONNECTION THEREWITH.

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

6 SECTION 1. APPROVAL OF LEASE AGREEMENT. The City of  
7 Modesto hereby approves the leasing to the County of Stanislaus of  
8 the following described premises situate in the City of Modesto,  
9 County of Stanislaus, State of California, and more particularly  
10 described as follows, to wit:

11 Lot 5 and the Northeasterly 80 feet 6 inches of Lot 4  
12 in Block 69 of the City of Modesto, according to the  
13 Official Map thereof, filed in the office of the County  
14 Recorder of Stanislaus County, California, on  
15 December 21, 1942, in Vol. 15 of Maps; also a right of  
16 way over the Southeasterly 6 feet of the Southwesterly  
17 59-1/2 feet of said Lot 4 above referred to,

18 for a term of two (2) years commencing on the first day of June,  
19 1957, and ending on the 31st day of May, 1959, in accordance with  
20 the terms and conditions set forth in that certain lease agreement  
21 covering the lease of said property, a copy of which is on file in  
22 the Office of the City Clerk of the City of Modesto. The terms and  
23 conditions of said lease agreement are hereby accepted and approved.

24 SECTION 2. SIGNING AND ATTESTING. The City Manager and  
25 City Clerk of the City of Modesto are hereby authorized to sign  
26 and attest, respectively, said lease agreement on behalf of the City.

27 SECTION 3. DECLARATION OF EMERGENCY. The Council of the  
28 City of Modesto hereby finds and declares that the foregoing ordin-  
29 ance is necessary as an emergency measure for preserving the public  
30 peace, health, and safety. The following is a statement of facts  
31 showing its urgency:

32 The property described above is being leased to the County  
of Stanislaus for purposes of housing the County courts and re-  
lated functions during the construction of the new County court-  
house. The County is in urgent need of space to relocate and house  
said court functions and must remodel the demised premises for this  
purpose. Unless the premises are available to the County immediately,

1 the proper administration of justice may be jeopardized which  
2 would be injurious to the public peace, health, and safety.

3 SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of  
4 the Charter of the City of Modesto, being an emergency ordinance,  
5 this ordinance shall take effect and be in full force and operation  
6 as of the date of its adoption.


7 SECTION 5. PUBLICATION. This ordinance shall be pub-  
8 lished in full in the Modesto Journal and the Valley Citizen, the  
9 official newspaper of the City of Modesto, within fifteen (15)  
10 days after its adoption.

11 The foregoing ordinance was introduced at a regular  
12 meeting of the Council of the City of Modesto held on the 22nd  
13 day of May, 1957, by Mayor Marks, who moved its adoption and  
14 passage to print, which motion being duly seconded by Councilman  
15 Robinson, was upon roll call carried and the ordinance adopted by  
16 the following vote:

17 AYES: Councilmen: Adams, Hammond, Merrill, Robinson, and  
18 Mayor Marks  
19 NOES: Councilmen: Anderson  
20 ABSENT: Councilmen: Arata

21 APPROVED: 

HARRY MARKS, Mayor

22 ATTEST:   
23 REX E. GAILFUS, City Clerk

24 (SEAL)  
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1 AN ORDINANCE APPROPRIATING ADDITIONAL REVENUE FOR  
2 EXPENDITURE DURING THE 1956-57 FISCAL YEAR

3 WHEREAS, the sum of \$6,300.00 has been received from the  
4 National Foundation for Infantile Paralysis to be used for the  
5 purchase of polio vaccine, which said sum has not heretofore been  
6 appropriated, and

7 WHEREAS, the Council desires to appropriate said money  
8 for expenditure during the 1956-57 fiscal year and allocate it for  
9 general fund purposes,

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

12 SECTION 1. APPROPRIATION. The sum of \$6,300.00, not  
13 heretofore appropriated, is hereby appropriated as follows:

14 Fund

15 General Fund, Health Department

16 Amount

17 \$6,300.00

18 Purpose

19 Purchase of chemicals, drugs, and laboratory supplies

20 SECTION 2. EFFECTIVE DATE. Pursuant to Section 722 of  
21 the Charter of the City of Modesto, this ordinance shall take effect  
22 upon adoption.

23 SECTION 3. PUBLICATION. This ordinance shall be pub-  
24 lished in full at least once in the Modesto Journal and the Valley  
25 Citizen, the official newspaper of the City of Modesto.

26 The foregoing ordinance was introduced at a regular  
27 meeting of the Council of the City of Modesto held on the 5 day  
28 of June, 1957, by Councilman Arata, who moved  
29 its adoption, which motion being duly seconded by Councilman  
30 Hammond, was upon roll call carried by the following  
31

1 vote:

2 AYES: Councilmen: ~~Anderson~~, Arata, Hammond, Merrill, Robinson  
and Mayor Marks

3 NOES: Councilmen: None

4 ABSENT: Councilmen: Adams and Anderson

5 APPROVED:

  
HARRY MARKS, Mayor

6  
7 ATTEST:   
~~REX E. GAILFUS, City Clerk~~

8  
9 (SEAL)

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AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM GIDDINGS BROTHERS, INC.

WHEREAS, GIDDINGS BROTHERS, INC., a corporation,  
owns that certain parcel of real property hereinafter described, and  
WHEREAS, the City of Modesto desires to acquire said parcel  
of real property hereinafter described for use for municipal purposes,  
NOW, THEREFORE, the Council of the City of Modesto does ordain  
as follows:

SECTION 1. PURCHASE AUTHORIZED. The purchase of the follow-  
ing described real property from GIDDINGS BROTHERS, INC.

for the sum of Twenty Two Thousand and no/100ths (\$22,000.00)  
\_\_\_\_\_ Dollars, in accordance with the provisions  
of that certain agreement referred to in Section 2 of this ordinance.  
Said real property is described as follows:

All that certain real property situate in the  
County of Stanislaus, State of California,  
described as follows, to wit:

Lot 6 of RE-SURVEY OF BRICHMAN'S ADDITION TO THE  
CITY OF MODESTO, according to the Official Map  
thereof, filed in the office of the Recorder of  
Stanislaus County, California, on October 15,  
1904 in Volume 2 of Maps, at page 1.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and GIDDINGS BROTHERS, INC.

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relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from GIDDINGS BROTHERS, INC.

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conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

SECTION 4. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final

adoption in the Modesto Journal and the Valley Citizen, the official newspaper of the City of Modesto.

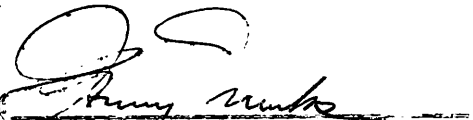
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5 day of June, 1957, Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: ~~Anderson~~, Arata, Hammond, Merrill, Robinson and Mayor Marks


NOES: Councilmen: None

ABSENT: Councilmen: Adams and Anderson

APPROVED

  
HARRY MARKS, Mayor

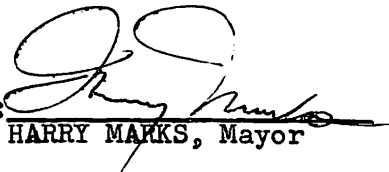
ATTEST:

  
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19 day of June, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Anderson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 4, 1957

1 AN ORDINANCE AMENDING SECTION 4-6.307 OF CHAPTER 6 OF  
2 ARTICLE 3 OF TITLE IV OF THE MODESTO MUNICIPAL CODE  
AND ADDING SECTION 4-6.217 THERE TO RELATING TO TAXICABS.

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

5 SECTION 1. AMENDMENT OF CODE. Section 4-6.217 is hereby  
6 added to Chapter 6 of Article 3 of Title IV of the Modesto  
7 Municipal Code to read as follows:

8 SEC. 4-6.217. MAINTENANCE AND INSPECTION OF RECORDS.  
9 Each person granted a certificate of public convenience  
10 and necessity to engage in the business of operating  
11 any taxicab within the City pursuant to the provisions  
12 of this chapter shall maintain detailed records of  
all receipts and expenditures received and incurred in  
the operation of such business. The City, its officers  
and employees shall be entitled to inspect, audit, and  
copy such books and records at all reasonable times.

13 SECTION 2. AMENDMENT OF CODE. Section 4-6.307 of  
14 Article 3 of Chapter 6 of Title IV of the Modesto Municipal Code  
15 is hereby amended to read as follows:

16 SEC. 4-6.307. RATES. No owner or driver of a taxicab  
17 shall charge a greater sum for the use of a taxicab  
18 than in accordance with the following rates:

19 (a) Mileage rates:  
50¢ for the first one-half mile or  
fraction thereof.  
20 10¢ for each additional one-fourth mile or  
21 fraction thereof.

22 (b) Waiting time:  
6-2/3¢ for each minute of waiting time or  
23 fraction thereof.

24 (c) Trunks:  
\$1.00 for each trunk;

25 (d) Hand Baggage:  
26 10¢ for each piece of hand baggage in  
27 excess of fifty (50 lbs.) pounds; and

28 (e) Extra passengers:  
29 No charge shall be made for extra passengers.  
This applies only to those passengers whose point of  
pick-up and point of destination are the same.

30 SECTION 3. EFFECTIVE DATE. This ordinance shall go into  
31 effect and be in full force and operation from and after fifteen  
32 (15) days after its final passage and adoption.

1 SECTION 4. PUBLICATION. This ordinance shall be pub-  
2 lished in full at least once at least three (3) days prior to  
3 its final adoption in the Modesto Journal and the Valley Citizen,  
4 the official newspaper of the City of Modesto.

5 The foregoing ordinance was introduced at a regular  
6 meeting of the Council of the City of Modesto held on the 12  
7 day of June, 1957, by Councilman Merrill,  
8 who moved its introduction and passage to print, which motion  
9 being duly seconded by Councilman Hammond, was upon  
10 roll call carried and ordered printed and published by the  
11 following vote:

12 AYES: Councilmen: Anderson, Hammond, Merrill, Robinson and  
13 Mayor Marks

14 NOES: Councilmen: None

15 ABSENT: Councilmen: Adams and Arata

16 APPROVED: 

HARRY MARKS, Mayor

17 ATTEST:   
18 REX E. GAILFUS, City Clerk

19 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26 day of June, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll

call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Anderson

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX B. GALFUS, CITY CLERK

EFFECTIVE DATE: July 11, 1957

1 AN ORDINANCE AMENDING SECTIONS 9-1.01, 9-1.03, 9-1.10,  
 2 9-1.11, 9-1.11.1, 9-1.13, AND 9-1.14 OF CHAPTER 1 OF  
 3 TITLE IX OF THE MODESTO MUNICIPAL CODE, ADDING SECTION  
 4 9-1.03.1 THERETO AND REPEALING SECTION 9-1.15 THEREOF  
 5 RELATING TO THE BUILDING REGULATIONS.

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

8 SECTION 1. Section 9-1.01 of Chapter 1 of Title IX of  
 9 the Modesto Municipal Code is hereby amended to read as follows:

10 SEC. 9-1.01. ADOPTION BY REFERENCE OF "UNIFORM  
 11 BUILDING CODE". That certain document, three (3)  
 12 copies of which are on file in the office of the City  
 13 Clerk, being marked and designated as "Uniform  
 14 Building Code, 1955 Edition, published by the  
 15 Pacific Coast Building Officials Conference",  
 16 together with the index and appendix thereto,  
 17 which said Code provides for proper regulations for  
 18 erecting, constructing, enlarging, altering, repair-  
 19 ing, removing, conversions, demolition, occupancy,  
 20 equipment, use, height, area and maintenance of  
 21 buildings or structures in the City and providing  
 22 for the issuance of permits and collection of fees  
 23 therefor, declaring and establishing fire districts,  
 24 providing penalties for the violation thereof, as  
 25 hereinafter amended, deleted and added to, be and  
 26 the same is hereby adopted by reference as the  
 27 Building Code of the City of Modesto.

28 SECTION 2. Section 9-1.03 of Chapter 1 of Title IX of  
 29 the Modesto Municipal Code is hereby amended to read as follows:

30 SEC. 9-1.03. PENALTY PROVISIONS. That Section 205 of  
 31 said Building Code be amended to read as follows:

32 Section 205. It shall be unlawful for any person to  
 erect, construct, enlarge, alter, repair, move, improve,  
 remove, convert or demolish, equip, use, occupy or main-  
 tain any building or structure in the City, or cause  
 the same to be done, contrary to or in violation of  
 any of the provisions of this Building Code.

Any person violating any of the provisions of this  
 Building Code shall be deemed guilty of a separate  
 offense for each and every day or portion thereof  
 during which any violation of any of the provisions of  
 this Building Code is committed, continued or per-  
 mitted, and upon the conviction of any such violation,  
 such person shall be punishable by a fine of not more  
 than One Thousand (\$1,000.00) Dollars or by imprison-  
 ment in the County Jail of the County of Stanislaus  
 for not more than one (1) year, or by both such fine  
 and imprisonment.

SECTION 3. Section 9-1.03.1 is hereby added to Chapter 1  
 of Title IX of the Modesto Municipal Code to read as follows:

1 SEC. 9-1.03.1. FEES. That Section 303 of said  
2 Building Code be amended to read as follows:

3 Section 303. (a) Building Permit Fees. A fee for  
4 each building permit shall be paid to the Building  
5 Official as set forth in Table No. 3-A.

6 Where work for which a permit is required by this  
7 Code is started or proceeded with prior to ob-  
8 taining said permit, the fees above specified shall  
9 be doubled, but the payment of such double fee shall  
10 not relieve any persons from fully complying with  
11 the requirements of this Code in the execution of  
12 the work nor from any other penalties prescribed  
13 herein.

14 (b) Plan-Checking Fees. When the valuation of  
15 proposed Industrial or Commercial construction ex-  
16 ceeds One Thousand and no/100ths (\$1,000.00) Dollars,  
17 and a plan is required to be submitted by subsection  
18 (c) of Section 301, a plan checking fee shall be  
19 paid to the Building Official at the time of sub-  
20 mitting plans and specifications for checking.  
21 Said plan checking fee shall be equal to one-half  
22 (1/2) of the building permit fee as set forth in  
23 Table No. 3-A.

24 (c) Governmental Agencies. No building permit  
25 fee shall be required for the issuance of a building  
26 permit to any governmental agency.

27 SECTION 4. Section 9-1.10 of Chapter 1 of Title IX of  
28 the Modesto Municipal Code is hereby amended to read as follows:

29 SEC. 9-1.10. FIRE WARNING SIGNALS. That a new Section  
30 1310 be added to said Building Code, which Section 1310  
31 shall read as follows:

32 Section 1310. Audible fire warning signals shall be  
placed in all halls and corridors in all Group H  
buildings. The warning signals shall be constructed  
so as to be clearly heard throughout the floor area  
it serves. No signal shall be installed until approved  
by the Fire Chief. Alarm signals shall be run from  
each floor to the main lobby desk. Employees shall be  
instructed in the use of fire warning signals and fire  
extinguishing appliances.

SECTION 5. Section 9-1.11 of Chapter 1 of Title IX  
of the Modesto Municipal Code is hereby amended to read as follows:

SECTION 9-1.11. BUILDINGS OF TYPE 4 OR TYPE 5 CONSTRUCTION. That Section 1603 (d) of said Building Code be amended to read as follows:

Section 1603 (d). Buildings or structures of Type 4  
or Type 5 construction having an area greater than  
seventy-five hundred (7500) square feet shall not be  
erected, constructed or moved within or into Fire  
Zone 2 and such buildings shall have all exterior walls

1 of not less than one-hour fire-resistive construction;  
2 provided that when such ground floor area exceeds five  
3 thousand (5000) square feet, a two-hour fire-resistive  
4 wall without openings shall be constructed. When the  
5 exterior walls are less than three (3') feet from adja-  
6 cent property lines or less than six (6') feet from  
7 buildings on the same property or less than six (6') feet  
8 from alleys, the exterior walls shall be of not less  
9 than four-hour fire-resistive construction.

10 SECTION 6. Section 9-1.11.1 of Chapter 1 of Title IX of  
11 the Modesto Municipal Code is hereby amended to read as follows:

12 SEC. 9-1.11.1. ROOF COVERINGS. That Section 1704 of  
13 said Building Code be amended to read as follows:

14 Section 1704. Roof covering shall be "fire-retardant"  
15 except in Type V buildings housing Groups H, I, or J  
16 occupancies, where it may be "ordinary", as specified  
17 in Section 3203 (f); provided, however, that in Fire Zone  
18 3 roofs of cedar or redwood shakes having a nominal  
19 thickness of one (1") inch at the butt may be used in  
20 buildings of Group F, Division 2, occupancies of Type V  
21 construction where there are no general requirements for  
22 fire resistance, provided that the horizontal clearance  
23 between cornice and property line, except street fronts,  
24 is not less than ten (10') feet.

25 Skylights shall be constructed as required in Chapter 34.

26 Penthouses shall be constructed as required in Chapter 36.

27 SECTION 7. Section 9-1.13 of Chapter 1 of Title IX of  
28 the Modesto Municipal Code is hereby amended to read as follows:

29 SEC. 9-1.13. The subsection (c) of Section 4711 of  
30 said Building Code is amended to read as follows:

31 (c) Application. 1. General. Except when applied to  
32 concrete or masonry, and except as otherwise provided  
for pneumatically applied plaster, exterior cement  
plastering materials shall be mixed by machine methods  
for not less than two minutes, and shall be applied in  
three coats as set forth in Table No. 47-H.

33 The first coat shall be forced through all openings in  
34 the reinforcement so as to solidly fill all spaces. It  
35 shall then be scored horizontally with a scratcher  
36 having one-eighth inch (1/8") clipped teeth and grooves  
37 not more than one-half inch (1/2") deep.

38 The second coat shall be rodded and water floated, with  
39 no variation greater than one-fourth inch (1/4") in any  
40 direction under a five-foot (5') straightedge.

41 The third coat shall not be a brush coat.

42 2. Plastering on Masonry or Concrete. The masonry sur-  
43 face on which plaster is to be applied shall be clean,  
44 free of efflorescence, damp, and sufficiently rough to  
45 insure proper bond. Mixtures specified for the second  
46 coat in this section may be applied directly to masonry.

1 SECTION 8. Section 9-1.14 of Chapter 1 of Title IX of  
2 the Modesto Municipal Code is hereby amended to read as follows:

3 SEC. 9-1.14. SECTIONS TO BE DELETED FROM BUILDING  
4 CODE. Sections 204, 6003, and 6004 are hereby deleted  
5 from said Building Code.

6 SECTION 9. Section 9-1.15 of Chapter 1 of Title IX of  
7 the Modesto Municipal Code is hereby repealed.

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

11 SECTION 11. SAVINGS. The provisions of this ordinance  
12 shall not affect any proceeding, suit, or prosecution heretofore  
13 or hereafter commenced under the provisions of the Municipal Code  
14 as they existed prior to the effective date of this ordinance. No  
15 offense committed and no liability, penalty, or forfeiture, either  
16 civilly or criminally incurred under the provisions of the  
17 Municipal Code as they existed prior to the effective date of this  
18 ordinance, shall be discharged or affected by the adoption of this  
19 ordinance; but prosecutions and suits for such offenses, liabilities,  
20 penalties, or forfeitures shall be instituted or proceeded with in  
21 all respects as if this ordinance had not been adopted.

22 SECTION 12. PUBLICATION. This ordinance shall be pub-  
23 lished in full at least once at least three (3) days prior to its  
24 final adoption in the Modesto Journal and the Valley Citizen, the  
25 official newspaper of the City of Modesto.

26 The foregoing ordinance was introduced at a regular  
27 meeting of the Council of the City of Modesto held on the 12  
28 day of June, 1957, by Councilman Merrill, who  
29 moved its introduction and passage to print, which motion being  
30 duly seconded by Councilman Anderson, was upon roll call  
31 carried and ordered printed and published by the following  
32

1 vote:

2 AYES: Councilmen: Anderson, Hammond, Merrill, Robinson and  
Mayor Marks

3 NOES: Councilmen: None

4 ABSENT: Councilmen: Adams and Arata

5 APPROVED:   
HARRY MARKS, Mayor

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7 ATTEST:   
REX E. GAILFUS, City Clerk

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Ord. No. 175-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26 day of June, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams, Anderson

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: July 11, 1957

1 AN ORDINANCE APPROVING A LEASE AGREEMENT WITH  
2 RICHARD D. AND MURIEL C. HUSBAND RELATING TO  
3 THE RENTAL OF PROPERTY FOR OFF-STREET PARKING  
4 PURPOSES IN THE CITY OF MODESTO

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

7 SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain  
8 lease agreement between the City of Modesto and Richard D. and  
9 Muriel C. Husband, individuals, relating to the rental of property  
10 for off-street parking purposes, a copy of which is on file in  
11 the Office of the City Clerk of the City of Modesto, is hereby  
12 approved, and the City Manager and the City Clerk are hereby  
13 authorized to execute said lease agreement on behalf of the City  
14 and do all things necessary to carry out the terms of said lease  
15 agreement.

16 SECTION 2. EMERGENCY PROVISIONS. DECLARATION OF  
17 EMERGENCY. This ordinance is hereby declared to be an emergency  
18 measure necessary for the immediate preservation of the public  
19 peace, health, and safety, and shall take effect immediately. The  
20 following is a statement of the facts showing its urgency:

21 The property described above is being acquired by the  
22 City of Modesto for the purpose of establishing an off-street  
23 parking lot. The provisions of this off-street parking lot will  
24 promote the safety of the citizens of Modesto. Unless this trans-  
25 action is completed without delay it will prejudice the public  
26 peace, health and safety.

27 SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of  
28 the Charter of the City of Modesto, this ordinance shall take  
29 effect upon adoption.

30 SECTION 4. PUBLICATION. This ordinance shall be pub-  
31 lished in full in the Modesto Journal and the Valley Citizen, the  
32 official newspaper of the City of Modesto within fifteen (15) days  
after its adoption.

1 The foregoing ordinance was introduced at a regular  
2 meeting of the Council of the City of Modesto held on the 19  
3 day of June, 1957, by Councilman Arata,  
4 who moved its adoption and passage to print, which motion being  
5 duly seconded by Councilman Merrill, was upon roll call  
6 carried and the ordinance adopted by the following vote:

7 AYES: Councilman: Arata, Hammond, Merrill, Robinson and Mayor  
8 Marks  
9 NOES: Councilman: None  
10 ABSENT: Councilman: Adams and Anderson

11 APPROVED:   
12 HARRY MARKS, Mayor

13 ATTEST:   
14 REX E. GAILFUS, City Clerk  
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AN ORDINANCE AMENDING SECTIONS 9-2.01, 9-2.03, 9-2.04, 9-2.08, 9-2.09, 9-2.20 AND 9-2.21 OF CHAPTER 2 OF TITLE IX OF THE MODESTO MUNICIPAL CODE AND ADDING SECTIONS 9-2.04.1 AND 9-2.12.1 THERETO, RELATING TO THE PLUMBING REGULATIONS.

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

SECTION 1. Section 9-2.01 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.01. ADOPTION OF UNIFORM PLUMBING CODE. That certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the Uniform Plumbing Code, 1955 Edition, adopted by the Western Plumbing Officials Association, which uniform code provides 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 an administrative office and a Board of Plumber 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.

SECTION 2. Section 9-2.03 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.03. ADMINISTRATIVE AUTHORITY AND ASSISTANTS. That the words "Chief Building Official" be inserted in the blank space provided in Sec. 1.1 of said Plumbing Code.

SECTION 3. Section 9-2.04 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.04. ASSISTANTS. That the words "Building Inspectors" be inserted in the blank space provided in Section 1.2 of said Plumbing Code.

SECTION 4. Section 9-2.04.1 is hereby added to Chapter 2 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-2.04.1. QUALIFICATIONS. That Section 1.3 of said Plumbing Code be deleted.

SECTION 5. Section 9-2.08 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.08. TO WHOM PERMITS MAY BE ISSUED. That Section 1.11 be amended by adding sub-sections (e) and (f) to read, respectively, as follows:

Section 1.11. (e) A special permit may be issued to any appliance dealer to install appliances which require connection to the water distribution system: such as, Evaporative Coolers, Air Conditioners (requiring refrigeration as a cooling system), Water Softeners, Lawn Sprinkler Systems, Automatic and Non-Automatic Clothes Washers, Dish Washers, Garbage Disposal Units and/or Garbage Grinders not regularly classed as plumbing fixtures which are approved by the Director of Public Works and/or Chief Building Official, and which will not contaminate or pollute the potable water system by reason of such installation; and provided further, that all such appliance dealers shall have passed a satisfactory examination showing their qualifications to do such work and have issued to them a Certificate of Competency by the Board of Plumber Examiners, or have in their employ such person who shall have passed such examination. The issuance of such permit shall not be construed as allowing the installation of any waste pipe beyond the opening to receive the fixture trap and no trap or piping shall exceed two (2') feet from the vent pipe serving such trap.

(f) Every person selling water using appliances in the City shall keep an accurate record of all such appliances sold that are to be installed within the corporate limits, together with the name and address of the person to whom sold, and shall mail a copy of same to the office of the Chief Building Official on the first of the month following the sale of such appliance.

SECTION 6. Section 9-2.09 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.09. COST OF PERMITS. That Section 1.13 of said Plumbing Code be amended to read as follows:

Section 1.13. The Director of Finance shall assist the Chief Building Official as follows:

✓ All fees hereinafter set forth in this section shall be collected by the Director of Finance. The Chief Building Official shall not perform any duty for which a fee is required unless an application in writing has first been made at the office of the Director of Finance and a fee collected by said Director of Finance and a receipt issued therefor. Said Director of Finance shall make all receipts in triplicate, the original receipt shall be given to the applicant, one copy shall be transmitted to the Chief Building Official, and one copy shall be retained by the Director of Finance. Every applicant for a permit to install, add to, alter, relocate or replace a plumbing or drainage system, or part thereof, shall state in writing on the application form provided for that purpose, the character of the work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as the Chief Building Official may require. Such applicant shall pay to the Director of Finance for each permit issued and at the time of issuance, a fee in accordance with the following schedule, and at a rate provided for in each classification shown therein. Any person who shall commence any plumbing work for which a permit is required by this Plumbing Code without first having obtained a permit

therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Chief Building Official that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit a double fee as herein provided shall be charged.

SCHEDULE OF FEES

For issuing each permit . . . . .	\$ 1.00
In Addition:	
For each plumbing fixture . . . . .	1.00
For each house drain . . . . .	1.00
For each house sewer . . . . .	2.50
For each leader to sewer on street . . . . .	1.00
For each water distribution system . . . . .	1.00
For each cooler (type) evaporator or refrigerator	1.00
For lawn sprinkler systems, for each section control valve . . . . .	.75
For each water treating or water using equipment	1.00
Gas piping permits at 25 cents per outlet (minimum fee) . . . . .	1.00
Gas furnaces of any nature whatsoever, per 100,00 BTU or fraction thereof . . . . .	2.00
Other gas appliances, such as ranges, water heaters, space heaters, conversion burners, miscellaneous . . . . .	.50

SECTION 7. Section 9-2.12.1 is hereby added to Chapter 2 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-2.12.1. DRAINAGE SYSTEM MATERIALS. That Section 401 of said Plumbing Code be amended to read as follows:

Section 401. (a) Drainage pipe shall be cast iron, lead, copper, or brass.

(b) Drainage fittings shall be of cast iron, malleable iron, lead, brass or copper having a smooth interior waterway of the same diameter as the piping served and all such fittings shall conform to the type of pipe used.

1. Fittings on screwed pipe shall be of the recessed drainage type. Burred ends shall be reamed to the full bore of the pipe.

2. The threads of drainage fittings shall be tapped so as to allow one fourth (1/4") inch per foot grade.

SECTION 8. Section 9-2.20 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.20. HOUSE SEWER MATERIALS. That Section 1103 of said Plumbing Code be amended to read as follows:

Section 1103. (a) The house sewer beginning five (5') feet from any building or structure shall be of cast iron pipe, first quality vitrified clay sewer pipe, cement asbestos pipe, or vitrified clay pipe with an approved type interlocking resilient mechanical compression joint formed on the pipe at the factory and made of plastisol to specifications established by the National Clay Pipe Research Corporation.

(b) Jointing methods and materials shall be as prescribed in Chapter 8 of this Plumbing Code.

SECTION 9. Section 9-2.21 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.21. DEFINITIONS. That Section 1201 of said Plumbing Code be amended by adding subsection (g) to read as follows:

Section 1201. (g) Gas Appliance Dealer: One who sells and installs gas appliances. A merchant who sells but does not install gas appliances does not come under the classification of gas appliance dealer as used in this Code; provided, however, that any gas appliance sold or distributed by such merchant shall meet the requirements set forth in Chapter 51 of the Uniform Building Code, 1955 Edition.

SECTION 10. EFFECTIVE DATE. 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 11. SAVINGS PROVISIONS. The provisions of this ordinance amending certain sections of the Municipal Code shall not affect any proceedings, suit or prosecution had or commenced in any cause before the amendment of said section shall take effect; but every such proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents and purposes as if such section so amended had remained in force. No offense committed, and no liability, penalty, or forfeiture, either civilly or criminally incurred prior to the time when any such section shall be amended by this ordinance, shall be discharged or affected by such amendment; but prosecutions and suits for such offenses, liabilities, penalties

or forfeitures shall be instituted and proceeded with in all respects as if such prior sections had not been amended.

SECTION 12. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Journal and the Valley Citizen, 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 19 day of June, 1957, by Councilman Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Hammond, Merrill, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Anderson

APPROVED   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

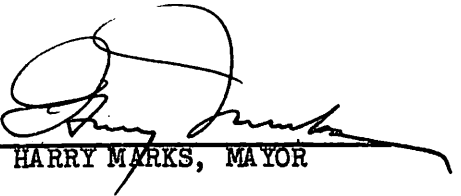
Ord. No. 177-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1957, Councilman Hammond moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: July 18, 1957

1 AN ORDINANCE APPROPRIATING FUNDS FOR PAYMENT OF THE  
2 USUAL CURRENT EXPENSES OF THE CITY OF MODESTO.

3 WHEREAS, the 1956-57 fiscal year of the City of Modesto  
4 ends on June 30, 1957, and

5 WHEREAS, there will be an interim period between June 30,  
6 1957, and the adoption of the budget for the fiscal year beginning  
7 July 1, 1957, and terminating June 30, 1958, and

8 WHEREAS, the Council desires to make an appropriation  
9 for the usual current expenses of the City to cover expenditures  
10 for the interim period above referred to,

11 NOW, THEREFORE, the Council of the City of Modesto does  
12 ordain as follows:

13 SECTION 1. That the sum of \$250,000.00, or such portion  
14 thereof as may be necessary, is hereby appropriated for the payment  
15 of the customary and usual current expenses of the City of Modesto  
16 for the period commencing July 1, 1957, and continuing until the  
17 adoption of the budget for the fiscal year 1957-1958.

18 SECTION 2. That pursuant to Sec. 722 of the Charter of  
19 the City of Modesto, this ordinance shall take effect upon adoption  
20 and shall apply, commencing on and after July 1, 1957, but shall  
21 be superseded upon the adoption of the budget for the 1957-1958  
22 fiscal year.

23 SECTION 3. That this ordinance shall be published in  
24 full at least once in the Modesto Journal & Valley Citizen, the  
25 official newspaper of the City of Modesto.

26 The foregoing ordinance was introduced at a regular  
27 meeting of the Council of the City of Modesto held on the 26  
28 day of June, 1957, by Councilman Merrill,  
29 who moved its adoption, which motion being duly seconded by  
30 Councilman Robinson, was upon roll call carried and  
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1 the ordinance adopted by the following vote:

2 AYES: Councilmen: Arata, Hammond, Merrill, Robinson, Mayor  
Marks

3 NOES: Councilmen: None

4 ABSENT: Councilmen: Adams, Anderson

5 APPROVED:   
HARRY MARKS, Mayor

6  
7 ATTEST:   
8 REX E. GAILFUS, City Clerk

9  
10 (SEAL)

1 AN ORDINANCE APPROVING A LEASE AGREEMENT WITH JOHN E.  
2 AND JEAN C. GRIFFIN RELATING TO THE RENTAL OF PROPERTY  
3 FOR OFF-STREET PARKING PURPOSES IN THE CITY OF MODESTO

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

6 SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain  
7 lease agreement between the City of Modesto and John E. and Jean C.  
8 Griffin, individuals, relating to the rental of property for off-  
9 street parking purposes, a copy of which is on file in the Office  
10 of the City Clerk of the City of Modesto, is hereby approved, and  
11 the City Manager and the City Clerk are hereby authorized to  
12 execute said lease agreement on behalf of the City and do all  
13 things necessary to carry out the terms of said lease agreement.

14 SECTION 2. EMERGENCY PROVISIONS. DECLARATION OF  
15 EMERGENCY. This ordinance is hereby declared to be an emergency  
16 measure necessary for the immediate preservation of the public  
17 peace, health, and safety, and shall take effect immediately. The  
18 following is a statement of the facts showing its urgency:

19 The property described above is being acquired by the  
20 City of Modesto for the purpose of establishing an off-street  
21 parking lot. The provisions of this off-street parking lot will  
22 promote the safety of the citizens of Modesto. Unless this trans-  
23 action is completed without delay it will prejudice the public  
24 peace, health and safety.

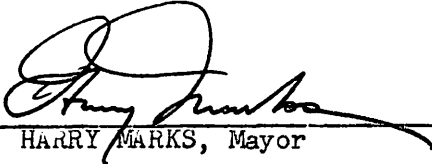
25 SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of  
26 the Charter of the City of Modesto, this ordinance shall take  
27 effect upon adoption.

28 SECTION 4. PUBLICATION. This ordinance shall be pub-  
29 lished in full in The Modesto Bee, the official newspaper of the  
30 City of Modesto within fifteen (15) days after its adoption.

31 The foregoing ordinance was introduced at a regular  
32 meeting of the Council of the City of Modesto held on the 3rd

1 day of July, 1957, by Councilman Anderson,  
2 who moved its adoption and passage to print, which motion being  
3 duly seconded by Councilman Robinson, was upon roll call  
4 carried and the ordinance adopted by the following vote:

5 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill,  
6 NOES: Councilmen: None  
7 ABSENT: Councilmen: None

8 APPROVED:   
9 HARRY MARKS, Mayor

10 ATTEST:   
11 REX E. GAILFUS, City Clerk

12 (SEAL)

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1 AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN  
2 REAL PROPERTY BY THE CITY OF MODESTO FOR USE FOR  
3 AIRPORT PURPOSES FROM CODDING HOMES.

4 WHEREAS, Coddling Homes, a California corporation, owns  
5 that certain parcel of real property hereinafter described, and

6 WHEREAS, the City of Modesto desires to acquire said  
7 parcel of real property, together with the building and all im-  
8 provements located thereon, for use for airport purposes,

9 NOW, THEREFORE, the Council of the City of Modesto does  
10 ordain as follows:

11 SECTION 1. PURCHASE AUTHORIZED. The purchase of the  
12 following described real property, together with the building and  
13 all improvements located thereon, from Coddling Homes, a California  
14 corporation, for the sum of Nine Thousand and no/100ths (\$9000.00)  
15 Dollars, in accordance with the provisions of that certain agree-  
16 ment referred to in Section 2 of this ordinance is hereby authorized.

17 Said real property is described as follows:

18 A portion of the City of Modesto Airport situated  
19 in the northwest quarter of the southeast quarter  
20 of Section 34, Township 3 South, Range 9 East,  
21 Mount Diablo Base and Meridian, more particularly  
22 described as follows:

23 Commencing at the concrete monument marking the  
24 intersection of the center lines of Conejo  
25 Avenue and Tuolumne (Monterey) Avenue as shown  
26 on the map of Legion Park Tract, recorded in  
27 Volume 14 page 10 of Maps, Stanislaus County  
28 Records, said monument being on the northsouth  
29 quarter section line of Section 34; thence  
30 North 0° 42' 20" West along said quarter section  
31 line 373.84 feet; thence North 89° 17' 40" East  
32 108.69 feet to the point of beginning of this  
description; thence North 89° 17' 40" East 100  
feet; thence North 0° 42' 20" West 100 feet;  
thence South 89° 17' 40" West 100 feet; thence  
South 0° 42' 20" East 100 feet to the point of  
beginning of this description, containing 0.23  
acre.

33 SECTION 2. APPROVAL OF AGREEMENT. That certain agree-  
34 ment between the City of Modesto and Coddling Homes relating to the  
35 purchase of certain real property for use for airport purposes, a  
36 copy of which is on file in the Office of the City Clerk of the

1 City of Modesto, is hereby approved, and the City Manager and City  
2 Clerk are hereby authorized to execute and attest said agreement,  
3 respectively, on behalf of the City of Modesto and do all things  
4 necessary to carry out the terms of said agreement.

5 SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City  
6 of Modesto hereby accepts the deed from Coddling Homes conveying  
7 the above described property to the City of Modesto and hereby  
8 authorizes the City Clerk to record said deed with the Recorder of  
9 Stanislaus County.

10 SECTION 4. EFFECTIVE DATE. This ordinance shall go into  
11 effect and be in full force and operation from and after fifteen  
12 (15) days after its final passage and adoption.

13 SECTION 5. PUBLICATION. This ordinance shall be pub-  
14 lished in full at least once at least three (3) days prior to its  
15 final adoption in The Modesto Bee, the official newspaper of the  
16 City of Modesto.

17 The foregoing ordinance was introduced at a regular  
18 meeting of the Council of the City of Modesto held on the 10  
19 day of July, 1957, by Councilman Arata,  
20 who moved its introduction and passage to print, which motion being  
21 duly seconded by Councilman Hammond, was upon roll call  
22 carried and ordered printed and published by the following vote:

23 AYES: Councilmen: Adams, Anderson, Arata, Hammond,  
24 ROBES: Councilmen: None  
25 ABSENT: Councilmen: Merrill

26 APPROVED:   
27 HARRY MARKS, Mayor

28 ATTEST:   
29 REX E. GAILFUS, City Clerk

30 (SEAL)

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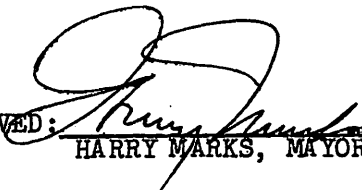
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of July, 1957, Councilman Merrill moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond and Robinson

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: August 1, 1957

AN ORDINANCE AMENDING CHAPTER 4 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO CIVIL DEFENSE AND DISASTER TO PROVIDE FOR A DISASTER RELIEF AND CIVIL DEFENSE ORGANIZATION WITHIN THE CITY OF MODESTO.

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

SECTION 1. Chapter 4 of Title III of the Modesto Municipal Code is amended to read as follows:

CHAPTER 4 - DISASTER RELIEF AND CIVIL DEFENSE.

SEC. 3-4.01. PURPOSE. The declared purposes of this chapter are to provide for the establishment of an emergency disaster relief and civil defense organization, which shall function in the event of a natural or military disaster to provide the greatest possible relief and protection to persons and property within the City, and to provide for the coordination of the disaster relief and civil defense functions of the City with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such disaster relief and civil defense activities, including mutual aid activities, shall be deemed conclusively to be for the protection of life and property.

SEC. 3-4.02. DEFINITIONS.

(a) Calif. Disaster Office. As used herein, the term "California Disaster Office" shall mean the agency of the State of California, which is responsible for the administration of disaster relief and civil defense matters within the state.

(b) Civil Defense. As used herein, the term "civil defense" shall mean the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters. It shall not include any conditions resulting from a labor controversy.

(c) Disaster. As used herein, the term "disaster" shall include, but is not limited to, any extraordinary fire, flood, riot, storm, epidemic, or earthquake, or any enemy attack or sabotage, which causes or threatens to cause loss of life or property, and, in which occurrences, the responsibility devolves upon the regular constituted authorities for the maintenance of public peace and order and the preservation of life and property. It shall not include any conditions resulting from a labor controversy.

(d) Governor. As used herein, the term "Governor" shall mean the Governor of the State of California.

(e) Region. As used herein, the term "Region" shall refer to the mutual aid region of the State of California, established for the administration of disaster relief and civil defense matters, in which the County of Stanislaus lies.

(f) Stanislaus Operational Area or Area. As used herein, the terms "Stanislaus Operational Area" or "Area" shall refer to a sub-section of the Region which is comprised of the County of Stanislaus.

(g) State of Disaster. As used herein, "State of disaster" shall mean the duly proclaimed existence of conditions of extreme peril within the State caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake or other conditions except as a result of a war-caused disaster, which conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county or city, and require the combined forces of a mutual aid region or regions to combat. "State of disaster" does not include nor does any provision of this chapter apply to any condition resulting from a labor controversy.

(h) State of Extreme Emergency. As used herein, "State of extreme emergency" shall mean the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the State caused by an enemy attack or threatened attack by land, sea or air, or when upon advice of the commanding general of this area such attack is imminent, an air raid alarm, sabotage, or other cause such as air pollution, fire, flood, storm, epidemic, riot, earthquake, which conditions by reason of their magnitude are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city and county or city and require the combined forces of a mutual aid regional or regions to combat. "State of extreme emergency" does not include nor does any provision of this chapter apply to any condition resulting from a labor controversy.

SEC. 3-4.03. NAME. The disaster relief and civil defense organization of the City shall be known and officially referred to as the Modesto Disaster Corps.

SEC. 3-4.04. DUTY TO FUNCTION. The Modesto Disaster Corps shall become fully operative upon the declaration of a "state of disaster" or a "state of extreme emergency" or upon other proclamation of the Governor, or the Mayor, or in his absence, of the City Manager, subject to confirmation of the Council at the earliest practicable time. The Disaster Corps shall continue to operate until the status of "disaster" or "extreme emergency" or other proclamation is terminated as provided by law. Nothing in this section shall be so construed as to prohibit the drilling and training of one or more persons, divisions, or all of the Modesto Disaster Corps, as may be deemed by the Director or Division Chief.

SEC. 3-4.05. NATURE OF ORGANIZATION. The Modesto Disaster Corps shall be a component of the Stanislaus County Disaster Council, which in turn is a unit of the disaster relief and civil defense organization of the State of California.

SEC. 3-4.06. MODESTO DISASTER CORPS, MEMBERSHIP. The Modesto Disaster Corps is hereby created and shall consist of the following:

(a) The Chairman, who shall be the Mayor.

(b) The Director, who shall be the City Manager, unless otherwise designated by resolution of the City Council.

(c) The Assistant Director, who shall be appointed by the Director, and who, under the supervision of the Director, shall plan and develop an organization for the purpose of providing emergency disaster relief and civil defense in the City and, as appropriate, in the Stanislaus Operational Area, and who shall have such other duties as may be assigned by the Director.

(d) Deputy Directors and Chiefs of Operating and Service Divisions appointed by the Director.

(e) All officers and employees of the City, including Reserve Police and Volunteer Firemen.

(f) Volunteer workers, who shall be registered in accordance with requirements of pertinent law, and who shall be appointed and assigned by the Director. For administrative purposes this includes the Ground Observer Corps, which is under the operational direction of the U. S. Air Force.

(g) Groups, organizations and persons who may, by agreement or operation of laws, including persons commandeered under the provision of Sec. 3-4.09 (c) of the Modesto Municipal Code, be charged with duties incident to the protection of life and property in the City during a disaster.

(h) The American Red Cross, which will furnish food, clothing, shelter, registration and information service, supplementary medical service when requested, and rehabilitation to individuals and families affected by a disaster. The American Red Cross will provide funds with which to finance all its relief operations. The chief of this division will be the chairman of the City of Modesto Chapter of the American Red Cross, or a delegated representative thereof.

SEC. 3-4.07. STANISLAUS COUNTY DISASTER COUNCIL. Whenever there is in existence an organized and functioning Stanislaus County Disaster Council, the Director, or other person designated by him, shall be a member of the said Council and represent the City and the Modesto Disaster Corps. The Stanislaus County Disaster Council is hereby empowered to review and recommend for adoption by the City, emergency disaster relief and civil defense plans, and mutual aid agreements and such ordinances and resolutions as are necessary to implement such plans and agreements. Such recommendations shall be submitted through the Director. The Stanislaus County Disaster Council shall be formed by and be under the direction of the Board of Supervisors of the County of Stanislaus, and shall meet in accordance with the requirements adopted by that body.

SEC. 3-4.08. CHAIRMAN OF THE MODESTO DISASTER CORPS - POWERS AND DUTIES. There is hereby created the office of Chairman of the Modesto Disaster Corps. The Chairman shall be the Mayor of the City of Modesto, and he is hereby empowered:

(a) To proclaim the existence of a state of "disaster" and the termination thereof, provided he shall report such a proclamation to the Council, if in session, or as soon as practicable, if not in session, and to the Director.

(b) To request the Governor to declare a "state of

extreme emergency", if in the opinion of the Chairman the resources of the local community are inadequate to cope with the disaster. Such action shall be reported to the Council and the Director as soon as practicable.

(c) To advise and recommend to the Council and to the Director on matters pertaining to the operations and administration of the Modesto Disaster Corps.

(d) To represent the Modesto Disaster Corps on formal or ceremonial occasions.

SEC. 3-4.09. THE CITY COUNCIL - DUTIES DURING A "STATE OF DISASTER", OR A "STATE OF EXTREME EMERGENCY." During "State of disaster", or a "State of extreme emergency", it shall be the duty of the members of the Council:

(a) When called by the Mayor, or the Director in the absence of the Mayor, to immediately assemble as a City Council, without regard to any other provisions relating to the calling of special Council meetings, in order to receive information and reports and to render decisions of policy requiring City Council action.

(b) To receive reports from the Director, concerning the nature of the disaster or emergency and of the actions being taken to protect life and property.

SEC. 3-4.10. DIRECTOR OF THE MODESTO DISASTER CORPS - POWERS AND DUTIES. There is hereby created the office of Director of the Modesto Disaster Corps. Such officer shall be the City Manager, unless otherwise designated by resolution of the Council. The Director is hereby empowered:

(a) To request the Chairman to proclaim the existence of a "state of disaster" and the termination thereof, or to issue such proclamation himself if the Chairman is not available, subject to confirmation by the Council at the earliest practicable time;

(b) To request the Chairman to petition the Governor to proclaim a "state of extreme emergency" or to issue such petition himself if the chairman is not available when, in the opinion of the Director, the resources of the local community are inadequate to cope with the disaster; subject to confirmation by the Council at the earliest practicable time.

(c) To control and direct the operations of the Modesto Disaster Corps for the accomplishment of the purposes of this chapter.

(d) To direct coordination and cooperation between divisions, services and staff of the Modesto Disaster Corps, and to resolve questions of authority and responsibility that may arise between them;

(e) To represent the City and the Modesto Disaster Corps in all dealings with public or private agencies pertaining to disaster relief and civil defense.

SEC. 3-4.11. POWERS AND DUTIES OF DIRECTOR DURING A "STATE OF DISASTER" OR A "STATE OF EXTREME EMERGENCY". In the event of the proclamation of a "state of disaster" as herein provided, or the proclamation of a "state of extreme emergency" by the Governor or the State Director of Civil Defense, the Director is hereby empowered:

(a) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster, provided, however, that such rules and regulations shall be confirmed by the Council at the earliest practicable time.

(b) To obtain vital services, supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and to bind the City for the fair value thereof, and if required immediately, to commandeer the same for public use.

(c) To require emergency services of any City Officer or employee, and, in the event of the proclamation of a "state of extreme emergency" by the Governor in the Region in which the City is located, to command the aid of as many citizens of the community as he thinks necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by law for registered disaster and civil defense volunteers;

(d) To requisition necessary personnel or material of any City Department.

(e) To execute all of his ordinary powers as City Manager, all of the special powers conferred upon him by this Chapter or by resolution adopted pursuant thereto; to exercise all powers conferred upon him by any statute, agreement approved by the Council, or by any other lawful authority; and to exercise all police power vested in the City by the Constitution and the General Laws of the State of California, and the Charter and laws of the City of Modesto.

SEC. 3-4.12. MODESTO DISASTER CORPS ORGANIZATION. The functions and duties of the Modesto Disaster Corps shall be distributed among such Operating and Service Divisions as the Council shall prescribe by resolution.

The Council, immediately following the adoption of this Chapter, shall adopt a resolution setting forth the form of organization, establishment and designation of divisions, the assignment of functions, and duties and powers.

SEC. 3-4.13. PUNISHMENT OF VIOLATIONS. It shall be a misdemeanor for any person during a disaster:

(a) Willfully to obstruct, hinder or delay any member of the disaster and civil defense organization in the enforcement of any lawful rule or regulation issued pursuant to this Chapter, or in

the performance of any duty imposed upon him by virtue of this Chapter;

(b) To do any act forbidden by any lawful rules or regulations issued pursuant to this Chapter, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil lives or property, or to prevent, hinder or delay the defense or protection thereof; .

(c) To wear, carry or display, without authority, any means of identification specified by any disaster and civil defense agency.

SECTION 2. SAVINGS PROVISIONS. It is the intent of the Council in enacting this ordinance that it shall be considered a revision and continuation of the provisions of the Municipal Code amended by this ordinance, and the status of volunteers shall not be affected by such amendment; nor shall disaster and civil defense mutual aid plans and agreements, rules and regulations or resolutions adopted pursuant to such provisions be affected by such amendment until amended, modified, or superseded as provided in this ordinance.

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. EFFECTIVE DATE. 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.

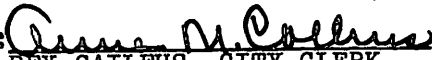
SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

13.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of July, 1957, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson  
Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Merrill

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX GAILFUS, CITY CLERK

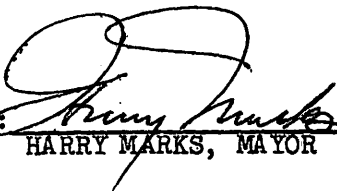
(SEAL)

Ord. No. 181-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of July, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Merrill, Robinson  
and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Hammond

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: August 1, 1957

1 AN ORDINANCE AMENDING SECTION 34 OF ORDINANCE NO. 345-N.S.  
2 ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC  
3 STREETS OF THE CITY OF MODESTO," AS AMENDED, RELATING TO  
4 TRAFFIC REGULATIONS.

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

7 SECTION 1. AMENDMENT OF ORDINANCE. Section 34 of  
8 Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic  
9 Upon the Public Streets of the City of Modesto," as amended, is  
10 hereby amended to read as follows:

11 SECTION 34. PARALLEL AND ANGLE PARKING. (a) Subject  
12 to other and more restrictive limitations, a vehicle  
13 may be stopped or parked within eighteen (18") inches  
14 of the left hand curb facing in the direction of  
15 traffic movement upon any one-way street unless signs  
16 are in place prohibiting such stopping or standing.

17 (b) The Council is hereby authorized, by resolution,  
18 to determine the streets upon which and the hours during  
19 which angle parking shall be permitted, either exclusively  
20 or in conjunction with parallel parking, which regulations  
21 shall become effective when appropriate signs or markings  
22 are in place giving public notice thereof.

23 On those streets upon which angle parking exclusively  
24 is authorized, such fact shall be indicated by the paint-  
25 ing of white lines upon the surface of the roadway to  
26 indicate the proper angle of parking. On such streets  
27 vehicles shall be parked at the angle to the curb in-  
28 dicated by such markings. On those streets upon which  
29 combination parallel and angle parking is authorized, such  
30 fact shall be indicated by the posting of signs giving  
31 public notice thereof. On such streets, vehicles shall  
32 be parked as indicated by such signs.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished 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 held on the 10  
day of July, 1957, by Councilman Anderson,  
who moved its introduction and passage to print, which motion being

REPEALED ORD 234CS

1 duly seconded by Councilman Arata, was upon roll call  
2 carried and ordered printed and published by the following vote:

3 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson  
4 NOES: Councilmen: None  
5 ABSENT: Councilmen: Merrill

6 APPROVED:   
7 HARRY MARKS, Mayor

8 ATTEST:   
9 REX E. GAILFUS, City Clerk

10 (SEAL)

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1 AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY  
2 OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30,  
3 1958, AND PROVIDING FOR CERTAIN TRANSFERS OF  
4 FUNDS.

5 WHEREAS, pursuant to the Charter of the City of Modesto  
6 a proposed budget for the 1957-58 fiscal year has been submitted  
7 to the City Council by the City Manager, and the City Council has  
8 made such revisions as it has deemed advisable, and

9 WHEREAS, in accordance with the City Charter, a public  
10 hearing has been held upon the adoption of the proposed budget  
11 after due notice, as provided by law, and

12 WHEREAS, copies of the proposed budget have been and  
13 are available for inspection by the public at the office of the  
14 City Clerk,

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

17 SECTION 1. That the "City of Modesto Preliminary Budget,  
18 1957-58" presented by the City Manager to the City Council at its  
19 meeting held on May 22, 1957, and as thereafter amended by the  
20 City Council, a copy of which budget, as amended, is on file in  
21 the office of the City Clerk, is hereby adopted as the budget for  
22 the City of Modesto for the fiscal year ending June 30, 1958, and  
23 the several amounts stated therein as proposed expenditures are  
24 hereby appropriated for the various objects therein described.

25 SECTION 2. That the City Council is authorized by  
26 resolution to transfer funds from one department to another de-  
27 partment and to transfer and authorize the expenditure of funds  
28 from the Reserves for specific purposes.


29 SECTION 3. That the City Manager is authorized to trans-  
30 fer funds within departmental budgets between the following classi-  
31 fications, to wit: Salaries, operating expenses, and capital outlay;  
32 and to transfer and expend funds from the Contingency Reserve for  
specific purposes.


1 SECTION 4. Pursuant to Section 722 of the Charter of  
2 the City of Modesto, this ordinance shall take effect upon adoption.

3 SECTION 5. This ordinance shall be published in full at  
4 least once in The Modesto Bee, the official newspaper of the City  
5 of Modesto.

6 The foregoing ordinance was introduced at a regular  
7 meeting of the Council of the City of Modesto held on the 17  
8 day of July, 1957, by Councilman Arata, who moved  
9 its adoption, which motion being duly seconded by Councilman  
10 Adams, was upon roll call carried by the follow-  
11 ing vote:

12 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Merrill  
13 Robinson and Mayor Marks  
14 NOES: Councilmen: None  
15 ABSENT: Councilmen: None

16 APPROVED:   
HARRY MARKS, MAYOR

17 ATTEST:   
18 REX E. GAILFUS, City Clerk  
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ORDINANCE NO. 184 -C.S.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY  
KNOWN AS THE RACQUET CLUB ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by  
Fred A. Earle, Jr.

\_\_\_\_\_ on  
May 14, \_\_\_\_\_, 1957, to annex to the City of Modesto  
under the provisions of the Annexation of Uninhabited Territory  
Act of 1939, as amended, certain uninhabited territory, hereinafter  
described and designated as the RACQUET CLUB ADDITION,  
situate in the County of Stanislaus, State of California, and con-  
tiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the  
5th day of June, 1957, set said petition for hear-  
ing at the hour of 4:30 o'clock p.m. on the 17th day of July,  
1957, in the Council Chamber at the McHenry Public Library,  
located at Fourteenth and I Streets in ~~the~~ City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds  
that a copy of the resolution giving notice of the proposed annexation  
and fixing the time and place for hearing objections to the proposed  
annexation was published in newspapers of general circulation to wit:  
The Modesto Journal and the Valley Citizen, a newspaper published  
in the City of Modesto on June 13, 1957, and on  
June 20, 1957; and in the Turlock Daily Journal,  
a newspaper published outside the City of Modesto, but in the  
County of Stanislaus, on June 13, 1957, and on  
June 20, 1957, for the time and in the manner  
required by law, which publications were completed at least twenty  
(20) days prior to the date set for hearing; that written notice  
of the proposed annexation has been mailed by the City Clerk of  
the City of Modesto to each person to whom land within the terri-  
tory proposed to be annexed was assessed on the last equalized  
assessment roll available on the date the proceedings were initiated,  
at the address as shown thereon, or as known to said Clerk, and to

any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 17th day of July, 1957, at the hour of 4:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

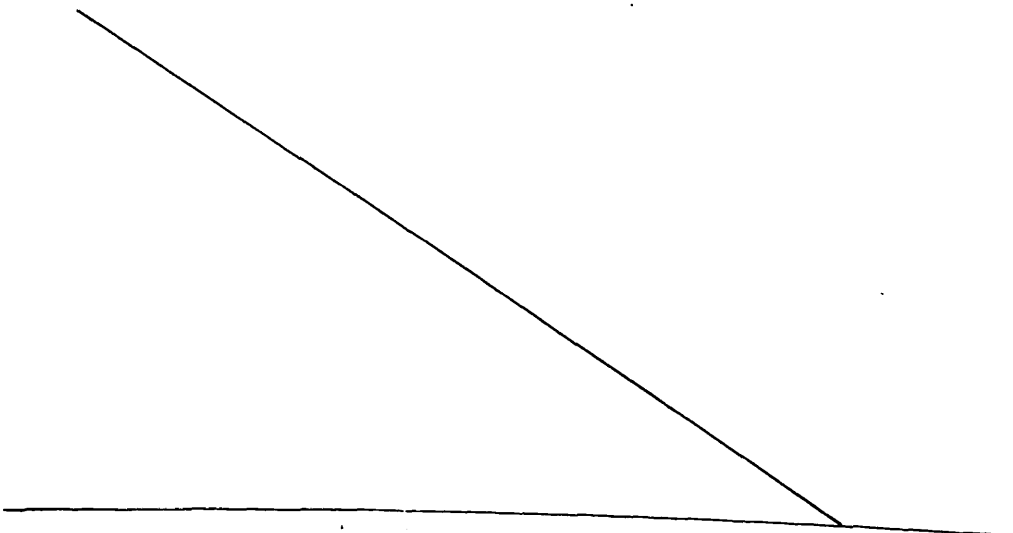
NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the RACQUET CLUB ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 12, 13, 14, 21, 22 and 23 of Pomona Villa Tract, as recorded in Volume 2 of Maps, at Page 4, Stanislaus County Records, and more particularly described as follows:

Commencing at the intersection of the Southern right of way line of the Modesto Irrigation District Lateral No. 3 and the Western Line of Camellia Gardens Tract as recorded in Volume 17 of Maps at Page 5, Stanislaus County Records, said point being a corner of the existing City Limits as recorded in Volume 1216 at Page 546, Stanislaus County Records; thence along said Southern right of way line of Lateral No. 3 and the existing City Limits, Northwesterly, to its intersection with the Southern extension across said Lateral No. 3 of a line 107.55 feet Easterly of and parallel to the Eastern lines of Lots 13 and 22 of said Pomona Villa Tract, said point being the true point of beginning of this description; thence along said parallel line, Northerly to a point on the Southern line of a 40 foot street known as Norwegian Avenue, as recorded in Volume 29 at Page 194, Stanislaus County Records; thence along said Southern line of Norwegian Avenue Westerly 463.75 feet to a point which is 26.20 feet Westerly of the Western line of said Lot 13; thence Southerly along a line 26.20 feet Westerly of and parallel to the Western line of said lots 13 and 22, and the Southerly projection thereof across said Lateral No. 3, to the intersection thereof with said Southern right of way line of Lateral No. 3, a point on the existing City Limits; thence Southeasterly along said Southern right of way of Lateral No. 3 to the point of beginning.



SECTION 3. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 4. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 5. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once 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 17 day of July, 1957, by Councilman Anderson, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Adams, Anderson, Arata, Hammond, Merrill, Robinson and Mayor Marks
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

(SEAL.)

1 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN  
2 REAL PROPERTY BELONGING TO THE CITY OF MODESTO.

3 WHEREAS, the City of Modesto owns that certain parcel of  
4 real property hereinafter described, and

5 WHEREAS, the City of Modesto desires to sell and  
6 FRANCIS D. CLEMENS and WANDA CLEMENS, husband and wife, individuals  
7 agrees to purchase said real property, and

8 WHEREAS, said real property is no longer needed for  
9 municipal purposes,

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

12 SECTION 1. SALE AUTHORIZED. The sale of the following  
13 described real property, together with the improvements located  
14 thereon, by the City of Modesto to Francis D. Clemens and

15 Wanda Clemens  
16 for the sum of Three Thousand Two Hundred and no/100ths/ <sup>(~~\$~~3,200.00)</sup> Dollars,  
17 in accordance with the provisions of that certain agreement referred  
18 to in Section 2 of this ordinance is hereby authorized.

19 Said real property is described as follows:

20 All that portion of Lot 12 of SEVERIN COLONY,  
21 according to the map thereof, filed in the  
22 office of the County Recorder of Stanislaus  
23 County, California, on July 18, 1908 in Vol. 3  
24 of Maps at page 47, described as follows:

25 Beginning at a point on the North line of said  
26 Lot 12 that is 30 feet East of the Northwest  
27 corner of said Lot 12 (said point being on the  
28 East side of a 60 foot County Road); thence  
29 South along said East line of County Road, being  
30 along a line parallel to and distant 30 feet  
31 East of the West line of said Lot 12, a distance  
32 of 78 feet; thence at right angles East along a  
line parallel to the North line of said Lot 12,  
a distance of 134.90 feet; thence at right angles  
North and along a line parallel to the East line  
of said Lot 12 a distance of 78 feet to the North  
line of said Lot 12; thence West along the North  
line of said Lot 12 a distance of 134.90 feet  
to the point of beginning, EXCEPTING THEREFROM  
the North 30 feet thereof.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement

1 between the City of Modesto and Francis D. Clemens and Wanda  
2 Clemens,

3 relating to the sale of certain real property belonging to the  
4 City, a copy of which is on file in the office of the City Clerk  
5 of the City of Modesto, is hereby approved, and the City Manager  
6 and City Clerk, are hereby authorized to execute and attest said  
7 agreement, respectively, on behalf of the City of Modesto and do all  
8 things necessary to carry out the terms of said agreement.

9 SECTION 3. EXECUTION OF DEED. The Mayor and the City  
10 Clerk of the City of Modesto are hereby authorized and directed to  
11 execute a deed conveying all of the right, title and interest of  
12 the City of Modesto in and to the hereinabove described real  
13 property to Francis D. Clemens and Wanda Clemens,  
14

15 in accordance with the terms of said agreement.

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

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

23 The foregoing ordinance was introduced at a regular meet-  
24 ing of the Council of the City of Modesto held on the 24 day of  
25 July, 1957, by Councilman Adams,  
26 who moved its introduction and passage to print, which motion being  
27 duly seconded by Councilman Arata, was upon roll call  
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1 carried and ordered printed and published by the following vote:

2 AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson  
and Mayor Marks

3 NOES: Councilmen: None,

4 ABSENT: Councilmen: Merrill

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APPROVED: \_\_\_\_\_  
HARRY MARKS, MAYOR

7

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

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9 (SEAL)

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7 day of August, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:  
AYES: Councilmen: Adams, Hammond, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Anderson, Arata and Merrill

APPROVED: HARRY MARKS, MAYOR

ATTEST: REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: August 22, 1957

1 AN ORDINANCE AMENDING SECTIONS 10-2.206 AND 10-2.236 OF,  
2 AND ADDING SECTIONS 10-2.205.1, 10-2.205.2, AND 10-2.235.1  
3 TO ARTICLE 2 OF CHAPTER 2 OF TITLE X OF THE MODESTO  
4 MUNICIPAL CODE; AMENDING SECTION 10-2.704 OF ARTICLE 7 OF  
5 CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE;  
6 AMENDING SECTION 10-2.2007 OF ARTICLE 20 OF CHAPTER 2 OF  
7 TITLE X OF THE MODESTO MUNICIPAL CODE; AMENDING SECTIONS  
8 10-2.2102, 10-2.2103 AND 10-2.2106 OF ARTICLE 21 OF  
9 CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE; AND  
10 AMENDING SECTIONS 10-2.2204, 10-2.2205, AND 10-2.2206 OF  
11 ARTICLE 22 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL  
12 CODE, RELATING TO ZONING REGULATIONS.

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

15 SECTION 1. AMENDMENT OF CODE. Section 10-2.205.1 is  
16 hereby added to Article 2 of Chapter 2 of Title X of the Modesto  
17 Municipal Code to read as follows:

18 SEC. 10-2.205.1. BOARD. The Board of Zoning  
19 Adjustment of the City of Modesto.

20 SECTION 2. AMENDMENT OF CODE. Section 10-2.205.2 is  
21 hereby added to Article 2 of Chapter 2 of Title X of the Modesto  
22 Municipal Code to read as follows:

23 SEC. 10-2.205.2. BOARDER. A person who is  
24 provided meals for compensation on not less  
25 than a weekly basis.

26 SECTION 3. AMENDMENT OF CODE. Section 10-2.206 of  
27 Article 2 of Chapter 2 of Title X of the Modesto Municipal Code is  
28 hereby amended to read as follows:

29 SEC. 10-2.206. BOARDING HOUSE. A building where  
30 meals are provided for compensation to more than  
31 three (3) boarders, other than members of the  
32 proprietor's family.

SECTION 4. AMENDMENT OF CODE. Section 10-2.235.1 is  
hereby added to Article 2 of Chapter 2 of Title X of the Modesto  
Municipal Code to read as follows:

SEC. 10-2.235.1. LODGER. A person who is pro-  
vided with sleeping quarters, for compensation,  
on not less than a weekly basis.

SECTION 5. AMENDMENT OF CODE. Section 10-2.236 of  
Article 2 of Chapter 2 of Title X of the Modesto Municipal Code  
is hereby amended to read as follows:

1 SEC. 10-2.236. LODGING HOUSE. A building where  
2 lodging only is provided for compensation to more  
3 than three (3) lodgers, other than members of the  
4 proprietor's family.

5 SECTION 6. AMENDMENT OF CODE. Section 10-2.704 of  
6 Article 7 of Chapter 2 of Title X of the Modesto Municipal Code  
7 is hereby amended to read as follows:

8 SEC. 10-2.704. SIDE YARDS. The minimum side yard  
9 for any main building shall be six (6) feet and the  
10 total width of the two required side yards shall be  
11 not less than twelve (12) feet except that for main  
12 buildings erected higher than two (2) stories or  
13 thirty-five (35) feet, the minimum side yard on each  
14 side of the building shall be increased one (1) foot  
15 for each (2) feet such building exceeds two (2)  
16 stories or thirty-five (35) feet. The minimum side  
17 yard for a private garage or other accessory build-  
18 ing shall be six (6) feet, except that private  
19 garages and other accessory buildings located at  
20 least twelve (12) feet in the rear of the main  
21 building require no side yard, provided no portion  
22 of the building shall overhang the property line.  
23 On corner lots and reversed corner lots, the side  
24 yard which faces on a street shall be not less than  
25 fifteen (15) feet for both main and accessory build-  
26 ings, or the average of existing buildings where more  
27 than fifty (50) per cent of the frontage is developed,  
28 but in no case shall the side yard be less than six  
29 (6) feet or be required to be more than fifteen (15)  
30 feet.

31 SECTION 7. AMENDMENT OF CODE. Section 10-2.2007 of  
32 Article 20 of Chapter 2 of Title X of the Modesto Municipal Code  
is hereby amended to read as follows:

33 SEC. 10-2.2007. BOARD OF ZONING ADJUSTMENT SHALL MAKE  
34 REPORT ON FINDINGS AND DECISION. No more than forty  
35 (40) days following the public hearing on a variance  
36 or conditional use permit, nor more than forty (40)  
37 days following the filing of an application for a  
38 variance or conditional use permit where no hearing is  
39 conducted, the Board of Zoning Adjustment shall announce  
40 its findings by formal report and said report shall  
41 recite, among other things, the facts and reasons which,  
42 in its opinion, make the granting or denial of the  
43 variance or conditional use permit necessary to carry  
44 out the provisions and general purpose of this chapter,  
45 and shall order that the variance or conditional use  
46 permit be granted or denied, and if such report orders  
47 that the variance or conditional use permit be granted,  
48 it shall also recite such conditions and limitations  
49 as the Board may impose.

1 SECTION 8. AMENDMENT OF CODE. Section 10-2.2102 of  
2 Article 21 of Chapter 2 of Title X of the Modesto Municipal Code  
3 is hereby amended to read as follows:

4 SEC. 10-2.2102. INITIATION OF AMENDMENT. Amendments  
5 of this chapter may be initiated by:

6 (a) Zone boundary changes:

- 7 (1) The verified application of one or  
8 more owners of property proposed to be reclassified.  
9 (2) Resolution of intention of the Council.  
10 (3) Resolution of intention of the Planning  
11 Commission.

12 (b) Changes other than zone boundary changes:

- 13 (1) Resolution of intention of the Council.  
14 (2) Resolution of intention of the Planning  
15 Commission.

16 SECTION 9. AMENDMENT OF CODE. Section 10-2.2103 of  
17 Article 21 of Chapter 2 of Title X of the Modesto Municipal Code  
18 is hereby amended to read as follows:

19 SEC. 10-2.2103. APPLICATION FOR ZONE BOUNDARY CHANGE.  
20 Whenever the owner of any land or building desires a  
21 zone boundary change for his property, or for an area  
22 of which his property is a part, he shall file with  
23 the Planning Commission an application therefor, veri-  
24 fied by him, requesting such amendment.

25 SECTION 10. AMENDMENT OF CODE. Section 10-2.2106 of  
26 Article 21 of Chapter 2 of Title X of the Modesto Municipal Code  
27 is hereby amended to read as follows:

28 SEC. 10-2.2106. TIME FOR HEARING. (a) The hearing  
29 by the Planning Commission for any zone boundary  
30 change initiated under the provisions of Section  
31 10-2.2102 (a) shall be held during the month of  
32 April for amendments initiated in January, February  
and March; during the month of July for amendments  
initiated in April, May and June; during the month  
of October for amendments initiated in July, August  
and September; and during the month of January for  
amendments initiated in October, November and  
December.

(b) The hearing by the Planning Commission  
for an unclassified use permit, shall be held not  
less than ten (10) days nor more than forty (40)  
days following the filing of an application for  
such unclassified use permit, unless such maximum  
time is waived in writing by the applicant.

1 SECTION 11. AMENDMENT OF CODE. Section 10-2.2204 of  
2 Article 22 of Chapter 2 of Title X of the Modesto Municipal Code  
3 is hereby amended to read as follows:

4 SEC. 10-2.2204. FILING FEES. The following fees  
5 shall be paid upon the filing of any application:

- 6 (a) Zoning boundary change. . . . . \$50.00
- 7 (b) Variance. . . . . 25.00
- 8 (c) Conditional Use Permit. . . . . 10.00
- 9 (d) Home Occupation Permit. . . . . 2.50
- 10 (e) Unclassified Use Permit . . . . . 10.00
- 11 (f) Appeals . . . . . 10.00

12 SECTION 12. AMENDMENT OF CODE. Section 10-2.2205 of  
13 Article 22 of Chapter 2 of Title X of the Modesto Municipal Code  
14 is hereby amended to read as follows:

15 SEC. 10-2.2205. SETTING OF HEARING. All applications  
16 for zone boundary changes (except those initiated by  
17 the Planning Commission or the City Council), or un-  
18 classified use permits, or variances, or conditional  
19 use permits shall be set by the Secretary of the Plan-  
20 ning Commission for public hearing when such hearing  
21 is to be held before the Planning Commission; and by  
22 the Secretary of the Board of Zoning Adjustment, for  
23 public hearing when such hearing is to be held before  
24 the Board of Zoning Adjustment. Proposals for amend-  
25 ments initiated by the Planning Commission or the  
26 City Council shall be set for public hearing by Resolu-  
27 tion of Intention of the Commission or the Council,  
28 respectively. The date of the hearing by the Planning  
29 Commission for zone boundary changes initiated under  
30 provisions of Section 10-2.2102 (a) shall be as  
31 specified in Section 10-2.2106; the date of the hearing  
32 for amendments initiated by Commission or Council under  
the provisions of Section 10-2.2102 (b), unclassified  
use permits, variances, and conditional use permits  
shall be not less than ten (10) days nor more than  
forty (40) days from the time of filing of such applica-  
tion or the adoption of such Resolution, unless such  
maximum time is waived in writing by the applicant.

SECTION 13. AMENDMENT OF CODE. Section 10-2.2206 of  
Article 22 of Chapter 2 of Title X of the Modesto Municipal Code  
is hereby amended to read as follows:

SEC. 10-2.2206. NOTICES. (a) Notice of any public  
hearing upon a proposed amendment of this chapter, or

1 of any appeal to a decision of the Board of Zoning  
2 Adjustment or of the Planning Commission, shall be  
3 given at least one (1) publication in the official  
4 newspaper of the City of Modesto not less than ten  
5 (10) days before the date of said public hearing, and,  
6 in the case of zone boundary changes and appeals, by  
7 posting notices thereof on the property under considera-  
8 tion and on both sides of all streets within a radius  
9 of three hundred (300) feet from the exterior limits  
10 of the property involved. Such notices shall be  
11 posted not more than three hundred (300) feet apart.  
12 Posting shall be done not less than ten (10) days be-  
13 fore such hearing.

8 (b) Notice of public hearing to consider a  
9 variance, unclassified use permit or conditional use  
10 permit shall be given by posting as required in this  
11 section for amendments and appeals.

10 (c) Both newspaper publication of notice and  
11 posting of notice may be employed at the direction  
12 of either the Planning Commission or the Board of  
13 Zoning Adjustment.

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

16 SECTION 15. PUBLICATION. This ordinance shall be pub-  
17 lished in full at least once at least three (3) days prior to its  
18 final adoption in The Modesto Bee, the official newspaper of the  
19 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 7  
22 day of August, 1957, by Councilman Robinson,  
23 who moved its introduction and passage to print, which motion  
24 being duly seconded by Councilman Hammond, was upon roll  
25 call carried and ordered printed and published by the following  
26 vote:

27 AYES: Councilmen: Adams, Hammond, Robinson and Mayor Marks

28 NOES: Councilmen: None

29 ABSENT: Councilmen: Anderson, Arata and Merrill

30 APPROVED: 

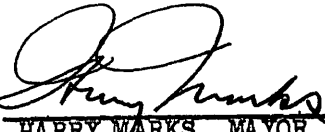
HARRY MARKS, Mayor

31 ATTEST:   
32 REX E. GALFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14 day of August, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Hammond and Merrill

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: August 29, 1957

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY  
2 KNOWN AS THE MCBRIDE ADDITION TO THE CITY OF  
MODESTO.

3 WHEREAS, on the 26th day of June, 1957, pursuant to the  
4 provisions of the Annexation of Uninhabited Territory Act of 1939,  
5 the Council of the City of Modesto, on its own motion, adopted  
6 Resolution No. 57-284 giving notice of the proposed annexation of  
7 certain uninhabited territory to the City of Modesto, hereinafter  
8 described and designated as the McBride Addition, situate in the  
9 County of Stanislaus, State of California, and contiguous to the  
10 City of Modesto, and

11 WHEREAS, said Resolution No. 57-284 set forth the inten-  
12 tion of the City of Modesto to annex said territory and fixed the  
13 day, hour and place when and where the Council would hear protests  
14 made by any person owning real property within the territory pro-  
15 posed to be annexed, the time of said hearing being not less than  
16 forty (40) nor more than sixty (60) days from the date of passage  
17 of said resolution, and

18 WHEREAS, it appears to said Council and the Council so  
19 finds that a copy of the resolution giving notice of the proposed  
20 annexation and fixing the time and place for hearing objections to  
21 the proposed annexation was published in newspapers of general  
22 circulation to wit: The Modesto Bee, a newspaper published in the  
23 City of Modesto on July 18, 1957 , and July 25, 1957 ; and in  
24 the Turlock Daily Journal, a newspaper published outside the City  
25 of Modesto, but in the County of Stanislaus, on July 18, 1957 , and  
26 July 25, 1957 , for the time and in the manner required by law,  
27 which publications were completed at least twenty (20) days prior  
28 to the date set for hearing; that written notice of the proposed  
29 annexation has been mailed by the City Clerk of the City of Modesto  
30 to each person to whom land within the territory proposed to be  
31 annexed was assessed on the last equalized assessment roll avail-  
32 able on the date the proceedings were initiated, at the address as

1 shown thereon, or as known to said Clerk, and to any person who  
2 has filed his name and address and the designation of the lands in  
3 which he has any interest, either legal or equitable, with said  
4 Clerk, which notices were mailed not less than twenty (20) days  
5 before the date set for public hearing, and that all the require-  
6 ments of the Annexation of Uninhabited Territory Act of 1939, as  
7 amended, have been complied with, and

8 WHEREAS, on the 21st day of August, 1957, at  
9 the hour of 4:30 o'clock p.m., in the Council Chambers in the  
10 McHenry Public Library in the City of Modesto, County of Stanis-  
11 laus, State of California, the Council of the City of Modesto did  
12 hear and pass upon all protests made to the proposed annexation  
13 and did determine that protests had not been made by the owners of  
14 one-half of the value of the territory proposed to be annexed as  
15 shown by the last equalized assessment roll, nor by public and pri-  
16 vate owners of one-half of the value of the territory proposed to  
17 be annexed as determined by said Council, and

18 WHEREAS, said territory is contiguous to the City of  
19 Modesto and is uninhabited territory in the County of Stanislaus,

20 NOW, THEREFORE, the Council of the City of Modesto does  
21 ordain as follows:

22 SECTION 1. The territory hereinafter described is hereby  
23 annexed to and made a part of the City of Modesto.

24 SECTION 2. The area so annexed, designated as the McBride  
25 Addition, is located in the County of Stanislaus, State of Calif-  
26 ornia, is contiguous to the City of Modesto, is uninhabited terri-  
27 tory within the meaning of the Annexation of Uninhabited Territory  
28 Act of 1939, as amended, and is more particularly described as  
29 follows:

30  
31 All that certain real property situate in the State  
32 of California, County of Stanislaus, being a portion  
of Sections 1 and 12, Township 4 South, Range 8 East,  
Mount Diablo Base and Meridian, and more particularly  
described as follows:

1 Beginning at the Section corner common to Sections 1  
2 and 12, Township 4 South, Range 8 East, and Sections  
3 6 and 7, Township 4 South, Range 9 East, said corner  
4 also being a point on the Western line of the River-  
5 view Tract as shown on the map filed in Volume 14  
6 of Maps at Page 44, Stanislaus County Records, and  
7 the existing City Limits; thence along said City  
8 Limits and Western line of Riverview Tract North 00°  
9 14' 50" West, 816.16 feet, to the Northwestern  
10 corner of the existing City Limits; thence continu-  
11 ing along said Western line of Riverview Tract,  
12 Northerly to the Southern line of Robertson Road  
13 as shown on the Map of Tuolumne Terrace filed in  
14 Volume 14 of Maps, at Page 39, Stanislaus County  
15 Records; thence along said Southern line of  
16 Robertson Road, Westerly to the Southwestern corner  
17 of said Tuolumne Terrace, said point being on the  
18 quarter, quarter section line of said Section 1;  
19 thence along said quarter, quarter section line,  
20 Southerly to the center line of the Tuolumne River;  
21 thence along said center line of Tuolumne River,  
22 meandering Southeasterly upstream to the South-  
23 western corner of the existing City Limits and said  
24 section line common to Sections 7 and 12; thence  
25 along said section line, Northerly to the point of  
26 beginning, containing 38.79 acres, more or less.

27 SECTION 3. Said territory shall be subject to municipal  
28 property taxes to pay any indebtedness or liability of the City of  
29 Modesto authorized or existing at the time of the adoption of this  
30 ordinance.

31 SECTION 4. Pursuant to Section 722 of the Charter of  
32 the City of Modesto, this ordinance shall become effective immedi-  
ately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and  
directed to prepare a certified copy of this ordinance under seal,  
giving the date of its passage and transmit the same to the Secre-  
tary of State of the State of California as required by the pro-  
visions of Section 35316 of the Government Code of the State of  
California.

SECTION 6. The City Clerk is hereby authorized and  
directed to comply with the provisions of Section 34080 and 34081  
of the Government Code of the State of California relating to the  
filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at

1 least once 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 the 21  
5 day of August, 1957, by Councilman Anderson,  
6 who moved its adoption and passage to print, which motion being  
7 duly seconded by Councilman Hammond, was upon roll call  
8 carried and ordered printed and published by the following vote:

9 AYES: Councilmen: Adams, Anderson, Hammond, Robinson and  
Mayor Marks

10 NOES: Councilmen: None

11 ABSENT: Councilmen: Arata and Merrill

12 APPROVED:   
HARRY MARKS, MAYOR

13  
14 ATTEST:   
REX E. GAILFUS, City Clerk

15 (SEAL)

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1957-1958

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

SECTION 1. DEFINITION: TAX CODE AREA. A geographical area within the City of Modesto as established by the State Board of Equalization for the purposes of taxation and as shown on the tax code area maps on file in the Office of the Assessor of Stanislaus County, State of California.

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1957 and ending June 30, 1958, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100 (\$100.00) Dollars of the valuation according to the equalized assessment roll, to-wit:

(a) Tax Code Areas Nos. 2-1, 2-6, 2-7, 2-8 and 2-9:

FOR THE GENERAL FUND . . . . . \$ 1.20

FOR THE BOND REDEMPTION AND INTEREST FUND

(1) Municipal Improvement Bonds of 1947 . . . . . .16  
 For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;

FOR THE LIBRARY FUND . . . . . .11

THE AGGREGATE OF SAID SUMS TO WIT . . . . . \$ 1.47

(b) Tax Code Areas Nos. 2-3, 2-4 and 2-5:

FOR THE GENERAL FUND . . . . . \$ 1.20

FOR THE LIBRARY FUND . . . . . .11

THE AGGREGATE OF SAID SUMS TO WIT . . . . . \$ 1.31

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once 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 21 day of August, 1957

1 by ~~Councilman~~ Mayor Marks , who moved its adoption, which motion being  
2 duly seconded by Councilman Anderson , was upon roll call carried  
3 by the following vote:

4 AYES: Councilmen: Adams, Anderson, Hammond, Robinson and Mayor  
Marks

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Arata and Merrill

7 APPROVED:   
8 HARRY MARKS, Mayor

9 ATTEST:   
10 REX E. GAILFUS, City Clerk

11 (SEAL)

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1 AN ORDINANCE AMENDING SECTION 8-2.405 OF ARTICLE 4  
2 OF CHAPTER 2 OF TITLE VIII OF THE MODESTO MUNICIPAL  
3 CODE RELATING TO SALES AND USE TAXES.

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

6 SECTION 1. AMENDMENT OF CODE. Section 8-2.405 of  
7 Article 4 of Chapter 2 of Title VIII of the Modesto Municipal Code  
8 is hereby amended to read as follows:

9 SEC. 8-2.405. AMENDMENTS. All amendments of the  
10 said Revenue and Taxation Code enacted subsequent  
11 to the effective date of this article, including  
12 amendments adopted and effective to and including  
13 September 11, 1957, which relate to the sales and  
14 use tax and which are not inconsistent with Part  
15 1.5 of Division 2 of the said Revenue and Taxation  
16 Code shall automatically become a part of this  
17 article.

18 SECTION 2. EFFECTIVE DATE. This ordinance shall go  
19 into effect and be in full force and operation from and after  
20 fifteen (15) days after its final passage and adoption.

21 SECTION 3. PUBLICATION. This ordinance shall be pub-  
22 lished in full at least once at least three (3) days prior to its  
23 final adoption in The Modesto Bee, the official newspaper of the  
24 City of Modesto.

25 The foregoing ordinance was introduced at a regular  
26 meeting of the Council of the City of Modesto held on the 21  
27 day of August, 1957, by Councilman Robinson, who  
28 moved its introduction and passage to print, which motion being  
29 duly seconded by Councilman Anderson, was upon roll call  
30 carried and ordered printed and published by the following vote:

31 AYES: Councilmen: Adams, Anderson, Hammond, Robinson and Mayor  
32 Marks  
33 NOES: Councilmen: None  
34 ABSENT: Councilmen: Arata and Merrill

APPROVED: 

HARRY MARKS, Mayor

ATTEST: 

VERA E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

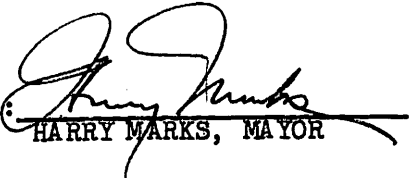
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28 day of August, 1957,

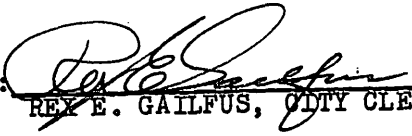
Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Merrill and Robinson

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 12, 1957

1 AN ORDINANCE ADDING SECTION 2-1.22 TO CHAPTER 1  
2 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING  
3 TO CITY COUNCIL ORGANIZATION AND PROCEDURE.

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

5 SECTION 1. AMENDMENT OF CODE. Section 2-1.22 is hereby  
6 added to Chapter 1 of Title II of the Modesto Municipal Code to  
7 read as follows:

8 SEC. 2-1.22. COUNCIL NOT TO INTERFERE IN ADMINISTRATIVE  
9 SERVICE. Neither the Council nor any of its committees  
10 or members shall direct, request or attempt to influence,  
11 either directly or indirectly, the appointment of any  
12 person to office or employment by the City Manager or in  
13 any manner interfere with the City Manager or prevent  
14 him from exercising his own judgment in the appointment  
15 of officers and employees in the administrative service.  
16 Except for the purpose of inquiry, the Council and its  
17 members shall deal with the administrative service  
18 solely through the City Manager, and neither the Council  
19 nor any member thereof shall give orders to any of the  
20 subordinates of the City Manager, either publicly or  
21 privately.

22 SECTION 2. EFFECTIVE DATE. This ordinance shall go into  
23 effect and be in full force and operation from and after fifteen  
24 (15) days after its final passage and adoption.

25 SECTION 3. PUBLICATION. This ordinance shall be pub-  
26 lished in full at least once at least three (3) days prior to its  
27 final adoption in The Modesto Bee, the official newspaper of the  
28 City of Modesto.

29 The foregoing ordinance was introduced at a regular meet-  
30 ing of the Council of the City of Modesto held on the 21 day  
31 of August, 1957, by Councilman Hammond,  
32 who moved its introduction and passage to print, which motion being  
duly seconded by Councilman Robinson, was upon roll call  
carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Hammond, Robinson and Mayor  
Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Arata and Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk  
(SEAL)

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28 day of August, 1957,


~~Councilman~~ Mayor Marks moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Merrill and Robinson

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 12, 1957

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S.  
2 ENTITLED " AN ORDINANCE REGULATING TRAFFIC UPON  
3 THE PUBLIC STREETS OF THE CITY OF MODESTO," AS  
4 AMENDED, TO AMEND SECTION 33 THEREOF RELATING  
5 TO TRAFFIC REGULATIONS, AND REPEALING SECTION 1  
6 OF ORDINANCE NO. 103-C.S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 33 of

Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic

Upon the Public Streets of the City of Modesto,"as amended, is

hereby amended to read as follows:

SECTION 33. PARKING PROHIBITED AT CERTAIN TIMES  
ON CERTAIN STREETS. (a) No person shall park a  
vehicle between the hours of 4 A.M. and 5 A.M. of  
any day upon any paved street or part of a paved  
street outside of the area bounded by Needham  
Street, Washington Street, Sierra Drive and  
Burney Street.

(b) No person shall park a vehicle between the  
hours of 3 A.M. and 4 A.M. of any day on any paved  
street or part of a paved street that runs in a  
Northwesterly and Southeasterly direction (numbered  
streets) inside of the area bounded by Needham Street,  
Washington Street, Sierra Drive, and Burney Street.

(c) No person shall park a vehicle between the  
hours of 4 A.M. and 5 A.M. of any day on any paved  
street or part of a paved street that runs in a  
Northeasterly and Southwesterly direction (lettered  
streets) inside of the area bounded by Needham Street,  
Washington Street, Sierra Drive, and Burney Street.

SECTION 2. REPEAL. Section 1 of Ordinance No. 103-C.S.

is hereby repealed.

SECTION 3. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be pub-  
lished 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 meet-  
ing of the Council of the City of Modesto held on the 28 day of  
August, 1957, by Councilman Anderson.

REPEALED ORD 234CS

1 who moved its introduction and passage to print, which motion being  
2 duly seconded by Councilman Hammond, was upon roll call  
3 carried and ordered printed and published by the following vote:

4 AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Adams, Merrill and Robinson

7 APPROVED:   
HARRY MARKS, Mayor


8 ATTEST:   
9 REX E. GALLFUS, City Clerk

10 (SEAL)

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4 day of September, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:  
AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Hammond and Merrill

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 19, 1957

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM IRVIN V. SNEDIGAR AND MEREDITH J. SNEDIGAR FOR MUNICIPAL PURPOSES.

WHEREAS, IRVIN V. SNEDIGAR and MEREDITH J. SNEDIGAR own that certain parcel of real property hereinafter described, and WHEREAS, the City of Modesto desires to acquire said parcel of real property hereinafter described for use for municipal purposes, NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

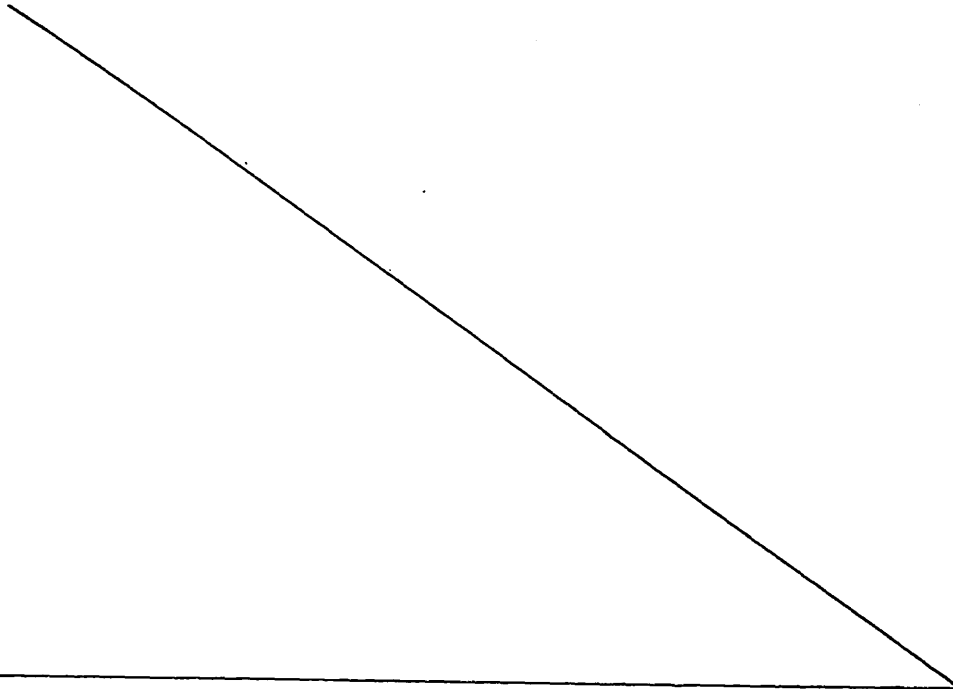
SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property from IRVIN V. SNEDIGAR and MEREDITH J. SNEDIGAR for the sum of Forty Thousand and no/100ths (\$40,000.00) Dollars, in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance.

Said real property is described as follows:

The following described land situate in the City of Modesto, Modesto Irrigation District, County of Stanislaus, State of California, to-wit:

All that portion of Lot 2 of the FRESNO TRACT, as per Map filed March 4, 1903 in Vol. 1 of Maps, page 76, Stanislaus County Records, described as follows:

BEGINNING at a point on the East line of said Lot 2 located on the center line of a 50 foot public road designated as Oakdale Road on said map, which point is located North 0° 30' West 396 feet from the Southeast corner of said Lot 2; thence from said point of beginning parallel to the South line of said Lot 2, North 88° 30' West 660 feet to a point on the West line of said Lot 2; thence North 0° 30' West along said West line of said Lot 2 a distance of 153.73 feet; thence East parallel with the South line of said Lot 2, a distance of 660 feet to a point on the East line of said Lot 2, located on the center line of said Oakdale Road; thence along the East line of said Lot 2 and the center line of said Oakdale Road South 0° 30' East 174.24 feet to the point of beginning.



SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Irvin V. Snedigar and Meredith J. Snedigar, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Irvin V. Snedigar and Meredith J. Snedigar conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

SECTION 4. EFFECTIVE DATE. 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. PUBLICATION. 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 held on the 21 day of August, 1957, by Councilman Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Merrill

APPROVED:

  
HARRY MARKS, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

Ord. No. 192-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28 day of August, 1957, Councilman Hammond moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Merrill and Robinson

APPROVED: 

HARRY MARKS, MAYOR

ATTEST: 

REX E. GALLUS, CITY CLERK

EFFECTIVE DATE: September 12, 1957

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S. ENTITLED  
2 "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC  
3 STREETS OF THE CITY OF MODESTO", AS AMENDED, TO AMEND  
4 SECTION 23 THEREOF RELATING TO TRAFFIC REGULATIONS  
5 AND REPEALING ORDINANCE NO. 151-C.S.

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

7 SECTION 1. Section 23 of Ordinance No. 345-N.S. entitled  
8 "An Ordinance Regulating Traffic Upon the Public Streets of the  
9 City of Modesto", as amended, is hereby amended to read as follows:

10 Section 23. Through Streets. Stop Signs. The  
11 following named streets and parts of streets are  
12 hereby declared to be through streets for the  
13 purposes of this section:

14 BURNLEY STREET, from the northerly line of Grand  
15 Avenue to the southwesterly line of La Loma;

16 CALIFORNIA STREET, from the northwesterly line  
17 of H Street to the center line of Franklin Street;

18 COLLEGE AVENUE, from the northerly line of Needham  
19 Avenue to the northerly line of Granger Avenue;

20 DOWNEY AVENUE, from the easterly line of McHenry  
21 Avenue to the southeasterly line of Scenic Drive;

22 FIFTH STREET, from the southerly line of L Street  
23 to the northerly line of I Street, and from the  
24 southerly line of H Street to the northerly line of  
25 Sierra Drive.

26 FOURTEENTH STREET, from the northwesterly line of  
27 D Street to the southeasterly line of H Street, and  
28 from the northwesterly line of H Street to the  
29 southeasterly line of J Street;

30 G STREET, from the northeasterly line of Ninth Street  
31 to the southwesterly line of Fourteenth Street;

32 H STREET, from the center line of Washington Street  
to the southwesterly line of Ninth Street and from  
the northeasterly line of Ninth Street to the  
westerly line of Burney Street;

I STREET, from the northeasterly line of Fifth Street  
to the southwesterly line of Ninth Street;

L STREET, from the northeasterly line of Ninth Street  
to the southerly line of Needham Avenue;

LA LOMA, from the westerly line of Burney Street to  
the northerly line of Yosemite Boulevard;

MILLER AVENUE, from the northeasterly line of  
La Loma to the westerly line of El Vista Avenue;

1 NEEDHAM AVENUE, from the northeasterly line of  
2 Ninth Street to the easterly line of McHenry  
Avenue;

3 PARADISE AVENUE, from the center line of Washington  
4 Street to the center line of Franklin Street;

5 SCENIC DRIVE, from the northerly line of Downey  
6 Avenue to the city limits;

7 SEVENTH STREET, from the southeasterly line of  
8 Tuolumne Boulevard to the southeasterly line of  
9 H Street;

10 SIERRA DRIVE, from the northeasterly line of  
11 Fifth Street to the southwesterly line of Seventh  
12 Street;

13 SUTTER AVENUE, from the southerly line of Nian Way  
14 to the southeasterly line of Paradise Road;

15 TENTH STREET, from the southerly line of Needham  
16 Avenue to the northwesterly line of L Street;

17 TULLY ROAD, from the northerly line of Highway 99  
18 northerly to the city limits;

19 TUOLUMNE BOULEVARD, from the southeasterly line of  
20 Paradise Road to the southwesterly line of Seventh  
21 Street;

22 WASHINGTON STREET, from the northwesterly line of  
23 I Street to the southerly line of Maze Boulevard;

24 The Traffic Engineer is hereby authorized to erect  
25 and maintain, or cause to be erected and maintained,  
26 at entrances to said through streets, stop signs re-  
27 quiring all operators of vehicles to stop at said  
28 signs before entering said through streets.

29 The Council is hereby authorized, by resolution, to  
30 designate any intersection under its exclusive  
31 jurisdiction as a stop intersection and cause stop signs  
32 to be erected at one or more entrances thereto. It  
shall be unlawful to fail to obey any such sign.

SECTION 2. SAVINGS CLAUSE. Nothing herein contained  
shall be construed as changing or modifying in any way that portion  
of any ordinance herein amended or repealed or any resolution  
appertaining thereto, by the terms of which through highways or boulevards  
have been heretofore created in the City of Modesto, and which  
are now posted with stop signs.

SECTION 3. REPEALS. Ordinance No. 151-C.S. entitled "An  
Ordinance Amending Ordinance No. 345-N.S. entitled 'An Ordinance

1 Regulating Traffic Upon the Public Streets of the City of Modesto',  
2 as Amended, to Amend Section 23 Thereof Relating to Traffic Regu-  
3 lations and Repealing Ordinance No. 126-C.S." adopted on the 6th  
4 day of March, 1957, is hereby repealed.

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

8 SECTION 5. PUBLICATION. This ordinance shall be pub-  
9 lished in full at least once at least three (3) days prior to its  
10 final adoption in The Modesto Bee, the official newspaper of the  
11 City of Modesto.

12 The foregoing ordinance was introduced at a regular meet-  
13 ing of the Council of the City of Modesto held on the 28 day of  
14 August, 1957, by Councilman Anderson, who moved  
15 its introduction and passage to print, which motion being duly  
16 seconded by Councilman Hammond, was upon roll call carried  
17 and ordered printed and published by the following vote:

- 18 AYES: Councilmen: Anderson, Arata, Hammond, and Mayor Marks  
19 NOES: Councilmen: None  
20 ABSENT: Councilmen: Adams, Merrill and Robins on

21 APPROVED: *Harry Marks*  
22 HARRY MARKS, Mayor

23 ATTEST: *Rex E. Gailfus*  
24 REX E. GAILFUS, City Clerk

25 (SEAL)  
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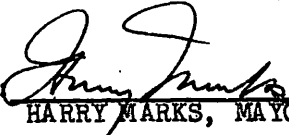
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4 day of September, 1957, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond and Merrill

APPROVED   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 19, 1957

1 AN ORDINANCE AMENDING SECTION 5-1.502 OF ARTICLE 5  
2 OF CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL  
3 CODE RELATING TO WATER WELLS.

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

5 SECTION 1. AMENDMENT OF CODE. Section 5-1.502 of  
6 Article 5 of Chapter 1 of Title V of the Modesto Municipal Code  
7 is hereby amended to read as follows:

8 SEC. 5-1.502. NO WATER SHALL BE RETURNED TO WELLS.  
9 No person shall permit any water to be returned to  
10 wells; provided, however, the Council may grant per-  
11 mission for such return under specific conditions  
12 which will protect the public health and safety.

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

16 SECTION 3. PUBLICATION. This ordinance shall be pub-  
17 lished in full at least once at least three (3) days prior to its  
18 final adoption in The Modesto Bee, the official newspaper of the  
19 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 28  
22 day of August, 1957, by Councilman Arata,  
23 who moved its introduction and passage to print, which motion  
24 being duly seconded by Councilman Anderson, was upon roll  
25 call carried and ordered printed and published by the following  
26 vote:

27 AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

28 NOES: Councilmen: None

29 ABSENT: Councilmen: Adams, Merrill and Robinson

30 APPROVED:   
HARRY MARKS, MAYOR

31 ATTEST:   
REX E. GAILFUS, City Clerk

32 (SEAL)

FINAL ADOPTION CLAUSE

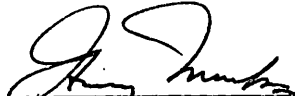
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4 day of September, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond and Merrill

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 19, 1957

1 AN ORDINANCE AMENDING SECTION 2-5.02 OF CHAPTER 5  
2 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING  
3 TO THE PERSONNEL COMMISSION.

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

5 SECTION 1. AMENDMENT OF CODE. Section 2-5.02 of  
6 Chapter 5 of Title II of the Modesto Municipal Code is hereby  
7 amended to read as follows:

8 SEC. 2-5.02. PERSONNEL COMMISSION. The Personnel  
9 Commission of the City of Modesto is hereby es-  
10 tablished to consist of five (5) members who shall  
11 be appointed in accordance with and for the terms  
12 prescribed by Section 1102 of the Charter of the  
13 City of Modesto. The Commission shall function  
14 in all respects in accordance with the applicable  
15 provisions of Article XI of said Charter relating  
16 to appointive boards and commissions. The Commission  
17 shall normally hold at least one regular meeting  
18 each quarter. Special meetings may be called by the  
19 chairman or by a majority of the commission.

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

23 SECTION 3. PUBLICATION. This ordinance shall be pub-  
24 lished in full at least once at least three (3) 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 meet-  
28 ing of the Council of the City of Modesto held on the 28 day of  
29 August, 1957, by Councilman Hammond, who  
30 moved its introduction and passage to print, which motion being  
31 duly seconded by Councilman Anderson, was upon roll call  
32 carried and ordered printed and published by the following vote:

AYES: Councilmen: Anderson, Arata, Hammond and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Merrill and Robinson

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4 day of September, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond and Merrill

APPROVED

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 19, 1957

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM FRANK NISSON AND ULA NISSON.

WHEREAS, FRANK NISSON and ULA NISSON, husband and wife, own that certain parcel of real property hereinafter described, and

WHEREAS, the City of Modesto desires to acquire said parcel of real property hereinafter described for use for municipal purposes,

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

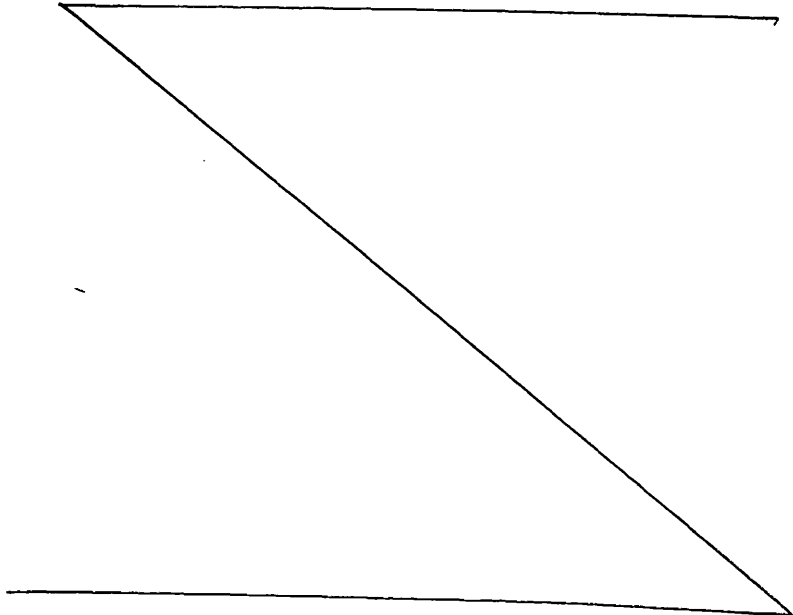
SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property from Frank Nisson and Ula Nisson

for the sum of Five Thousand Two Hundred and Fifty and no/100ths (\$5,250.00) Dollars, in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance.

Said real property is described as follows:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 70.44 feet of Lot 10 in Block 6138 of COLLEGE AVENUE TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 9, 1936 in Volume 11 of Maps, at page 34.



SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Frank Nisson and Ula Nisson, husband and wife, as Joint Tenants, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Frank Nisson and Ula Nisson conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

SECTION 4. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final

adoption in the Modesto ~~Journal and the Valley Citizen~~<sup>Beel</sup>, 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 4th day of September, 1957, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Anderson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Hammond and Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GALLFUS, City Clerk

(Ord. No. 196-C.S.)

**FINAL-ADOPTION-CLAUSE**

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 11 day of September, 1957, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Anderson and Merrill

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 26, 1957

1 AN ORDINANCE AMENDING SECTIONS 7-1.104 AND  
2 7-1.106 OF ARTICLE 1 OF CHAPTER 1 OF TITLE VII  
3 OF THE MODESTO MUNICIPAL CODE RELATING TO  
4 CURB CUTS.

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

7 SECTION 1. Section 7-1.104 of Article 1 of Chapter 1 of  
8 Title VII of the Modesto Municipal Code is hereby amended to read  
9 as follows:

10 SEC. 7-1.104. REGULATIONS. No permit issued under  
11 Section 7-1.103 of this article shall be in conflict  
12 with the following regulations:

13 (a) The maximum width of any driveway shall not  
14 be more than thirty (30') feet, as measured at the  
15 top of the curbing. If, however, in the opinion of  
16 the Director of Public Works, the City's interests  
17 can best be served by extending the maximum width of  
18 driveways to not more than thirty-six (36') feet, as  
19 measured at the top of the curbing, for entrances  
20 into automobile service stations located on streets  
21 officially designated as major city streets, or on  
22 state highway routes within the City, then the  
23 Director of Public Works shall have the power to modify  
24 the provisions of this regulation accordingly.

25 (b) The minimum distance between driveways  
26 serving the same lot or parcel of land shall be not  
27 less than eighteen (18') feet, as measured at the top  
28 of the curbing.

29 (c) Not to exceed forty (40%) percent of the  
30 frontage upon any street of the lot or lots or parcel  
31 of land to be served thereby shall be devoted to drive-  
32 ways.

(d) No driveway shall be located so as to inter-  
fere with intersecting sidewalks, traffic signals, lamp  
posts, fire hydrants, or other public improvements.

(e) No permit shall be issued to remove any  
curbing unless a concrete driveway between curbing and  
sidewalk is to be installed.

(f) The necessary adjustments to utility facilities,  
light standards, fire hydrants, catch basins, street or  
railway signs, signals, or other public improvements or  
installations shall be accomplished without cost to  
the City.

(g) All work shall be done under the supervision  
of the Director of Public Works and in accordance with  
City specifications in effect at the time of such work.  
Forms shall be inspected by the City before any concrete  
is poured. All debris and surplus materials shall be  
promptly removed upon completion of the work.

1 (h) Applicant shall maintain the premises in a  
2 safe manner, and shall provide adequate barricades  
3 and lights at his own expense to protect the safety  
4 of the public using the adjacent streets or sidewalks,  
5 and shall hold the City free from any damages incurred  
6 by his operations.

7 (i) Before any permit shall be issued to remove  
8 curbs or install driveways, an inspection fee of Two  
9 and 50/100ths (\$.50) Dollars shall be paid to the City.

10 (j) The Council shall have the authority to  
11 rescind any permit heretofore or hereafter granted for  
12 a curb cut or sidewalk installation when it finds  
13 such action to be in the public interest.

14 SECTION 2. Section 7-1.106 of Article 1 of Chapter 1 of  
15 Title VII of the Modesto Municipal Code is hereby amended to read  
16 as follows:

17 SEC. 7-1.106. APPEALS. In order that the provisions of  
18 this article may be reasonably applied in instances  
19 where practical difficulties are apparent or unnecessary  
20 hardship will result from carrying out the strict letter  
21 hereof, or in cases where the applicant deems himself  
22 aggrieved, appeal may be made to the City Council, and  
23 the Council shall have the power to vary, by resolution,  
24 the mandatory provisions hereof, or to modify or re-  
25 verse the decision of the Director of Public Works in  
26 any specific case in such manner that substantial  
27 justice is done and the spirit and purpose of this  
28 article are upheld. Notwithstanding the foregoing pro-  
29 visions of this section, the right of appeal and power  
30 of modification thereby authorized shall not apply to  
31 the provisions of Section 7-1.105 of this article relat-  
32 ing to a replacement fee.

Such an appeal shall be made in writing to the Council  
by filing with the City Clerk a written notice of such  
appeal, setting forth specific grounds or basis thereof.  
Such notice must be filed within thirty (30) days after  
such action appealed from. The City Clerk shall forth-  
with set said matter for hearing before the Council and  
cause notice thereof to be given to the applicant not  
less than five (5) days prior to such hearing unless the  
the giving of such notice is waived in writing by  
applicant. At such hearing the applicant shall show  
cause, on the grounds specified in the notice of appeal,  
why the action excepted to should not be approved. The  
Council may continue such hearings from time to time,  
and its finding on appeal shall be final and conclusive  
in the matter.

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.

1 SECTION 4. This ordinance shall be published in full  
2 at least once at least three (3) days prior to its final adoption  
3 in 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 held on the 4  
6 day of September, 1957, by Councilman Arata,  
7 who moved its introduction and passage to print, which motion  
8 being duly seconded by Councilman Robinson, was upon roll  
9 call carried and ordered printed and published by the following  
10 vote:

11 AYES: Councilmen: Adams, Anderson, Arata, Robinson and Mayor  
12 NOES: Councilmen: None  
13 ABSENT: Councilmen: Hammond and Merrill

14 APPROVED:   
15 HARRY MARKS, Mayor

16 ATTEST:   
17 REX E. GAILFUS, City Clerk

(Ord. No. 197-C.S.)

~~FINAL ADOPTION CLAUSE~~

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 11 day of September, 1957, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Anderson and Merrill

APPROVED:   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: September 26, 1957

AN ORDINANCE AMENDING SECTION MAP 28 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map. 28 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. 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. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto <sup>Bee</sup> ~~Journal and the Valley City~~ the official newspaper of the City of Modesto.

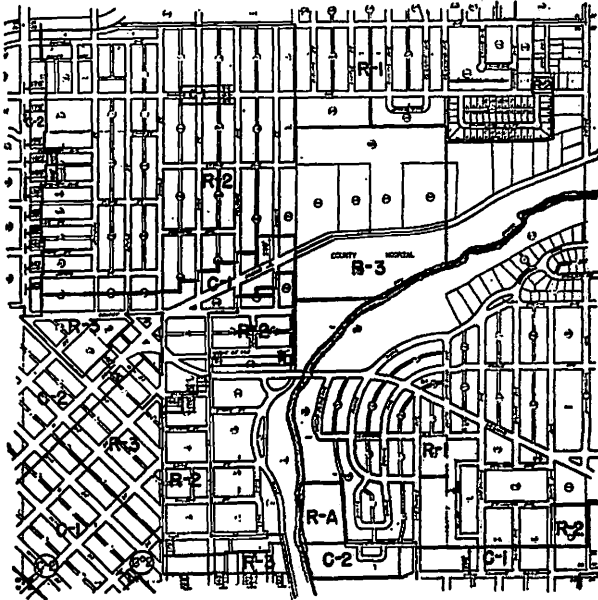
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11 day of September, 1957, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor Marks
- NOES: Councilmen: None
- ABSENT: Councilmen: Anderson and Merrill

APPROVED:   
HARRY MARKS, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

(SEAL)



**SECTION 28-3-9  
ORDINANCE 198CS**

**ORDINANCE NO. 198-C. S.**

**AN ORDINANCE AMENDING SECTION MAP 38 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.**

The Council of the City of Modesto does ordain as follows: **SECTION 1. ZONING RECLASSIFICATIONS.** Section Map 38 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

**SECTION 2. EFFECTIVE DATE.** 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. PUBLICATION.** This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bea, 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 September, 1957, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered

printed and published by the following vote:

**AYES:** Councilmen: Adams, Arata, Hammond, Robinson and Mayor Marks.

**NOES:** Councilmen: None.

**ABSENT:** Councilmen: Anderson and Merrill.

Approved: **HARRY MARKS,**

Mayor.  
Attest: **REX E. GAILFUS,**  
City Clerk.

(Seal)

Sept. 17, 1957.

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the adjourned regular meeting of the Council of the City of Modesto held on the 26th day of September, 1957, Councilman Hammond moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:

**AYES:** Councilmen: Anderson, Arata, Hammond, Merrill, Mayor Marks.

**NOES:** Councilmen: None.

**ABSENT:** Councilmen: Adams and Robinson.

Approved: **HARRY MARKS,**

Mayor.  
Attest: **REX E. GAILFUS,**  
City Clerk.

Effective Date: October 11, 1957.

Ord. No. 198-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 26 day of September, 1957, Councilman Hammond moved its final adoption, which motion being duly seconded by Councilman Anderson, was upon roll call carried and the ordinance finally adopted by the following vote:  
AYES: Councilmen: Anderson, Arata, Hammond, Merrill, Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Adams and Robinson

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST.

  
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: October 11, 1957

REPEALED ORD 234CS

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S.  
 2 ENTITLED "AN ORDINANCE REGULATING TRAFFIC  
 3 UPON THE PUBLIC STREETS OF THE CITY OF MODESTO,"  
 4 AS AMENDED, TO AMEND SECTION 36.2 THEREOF  
 5 RELATING TO TRAFFIC REGULATION, AND REPEALING  
 6 ORDINANCE NO. 167-C.S.

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 36.2 of  
 Ordinance No. 345-N.S. entitled "An Ordinance Regulating Traffic  
 Upon the Public Streets of the City of Modesto," as amended, is  
 hereby amended to read as follows:

SECTION 36.2. DECREASE OF STATE LAW MAXIMUM SPEED.  
 Pursuant to authority contained in Section 511.3(b)  
 of the Vehicle Code of the State of California, it is  
 hereby determined upon the basis of an engineering and  
 traffic survey that the prima facie limit of 55 miles  
 per hour permitted by state law outside of the business  
 and residence districts as applicable upon the follow-  
 ing streets is greater than is reasonable or safe under  
 the conditions found to exist upon such streets, and  
 it is hereby declared that the prima facie speed limit  
 shall be as herein set forth on those streets or parts  
 of streets herein designated when signs are erected  
 giving notice thereof.

NAME OF STREETS OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMITS
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER, entire length in City	35 miles per hour
EMERALD, from Maze Road to the southerly City limits	35 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
KEARNEY, entire length in City	25 miles per hour
LaLOMA, entire length in City	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MILLER, from LaLoma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to LaLoma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly City limits	25 miles per hour
SUNRISE, from Lucerne to the northerly City limits	25 miles per hour

1 SECTION 2. REPEAL. Ordinance No. 167-C.S. adopted by  
2 the Council of the City of Modesto on June 5, 1957, is hereby  
3 repealed.

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

7 SECTION 4. PUBLICATION. This ordinance shall be pub-  
8 lished in full at least once at least three (3) days prior to its  
9 final adoption in The Modesto Bee, the official newspaper of the  
10 City of Modesto.

11 The foregoing ordinance was introduced at a regular  
12 meeting of the Council of the City of Modesto held on the 11  
13 day of September, 1957, by Councilman Robinson, who moved  
14 its introduction and passage to print, which motion being duly  
15 seconded by Councilman Hammond, was upon roll call carried  
16 and ordered printed and published by the following vote:

17 AYES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor  
Marks

18 NOES: Councilmen: None

19 ABSENT: Councilmen: Anderson and Merrill

20 APPROVED

  
HARRY MARKS, Mayor

21  
22 ATTEST:   
REX E. GAILFUS, City Clerk

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24 (SEAL)  
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18 day of September, 1957,

Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll

call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Anderson, Arata, Hammond and Mayor Marks

NOES: Councilmen: None

ABSENT: Councilmen: Merrill and Robinson

APPROVED:

  
HARRY MARKS, MAYOR

ATTEST:

  
REX E. GALLFUS, CITY CLERK

EFFECTIVE DATE: October 3, 1957

1 AN ORDINANCE AMENDING ORDINANCE NO. 345-N.S.  
2 ENTITLED "AN ORDINANCE REGULATING TRAFFIC  
3 UPON THE PUBLIC STREETS OF THE CITY OF MODESTO,"  
4 AS AMENDED, TO AMEND SECTION 23 THEREOF RELATING  
5 TO TRAFFIC REGULATIONS AND REPEALING ORDINANCE  
6 NO. 193-C.S.

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

9 SECTION 1. Section 23 of Ordinance No. 345-N.S. entitled  
10 "An Ordinance Regulating Traffic Upon the Public Streets of the  
11 City of Modesto," as amended, is hereby amended to read as follows:

12 Section 23. Through Streets. Stop Signs. The  
13 following named streets and parts of streets are  
14 hereby declared to be through streets for the  
15 purposes of this section:

16 BURNEY STREET, from the northerly line of Grand  
17 Avenue to the southwesterly line of La Loma;

18 CALIFORNIA STREET, from the northwesterly line  
19 of H Street to the center line of Franklin Street;

20 COLLEGE AVENUE, from the northerly line of Needham  
21 Avenue to the northerly line of Granger Avenue; ;

22 DOWNEY AVENUE, from the easterly line of McHenry  
23 Avenue to the southeasterly line of Scenic Drive;

24 FIFTH STREET, from the southerly line of L Street  
25 to the northerly line of I Street, and from the  
26 southerly line of H Street to the northerly line of  
27 Sierra Drive.

28 FOURTEENTH STREET, from the northwesterly line of  
29 D Street to the southeasterly line of H Street, and  
30 from the northwesterly line of H Street to the  
31 southeasterly line of J Street;

32 G STREET, from the northeasterly line of Tenth Street  
to the southwesterly line of Fourteenth Street.

H STREET, from the center line of Washington Street  
to the southwesterly line of Ninth Street and from  
the northeasterly line of Ninth Street to the  
westerly line of Burney Street;

I STREET, from the northeasterly line of Fifth Street  
to the southwesterly line of Ninth Street;

L STREET, from the northeasterly line of Ninth Street  
to the southerly line of Needham Avenue;

LA LOMA, from the westerly line of Burney Street to  
the northerly line of Yosemite Boulevard;

MILLER AVENUE, from the northeasterly line of  
La Loma to the westerly line of El Vista Avenue;

REPEALED ORD 234CS

1 NEEDHAM AVENUE, from the northeasterly line of  
2 Ninth Street to the easterly line of McHenry Avenue;

3 PARADISE AVENUE, from the center line of Washington  
4 Street to the center line of Franklin Street;

5 SCENIC DRIVE, from the northerly line of Downey  
6 Avenue to the city limits;

7 SEVENTH STREET, from the southeasterly line of  
8 Tuolumne Boulevard to the southeasterly line of  
9 H Street;

10 SIERRA DRIVE, from the northeasterly line of Fifth  
11 Street to the southwesterly line of Seventh Street;

12 SUTTER AVENUE, from the southerly line of Nian Way  
13 to the southeasterly line of Paradise Road;

14 TENTH STREET, from the southerly line of Needham  
15 Avenue to the northwesterly line of L Street;

16 TULLY ROAD, from the northerly line of Highway 99  
17 northerly to the city limits;

18 TUOLUMNE BOULEVARD, from the southeasterly line of  
19 Paradise Road to the southwesterly line of Seventh  
20 Street;

21 WASHINGTON STREET, from the northwesterly line of I  
22 Street to the southerly line of Maze Boulevard;

23 The Traffic Engineer is hereby authorized to erect and  
24 maintain, or cause to be erected and maintained, at entrances to  
25 said through streets, stop signs requiring all operators of  
26 vehicles to stop at said signs before entering said through streets.

27 The Council is hereby authorized, by resolution, to  
28 designate any intersection under its exclusive jurisdiction as a  
29 stop intersection and cause stop signs to be erected at one or more  
30 entrances thereto. It shall be unlawful to fail to obey any such  
31 sign.

32 SECTION 2. SAVINGS CLAUSE. Nothing herein contained  
shall be construed as changing or modifying in any way that portion  
of any ordinance herein amended or repealed or any resolution  
appertaining thereto, by the terms of which through highways or  
boulevards have been heretofore created in the City of Modesto, and  
which are now posted with stop signs.

SECTION 3. REPEALS. Ordinance No. 193-C.S. entitled  
'An Ordinance Amending Ordinance No. 345-N.S. entitled 'An Ordinance  
Regulating Traffic Upon the Public Streets of the City of Modesto',  
as Amended, to Amend Section 23 Thereof Relating to Traffic Regu-

1 lations and Repealing Ordinance No. 151-C.S." adopted on the 4th  
2 day of September, 1957, is hereby repealed.

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

6 SECTION 5. PUBLICATION. This ordinance shall be pub-  
7 lished in full at least once at least three (3) days prior to its  
8 final adoption in The Modesto Bee, the official newspaper of the  
9 City of Modesto.

10 The foregoing ordinance was introduced at a regular meet-  
11 ing of the Council of the City of Modesto held on the 11 day  
12 of September, 1957, by Councilman Robinson, who moved  
13 its introduction and passage to print, which motion being duly  
14 seconded by Councilman Adams, was upon roll call carried  
15 and ordered printed and published by the following vote:

16 AYES: Councilmen: Adams, Arata, Hammond, Robinson and Mayor  
17 NOES: Councilmen: None  
18 ABSENT: Councilmen: Anderson and Merrill

19 APPROVED

  
HARRY MARKS, Mayor

20 ATTEST:   
21 REX E. GAILFUS, City Clerk

22 (SEAL)

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~~FINAL ADOPTION CLAUSE~~

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18 day of September, 1957, Councilman Anderson moved its final adoption, which motion being duly seconded by Councilman Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:  
AYES: Councilmen: Adams, Anderson, Arata, Hammond and Mayor Marks  
NOES: Councilmen: None  
ABSENT: Councilmen: Merrill and Robins on

APPROVED   
HARRY MARKS, MAYOR

ATTEST:   
REX E. GAILFUS, CITY CLERK

EFFECTIVE DATE: October 3, 1957