

Ordinance No. 186

An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1 - The regular meetings of the Board of Trustees of the City of Modesto shall be held in the office of the City Clerk in the upper story of the "Masonic Hall Building" situated on the East side of Ninth street in said city, on the second and fourth Mondays of each month at the hour of 7:30 o'clock, P.M.

Section 2 - All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3 - This ordinance shall take effect and be in force from and after its passage and publication.

Introduced, April, 24th, A.D. 1899

Passed the 8th day of May, A.D. 1899 by the following vote:

Ayes: R. Elder, Ira Harris Jr., M. S. Sorenson  
Nays, none.

Absent: W. S. Mann

M. S. Sorenson,  
President of the Board of Trustees of the City of Modesto.

Approved this 8th day of May, A.D. 1899

M. S. Sorenson,  
President of the Board of Trustees of the City of Modesto.

Attest: W. A. Harter, City Clerk.

W. A. Harter, City Clerk of the City of Modesto, do hereby certify that the foregoing ordinance is a full, true and correct copy of Ordinance No. 186, entitled, "An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto." And that the same has been published according to law.

W. A. Harter, City Clerk

## Ordinance No 187

An Ordinance amending Section 1 of Ordinance No 137, requiring connections to be made with the Sewer System of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Section 1 of Ordinance No 137 is hereby amended so as to read as follows:

Section 1. Each person or persons owning premises in the City of Modesto within the limits hereinafter prescribed and which said premises are occupied for either residence or business purposes, shall on or before the 1st day of October A.D. 1899, connect said premises and each building thereon occupied as aforesaid with said system; each connection shall be made in accordance with the ordinances of the City of Modesto regulating connections with the Sewer system of said city.

The following are the limits within which such connections are required by this ordinance to be made, to-wit:

Blocks Nos. 54, 55, 56, 68, 69, 70, 82, 83, 84, 93, 94, 95, of the City of Modesto, as shown by the official map of the said city on file in the office of the Recorder of the County of Stanislaus, State of California.

Section 2. This Ordinance shall take effect and be in force from and after the date of its passage and publication.

Introduced June 26th A.D. 1899

Passed this 10th day of July A.D. 1899 by the following vote:

Ayes: R. Elder, Ira Harris, W. S. Mann, M. J. Sorenson.

Noes: None

M. J. Sorenson, President of the Board of Trustees of the City of Modesto  
Approved this 10th day of July, A.D. 1899

M. J. Sorenson, President of the Board of Trustees of the City of Modesto  
Attest: W. A. Carter, City Clerk.

I, W. A. Carter, City Clerk of the City of Modesto do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No 187 entitled "An Ordinance amending Section 1 of Ordinance No 137 requiring connections to be made with the Sewer System of the City of Modesto" and that the same has been published according to law.  
W. A. Carter, City Clerk

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Ordinance No. 188.

An Ordinance fixing the rate of taxation in and for the City of Modesto for the year, 1877.

The Board of Trustees of the City of Modesto do ordain as follows:-

Section 1.

Section 1, The rate of taxation for the year 1877 in and for the City of Modesto shall be and is hereby fixed as follows:

For the General Fund Seventy five cents on each One Hundred Dollars value of all property taxable for City purposes.

For the Bond Redemption and Interest Fund Eighty cents on each One Hundred Dollars of all <sup>property</sup> taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year; and said sums and rate of taxation is hereby levied on the property assessed on the assessment roll of said City as equalized for the said year, A. D. 1877.

Section 2- This Ordinance shall take effect immediately.

Introduced, September, 11<sup>th</sup>, A. D. 1877.

Passed this 25<sup>th</sup> day of September, 1877.

Ayes, R Elder, Ira Harris, W S Hoann, M D Sorenson.  
Noes, None.

M D Sorenson, President of the Board of Trustees of the City of Modesto  
Approved this 25<sup>th</sup> day of September, A D 1877

M D Sorenson President of the Board of Trustees of the City of Modesto.

Attest, W A Hawley — City Clerk.

I, W A Hawley, City Clerk of the City of Modesto do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 188, entitled An ordinance fixing the rate of taxation in and for the City of Modesto for the year 1877 and that the same has been published according to law. W A Hawley, City Clerk.

## Ordinance No 189.

An Ordinance amending Sections 1 and 3 of Ordinance No. 185, and fixing the rates to be collected, and paid for water on and after July 1<sup>st</sup> A.D. 1900.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- Section 1 of Ordinance No 185 is hereby amended so as to read as follows;

Section 1.- Section 2 of said Ordinance No 172 is amended to read as follows;

## Section 2- Schedule.

Subdivision 1- For tenements occupied by a single family or private boarding house 60

Subdivision 2- For restaurants, chop houses and eating houses 1 20

Subdivision 3- For hotels having not more than 12 beds 1 50

For each additional bed for guests .05

Subdivision 4- For lodging houses not to exceed five beds 90

For each additional bed for lodgers 05

Provided, that families occupying rooms in hotels or lodging houses, doing their own cooking, shall be separately rated.

Subdivision 5- For stores, shops, or other business places on ground floor 30

Subdivision 6- For offices on ground floor 25

Subdivision 7- For warehouses, each 30

Subdivision 8- For saloons, where spirituous, vinous or malt liquors are sold, each 1 20

For saloons where lunches are cooked and served free or otherwise, in addition to the above 30

Subdivision 9- For beer bottling establishments		90
Subdivision 10- For public bathtubs used in bathing establishments or barber shops, for one tub		60
For each additional tub		30
Subdivision 11- For bakeries, in addition to families rates, for each 25 barrels of flour or fraction thereof used per month		40
Subdivision 12- For drug stores each		60
Subdivision 13- For blacksmith or wagon shops		40
Subdivision 14- For livery, feed and sale stables	4	20
For feed and sale stables	2	40
Subdivision 15- For breweries, each	1	80
Subdivision 16- For building and plastering for water used by plasterers for stuccos each barrel of lime, plaster or cement.		10
For water used by bricklayers to make mortar or dampen brick, for each 1000 brick laid		10
Subdivision 17- For barber shops, for one chair		60
For each additional chair		15
Subdivision 18- For laundries and wash houses, for first man employed as washer.	1	50
For each additional man employed as washer		60
Subdivision 19- For candy stores where candy is made.		60
Subdivision 20- For coffee or ice cream saloons or tamale houses (provided where two or more of these businesses are carried on in the same establishment, but one rate shall be charged), each		30
Subdivision 21- For soda or other fountains, in addition to other rates when included in an annual rate, that is to say, when water is paid for during the whole year, each		30
When not so included		60

Subdivision 22	For dental rooms	30
Subdivision 23	For photographs galleries	1 20
Subdivision 24	For printing offices, weekly Daily and weekly	45 90
Subdivision 25	For paint shops, each	60
Subdivision 26	For use of water for manufacturing gas.	3 60
	For use of water for private gas machine.	50
Subdivision 27	For planing mills where gasoline engine only is used	60
Subdivision 28	For upper stories occupied as offices, for each person or firm occupying not more than three rooms	20
	For each additional room	.05
	When occupied by families as lodgings only, office rates, otherwise family rates, Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.	
Subdivision 29	For the use of water in lodge rooms, when used on an average of but one night in each week.	16
	For each additional night	10
Subdivision 30	For use of water on croquet or tennis grounds	30
Subdivision 31	For butcher shops	40
Subdivision 32	For theater or dance halls each	30
Subdivision 33	For use of water in soda factories	1 20
Subdivision 34	For the use of water for the county court house, including irrigation for the whole of block No 88 including water for gas machines	50 90

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For the use of water for county hospital,  
for main building only, including water for  
gas machine. 10 00

Subdivision No. 35 For the use of water in that portion  
of the City known as "Chinatown" comprising  
block No. 45 and lot 1 in block 31. 15 00

### Irrigation.

Subdivision 36- For the irrigation of a lot or part of  
a lot of 25 feet by 140 feet as laid off  
on the official map of the City of Merced,  
when taken in connection with a rate for  
family use on same premises, which rate  
must be paid the entire year. 20

For the irrigation of each lot or fraction  
of a lot, when taken in connection with a  
family rate on the same premises, during  
the pleasure of the owner. 40

For the irrigation of otherwise unoccupied  
premises when used for vegetable, kitchen or  
market gardens, or other purposes, and to  
be paid during the pleasure of the owner,  
for each lot or part of a lot. 80

Lots used exclusively for market gardening, for each lot or  
part of a lot. 80

The rates above fixed for the use of water (except other-  
wise specially provided) are the rates to be paid per  
month for the use of water when such water is used  
and paid for during the entire year, or such portions  
thereof as water may or might be required for the  
purposes indicated by the clause fixing such rate,  
but in case such rate is not paid for the whole  
year, and the premises are used or occupied during  
any part of the remainder of such year for the same  
or similar purpose or purposes to that for which  
water is used during a part of the year, then the  
rate for the time water is used shall be double  
that herein fixed as above as the annual rate  
for such use.

### Meter Rates.

Subdivision - 37 For water, to be ascertained by meter or other wise, for each 1000 gallons.

Subdivision 38. - For steam engines or any other uses not herein before specified, meter rates must be paid, or in lieu thereof such rates or amount as upon application of the parties interested and the Board of Trustees may fix by special order.

Section 3. - Section 6 of ordinance No. 172 is hereby amended to read as follows:

Section 6. - Any consumer may elect to have his water rates adjusted by meter upon payment by him of the cost of such meter and expense of setting the same, and thereafter paying the meter rates heretofore fixed, provided that no meter shall be set for a less rate per month than \$2.00

Any person having his water rates fixed by meter must keep on deposit an amount sufficient to pay one months water rate, and in case use of water is discontinued such deposit shall be applied to the payment of his unpaid water rate.

Section 2. - Section 3. of said ordinance 185 is hereby amended so as to read, as follows:

Section 3. - The foregoing schedule of rates shall take effect on the first day of July, A. D. 1900

Introduced February 12, 1900.

Passed February 26, A. D. 1900, by the following vote:  
Ayes - Robt. Elder, Ira Harris, W. S. Mann, M. J. Sorenson.  
Nays none.

M. J. Sorenson, President of the Board of Trustees,  
of the City of Modesto.

Approved this 26th day of February, A. D. 1900

M. J. Sorenson

President of the Board of Trustees of the City of Modesto  
Attest: W. A. Harter, Clerk.

W. A. Harter, City Clerk of the City of Modesto do hereby certify that the foregoing ordinance is a true and correct copy of Ordinance No. 189 entitled "An Ordinance amending sections 1 and 2 of Ordinance No. 185 and fixing the rates to be collected and paid for water and sewerage, A. D. 1900" and that the same has been published according to law.  
W. A. Harter, City Clerk.

Ordinance No. 190.

An Ordinance fixing the rate of taxation in and for the City of Modesto, for the year, 1900.

The Board of Trustees of the City of Modesto Do Ordain As Follows:-

Section 1.- The rate of Taxation for the year 1900 in and for the City of Modesto shall be and is hereby fixed as follows:

For the General Fund,- Sixty four cents on each one hundred dollars value of all property taxable for City purposes.

For the Bond Redemption and interest Fund. Seventy six cents on each one hundred dollars value of all property taxable for the redemption of bonds during the present fiscal year, and the payment of interest that shall accrue during the said year; and said sums and rate taxation is hereby levied on the property assessed on the assessment roll of said city Tax equalized for the said year A.D., 1900

Section 2.- This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced Sept 12<sup>th</sup> A.D. 1900.

Passed this 18<sup>th</sup> day of September A.D. 1900. by the following vote:

Ayes: W.E. Launt, Ira Harris, John Yarnum, W.S. Mann  
M. J. Jorensen.

Noes: None.

M. J. Jorensen, President of the Board of Trustee of the City of Modesto.  
Approved this 18<sup>th</sup> day of September A.D. 1900

M. J. Jorensen, President of the Board of Trustees of the City of Modesto.  
Attest: W. A. Barber, City Clerk.

I, W. A. Barber, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 190 entitled An Ordinance fixing the rate of taxation in and for the City of Modesto for the year 1900, and that the same has been published according to law. W. A. Barber City Clerk.

Ordinance No 191.

An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows.

Section. 1 The regular meetings of the Board of Trustees of the City of Modesto shall be held on the second and fourth Mondays in each month, at 7:30 o'clock in the office of the City Clerk, in the brick building known as Schaffer's building, situated on the South side of "H" street between 9th and 10th street of said City of Modesto, and which office is on the lower or ground floor of said building.

Section. 2 All ordinances and parts of ordinances in conflict here-with are hereby repealed.

Section. 3 This ordinance shall take effect and be in force on and after its passage and publication.

Introduced September 12th A.D. 1900.

Passed this day 18th day September A.D. 1900, by the following vote:

Ayes: W. C. Dault, Ira Harris, John Harrison, W. S. Mann, M. J. Sorenson.

Noes: none.

M. J. Sorenson President of the Board of Trustees of the City of Modesto.

Approved this 18th day of September, A.D. 1900.

M. J. Sorenson, President

of the Board of Trustees of the City of Modesto.

Attest: W. A. Harter, City Clerk.

I, W. A. Harter, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 191 entitled An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto and that the same has been published according to law.

W. A. Harter, City Clerk.

Ordinance No. 192.

An Ordinance amending sections 1 and 2 of Ordinance No. 189, and fixing the rates to be collected and paid for water on and after July 1<sup>st</sup>, A. D. 1901.

The Board Of Trustees Of The City Of Modesto do ordain as follows:

Section 1.- Section 1 of Ordinance No. 189 is hereby amended so as to read as follows:

Section 1:- Schedule.

Subdivision 1- For tenements occupied by one single family or private boarding house	60
Subdivision 2- For restaurants, chop houses, and eating-houses.	1 20
Subdivision 3- For hotels having not more than 12 beds	1 50
For each additional bed for guest	05
Subdivision 4- For lodging houses not to exceed five beds	90
For each additional bed for lodgers	05
Provided, that families occupying rooms in hotels or lodging-houses, doing their own cooking, shall be separately rated.	
Subdivision 5- For stores, shops or other business places on ground floor.	30
Subdivision 6- For offices on ground floor	25
Subdivision 7- For ware-houses, each	30
Subdivision 8- For saloons, where aperitifs, wines or malt liquors are sold, each	1 20
For saloons where lunches are cooked and served free or otherwise, in addition to the above	30

Subdivision 9-	For beer-bottling establishments		90
Subdivision 10-	For public bathtubs used in bathing establishments or barber shops for one tub		60
	For each additional tub		30
Subdivision 11-	For bakeries, in addition to family rates, for each 25 barrels of flour or fraction thereof used per month		60
Subdivision 12-	For drug stores, each		60
Subdivision 13-	For blacksmith or wagon shops		60
Subdivision 14-	For livery, feed and sale stable	4	20
	For feed and sale stables	2	40
Subdivision 15-	For breweries, each	1	80
Subdivision 16-	For building and plastering, for water used by plasterers for slacking each barrel of lime, plaster or cement		10
	For water used by bricklayers to make mortar or dampen brick, for each 1000 brick laid		10
Subdivision 17-	For each barber shops, for one chair		60
	For each additional chair		15
Subdivision 18-	For laundries and washhouses, for first man employed as washer	1	50
	For each additional man employed as washer		60
Subdivision 19-	For candy stores where candy is made		60
Subdivision 20-	For coffee or ice cream saloons or luncheon houses (provided where two or more of these businesses are carried on in the same establishment but one rate shall be charged), each		30
Subdivision 21-	For soda or other fountains, in addition to other rates when included in an annual rate, that is to say when such water is paid for during the whole year, each		30
	When not so included		60

Subdivision 22 - For dental rooms	30
Subdivision 23 - For photograph galleries	1 20
Subdivision 24 - For printing offices, weekly	90
Subdivisions 25 - For paint shops, each	60
Subdivision 26 - For use of water for manufacturing gas.	3 60
For use of water for private gas machines	50
Subdivision 27 - For planing mills, where gasoline engine only is used	60
Subdivision 28 - For upper stories, occupied as offices, for each person or firm occupying not more than three rooms	20
For each additional room	05
When occupied by families as lodgings only, office rates, otherwise family rates. Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.	
Subdivision 29 - For the use of water in lodge room, when used on an average of but one night in each week	15
For each additional night	10
Subdivision 30 - For use of water on croquet or tennis grounds	30
Subdivisions 31 - For butcher shops	60
Subdivision 32 - For theater or dance halls, each	30
Subdivision 33 - For use of water in soda factories	1 20
Sub-division 34 - For the use of water for the county court house, including irrigation for the whole of block No. 23, including water for gas machines	70

For use of water for the county hospital, for main building only, including water for gas machines 10

Subdivision 35- For the use of water in that portion of the City known as "Chinatown", comprising block No 45 and lot 1 in block 31. 15

### Irrigation.

Subdivision 36- For the irrigation of a lot or part of a lot of 25 feet by 140 feet as laid off on the official map of the City of Modesto when taken in connection with a rate for a family use on same premises, which rate must be paid for the entire year 20

For the irrigation of each lot or fraction of a lot when taken in connection with a family rate on the same premises, during the pleasure of the owner 40

For the irrigation of premises otherwise unoccupied when an annual rate is desired and which rate must be paid each month during the entire year, for each lot or fraction of a lot 40

For the irrigation of otherwise unoccupied premises when used for vegetable, kitchen or market gardens, or other purposes, and to be paid during the pleasure of the owner, for each lot or part of a lot 80

Lots used exclusively for market gardening, for each lot or part of a lot 80

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of water where such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purposes indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are not used or occupied during any part of the remainder of such year for the same or similar purpose or purposes as that for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed as above as the annual rate for such use.

Meter Rates.

Subdivision 37- For water, to be ascertained by meter or otherwise, for each 1000 gallons.

20

Subdivision 38- For steam engines or any other uses not herein before specified, meter rates must be paid, or in lieu thereof such rates or amount as upon application of the parties interested and the Board of Trustees may fix by special order.

Subdivision 39- For use of water for creamery, for all purposes

1 00

Section 2- Section 2 of said ordinance No. 189, is hereby amended so as to read as follows:

Section 2- The foregoing schedule of rates shall take effect on the first day of July, A.D. 1901.

Introduced, February 11, 1901.

Passed February 25, 1901, by the following vote.  
Ayes - W. E. Darrat, Ora Harris, W. S. Mann, M. J. Sorensen  
Noes - none  
Absent - John Harrison.

M. J. Sorensen,  
President of the Board of Trustees  
City of Modesto

Approved this 25 day of February, A.D. 1901.  
M. J. Sorensen,  
President of the Board of Trustees,  
City of Modesto

Attest: W. A. Carter, City Clerk

I, W. A. Carter, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 192, amending Sections 1 and 2 of Ordinance No. 189, and fixing the rates to be collected and paid for water on and after July 1st A.D. 1901, and that the same has been published according to law.  
W. A. Carter, City Clerk

Ordinance No. 193

An Ordinance fixing the rate of taxation in and for the City of Modesto for the year 1901

The Board of Trustees of the City of Modesto do ordain as follows:-

Section 1:- The rate of taxation for the year 1901 in and for the City of Modesto shall be and is hereby fixed as follows:

For the General Fund forty-nine cents on each one hundred dollars value of all property taxable for city purposes. For the Bond Redemption and Interest Fund seventy-one cents on each one hundred dollars value of all property taxable for the redemption of bonds during the present fiscal year, and the payment of interest that shall accrue during the said year; and said sums and rate of taxation is hereby levied on the property assessed on the assessment roll of said city as equalized for the said year, A. D. 1901

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20  
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Section 2.- This ordinance shall take effect and be in force from and after its passage and publication.

Introduced September, 10, 1901

Passed September, 28, 1901 by the following vote:-

Ayes - W. E. Beaunt, John Harrison, M. S. Mann, M. J. Sorenson.

Noes - none

Absent - Ira Harris, Jr.

M. J. Sorenson,  
President of the Board of Trustees  
of the City of Modesto.

Approved this 23d day of September, 1901

M. J. Sorenson,  
President of the Board of Trustees  
of the City of Modesto

Attest - W. A. Harter, City Clerk.

I, W. A. Harter, City Clerk of the City of Modesto, do here by certify that the foregoing is a true and correct copy of Ordinance No. 193, entitled "An Ordinance fixing the rate of taxation in and for the City of Modesto for the year 1901" and that the same has been published according to law.

W. A. Harter, City Clerk.

Ordinance No 194

An Ordinance to establish and maintain Fire Limits, and to regulate building and construction within the City, and to provide for the better protection of the city from fire

The Board of Trustees of the City of Modesto do ordain as follows, viz:-

Section 1:- The fire limits within said city are hereby established, and the same shall be hereafter maintained as comprising the land included within a line extending around and bounding the territory comprised in Blocks nos 55 and 69; the southwest one-half (1/2) of Block 56; the south west one half (1/2) of Block 68; the northeast one-half (1/2) of Block 54; and the northeast one-half (1/2) of Block 70

Section 2:- No building, structure, improvement, material, goods, or other thing shall be erected, constructed, placed, kept or maintained within the City of Modesto, composed of such materials either in whole or in part, or which is so built, erected, constructed, placed, kept or maintained, as to materially increase the hazard or risk from fire to other property.

Section 3:- No building, structure, improvement, material, goods, or other thing within the limits defined or fixed by any ordinance of the City of Modesto, as "fire limits" or nor upon any land or property so defined or fixed in terms substantially the same as such "fire limits", shall be so erected, constructed, placed, kept or maintained, unless the same be reasonably fire proof:-

No such building, improvement, structure, material, goods, or other thing shall be allowed to remain within such limits, or upon such lands, which on account of its original condition, or by reason of its condition being changed by dilapidation or other cause, is unsafe or hazardous, or dangerous to property on such land within such limits.

Section 4 No business occupation, or act shall be commenced, continued, or maintained within the City of Modesto, which is dangerous or extra hazardous, or likely to injure or endanger either the property used therein or connected therewith, or other property.

Section 5 No building, structure, or improvement, or other thing shall be commenced, repaired or altered within said city without previous notice to the Fire Wardens, or other person, board or officer of the City of Modesto prescribed by ordinance or law as the person, board or officer charged with the duty of protection from fire, or prevention of fire in said city, and until otherwise ordered, the Board of Fire Wardens consisting of the President of the Board of City

Trustees, the Marshall and City Clerk, are hereby charged with such duty, during such building, structure, improvement, repair, or alteration, and until the same is completed: such Fire Wardens and other officers shall have full inspection thereof, and of all plans, specifications, or contracts therefor, and of all materials used, or to be used therein, and of all work to be done or to be done thereon, and if the whole or any part thereof is not in compliance with the law or the ordinances relating thereto, the same shall immediately be made to so comply. Said Fire Wardens or other officers shall at all times supervise and direct the commencement and continuance of such work, and shall have power to do all things necessary and proper to enforce this ordinance and all other ordinances and laws relating to such matters, and they shall at all proper times have the right to enter upon and inspect any property in said city for the purpose of performing their duty.

Said board or officers shall have power and it shall be its duty to prescribe rules and regulations in accordance with their ordinances, and the ordinances or laws regulating the same, to more specifically define the matters contained therein and to enforce the provisions of such laws and ordinances, and shall cause the same to be entered in an appropriate record book therefor, and shall also record its official acts in said book, which book shall at all times remain in the custody of the City Clerk, and be open to the inspection of the public as other official records. It shall be the duty of such Fire Wardens or officers to notify all persons violating this ordinance of such fact as soon as it comes to its knowledge.

Section 6: All building erected within said fire limits shall have the exterior and party walls and foundations, constructed wholly of brick, stone, iron, or other non-combustible material, and no wood or other combustible material shall be used in any such wall or in the foundation of any such building. The roofs of all such buildings shall be covered with metal, slate, or other substance of fire proof composition, and exterior walls and party walls shall extend from the foundation to the top of such buildings and above the roof thereof to a height of at least four feet from the roof. All the walls of such buildings shall be tied and braced in such manner as shall be prescribed by the Fire Wardens. The words "exterior walls", as used in this ordinance shall be construed to mean the front, rear, and side walls, and the words "party wall", shall be construed to mean the side wall between contiguous buildings.

No cornices, window-sashing, or porches, or other similar attachments made of wood or other combustible material shall be allowed on any building hereafter erected within the fire limits.

All buildings and parts of buildings heretofore or hereafter constructed shall be reasonably safe and substantial.

Section 7:- All building other than fire proof buildings hereafter erected within said city shall be plastered or ciled within, and no ceiling wholly of cloth or paper shall be allowed in any part of such building. All stoves, grates, fire places, or other heating apparatus in any such building either heretofore or hereafter constructed shall be connected with a brick or other non-combustible chimney or chimneys built up to the top of such building, and extending at least four feet above the roof thereof, and no wood or other combustible material shall be placed within six inches of any flue. No smoke-pipe in any such building shall pass through the roof or through any floor, wall, or ceiling, or exterior or party wall; but the same shall be carried immediately into the flue of a chimney or non-combustible material at a point not less than eighteen inches from any ceiling or floor. In all cases where any smoke-pipes or smoke stacks in any such building pass through wooden partitions of any kind, whether such partitions be plastered or not, each smoke-pipe or smoke-stack shall be guarded either by a double collar of metal, with at least four inches of air space and holes for ventilation, or by a coating of plaster of paris three inches thick, or by asbestos packing three inches thick, or by an earthware chimney three inches from the pipe, or other protection of substantially the same safety.

Section 8:- All lintels and arch supporters of doors and windows or other openings in the fire limit shall be constructed of iron or other non-combustible material, and no such lintel or arch supporter shall ever be made of wood, either wholly or in part.

Section 9:- No building now being within said city shall be enlarged or altered except in such manner as to make the same conform to this ordinance. No building not constructed in accordance with the provisions of this ordinance shall be removed out the fire limit, but any such building shall be removed from one place within said fire limit to another place in the same district, or from within the fire limit to a place outside thereof, upon a written permit obtained from the Board of Directors, which

permit shall specifically state the place from which the building is to be removed, and the place to which it is to be removed.

No building shall be erected, moved, altered, or repaired without such application and permit.

Said permit shall not be granted except upon written application filed with the City Clerk, which shall contain all the facts necessary to be stated in the permit for the same, and at the next meeting of the Board after the presentation of said application, all parties having objections to said removal, may appear and state their said objections, and if, in the opinion of the Board, said objections are good and tenable, the board shall refuse to grant said permit, and said decision shall be final. Should the board not consider the objections tenable, it may waive them and grant the permit.

No permit shall ever be granted to do any work contrary to the provisions of this ordinance, and any permit so granted shall be null and void.

Section 10. - All water-plants, out-houses and other small structures, and the approaches thereto, within said fire limits shall be constructed of non-combustible material. No straw or hay in said fire limits shall be stored in a building or buildings not fire proof, nor shall any hay, straw, manure, or other combustible material be allowed to lay loose or uncovered in any yard or highway in such city, and no manure, straw, hay, dump pile or other combustible material shall be placed against a wooden building or fence or other wooden or combustible construction within said city.

Section 11. - It shall be unlawful for any person to keep more than ten cases of coal oil, and six cases of gasoline, or five gallons of naphtha, naphthaline, benzine or any other similar inflammable liquid within said fire limits, and it shall be unlawful for any person to keep more than ten pounds of gun powder or other explosive within said fire limits. It shall be unlawful for any person to keep gun powder, dynamite, nitroglycerine, rigolit, turpentine, blasting powder, or any such explosive of a similar nature, of any quantity, whatever within said fire limits, and no person shall keep any article named in this section in any quantity within the city, except in fire proof buildings, or arranged that there shall be the least possible danger of explosion, and built in such a manner as to render the effect of such explosion upon property as near harmless as possible.

Section 12: - Any and all structures, erections, improvements, acts and other things contrary to or in violation of this ordinance are hereby declared to be a nuisance.

Section 13: - The City Marshall is hereby empowered and directed to remove and abate all nuisances within the City of Modesto in a summary manner.

Sec. 14: - Any residence property within the fire limits, which may be accidentally burned, may be rebuilt of similar size and materials to that theretofore existing, provided that such building shall in other respects comply with this ordinance, and provided that such rebuilt shall not cause greater hazard to other property than existing than said original structure now causes to property now existing.

Sec. 15: - The specific requirements herein contained are not intended to limit the force of the general provisions respecting the same matters, but are intended to specifically define the things intended and prohibited and permitted under and in accordance with the general intent and force of this ordinance, and to better secure the protection of property from fire.

Sec. 16: - The violation of any provision of this ordinance shall be deemed a misdemeanor, and may be prosecuted and punished as prescribed by law, and in any case, on the order of the Board of City Trustees such violation may be redressed by civil action, such action may be commenced in the Recorder's court of said city, or in any other court having jurisdiction of such actions, in the name of said city and against the person, or property, or both, violating such ordinance.

In such action recovery may be had for all cost, expense and damage caused by such violation and judgement may be enforced by levy on any property of the defendant, liable to such levy, or by levy on the property violating such ordinance.

Sec. 17: - All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, but all ordinances and parts of ordinances in harmony with this ordinance are hereby expressly continued in force.

Introduced October 8 A.D. 1901

Passed the 14th day of October, A.D. 1901, by the following vote:  
Ayes - W. E. Stewart, John Harrison, M. J. Johnson

None none

Witness: W. E. Stewart

M. J. Johnson

I, Wm. H. Hester, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 195, entitled "An Ordinance to establish and maintain fire hydrants, lay out and equip water mains and water pipes, and to provide for the better protection of the City of Modesto, and that the same has been published according to law by the City Clerk.

President of the Board of City Trustees  
of the City of Modesto

Approved this 14th day of October, A.D. 1911

M. J. Sorenson

President of the Board of City Trustees  
of the City of Modesto

Attest: W. A. Harton, City Clerk.

Ordinance No. 195.

An Ordinance amending Sections 1 and 2 of Ordinance No. 192, and fixing the rates to be collected and paid for water on and after July 1st A.D. 1902.

The Board of Trustees of the City of Modesto, do ordain as follows:

Sec. 1. Section 1 of Ordinance No 192 is here by amended so as to read as follows:  
Section 1. -

Schedule.

- Subdivision 1 - For tenements occupied by a single family or private boarding house 50
- Subdivision 2 - For restaurants, chop houses and eating houses 1 20
- Subdivision 3. For hotels having not more than 12 beds 1 50  
For each additional bed for guest 50
- Subdivision 4 - For lodging houses not to exceed five beds. 50  
For each additional bed for lodgers. 50  
Provided, that families occupying rooms in hotels or lodging houses, doing their own cooking, shall be rated separately.
- Subdivision 5. For stores, shops or other business places on ground floor. 30

Subdivision 6-	For offices on ground floor.		20
Subdivision 7-	For warehouses, each		30
Subdivision 8-	For saloons, where spiritous, vinous or malt liquors are sold, each	1	20
	For saloons where lunches are cooked and served free or otherwise, in addition to the above		30
Subdivision 9-	For beer-bottling establishments <del>or</del> <del>bar</del>		90
Subdivision 10-	For public bathtubs used in bathing establishments or barber shops, for one tub		60
	For each additional tub		30
Subdivision 11-	For bakeries, in addition to family rates, for each 25 barrels of flour or fraction thereof used per month.		60
Subdivision 12-	For dumb stoves, each		60
Subdivision 13-	For blacksmith and wagon shops		60
Subdivision 14-	For livery, feed and sale stables	4	20
	For feed and sale stables	2	40
Subdivision 15-	For breweries, each	1	80
Subdivision 16-	For building and plastering, for water used by plaster for slacking, each barrel of lime, plaster or cement		10
	For water used by bricklayers to make mortar or dampen brick, for each 1000 brick laid		10
Subdivision 17-	For barber shops, for one chair		60
	For each additional chair		10
Subdivision 18-	For laundries and washhouses, For first man employed as washer	1	80
	For each additional man employed as washer		60
Subdivision 19-	For candy stoves where candy is made		60

Subdivision 20. For coffee or ice-cream saloons or tamale houses (provided when two or more of these businesses are carried on in the same establishment, but one rate shall be charged), each 30

Subdivision 21- For soda or other fountains, in addition to other rates when included in an annual rate, that is to say, when such water is paid for during the whole year, each 30  
 When not so included 60

Subdivision 22. For dental rooms 30

Subdivision 23. For photographs galleries 1 20

Subdivision 24. For printing offices, weekly, 48  
 Daily and weekly 90

Subdivision 25. - For paint shops, each 60

Subdivision 26- For use of water for manufacturing gas, 3 60  
 For use of water for private gas machines 50

Subdivision 27. For planing mills, where gasoline engine only is used 60

Subdivision 28- For upper stories occupied as offices, for each person or firm occupying not more than three rooms. 20  
 For each additional room 60

When occupied by families as lodgings only, officials must be appointed for the whole building and in each instance paid by the owner or agent.

Subdivision 29- For the use of water in lodge rooms, when used on an average of but one night in each week 15  
 For each additional night 10

Subdivision 30. For use of water on croquet or tennis grounds 30

Subdivision 31. For butcher shops 40

Subdivision 32. For theater or dance halls, each 30

- Subdivision 33. - For use of water in soda factories 1 20
- Subdivision 34 - For use of water for the county court house, including irrigation for the whole of block No 83, including water for gas machine 30 00
- Subdivision 35 - For the use of water in that portion of the city known as Chinatown, comprising block No 45 and lot 1 in block 31. 15 00

### Irrigation.

Subdivision 36 - For the irrigation of a lot or part of a lot of 20 feet by 140 feet as laid off on the official map of the City of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year 20

For the irrigation of each lot or fraction of a lot, when taken in connection with a family rate on the same premises, during the pleasure of the owner. 40

For the irrigation of premises otherwise unoccupied when an annual rate is desired and which rate must be paid each month during the entire year, for each lot or fraction of a lot. 40

For the irrigation of otherwise unoccupied premises when used for vegetable, kitchen or market gardens, or other purposes, and to be paid during the pleasure of the owner, for each lot or part of a lot 80

For lots used exclusively for market gardening, for each lot or part of a lot. 80

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of water when such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purpose indicated by the clause fixing such rate, but in case such rate is not paid for the whole year and the premises are used or occupied during any part of the remainder of such year for the same

or similar purpose or purposes to that for which water is used during a part of the year, then the rate for the ~~same~~ time water is so used shall be double that herein fixed as above as the annual rate for such use.

#### Meter Rates.

Subdivision 37 - For water, to be ascertained by meter or otherwise, for each 1000 gallons.

Subdivision 38 - For steam engines or any other uses not herein before specified, meter rates must be paid, or in lieu thereof such rates or amounts as upon application of the parties interested and the Board of Trustees may fix by special order.

Subdivision 39 - For use of water for creamery, for all purposes.

Sec 2. Section 2 of said Ordinance No. 192 is hereby amended so as to read as follows:

Sec. 2. The foregoing schedule of rates shall take effect on the first day of July A. D. 1902.

Introduced Feb 10<sup>th</sup> 1902,

Passed Feb. 24<sup>th</sup> A. D. 1902, by the following votes

Ayes - H. E. Daunt, John Harrison, W. S. Mann,

Noes - None

Abst. - M. D. Sorenson.

W. S. Mann

President of the Board of Trustees of the City of Modesto (pro tem)

Approved this 24<sup>th</sup> day of February, A. D. 1902.

W. S. Mann

President of the Board of Trustees, of the City of Modesto, (pro tem)

Attest: W. A. Baxter, City Clerk.

I W. A. Baxter, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 192 entitled "An Ordinance amending Sections 1 and 2 of Ordinance No. 192 and fixing the rates to be collected and paid for water on and after July 1<sup>st</sup> A. D. 1902," and that the same has been published according to law.

W. A. Baxter, City Clerk

Ordinance No. 196.

An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto.

The Board of Trustees of the City of Modesto do Ordain as follows:-

Section 1.- The regular meetings of the Board of Trustees of the City of Modesto shall be held on the first, and third Wednesdays in each month, at 7.30 o'clock, P.M. in the office of the City Clerk, in the brick building known as the Schaefer Building, situated on the south side of "76." street, between ninth and tenth streets, of said City of Modesto, and which office is on the lower or ground floor of said building.

Section 2.- All ordinances and part of ordinances in conflict herewith are hereby repealed.

Section 3.- This ordinance shall take effect and be in force on and after its passage and publication.

Introduced, May 26<sup>th</sup> 1902.

Passed this 9<sup>th</sup> day of June A.D. 1902 by the following vote:

Ayes - J. R. Broughton, W. E. Dault, John Harrison, W. S. Mann, J. M. Pike.

Noes - None.

John Harrison, President of the Board of Trustees of the City of Modesto.

Approved this 9<sup>th</sup> day June A.D. 1902

John Harrison, President of the Board of Trustees of the City of Modesto.

Attest, W. A. Kramer, City Clerk

I W. S. Hester, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 196 entitled "An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto" and that the same has been published according to law.

W. S. Hester, City Clerk.

Ordinance No. 197.

An Ordinance regulating the speed of automobiles and other motor vehicles propelled by steam, electricity, gasoline or other source of energy and providing for the equipment thereof with signals and requiring the same to provide lamps or lights, and regulating the driving or use thereof upon the public streets and alleys within the corporate limits of the City of Modesto.

The Board of Trustees of the City of Modesto, Do Ordain as Follows:

Section 1. No person shall be allowed to drive any automobile or other motor vehicle propelled by steam, electricity, gasoline, or other source of energy, within the corporate limits of the City of Modesto, save in accordance with the provisions of this ordinance.

Section 2.- Every automobile or other vehicle shall be provided with a suitable bell, horn or other signal, and the person in charge thereof shall give sufficient warning with such signal whenever approaching any street or alley, crossing or any person or vehicle from the time of approaching within fifty feet thereof, and every automobile or other motor vehicle shall while being propelled or run within said City, exhibit during the period from one half hour after sunset to one half hour before sunrise, one lamp in front of said vehicle, or a lamp on each side, these showing white lights visible within a reasonable distance in the direction in which the automobile or other motor vehicle is proceeding.

Section 3.- No person shall drive or run an automobile or other motor vehicle on any street or alley within the corporate limits of said City of Modesto, at a greater speed than eight miles per hour.

Section 4.- Every person driving an automobile or other motor vehicle upon the streets or alleys within the corporate limits of the City of Modesto, upon arriving within one hundred feet of any vehicle propelled by animal power or of a person leading, or driving or riding domestic animals, and should such animal

or animals thus met show fright, shall come to a full stop and remain stationary so long as it may be necessary to allow said vehicle propelled by animal power, or said person leading, or driving or riding said domestic animals to pass or get out of the way.

Section 5.- Any person violating any provision of the ordinance shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding fifty dollars, and a person adjudged guilty under this ordinance shall be imprisoned in the City Jail of said City of Modesto until such fine is paid, not exceeding one day for each two dollars of the amount of the fine.

Section 6.- This ordinance shall take effect and be in force from and after its passage and publication.

Introduced Monday May, 26<sup>th</sup> A.D. 1902.

Passed this 9<sup>th</sup> day of June A.D. 1902, by the following vote,  
Ayes: J. R. Broughton, W. E. Davenport, John Harrison, W. S. Mann,  
J. M. Pike.

Noes: none.

John Harrison, President of the Board of Trustees  
of the City of Modesto.

Approved this 9<sup>th</sup> day of June, A.D. 1902.

John Harrison, President of the Board of Trustees,  
of the City of Modesto.

Attest: W. A. Foster, City Clerk.

I, W. A. Foster, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 197 entitled, An Ordinance regulating the speed of automobiles and other motor vehicles propelled by steam, electricity, gas, or other source of energy, and providing for the equipment thereof with signals and requiring the same to provide lamps or lights, and regulating the driving or use thereof upon the public streets and alleys within the corporate limits of the City of Modesto, and that the same has been published according to law.

W. A. Foster, City Clerk.

Ordinance No. 198

An Ordinance relating to licenses, license tax rates and the regulation of certain classes of business and certain shows, exhibitions and lawful games in the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows: -

Section 1:- The rates of license tax upon the kinds of businesses, transacted and carried on in such city, and the shows, exhibitions and lawful games carried on therein and hereinafter named and described, are fixed and established at the sums and payable at and for the times hereinafter stated: - viz.

Auctioneering  
Banking  
Brokers of Real Estate Agency  
Light making etc.

- Subdivision 1. Auctioneering the sum of \$32.00 per year.
- Subdivision 2. Banking the sum of \$20.00 per quarter.
- Subdivision 3. Brokers or Real Estate agency the sum of \$5.00 per quarter.

Butchers.

Subdivision 4. Gas making or selling or electric light producing or selling or the furnishing of any light to consumers or users thereof the sum of \$12.00 per quarter.

Fire Insurance

Subdivision 5. Butcher business, for each shop or place of business, the sum of \$3.00 per quarter.

Life Insurance

Subdivision 6. Fire insurance \$5.00 per quarter.

Making and selling soda, etc.

Subdivision 7. Life insurance \$5.00 per quarter.

Saloon keeping

Subdivision 8. Making and selling soda and mineral water \$5.00 per quarter.

Other Liquor  
Dealing

Subdivision 9. Liquor dealing: - the keeping of a saloon or other place where intoxicating liquors, wine or beer are dispensed in less quantities than one quart, or to be drunk on the premises where dispensed, for each bar or place where the same are dispensed, the sum of \$42.00 per quarter.

Billiard tables  
etc

Subdivision 10. The selling or dispensing such liquors at any other place or in any other manner, or for any other purpose than set forth in subdivision 9, the sum of \$10.00 per quarter.

Bowling alleys

Subdivision 11. Keeping billiard tables, bagatelle tables, or board or pool tables, in a saloon or other public place for use of patrons thereof, for each table or board the sum of \$3.00 per quarter.

Shooting galleries

Subdivision 12. Bowling alleys the sum of \$3.00 per quarter.

Circus, Menageries  
etc

Subdivision 13. Shooting galleries the sum of \$3.00 per quarter.

Subdivision 14. Circuses, menageries, or animal collections or exhibitions for profit, the sum of \$50.00 per day, and the further sum of \$10.00 per day for each side show or exhibition for which a separate admission or entrance fee is charged.

Boxing Matches, etc.

Subdivision 15. Boxing matches, sparring exhibitions or other similar shows or exhibitions, whether boxing gloves are used or not, where an admission or entrance fee is charged, or other charge is made or paid for the purpose of witnessing the same, for each exhibition the sum of \$20.00

Theaters, etc.

Subdivision 16. Theaters or theatrical performances of any kind, opera singing, concert-singing or any public amusement show or exhibition of like character, for which a fee is charged, the sum of \$5.00 per day for each day not exceeding three days, and the further sum of \$3.00 per day for each additional day.

Laundries.

Subdivision 17. Laundries the sum of \$5.00 per day *(amended by Act 207)*

Trains, Draying, etc.

Subdivision 18. Trains or running any vehicle for hire for the carrying of freight or passengers, for each vehicle, the sum of \$1.00 per quarter.

Livery or

Subdivision 19. Livery or feed stables or yards, the sum of \$3.00 per quarter.

Feed Stables.

Motor Vehicles.

Subdivision 20. Keeping, leasing or renting any motor vehicle for hire, the sum of \$3.00 per quarter.

Telephone.

Subdivision 21. Telephone business the sum of \$20.00 per quarter.

Telegraph.

Subdivision 22. Telegraph business the sum of \$3.00 per quarter.

Traders or

Merchants.

Subdivision 23. For traders or merchants, for the business of those who at a fixed place of business sell any goods, wares or merchandise, or any hay, barley or any food for stock, or any wood or coal, any drugs or medicines, any jewelry or wares of precious metal, or any other commodities or articles of sale, whether on commission or otherwise (except such as is sold by auctioneers at public sale under license, and except liquor for which a separate license rate is made) the license rate is fixed, according to the amount of monthly sales, and at the following rates per quarter, viz:

\$20,000.00

First. For business where the amount of sales is \$20,000.00 or over per month the amount of \$30.00 per quarter.

\$10,000.00

Second. For business where the amount of sales is \$10,000.00 and less than \$20,000.00 per month, the amount of \$20.00 per quarter.

\$5,000.00

Third. For business where the amount of sales is \$5,000.00 and less than \$10,000.00 per month, the amount of \$12.00 per quarter.

\$2,500.00

Fourth. For business where the amount of sales is \$2,500.00 and less than \$5,000.00 per month, the amount of \$7.50 per quarter.

\$1,000.00  
 Under \$1,000.00  
 Patent Medicines  
 where music  
 etc. is used  
 to attract custom  
 telescopes, mi-  
 croscopes, Sun-  
 glasses, etc.  
 Peddling, hawk-  
 ing or vending  
 Goods  
 Soliciting  
 Bankrupt Goods  
 etc.  
 Agents or canvassers  
 Female vend-  
 ing or furnish-  
 ing  
 Flying Horses  
 etc.  
 Bill Posting

Fifth. For business where the amount of sales is \$1,000.00 and less than \$2,500.00 per month, the amount of \$4.50 per quarter.  
 Sixth. For business where the amount of sales is less than \$1,000.00 per month, the amount of \$3.00 per quarter.  
 Subdivision 24. Patent medicines: peddling, selling, or dispensing patent medicines where music or other device to attract a crowd is used, the sum of \$50.00 per quarter.  
 Subdivision 25. Travelling exhibitions, such as telescopes, microscopes, lung-tickers, muscle testers, ball and knife or ring throwing, galvanic batteries, magic lantern shows, or any similar shows or exhibitions for which no rate is herein otherwise fixed, the sum of \$5.00 per week.  
 Subdivision 26. Hawking, peddling or itinerant vending of any goods, wares, merchandise, articles or commodities or canvassing for the sale or disposal of the same with or without samples, the sum of \$12.00 per month. This subdivision does not apply to persons selling agricultural production raised by themselves.  
 Subdivision 27. The business of soliciting or taking orders for goods, wares, merchandise, articles or commodities of any kind, with or without samples, except the business of soliciting or taking orders by commercial travellers, soliciting orders from business houses in the same line of business as the business represented by such agents, and except such orders in the city as may solicit or take orders from their regular customers for their regular business, the sum of \$5.00 per day.  
 Subdivision 28. Selling bankrupt, depreciated or damaged stock of goods the business of selling or offering for sale such goods, wares, merchandise, articles or commodities, or where the same are advertised or represented in any advertisement, bill, poster, tag, price list or similar representation to be goods sold or offered for sale at price less than the same are sold for in the usual course of business the sum of \$200.00 per year.  
 Subdivision 29. Soliciting or canvassing by agents or canvassers for paintings or re-touching or furnishing pictures of any kind, or for the sale of books, maps, pictures or similar articles, the sum of \$5.00 per quarter.  
 Subdivision 30. Female vending or furnishing where wine or beer is sold to the patrons otherwise than by saloon keepers, the sum of \$10.00 per quarter.  
 Subdivision 31. Flying horses or merry go rounds, for each day the sum of \$2.00.  
 Subdivision 32. Bill posting the sum of \$1.00 per quarter.

amended by M 201

Perceptions.

When all the receipts for any exhibition, concert, lecture or entertainment is to be or will be appropriated exclusively to any church, school, or religious or benevolent or any other public or beneficial purpose of a local character within the City of Modesto, there shall be no license charged to the person or persons to conduct the same.

General

In case of doubt or in case a business, etc., might belong to two or more classes the highest rate herein fixed shall be paid.

Section 2. The word "person" as used in this ordinance is intended to include corporations, firms and associations, as well as natural persons, and the requirements herein prescribed respecting such persons shall apply to all persons whether owners, employers, officers, agents, principals, servants, or assistants, and every such person interested in, engaged in, assisting in, or in any way taking part in any of the acts herein referred to shall be responsible for the performance and liable for the non-performance of the acts herein required until the same shall have been fully performed according to the terms of this ordinance.

Section 3. Every person desiring or intending to commence, establish, maintain or carry on any business, or to make any show or exhibition, or play or offer for play any game, in this ordinance referred to, shall before doing any of said acts, make written application for a license therefor, and file the same with the City Clerk.

Application for  
License

Such application shall be made on the forms therefor furnished by said Clerk, and shall state the facts necessary and proper to be stated in such license, and all the facts necessary and proper to be known before such license is issued, and shall be verified by the affidavit of the applicant.

A like application shall be made and filed whenever a new license is required before the same is required. Said application shall also state the location of the business, exhibition, show or game proposed, and the full name and residence of every person by whom the same is to be maintained, the character thereof and the time the same is to be continued, and in case the rate of license tax is fixed by the amount of business, such application shall state the amount of such business done in the current or preceding license period as well as that intended or expected to be done in the period for which such application is made.

Amended by No. 207

Petition for  
Saloon License.

In the case of the first application and each application annually thereafter for a license for selling liquors in saloon as prescribed by subdivision 7 of section 1 heresaid, said application shall take the form of a petition accompanied by a deposit of \$5.00 to cover the expenses of advertising and petition requesting the Board of Trustees to grant him a license for such premises. Said petition shall specify the block and place where the business is proposed to be opened and maintained, and be endorsed by the owners of a majority of the frontage of real estate in the block fronting on the side or face of the block in which the proposed business is to be conducted, provided however, that when such is located at the corner of the block, then said petition shall be signed by the owners of a majority of the frontage fronting on the two sides or faces of the block which intersect at said corner, that is to say, a majority of the frontage on each side counted separately.

Upon filing said petition so endorsed the Clerk shall give notice by publication for at least four consecutive days in a daily newspaper printed and published in the City of Modesto stating the name of the applicant, the names of his endorsers, the place where said business is to be opened or maintained, notifying all persons having any valid reason why said petition should not be granted to file their objections in writing with the City Clerk on or before the meeting of the Board of Trustees next succeeding the completion of the application.

Any excess of the deposit over the amount paid for advertising shall be returned to the applicant.

When objection is made to the granting of any petition, the Board of Trustees shall fix a day for hearing said matter, and the Clerk shall notify the applicant and said objectors that at the time and place fixed the Board of Trustees will hear testimony for and against granting said petition.

Whether objection be made or not, the Board of Trustees shall hear and determine the application and grant or refuse the same as in its judgment may be proper and if such application be granted shall order a license to be issued to him upon his filing a bond payable to the City of Modesto in penal sum of \$1,000.00 approved by the President of the Board of Trustees with two good and sufficient sureties, who shall justify before some person competent to administer oaths, in double the amount mentioned in said bond, over and above statutory exemptions in property situated in the City of Modesto.

Said bond shall be conditioned that the principal therein named while carrying on said business at the place mentioned in his endorsed application will not permit on said premises any breach of the peace or disorderly conduct, nor permit any games prohibited by law to be played, nor sell or give away any wine, beer or intoxicating liquors to any habitual or common drunkard or any person already intoxicated or under the age of legal majority, nor permit any minors to frequent such place. On the breach of such bond any person injured thereby shall have a right of recovery thereon.

The provisions herein requiring petitions and bonds shall apply only to the first applications and to each annual application thereafter.

The Board of Trustees do hereby expressly reserve the right to revoke for good cause any and all licenses issued after the license has been granted an opportunity to be heard in its own behalf.

No license shall be issued to any person who is not a person of good moral character, of temperate habits as to the use of intoxicating liquors and who is not a suitable person in other respects to maintain a saloon where intoxicating liquors are dispensed.

Upon refusal by the Board of Trustees to grant to any person a license to carry on the business of saloon-keeping mentioned herein, such person shall not again apply for or be granted a license within three months from the date of such refusal.

Applicants for  
license to pre-  
sent duplicate  
to Marshal

Section 4. Every applicant named in the last preceding section shall immediately upon making the application present a duplicate thereof to the City Marshal and shall therein pay to him the proper amount of license tax for the business, etc., described in said application as fixed by this ordinance, or in any subsequent ordinance fixing such tax as the case may be.

Section 5. It shall be the duty of the City Clerk to issue a license under this ordinance for each person liable to pay a license herein duly signed by said Clerk and state the amount of license thereon, the time for which the same is issued, and the character and location of the business, etc., for which the same is issued and the name or names of the persons entitled to such license and said City Clerk shall deliver such license to the City Marshal for collection, taking his receipt for the amount thereof, and the City Clerk in stating the rate of license shall grade the same according to the best information and knowledge and for aught purpose may confer with

persons in interest; and may require any person to file his or her affidavit as to which class he or she may belong provided, that in no case shall any mistake by the Clerk in stating the amount of said license, prevent the collection of what shall be actually due, with all costs, against anyone commencing or carrying on said business, show, exhibition or game without a license, and provided, that any person may appeal to the Board of Trustees and the Board after hearing, shall fix and determine the amount of tax required for such license.

It shall be the further duty of the City Clerk immediately after the delinquent list has been delivered to him to make an abstract of the delinquent licenses and the amount thereof, and to deliver the same back to the City Marshal whose duty it shall be to at once proceed to collect the same in his discretion by suit or otherwise.

Nothing herein, however, shall prevent a criminal prosecution as provided in Section 13 for any violation of the provisions of this ordinance.

Every person in any way engaged in or interested in any business, etc, for which a license is prescribed herein, shall whenever the same may be required by the City Clerk answer all proper questions propounded by said Clerk respecting the matters herein prescribed and shall exhibit to said Clerk the books, vouchers or other documents of such business, etc and shall subscribe and verify such information so given to said Clerk by affidavit. Such license shall be delivered to the licensee on proper payment being made therefor.

Section 6. All licenses shall be paid for in advance in the legal money of the United States at the office of the City Marshal and a separate license must be obtained for each branch, establishment, or separate place of business, show, exhibition, show or game named in this ordinance which license authorizes the person obtaining it to carry on, pursue or conduct only that business, show, exhibition or game described in such license, and only at the location or place of business which is indicated therein. And no license issued for one class of business, etc, named in this ordinance shall entitle the licensee to carry on any other class separately named but a separate license must be had therefor.

The tax for monthly license in this ordinance provided, shall be due and payable to the City on the first of each month in advance. The quarterly license in this ordinance provided for shall be due and payable to the City on the 15th of January, April, July and October in advance.

When the license herein provided is per week the same shall be due and payable such week in advance.

When the license herein provided is per day the same shall be due and payable each day in advance, and where such license is per year the same shall be due and payable to the City at the time specified in the ordinance providing the same, and when not so specified on the 15th day of October of each year. No greater or less amounts of money shall be charged or received for licenses so issued than is provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided for in this ordinance.

Licenses to  
be exhibited  
Marshal to file  
complaints against  
persons, etc, not  
having licenses, not

Section 7. Every person having a license under the provisions of this ordinance shall place and exhibit the same at all times while in force in some conspicuous part of his or her business where patrons of said business may see the same when in the customary place for dealing with the persons carrying on such business.

Section 8. It is hereby made a duty of the City Marshal to file or cause complaints to be filed against all persons, firms or corporations violating any of the provisions of this ordinance.

conviction + punishment  
to receive from  
payment of license

Section 9. The conviction and punishment of any person for transacting any trade, calling, profession or occupation without a license will not excuse or exempt such person from the payment of any license tax.

City Marshal to  
inspect all persons  
not paying a  
license tax will  
by clerk

Section 10. The City Marshal is hereby required to examine all places of business and persons within the limits of the City of Modesto liable to pay a license tax and to see that such licenses are taken out.

The City Marshal shall make out once a month a list of persons, having no license with their places of business and deliver such list carefully and legibly written to the City Clerk, and also report to the City Clerk the names of all such doing business without a license immediately upon the fact coming to his knowledge.

City Marshal  
to make settle-  
ments to City  
treasurer and  
report to the  
Board of Trustees  
all delinquents

Section 11. The City Marshal of said City shall on or before the first Monday of each month deliver to the City Clerk the delinquent list of licenses uncollected by him for the previous month, and also a list of all persons that have come to his knowledge, or whom he believes not upon the license list, charged with the payment of licenses and shall pay over to the City Treasurer all licenses collected by him in said month, and report the amount thereof to the Board of Trustees of said City of Modesto, together with the amount delinquent at the first meeting of the said Board of Trustees in each month.

Section 12. No license granted or issued under any of the provisions of this ordinance shall be in any manner assignable or transferable, or authorize any person other than is therein mentioned or named to do business or authorize any other business than is therein mentioned or named to be done or transacted, or the business therein named or mentioned to be done or transacted at any place other than is mentioned on said license.

General Pro-  
visions and  
Penalty, etc.

Section 13. It shall be unlawful for any person or persons, whether as principal or principals, agent or agents, clerk or clerks, employe or employes, partner or partners or for any other person or bodies corporate or otherwise, or as officers or corporations to commence, establish, maintain or carry on any business, or to make any show or exhibition to be open, play or offer for play any game, or counsel or assist any of said acts, or any act prohibited by this ordinance, without first having procured a license from said city so to do, and each and every day or fractional part of a day that any of said acts are done or suffered shall be a violation of this ordinance, and such person or persons, agent or agents, clerk or clerks, employe or employes, who shall for themselves or any other person or persons do any of said acts or counsel aid or assist or knowingly or willfully permit the same without first having procured a license when required herein, and any person who does any of the acts prohibited by this ordinance or omits to act required thereby, or who engages in or in any manner assists in in commencing or carrying on anything for which a license is required herein when said license has not been issued and paid for as herein provided whether he does so as principal, agent, servant, employe or otherwise, shall for each violation of this ordinance be deemed guilty of a misdemeanor, and upon conviction by any court having jurisdiction thereof shall be fined therefor in a sum not exceeding \$200.00 or be imprisoned for a term not exceeding 60 days, or shall suffer both such fine and imprisonment in the discretion of the court, and the amount of such license shall be deemed a debt to the said City of Modesto, any any or all such persons, agents, clerks employed or bodies corporate or any of them shall be liable to an action in the name of the City of Modesto, in any court or competent jurisdiction for the amount of such license with costs of suit. Provided, that the payment of a license fee or charge by any person, shall be sufficient defense to any claim against any other person for the same license in any civil action therefor.

Section 14. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 15. This ordinance shall take effect on its passage and publication, but in case any person has heretofore obtained a license for a term not then expired he shall be entitled to a rebate or shall pay the excess as the case may be of license tax for the term or portion of such term after the time of taking effect of this ordinance.

Introduced June 25th, A.D. 1902.

Passed this 2nd day of July, A.D. 1902, by the following vote: -  
Ayes - J. R. Broughton, W. E. Davenport, John Harrison, W. P. Maurer and J. W. Pike. Nays - none.

John Harrison

President of the Board of Trustees to the City of Modesto:

Approved this 2nd day of July, A.D. 1902

John Harrison

President of the Board of Trustees of the City of Modesto

Attest: W. A. Harter, City Clerk

I, W. A. Harter, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 198, entitled "An Ordinance relating to licenses being for sales and the regulation of certain classes of business and certain shows exhibitions and lawful games in the City of Modesto" and that the same has been published according to law.

W. A. Harter

City Clerk

## Ordinance No. 199.

An ordinance to prohibit expectorating upon the floors of public conveyances, public buildings and side walks within the corporate limits of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:-

Section 1. No person shall expectorate on the floor of any public conveyance, or any public building or any sidewalk, in the City of Modesto.

Section 2. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$10 or shall be imprisoned in the City jail for a term not exceeding 5 days, or both such fine and imprisonment.

Section 3. This ordinance shall take effect and be in force on and after its passage and publication.

Introduced June 25th, 1902

Passed this second day of July, A.D. 1902 by the following vote: —  
 Ayes — P. Broughton, W. E. Walcutt, John Harrison, N. S. Mann, and  
 J. H. Pyle      Nays — none

John Harrison, President of the Board of Trustees of the City of Modesto.

Approved this 2nd day of July, A.D. 1902.

John Harrison, President of the Board of Trustees of the City of Modesto.

Attest, W. A. Carter, City Clerk

W. A. Carter, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 199 entitled "An Ordinance to prohibit expectorating upon the floors of public conveyances, public buildings and sidewalks within the corporate limits of the City of Modesto" and that the same has been published according to law.

W. A. Carter  
 City Clerk

Ordinance No. 200

An ordinance requiring connections to be made with sewer system of the City of Modesto

The Board of Trustees of the City of Modesto do ordain as follows: -

Section 1. Each person or persons owning premises in the City of Modesto, where such premises abuts any alley or street, through which any main or branch sewer is laid, and which said premises are occupied for either residence or business purposes, shall, within 60 days from the passage, approval and publication of this ordinance, or in case such premises are not so occupied, then within 60 days after such occupation, connect said premises, and each building thereon occupied as aforesaid, with said sewer system, and such connection shall be made in accordance with the ordinances regulating connections with the sewer system of the said city.

Section 2. In case any person shall fail or neglect to comply with the provisions of this ordinance, said work shall be done by and under the supervision of the Marshal of the City of Modesto, and all expenses incurred therein for materials furnished and labor performed shall become and be a lien upon the lands and premises affected and which shall be foreclosed in accordance with the provisions of the Code of Civil Procedure of this State.

Such suit shall be in the name of the City as plaintiff.

Upon the filing of a complaint in the Superior Court to enforce such lien, the plaintiff shall be entitled, if a recovery be had, or the money be paid subsequent to the filing of such complaint, to include as costs the sum of fifty dollars as attorney's fees.

Section 3. Whenever the sewer system is extended beyond the present limits, the property adjacent to such extension shall be subject to the provisions of this ordinance, and connections shall be made within 60 days after the completion of such extension.

Section 4. Any failure or neglect to comply with the provisions of this ordinance shall be a misdemeanor, and be prosecuted and punished as such under the general provisions of law, and the ordinances of this city regarding misdemeanors.

Introduced July 16, 1902

Passed this 6th day of August, A.D. 1902 by the following vote

Ayes: J. P. Broughton, W. E. Saunt, John Harrison, J. M. Pike,  
 H. S. Mann.  
 Ayes: None

John Harrison, President of the  
 Board of Trustees of the City of Modesto

Approved this 6<sup>th</sup> day of August, A.D. 1902

John Harrison, President of the  
 Board of Trustees of the City of Modesto.

Attest, W. A. Harten, City Clerk

I, W. A. Harten, City Clerk of the City of Modesto do hereby  
 certify that the foregoing is a true and correct copy of  
 Ordinance No 200, entitled "An Ordinance requiring connections  
 to be made with sewer system of the City of Modesto" and  
 that the same has been published according to law  
 W. A. Harten  
 City Clerk

Ordinance No 201

An Ordinance to Amend Section 1, Subdivision 25 thereof, Ordinance No. 198

The Board of Trustees of the City of Modesto do ordain as follows:-

Section 1. Section No. 1, Subdivision No. 26, is hereby amended to read as follows:-

Sec. 1. Subdivision 26. Hawking, peddling or itinerant-vending of any goods, wares, merchandises, articles or commodities, or canvassing for the sale or disposal of the same with or without samples. Those who sell articles over the paid sum of \$20<sup>00</sup>, the sum of \$50<sup>00</sup> per month.

Introduced August 6, 1902.

Passed the 3rd day of September, A. D. 1902, by the following vote:-

Ayes - J. R. Broughton, G. E. Daunt, John Harrison, A. S. Mann, J. W. Park  
Nays - None.

John Harrison  
President of the Board of Trustees  
of the City of Modesto

Approved this 3rd day of September, A. D. 1902.

John Harrison,  
President of the Board of Trustees  
of the City of Modesto

Attest - W. A. Harten  
City Clerk

I W. A. Harten, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 201, entitled 'An Ordinance to amend Section 1, Subdivision 25 thereof, Ordinance No 198' and that the same has been published according to law.

W. A. Harten  
City Clerk

## Ordinance No 202

An Ordinance fixing the rate of taxation in and for the City of Modesto for the years, 1902, 3.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The rate of taxation for the years 1902 and 1903 in and for the City of Modesto shall be and is hereby fixed as follows, to-wit:

For General Fund: Seventy cents on each one hundred dollars value of all property taxable for city purposes. 70

For Bond Redemption and Interest Fund  
Seventy cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

The aggregate of which sum to-wit: One dollar and forty cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1902 on all property taxable in said city for city purposes, is hereby levied and apportioned to and shall be paid into the above named funds respectively, of said city.

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced Sept 3<sup>rd</sup> AD 1902.

Passed this 17<sup>th</sup> day of Sept AD 1902, by the following vote:

Aye J. A. Broughton, W. E. Daunt, John Harrison, W. Schann  
None None Absent J. M. Pitts

John Harrison, President of the Board of Trustees of the City of Modesto.

Approved this 17<sup>th</sup> day of September AD 1902

John Harrison President of the Board of Trustees of the City of Modesto. Attest: W. A. Harten, City Clerk.

W. A. Harten, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 202, entitled An Ordinance fixing the rate of taxation in and for the City of Modesto for the year 1902-3, and that the same has been published according to law.

W. A. Harten, City Clerk.

Ordinary No 203

An Ordinance to amend Section 1 Subdivision No 17 thereof of Ordinance No 198.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1 Section 1 Subdivision No 17 of Ordinance No 198 is hereby amended to read as follows.

Section 1 Subdivision 17 Laundries the sum of \$5<sup>00</sup> per quarter  
Canvassing for laundries, soliciting business or custom for laundries, acting as agent for laundries, or taking orders for laundries, or collecting washing or soliciting orders for same, the sum of \$5<sup>00</sup> per quarter

Section 2 This ordinance to be in force and effect from and after its passage and publication

Introduced Sept 3<sup>rd</sup> AD 1902

Passed this 17<sup>th</sup> day of September AD 1902 by the following vote  
Ayes - J R Draughton, W E Dault, John Harrison, W S Mann  
Nays None Present, J M Day

John Harrison, President of the Board of Trustees of the City of Modesto.

Approved this 17<sup>th</sup> day of September AD 1902

John Harrison, President of the Board of Trustees of the City of Modesto.

Attest W A Carter, City Clerk

I, W A Carter, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 203, entitled "An Ordinance to amend Section 1, Subdivision No 17 thereof of Ordinance No 198", and that the same has been published according to law.

W A Carter, City Clerk

Ordinance No. 204.

An Ordinance to amend Section 1, Subdivision 10 of Ordinance No. 198 relating to licenses etc.

The Board Of Trustees of the City of Modesto Do Ordain as Follows—

Section 1. Section 1, Subdivision No. 10 of ordinance No. 198 is hereby amended to read as follows—

Section 1, Subdivision 10. The selling or dispensing of intoxicating liquors, at any place or in any other manner, or for any other purpose than set forth in Subdivision 7 of Ordinance No. 198, the sum of \$500 per quarter.

Section 2. This ordinance to take effect and be in force from and after its passage and publication.

Introduced November 17<sup>th</sup> 1902.

Passed the 3<sup>rd</sup> day of December, A. D. 1902 by the following vote:  
Ayes, J. R. Droughton, W. C. Dault, W. S. Mann, J. M. Pike  
Nays, None.

J. R. Droughton, President of the Board of Trustees of the City of Modesto.

Approved this 3<sup>rd</sup> day of Dec. A. D. 1902.

J. R. Droughton, President of the Board of Trustees of the City of Modesto.

Attest, W. A. Hunter City Clerk.

J. A. Hunter City Clerk of the City of Modesto do hereby certify that the foregoing ordinance is a true and correct copy of Ordinance No. 204 entitled "An Ordinance to amend Section 1, Subdivision 10 of Ordinance No. 198 relating to Licenses etc." and that the same has been published according to law.  
J. A. Hunter, City Clerk.

# Ordinary No 205

An Ordinary amending Sections 1 and 10 of Ordinary No 172, fixing the rates to be collected and paid for water on and after July 1<sup>st</sup> 1903.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Section 1 of Ordinary No 172 is hereby amended to read as follows:

## Section 1. Schedule

Subdivision 1.	For tenements occupied by a single family or private boarding house	\$ 0.60
Subdivision 2.	For restaurants, chop houses and eating houses	1.20
Subdivision 3.	For hotels having not more than 12 beds For each additional bed for guests	1.50 0.50
Subdivision 4.	For lodgings not to exceed four beds For each additional bed for lodgers Provided that families occupying rooms in hotels or lodging houses during their own evening, shall be separately rated	80 00
Subdivision 5.	For stores, shops or other business places on ground floor	30
Subdivision 6.	For offices on ground floor	20
Subdivision 7.	For warehouses each	30
Subdivision 8.	For saloons where liquors are sold, each For saloons where lunches are served and drinks, fuel or other things, in addition to the above	1.20 30

- Submission 9 For beer-bottling establishments
- Submission 10 For public bathtubs used in bathing establishments or barber shops, for one tub  
For each additional tub
- Submission 11 For barbers, in addition to family rates, for each 25 barrels of flour or fraction thereof used per month
- Submission 12 For drug stores, each
- Submission 13 For blacksmith and wagon shops
- Submission 14 For livery feed and sale stables  
For feed and sale stables
- Submission 15 For brewers, each
- Submission 16 For building and plastering, for water used by plasterers for slacking, each barrel of lime, plaster or cement  
For water used by bricklayers to make mortar or dampen brick, for each 1000 bricks laid
- Submission 17 For barber shops for one chair  
For each additional chair
- Submission 18 For laundries and washhouses, for first man employed as washer  
For each additional man employed as washer
- Submission 19 For candy stores where candy is made
- Submission 20 For coffee or ice cream saloons or livery houses provided where tea or coffee of these business are carried on in the same establishment but one rate shall be charged, each

Subdivision 21	For fountains or other fountains, in addition to other rates when included in an annual rate, that is to say, when such water is paid for during the whole year, each	50
	When not so included	60
Subdivision 22	For dental rooms	30
Subdivision 23	For photograph galleries	120
Subdivision 24	For furnishing of fire, work by Party & Worthy	40
		90
Subdivision 25	For paint shops, each	60
Subdivision 26	For use of water for manufacturing gas	360
	For use of water for private gas machines	50
Subdivision 27	For planing mills, where gas by engine only is used.	60
Subdivision 28	For upper stories occupied as offices, for each person or firm occupying not more than three rooms	20
	For each additional room	20
	When occupied by families as lodgings only, office rates, cleaning, family rates which rates must be aggregated for the whole building and in each instance paid by the owner or agent	
Subdivision 29	For the use of water in lodger rooms when used on an average of 100 lbs per night in each week	10
	For each additional night	10
Subdivision 30	For use of water on croquet or tennis grounds	20
Subdivision 31	For bath shops	60
Subdivision 32	For theaters or doughnuts, each	30

Subdivision 33 For the use of water in soda factories 120

Subdivision 34 For the use of water for the county courthouse, including irrigation for the whole of block No. 33, including water for gas making 300

Subdivision 35 For the use of water in that portion of the city known as Chinatown comprising Block No. 45 and lot 1 in block 31 120

### Irrigation.

Subdivision 36 For the irrigation of a lot or part of a lot of 20 feet by 100 feet as laid off on the official maps of the City of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year

For the irrigation of each lot or fraction of a lot, when taken in connection with a family rate on the same premises during the pleasure of the owner

For the irrigation of premises otherwise unoccupied when an annual rate is desired and which rate must be paid each month during the entire year for each lot or fraction of a lot

For the irrigation of a lot or part of a lot 20 feet by 100 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa, nursery stock, or exclusively for market gardening, which rate must be paid for the entire year

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of water when such water is used and paid for during the entire year, or such

portion thereof, as water may or might be required for the purposes indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the remainder of said year for the same or similar purpose or purposes to that for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed as above, as the annual rate for such use.

### Meter Rates.

Subdivision 37 For water to be ascertained by meter or otherwise for each 1000 gallons 20

Subdivision 38 For steam engines or any other uses not herein before specified, meter rates must be paid, or in lieu thereof such rates or amount as upon application of the parties interested and the Board of Trustees may fix by special order.

Subdivision 39 For use of water for creamery or other use of navigation 200

Subdivision 40 For use of water for the manufacturing of brick for each 1000 bricks 50

Section 2 The rates herein fixed are made payable by the owner or agent of the premises affected, and when there are more than one occupant on same premises, and each occupant subject to a special rate, the rates to be aggregated and collected from the said owner or agent.

Section 3 Section 10 of said Ordinance No 172 is hereby amended to read as follows:

Section 10 The foregoing schedule of rates shall take effect on the first day of July 1895.

Section 1 Section 2 of this Ordinance shall take effect  
and be in force on and after July 1<sup>st</sup> AD 1903

Introduced February 11<sup>th</sup> 1903

Passed this 15<sup>th</sup> day of February, AD 1903, by the following vote:  
Ayes, J. R. Broughton, W. S. Gann, J. M. Lutz  
Nays, None. Absent, W. S. Mann  
J. R. Broughton, President of the Board of  
Trustees of the City of Modesto.

Approved this 18<sup>th</sup> day of February AD 1903.  
J. R. Broughton, President of the Board of  
Trustees of the City of Modesto  
W. S. Gann, City Clerk.

I, W. S. Gann, City Clerk of the City of Modesto do hereby  
certify that the foregoing is a true and correct copy of  
Ordinance No 205 entitled An Ordinance amending Sections  
1 and 10 of Ordinance No 172, fixing the rates to be collected and  
paid for water on and after July 1<sup>st</sup> 1903, and that the same  
has been published as required by law.  
W. S. Gann, City Clerk

Ordinance No. 206.

An Ordinance amending Section 7, relating to the hours for use of water for Irrigation.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Section 7 of Ordinance No. 171 of the City of Modesto is hereby amended so as to read as follows: to-wit:-

Section 2. It is hereby ordered that Water supplied by the City of Modesto, for the purpose of Irrigation, shall only be used during the following hours, to-wit:- From 5 o'clock A. M. to 8 o'clock A. M., and from 5 o'clock P. M. to 8 o'clock P. M.

Section 3. This ordinance shall take effect on the first day of June A. D. 1903.

Introduced May 6<sup>th</sup>, A. D. 1903.

Passed May 20<sup>th</sup>, A. D. 1903 by the following votes:

Ayes - J. R. Broughton, N. E. Daunt, K. Hart and W. C. Kerwin.

Noes - None.

Absent - J. M. Pike.

J. R. Broughton  
President of the Board of Trustees, City of Modesto.

Modesto.

Approved this 30<sup>th</sup> day of May, A. D. 1903.

J. R. Broughton, President  
of the Board of Trustees, City of Modesto.

Attest A. S. Dingley, City Clerk.

I, A. S. Dingley, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 206 entitled an Ordinance amending Section 7 of Ordinance No. 171 of the City of Modesto relating to the hours for use of water for Irrigation in and after the 1<sup>st</sup> day June A. D. 1903 and that the same has been published as required by law.

A. S. Dingley, City Clerk.

## Ordinance No. 207.

An Ordinance amending Ordinance No. 198, by amending Section 3, relating to Petition for Saloon License.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Section 3 of Ordinance No. 198 of the City of Modesto is hereby amended so as to read as follows, to-wit:-

Section 3. Every person desiring or intending to commence, establish, maintain or carry on any business, or to make any show or exhibition, or play or offer for play any game, in this ordinance referred to, shall before doing any of said acts, make written application for a license therefor, and file the same with the City Clerk.

## Application for License.

Such application shall be made on the forms therefor furnished by said Clerk, and shall state the facts necessary and proper to be stated in such license, and all the facts necessary and proper to be known before such license is issued, and shall be verified by the affidavit of the applicant.

A like application shall be made and filed whenever a new license is required before the same is required. Said application shall also state the location of the business, exhibition, show or game proposed, and the full name and residence of every person by whom the same is to be maintained, the character thereof and the time the same is to be continued, and in case the rate of license tax is fixed by the amount of business, such application shall state the amount of such business done in the current or preceding license period as well as that intended or expected to be done in the period for which such application is made.

## Petition for Saloon License.

In the case of the first application for a license for selling liquors in Saloons as prescribed by Sub-section 7 of Section 1 hereof said application shall also be accompanied by a deposit of \$500 to cover the expenses of advertising and a petition requesting

The Board of Trustees to grant him a license for such purpose. Said petition shall specify the Block and place where the business is proposed to be opened and maintained, and be endorsed by the owners of a majority of the frontage of real estate in the block fronting on the side or face of the block in which the proposed business is to be conducted; provided however, that when such place is located at the corner of the block, then said petition shall be signed by the owners of a majority of the frontage fronting on the two or faces of the block which sides intersect at said corner, that is to say, a majority of the frontage on each side counted separately.

Upon filing said petition so endorsed the clerk shall give notice by publication for at least four consecutive days in a daily newspaper printed and published in the City of Modesto stating the name of the applicant, the names of his endorsers, the place where said business is to be opened or maintained, notifying all persons having any valid reason why said petition should not be granted to file their objections in writing with the City clerk on or before the meeting of the Board of Trustees next succeeding the completion of the publication.

Any excess of the deposit over the amount paid for advertising shall be returned to the applicant.

When objection is made to the granting of any petition, the Board of Trustees shall fix a day for hearing said matter, and the clerk shall notify the applicant and said objectors that at the time and place fixed the Board of Trustees will hear testimony for and against granting said petition.

Whether objection be made or not, the Board of Trustees shall hear and determine the application and grant or refuse the same as in its judgement may be proper and if such application be granted shall order a license to be issued to him upon his filing a bond payable to the City of Modesto in the penal sum of \$1,000.00 approved by the President of the Board of Trustees with two good and sufficient sureties, who shall justify before some person competent to administer an oath, in double the amount mentioned in said bond, over and above statutory exemptions in property situated in the City of Modesto.

said bond shall be conditioned that the principal therein named while carrying on said business at the place mentioned in his endorsed application will not permit on said premises any breach of the peace or disorderly conduct; nor permit any games prohibited by law to be played, nor sell or give away any wine, beer or intoxicating liquors to any habitual or common drunkard or any person already intoxicated or under the age of legal majority, nor permit any minor to frequent such place. On the breach of such bond any person injured thereby shall have a right of recovery thereon.

The provisions herein requiring petitions and bonds shall apply only to the first applications and to see each annual application thereafter.

The Board of Trustees do hereby expressly reserve the right to revoke for good cause any and all licenses issued after the licensee has been granted an opportunity to be heard in his own behalf.

No license shall be issued to any person who is not a person of good moral character, of temperate habits as to the use of intoxicating liquors and who is not a suitable person in other respects to maintain a saloon where intoxicating liquors are dispensed.

Upon a refusal by the Board of Trustees to grant to any person a license to carry on the business of saloon keeping mentioned herein, such person shall not again apply for or be granted a license within three months from the date of such refusal.

Section 3. This Ordinance shall take effect and be in force on and after its passage and publication.

Introduced May 6th A. D. 1903.  
 Passed May 20th, A. D. 1903 by the following vote:-  
 Ayes - J. R. Broughton, W. E. Daurin, H. Hart and  
 W. E. Skewin

Nays - None.

Absent - J. M. Pike.

J. R. Broughton, President  
 of the Board of Trustees of  
 the City of Modesto.

Approved this 20th day of May A. D. 1903.

J. R. Broughton, President of the  
 Board of Trustees of the  
 City of Modesto.

Attest: A. S. Dingley,  
 City Clerk.

## Ordinance No. 208.

An ordinance fixing the rate of taxation in and for the  
city of Modesto for the years, 1903-4.

The Board of Trustees of the city of Modesto. Do  
Organize, as follows:

Section 1. The rate of taxation for the years 1903 and 1904  
in and for the City of Modesto shall be and is hereby fixed  
as follows, to-wit: -

For General Fund: Fifty-five (55) cents on each one  
hundred dollars value of all Property taxable for city purposes.

For Bond Redemption and Interest Fund - Seventy (70)  
cents, on each one hundred dollars value of all Property  
taxable for the redemption of Bonds and the payment of  
interest that shall accrue during the present fiscal year.

The aggregate of which sum, to-wit: -

One dollar and twenty-five cents on each one hundred  
dollars value as determined by the equalized assessment roll  
for the year of 1903 on all property taxable in said city for city  
purposes, it is hereby levied and apportioned to and shall be  
paid into the above named funds, respectively, of said city.

Section 2. This ordinance shall take effect and be in  
force from and after its passage and publication.

Introduced September 2nd, A.D. 1903 by Trustee W. E. Daunt.

Passed September 16<sup>th</sup>, 1903, by the following vote:

Ayes - J. A. Broughton, W. E. Daunt, H. Rodet.

Noes - None.

Absent - J. M. Pike, W. E. Keenan.

J. A. Broughton, President of the Board of Trustees of  
the City of Modesto.

Approved this 16<sup>th</sup> day of September, A.D. 1903.

J. A. Broughton, President of the Board of Trustees of  
the City of Modesto.

Attest: A. S. Dingley, City Clerk.

Ordinance No. 409.

An Ordinance granting to the Stanislaus Milling and Power Com-  
pany, its successors and assigns, the right, privilege, permission  
and franchise to construct, erect, maintain and operate for the period  
of twenty-five years along, across and over the streets, avenues,  
alleys, lanes, places, courts and thorough fares of the City  
of Modesto, poles, masts and other appliances, and to lay down  
maintain and operate along and under the said streets, avenues, alleys,  
lanes, places, courts and thorough fares, wires and other conductors  
of electrical current underground, for the transmission of electrical  
current for the purpose of furnishing electric light and lighting  
to the City of Modesto, State of California, and to the inhabitants  
there of.

Whereas, all notices required by law have been duly given,  
and all matters, acts and things precedent to the granting of the  
franchise and privilege hereinafter set forth have heretofore  
been had and performed in due form of law:

And whereas, due compliance has been had with all matters  
required by law.

Now therefore, be it ordained by the Board of Trustees of the City of  
Modesto, as follows:

Section I - The right, privilege, permission and franchise is  
hereby granted unto Stanislaus Milling and Power Company, a corporation  
organized and existing under and by virtue of the laws of the State  
of California, and to its successors in interest and design, in as  
far as it lies within the power of the City of Modesto to grant the same,  
to wit for the term of twenty-five years from the date of the passage  
of this ordinance, the streets, avenues, alleys, lanes, places, and courts  
and thorough fares of the City of Modesto, County of Stanislaus, State of  
California, and to that end the said Stanislaus Milling and Power  
Company, its successors in interest and assigns, in as far as  
it lies within the power of the City of Modesto to grant the same,  
is hereby granted the right, privilege, permission and franchise, along,  
across and over the streets, avenues, alleys, lanes, places, courts and  
thorough fares of the said City of Modesto, to construct, erect, maintain  
and operate such poles, masts and other superstructures as it may  
deem necessary and to suspend therefrom wires and other appliances  
to conduct and transmit electrical current for the purpose of  
furnishing electric light and lighting to the said City of Modesto and  
to the inhabitants thereof, and to lay down, maintain and operate  
along and under the said streets, avenues, alleys, lanes, places,  
courts and thorough fares, wires and other conductors of electrical  
current underground, in such conduct, with reasonable



~~When ever said company, its successors in interest or assigns shall disturb any of the said streets, avenues, alleys, lanes, places, courts and thoroughfares in said City of Modesto for the purpose of erecting and maintaining poles or other supports for said wires or for the purpose of laying down, maintaining or operating wires or other conductors - underground, for the purpose aforesaid - when ever said Company, its successors in interest or assigns shall disturb any of the said streets, avenues, alleys, lanes, places, courts and thoroughfares for the purpose aforesaid, it shall repair the same and put the same in as good order and condition as the same were before being so disturbed, and without unnecessary delay -~~

Section VI - Nothing in this ordinance shall be so construed as to any wise prevent the property owners of said City of Modesto from sewerage, grading, paving, planing, or repairing any of the streets, avenues, alleys, lanes, places, courts and thoroughfares of said City -

Section VII - This Ordinance shall be of no effect to vest the rights and privileges herein granted unless the said Company shall, within thirty days after the passage thereof, file in the office of the City Clerk of the City of Modesto, an unconditional acceptance thereof -

Section VIII - This ordinance shall take effect and be in force from and after its final passage -

~~W. E. Hunt~~

This is to certify that Ordinance No. 219 was passed to print by the Board of Trustees of the City of Modesto on the 16th day of December, 1903, by the following vote:  
 Aye - J. R. Broughton, H. West, W. E. Hunt and W. E. Hunt -  
 Nay - None -  
 Absent - J. M. Pike -  
 Modesto, Cal., December 16, 1903 -

J. R. Broughton -  
 President of the Board of Trustees -  
 of the City of Modesto

Approved this 16th day of December, 1903 -  
 J. R. Broughton -

President of the Board of Trustees -  
 of the City of Modesto -

Attest - H. C. Thompson, City Clerk

H. C. Thompson, City Clerk of the City of Modesto, do hereby certify

That the foregoing is a true and correct copy of Ordinance No 207 Entitled "An Ordinance granting to the Stanislaus Milling and Power Company, its successors and assigns, the right, privilege, permission and franchise to construct, erect, maintain and operate for the period of twenty-five years along, across and over the streets, avenues, alleys, lanes, places, courts, and thoroughfares of the City of Modesto, poles, masts and other appliances; and to lay down maintain and operate along and under the said streets, avenues, alleys, lanes, places, courts and thoroughfares, wires and other conductors of electrical currents underground for the transmission of electrical current for the purpose of furnishing electric light and lighting to the City of Modesto, State of California, and to the inhabitants thereof.

W. C. Thompson  
City Clerk

## Ordinance No. 256

An ordinance granting to the Stanislaus Milling and Power Company, its successors and assigns, the right, privilege, permission and franchise to construct, erect, maintain and operate for the period of twenty-five years, along, across and over the streets, avenues, alleys, lanes, places, courts and thoroughfares of the City of Modesto, poles, masts and other appliances, and to lay down, maintain and operate along and under the said streets, avenues, alleys, lanes, places, courts and thoroughfares, wires and other conductors of electrical current underground for the transmission of electrical current for the purpose of furnishing electric heat and power to the City of Modesto, State of California, and to the inhabitants thereof.

Whereas, all notices required by law have been duly given, and all matters, acts and things precedent to the granting of the franchise and privilege hereinafter set forth have heretofore been had and performed in due form of law;

And whereas, due compliance has been had with all matters required.

Now therefore, be it ordained by the Board of Trustees of the City of Modesto as follows:

Section I The right, privilege, permission and franchise is hereby granted unto Stanislaus Milling and Power Company, a corporation organized and existing under and by virtue of the laws of the State of California and to its successors in interest and assigns, in so far as it lies within the power of the City of Modesto to grant the same, to use, for the term of twenty-five years from the date of the passage of this ordinance, the streets, avenues, alleys, lanes, places, courts and thoroughfares of the City of Modesto, County of Stanislaus, State of California, and to erect and the said Stanislaus Milling and Power Company, its successors in interest and assigns, in so far as it lies within the power of the City of Modesto to grant the same, is hereby granted the right, privilege, permission and franchise, along, across and over the streets, avenues, alleys, lanes, places, courts and thoroughfares of the City of Modesto, to construct, erect and maintain and operate such poles, masts and other superstructures as it may deem necessary, and to suspend therefrom wires and other apparatus to conduct and transmit electrical current for the purpose of furnishing electric heat and power to said City of Modesto and to the inhabitants thereof; and to lay down, maintain

and operate along and under the said streets, avenues, alleys, lanes, places, courts and thoroughfares - wires and other conductors of electrical current underground - in such conduits - with man holes - as may be proper for the purpose of constructing - erecting and operating a general electric light and power system -

Sec. II. Said wires or other conductors of electrical current shall be strung or hung sufficiently high and its poles shall be placed and maintained so as not to interfere with trade, traffic or travel on said streets, avenues, alleys, lanes, places, courts or thoroughfares - and all wires and other conductors placed underground shall be in safe pipes or conduits at such depth and position as not to interfere with the free use of any said streets, avenues, alleys, lanes, places, courts and thoroughfares, and said company and its successors and assigns shall hold said City free and harmless from all damages arising by reason of said occupancy -

Sec. III. The erection, constructing and placing of all poles, masts and other superstructures - and the laying down of all pipes or conduits for wires or other conductors - shall be subject to the reasonable direction of the Superintendent of Streets of said City or other officer in control thereof - and under such regulations as the municipality may prescribe for damages and indemnity for damage - Said pipes and conduits shall be so laid down as not to interfere with or obstruct any system - sewer, gas or water pipe belonging to said City - or to any other person, firm or corporation now existing or laid down by authority of law -

Sec. IV. All poles or masts shall be painted or pulled and kept well painted.

Sec. V. Whenever said company, its successors in interest or assigns cease to operate said electric light and power system in said City of Modesto and cease to use the said poles and wires - herein provided for, in the operation of its said system - then said company shall remove said poles and wires from the streets, avenues, alleys, lanes, places, courts and thoroughfares of the said City within sixty days from the date that the said company shall cease to use and operate said system, except such ceasing to operate be on account of fire, strikes or acts of the elements or accidents, if not removed then, said poles and wires shall be come the property of said City.

Sec. VI. It shall be lawful for said Company, its successors in interest or assigns, to make all such

and eminent excavations in any of said streets-avenues-alleys-lanes-places-courts and thorough fares in said city of Modesto for the purpose of erecting and maintaining poles or other supports for said wires-or for the purpose of laying down-maintaining or operating wires or other conductors underground for the purpose aforesaid. Whenever said company, its successors or assigns, shall disturb any of the said streets-avenues-alleys-lanes-places-courts and thorough fares-for the purpose aforesaid, it shall repair the same and put the same in as good order and condition as the same were before being so disturbed, and without unnecessary delay.

Sec VII. Said grantee, or its successors or assigns, shall during the life of said franchise, pay to the said City of Modesto two per cent of the gross annual receipts of said grantee - its successors or assigns - arising from the use - operation and possession of said franchise. No such or any percentage shall be paid for or during the first year next succeeding the date of the said franchise but thereafter such percentage shall be payable annually.

Sec VIII. Nothing in this Ordinance shall be construed so as to in any way prevent the property owners of the said City of Modesto from sewerage-grading-paving flagging or repairing any of the streets-avenues-alleys-lanes-places-courts and thorough fares of said City -

Sec IX. This ordinance shall be of no effect to vest the rights and privileges herein granted unless the said company shall, within thirty days after the passage hereof, file in the office of the City Clerk of the City of Modesto, an unconditional acceptance thereof.

Sec. X. This ordinance shall take effect and be in force from and after its final passage.

Introduced January 6<sup>th</sup> A. D. 1904.

This is to certify that Ordinance No 212 was passed by the Board of Trustees of the City of Modesto on the 20<sup>th</sup> of Jan 1904 by the following vote  
Aye - J. R. Broughton, W. E. Stewart and H. Hart -  
None None -

Absent - J. M. Pike and W. E. Keown -

J. R. Broughton

Pres. of the Board of Trustees of the City of Modesto -

Approved this 20<sup>th</sup> day of January A. D. 1904

President of the Board of Trustees of the City of Modesto

Attest: W. A. Thompson City Clerk

66

I W. O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 210 Entitled An Ordinance granting to the Stanislaus Milling and Power Company, its successors and assigns the right, privilege, permission and franchise to construct, erect, maintain and operate for the period of twenty-five years along, across and over the streets, avenues, alleys, lanes, places, courts and thoroughfares of the City of Modesto, poles, masts and other appliances, and to lay down, maintain and operate along and under the said streets, avenues, alleys, lanes, places, courts and thoroughfares wires and other conductors of electrical current under ground for the transmission of electrical current for the purpose of furnishing electric heat and power to the City of Modesto, State of California, and to the inhabitants thereof.

W. O. Thompson

City Clerk -

WATER ORDINANCE

Ordinance No. 211

An Ordinance amending Sections I and III of Ordinance No. 205 and fixing the rates to be collected and paid for water on and after July 1st A. D. 1904.

The Board of Trustees of the City of Modesto do ordain as follows -

Sec. I Section I of Ordinance No. 205 is hereby amended so as to read as follows -

Sec I - Schedule -

Subdivision I.	For tenements occupied by a single family or private boarding house	80.75
Subdivision II.	For restaurants, chop houses and eating houses	1.50
Subdivision III.	For Hotels not having more than 12 beds -	2.00
Subdivision IV.	For lodging houses not to exceed five beds For each additional bed for lodgers	.05 1.00 .05
Provided, that families occupying rooms in hotels or lodging houses doing their own cooking, shall be separately rated		
Subdivision V.	For stores, shops or other business places on ground floor - not separately rated for each 25-foot front or fraction thereof - provided that for corner stores only one frontage shall be charged	1.30
Subdivision VI.	For offices on ground floor	.30
Subdivision VII.	For warehouses - each	.30
Subdivision VIII.	For saloons where spirituous liquors or malt liquors are sold, each	1.30
Subdivision IX.	For saloon where lunches are cooked and served for or other wine in addition to, above	.30
Subdivision X.	For beer bottling establishment	1.00
Subdivision XI.	For public bath tub used in bathing establishments or barber shops - for one tub For each additional tub	.75 .30
Subdivision XII.	For bakeries in addition to family rates, for each 25 barrels of flour or fraction thereof used per month	.75
Subdivision XIII.	For drug store each	.75
Subdivision XIV.	For blacksmith and wagon shops	.75
Subdivision XV.	For heavy feed and sale stables For feed and sale stables	5.00 2.50
Subdivision XVI.	For breweries, each	2.25
Subdivision XVII.	For building and plastering for water used by plasterers for slacking each barrel of lime, plaster or cement used	.15

- For water used by bricklayers to make mortar or dampen brick. for each 1000 brick laid.
- Sub-division XVII For barber shops. for one chair -  
For each additional chair
- Sub-division XVIII For laundries and washhouses. other than steam laundries.
- Sub-division XIX For candy stores where candy is made
- Sub-division XX For coffee or ice cream saloons or tample houses [provided where two or more of these businesses are carried on in the same establishment. but no rate shall be charged] each
- Sub-division XXI For soda or other fountains. in addition to other rates when included in the annual rate. that is to say. when such water is paid for during the whole year. each  
When not so included
- Sub-division XXII For dental parlors
- Sub-division XXIII For photograph galleries
- Sub-division XXIV For printing offices. weekly  
Daily and weekly
- Sub-division XXV For use of water for manufacturing gas  
For use of water for private gas machines
- Sub-division XXVI For paint shop. each
- Sub-division XXVII For planing mills. where gasoline engines only is used.
- Sub-division XXVIII For upper stories occupied as offices. for each person or firm occupying not more than three rooms.  
For each additional room.  
When occupied by families as lodgings only. office rates other than family rates. Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.
- Sub-division XXIX For the use of water in lodge rooms
- Sub-division XXX For steam laundries
- Sub-division XXXI For butcher shop.
- Sub-division XXXII For structure or dows halls. each
- Sub-division XXXIII For use of water in soda factories
- Sub-division XXXIV For the use of water for the county court house including irrigation for the whole of Block No. 53
- Sub-division XXXV For the use of water in that portion of the City known as "Chinatown" comprising Blk. No 45 and lot 2 in Blk 51

Irrigation -

Sub-division XXXVI For the irrigation of a lot or part of a lot of 25 feet by 140 feet as laid off on the official map of the City of Modesto - when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year -

For irrigation of each lot or fraction of a lot when taken in connection with a family rate on the same premises [which rate must be paid for the entire year] during the pleasure of the owner

For the irrigation of premises other wise unoccupied when an annual rate is desired and which rate must be paid each month during the entire month for each lot or a fraction of a lot

For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa nursery stock or exclusively for market gardening, which rate must be paid for the entire year

The rates above fixed for the use of water (except other wise specially provided) are the rates to be paid per month for the use of water where such water is used and paid for during the entire year or such portion thereof as water may or ought to be required for the purposes indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the remainder of such year for the same or similar purpose or purposes for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed as above, as the annual rate for such use -

#### Meter Rates.

Sub-division XXXVII For water, to be ascertained by meter or other wise, for each 100 gallons -

Sub-division XXXVIII For steam engines or any other use not here in before specified, meter rates must be paid or in lieu thereof such rate a amount as upon application of the parties interested and the Board of Directors fix by special order -

Sub-division  $\overline{XX \times VIX}$  For use of water for creamery  
 Sub-division  $\overline{XL}$  For use of water for the manufacture of brick  
 for each 1000 bricks

This relates  
 back to  
 Ord 201-

Sec II - The rates herein fixed are made payable by the owner or agent of the premises affected, and when there are more than one occupant on same premises and each occupant subject to a separate rate - the rates to be aggregated and collected from the said owner or agent.

Sec II. Sec 3 of Ordinance No. 205 is hereby amended so as to read as follows:

Sec III - The foregoing schedule of rates shall take effect and be in force on and after the first day of July A. D. 1904.

Introduced February 3<sup>rd</sup>. 1904 -

Passed this 17<sup>th</sup> day of February A. D. 1904 by the following vote -

Ay. J. R. Broughton, W. E. Waunt, H. Hart and W. E. Keiron.  
 Opp. None  
 Absent: J. M. Pike -

J. R. Broughton -  
 President of the Board of Trustees of the City of Modesto -

Approved this 17<sup>th</sup> day of February A. D. 1904

J. R. Broughton -  
 President of the Board of Trustees of the City of Modesto -

Attest: W. O. Thompson -  
 City Clerk.

Ordinance No. 212.

An Ordinance to amend Section I of Ordinance No. 194 relating to establishing and maintaining fire limits etc -

The Board of Trustees of the City of Modesto do ordain as follows.

Section I. Section I of Ordinance No. 194 is here by amended to read as follows:-

Section I. The fire limits within said City are here by established and the same shall be hereafter maintained as comprising the lands included within a line extending around and including the territory comprised in blocks Nos 54, 55, 56 and 69, the south-west end half (1/2) of Block 68, and the north-east end half (1/2) of Block 70.

Section II. This Ordinance shall take effect and be in force from and after its passage and publication -

Introduced - April 20th 1904

Passed the 4th day of May A. D. 1904 by the following vote:  
Ayes - J. R. Broughton, A. W. Brown, J. E. Drake and Chas. Post  
Nays - None -

J. R. Broughton.

President of the Board of Trustees of the City of Modesto.  
Approved the 4th day of May A. D. 1904.

J. R. Broughton.

President of the Board of Trustees of the City of Modesto.

Attest - W. O. Thompson -  
City Clerk -

Ordinance No. 213.

An Ordinance repealing Ordinance No. 162 appointing fire Marshal Street Superintendent fixing salary and defining his duties as such.

The Board of Trustees of the City of Modesto do ordain as follows.

Section I. Ordinance No. 162 is hereby repealed, sections 1, 2, 3 and 4.

Section II. This Ordinance shall take effect and be in force from and after its passage and publication -

Introduced April 20th 1904.

Passed the 4th day of May A. D. 1904 by the following vote:  
Ayes - J. R. Broughton, A. W. Brown, J. E. Drake and Chas. Post.  
Absent - A. W. Brown.  
Nays - None -

J. R. Broughton. President of the Board of Trustees of the City of Modesto -

Approved the 4th day of May A. D. 1904.

J. R. Broughton. President of the Board of Trustees of the City of Modesto.  
Attest - W. O. Thompson City Clerk.

Ordinance 214 -

An Ordinance repealing Ordinance No 53 creating the Office of Night Watchman defining his duties and fixing his compensation. The Board of Trustees of the City of Modesto do ordain as follows

Section I Ordinance No. 53 is hereby repealed sections 1, 2, 3, 4, and 5.

Section II This Ordinance shall take effect and be in force from and after its passage and publication -

Introduced April 20<sup>th</sup> 1904 -

Passed the 4<sup>th</sup> day of May, A. D. 1904 by the following vote -  
Ayes - J. R. Croughlan - A. M. Brown - J. E. Haddock and Chas. A. Post.  
Absent - G. J. Wren -

Noes - None -

J. R. Croughlan -

President of the Board of Trustees of the City of Modesto -

Approved the 4<sup>th</sup> day of May, A. D. 1904 -

J. R. Croughlan -

President of the Board of Trustees of the City of Modesto -

Attest. W. C. Thompson -

City - Clerk -

Ordinance 215.

An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1904-5.

The Board of Trustees of the City of Modesto do ordain as follows:

Section I - The rate of taxation for the years 1904 and 1905, in and for the City of Modesto shall be and is hereby fixed as follows, to-wit:

FOR GENERAL FUND - Security tax cents on each one hundred dollars value of all property taxable for City purposes.

FOR BOND REDEMPTION AND INTEREST FUND - Forty-three cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

This aggregate of which sum to-wit, One dollar and fifteen cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1904 on all property taxable in said City for City purposes it is hereby levied, and apportioned to and shall be paid into the above named funds respectively, of said City.

Section II This ordinance shall take effect, and be in force from and after its passage, and publication.

Introduced Sept. 7th, A. D. 1904. By Trustee Z. E. Leake.

Passed September 21st, A. D. 1904, by the following vote:

Ayes - J. R. Broughton, A. N. Brown, Z. E. Leake, Chas. A. Post and G. J. New.  
Nays - None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Approved this 21st day of September, A. D. 1904.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest W. O. Thompson City Clerk.

## - Ordinance No 216 -

An ordinance, amending Sections I, and III of Ordinance No. 211, and fixing the rates to be collected, and paid for water on and after July 1st, A. D. 1905.

The Board of Trustees of the City of Modesto do ordain as follows:  
Section I. Section I of Ordinance No. 211 is hereby, amended so as to read as follows:

Section I		- Schedule -	
Subdivision I	For tenements occupied by a single family or private boarding house,	\$	0.75
Subdivision 2	For restaurants, chop houses and eating houses,		2.00
Subdivision 3	For hotels having not more than twelve beds, For each additional bed for guests		5.00 .05
Subdivision 4	For lodging houses not to exceed five beds, For each additional bed for lodgers Provided, that families occupying rooms in hotels or lodging houses doing their own cooking, shall be separately rated.		1.50 .05
Subdivision 5	For stores, shops or other business places on ground floor, not separately rated for each 35 foot front or fraction thereof, provided that for corner stores only one frontage shall be charged.		.50
Subdivision 6	For offices on the ground floor,		.50
Subdivision 7	For warehouses, each		.50
Subdivision 8	For saloons, where spirituous, vinous, or malt liquors are sold, each For saloons where lunches are cooked, and served free or otherwise, in addition to the above		2.50 1.50
Subdivision 9	For beer bottling establishments,		1.00
Subdivision 10	For public bath tubs, used in bathing establishments, or barber shops, for one tub, For each additional tub		1.50 .50
Subdivision 11	For bakeries in addition to family rates, for each twenty five barrels of flour or fraction thereof used per month,		.75
Subdivision 12	For drug stores, each		1.00
Subdivision 13	For blacksmithing and wagon shops		1.00
Subdivision 14	For livery, feed and sale stables For feed and sale stables		6.00 3.00
Subdivision 15	For breweries, each		2.00
Subdivision 16	For building, and plastering for water used by plasterers for plaster, each barrel of lime, plaster or cement For water used by brick layers to make mortar		.15

	or dampen bread, for each 1,000 bread loaves,	8	.25
Subdivision 17-	Fee butchershops, for one chair		.75
	For each additional chair		.25
Subdivision 18-	Fee laundries and wash houses, other than steam laundries.		5.00
Subdivision 19-	Fee candy stores, where candy is made.		1.00
Subdivision 20-	Fee candy store, coffee or ice cream saloon or parlor		.50
Subdivision 21-	Fee soda or other fountains, in addition to other rates, when included in the annual rate, that is to say, when such water is paid for during the whole year, each.		.50
	When not so included,		1.00
Subdivision 22-	Fee dental rooms		1.00
Subdivision 23-	Fee photograph galleries		1.50
Subdivision 24-	Fee printing offices, weekly		.75
	Daily, and weekly		2.50
Subdivision 25-	Fee paint shops, each		.75
Subdivision 26-	Fee use of water for manufacturing gas		9.00
	For use of water for private gas machines		.75
Subdivision 27-	Fee planing mills, where gasoline engine only is used		.75
Subdivision 28-	Fee upper stories occupied as offices, for each person or firm occupying not more than three rooms		.50
	For each additional room		.05
	When occupied by families as lodgings only, office rates, otherwise family rates. Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.		
Subdivision 29-	Fee the use of water in lodge rooms,		.50
Subdivision 30-	Fee steam laundries		10.00
Subdivision 31-	Fee butchershops		1.00
Subdivision 32-	Fee theatre or dance halls, each		.50
Subdivision 33-	Fee the use of water in soda factories		3.00
Subdivision 34-	Fee the use of water for the county court house, including irrigation for the whole of block No 33		30.00
Subdivision 35-	Fee the use of water in that portion of the city known as "Chinatown", comprising block No. 45 and lot 1 in block 31.		25.00
	<u>Irrigation</u>		
Subdivision 36-	Fee the irrigation of a lot or part of a lot 25 feet by 140 feet as laid off on the official map of the city of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year.		.25
	Fee the irrigation of each lot or fraction of a lot when taken in connection with a family rate on the same		

premises during the pleasure of the owner

For the irrigation of premises otherwise unoccupied when an annual rate is desired, and which rate must be paid each month during the entire year, for each lot or fraction of a lot

For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of flowers for sale, which rate must be paid for the entire year.

For the irrigation of a lot or part of a lot 25 by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa, nursery stock, or exclusively for market gardening, which rate must be paid for the entire year.

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid for month for the use of water when such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purposes indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the year for the same or similar purpose or purposes to that for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed as above, or the annual rate for such use.

### Meter Rates

Subdivision 37 - For water to be ascertained by meter or otherwise, for each 1000 gallons

Subdivision 38 - For steam engines or any other uses not hereinbefore specified, meter rates must be paid, or in lieu thereof such rates or amount as upon application of the parties interested, and the Board of Trustees may fix by special order.

Subdivision 39 - For use of water for cooking

Subdivision 40 - For the use of water for the manufacture of bread, for each 1000 loaves

Subdivision 41 - For water for horses

Subdivision 42 - Cylinders when automobiles are cleaned or repaired

Section 2. Section 3 of Ordinance No. 211 is hereby amended so as to read as follows:

Section 3. The foregoing schedule of rates shall take effect and be in force and effect after the first day of July, A. D. 1905.

8 60

60

50

1.00

20

6.00

20

1.20

1.50

Introduced February 1, 1905.

Passed this 15th day of February, A. D. 1905, by the following vote:

Ayas... J. A. Broughton, A. W. Brown, J. E. Seade, C. A. Post and G. J. New.

Nays... None.

Absent... None.

J. A. Broughton, President of the Board of Trustees of the City of Modesto.

Approved this 15th day of February, A. D. 1905.

J. A. Broughton, President of the Board of Trustees of the City of Modesto.  
Clk.

Attest: H. O. Thompson

Amendable by Mo. 231 + 239 + 252 + 277 + 297 + 299

Ordinance No. 217

by MS

An Ordinance relating to licenses, license tax rates, and the regulation of certain classes of business and certain shows, exhibitions and lawful games in the City of Modesto.

Repealed by Mo

The Board of Trustees of the City of Modesto do ordain as follows:-

Section 1:- The rates of license tax upon the kinds of business, transacted and carried on in such city, and the shows, exhibitions, and lawful games carried on therein and hereinafter named and described, are hereby fixed and established at the sums payable at and for the times hereinafter stated, namely:-

- Auctioneering Subdivision 1.- Auctioneering, the sum of \$33.00 per year.
- Banking Subdivision 2.- Banking the sum of \$20.00 per quarter
- Brokers real estate agency Subdivision 3.- Brokers, real estate agents, or any person who solicits for sale or attempts to sell any real or personal property other than his own, the sum of ten (\$10.00) Dollars per quarter
- Light making Subdivision 4.- Gas making or selling, or electric light producing or selling, or the furnishing of any light to consumers or users thereof, the sum of \$15.00 per quarter.
- Butchers Subdivision 5.- Butcher business- for each shop or place of business, the sum of \$3.00 per "
- Fire Insurance Subdivision 6.- Fire Insurance, \$5.00 per quarter
- Life or accident insurance agents or solicitors for the same, \$5.00 per quarter
- Making and selling soda and mineral water Subdivision 7.- Making and selling soda and mineral water, \$5.00 per quarter.
- Saloon keeping Subdivision 8.- Liquor dealing: the keeping of a saloon or other place, where intoxicating liquors, wine, or beer are dispensed in less quantities than are quart or to be drunk on the premises where dispensed, for each bar or place where the same are dispensed, the sum of \$40.00 per quarter.
- Other liquors Subdivision 9.- The selling or dispensing such liquors at any other place or in any other place or in any other manner, or for any other purpose than set forth in subdivision 8, the sum of \$5.00 per quarter.
- Billiard tables etc Subdivision 10.- Keeping billiard tables, bagatelle tables, or boards, or pool tables, in a saloon or other public place for use of patrons thereof, for each table or board, the sum of \$3.00 per quarter.
- Boarding alleys Subdivision 11.- Boarding alleys, for each alley, the sum of \$3.00 per quarter.
- Shooting galleries Subdivision 12.- Shooting galleries, the sum of \$3.00 per quarter.
- Circuses, Menageries, etc Subdivision 13.- Circuses, Menageries, or animal collections or exhibitions for pay, the sum of \$50.00 per day, and the further sum of \$10.00 per day for each side show or exhibition for which a separate admission or entrance fee is charged.
- Boxing matches, etc Subdivision 14.- Boxing matches, sporting exhibitions, or other similar shows or exhibitions whether boxing gloves are used or not, where an admission fee is charged or other charge is made or paid for the purpose of increasing the same, for each exhibition the sum of \$20.00.

Amendable by Mo. 231 + 239 + 252 + 277 + 297 + 299

Theatres, Etc.  
Amended by no 227  
Laundries  
Amended by no 277  
Teaming  
Draying Etc.  
any other stable  
Motor Vehicles  
Telephone  
Telegraph  
Traders or Merchants

Subdivision 16.-Theaters or theatrical performances of any kind, opera singing, concert singing, or any public amusement, show, or exhibition of like character for which a fee is charged, the sum of \$5.00 per day for each day not exceeding three days, and the further sum of \$5.00 per day for each additional day.

Subdivision 17.-Laundries, the sum of \$5.00 per quarter. Canvassing for laundries, soliciting business or custom for Laundries, acting as agents for laundries, or taking orders for laundries, or collecting washing or soliciting orders for same, the sum of \$5.00 per quarter.

Subdivision 18.-Teaming, or running any vehicle for hire for the carrying of freight or passengers, for each vehicle, the sum of \$1.50 per quarter.

Subdivision 19.-Livery or feed stables or yards, the sum of \$3.00 per quarter.

Subdivision 20.-Repairing, leasing or renting <sup>motor</sup> any vehicle for hire, the sum of \$5.00 per quarter.

Subdivision 21.-Telephone business, the sum of \$30.00 per quarter.

Subdivision 22.-Telegraph business, the sum of \$3.00 per quarter.

Subdivision 23.-For traders or merchants; for the business of those who at a fixed place of business sell any goods, wares, or merchandise, or any hay, barley, or any food for stock, or any wood or coal, any drugs or medicines, any jewelry or wares of precious metals, or any other commodities or articles of sale, whether on commission or otherwise (except such as is sold by auctioneers at public sale under license, and except liquor for which a separate license rate is made), the license tax rate is fixed according to the amount of monthly sales, and at the following rates per quarter:

- \$20,000.00 First.- For business where the amount of sales is \$20,000 or over per month, the amount of \$50.00 per quarter.
- \$10,000.00 Second.- For business where the amount of sales is \$10,000 and less than \$20,000 per month, the amount of \$25.00 per quarter.
- \$5,000.00 Third.- For business where the amount of sales is \$5,000 and less than \$10,000 per month, the amount of \$12.50 per quarter.
- \$2,500.00 Fourth.- For business where the amount of sales is \$2,500 and less than \$5,000 per month, the amount of \$7.50 per quarter.
- \$1,000.00 Fifth.- For business where the amount of sales is \$1,000 and less than \$2,500 <sup>per month</sup>, the amount of \$4.00 per quarter.
- Under \$1,000.00 Sixth.- For business where the amount of sales is less than \$1,000 per month, the amount of \$3.00 per quarter.

Patent Medicines, Subdivisions 24.-Patent medicines, peddling, selling, or dispensing where music, etc. patent medicines where music or other device to attract a crowd and a street stand is used, the sum of \$50.00 per quarter.

Telescopes, Microscopes, and other optical instruments, Subdivision 25.-Traveling exhibitions, such as telescopes, microscopes, magic lanterns, muscle tasters, ball and knife or ring throwing, galvanic batteries, magic lantern shows, or any similar shows or exhibitions for which, no rate is herein otherwise fixed, the sum of \$5.00 per week.

Peddling,  
 Hawking, or  
 Vending Goods  
 Subdivision 26 - Hawking, peddling, or itinerant vending of any goods, wares, merchandise, articles or commodities, or canvassing for the sale or disposal of same with or without samples; those who sell articles of less value than \$20<sup>00</sup> each, the sum of \$10<sup>00</sup> per month, those who deal in any article over the said sum of \$20<sup>00</sup>, the sum of \$50<sup>00</sup> per month.

Soliciting  
 Subdivision 27 - The business of soliciting or taking orders for goods, wares, merchandise, articles, or commodities of any kind, with or without samples, except the business of soliciting or taking orders by commercial travelers, soliciting orders from business houses in the same line of business as the business represented by such agents, and except such traders in the city as may solicit or take orders from their regular customers for their regular business, the sum of \$5<sup>00</sup> per day.

Bunching  
 Stocks, Etc.  
 Subdivision 28 - Selling bankrupt, depreciated, or damaged stock of goods, the business of selling or offering for sale such goods, wares, merchandise, articles, or commodities or where the same are advertised or represented in any advertisement, bill, poster, tag, price list, or similar representation as to goods sold or offered for sale at prices less than the same are sold for in the usual course of business, the sum of \$50<sup>00</sup> per quarter.

Agents or  
 Canvassers  
 Subdivision 29 - Soliciting or canvassing by agents or canvassers for paintings or etchings or furnishing pictures of any kind, or for the sale of books, maps, pictures, or similar articles, the sum of \$5<sup>00</sup> per quarter.

Female Vending  
 or Sundry  
 Subdivision 30 - Female vending or furnishing where wine or beer is sold to or furnished to the patrons otherwise than by saloon keepers, the sum of \$10<sup>00</sup> per quarter.

Flying  
 Subdivision 31 - Flying horses or merry-go-rounds, for each by the sum of \$20<sup>00</sup>.

Bill Posting  
 Subdivision 32 - Bill posting, the sum of \$10<sup>00</sup> per quarter.

Circulars  
 When all the receipts for any exhibition, concert, lecture, or entertainment is to be or will be appropriated exclusively to any church, school, or religious or benevolent or any other public or benevolent purpose of a local character within the city of Modesto, they shall be no license charges to the person or persons to conduct the same.

In case of doubt or in case a business, etc., might belong to two or more classes, the highest rate herein fixed shall be charged.

Section 2.- The word "person" as used in this ordinance is intended to include corporations, firms, and associations, as well as natural persons, and the requirements herein prescribed respecting such persons shall apply to all persons, whether owners, employees, officers, agents, principals, servants, or assistants, and every such person interested in, engaged in, assisting in, or in any way taking part in any of the acts herein referred to shall be responsible for the performance and liable for the non-performance of the acts herein required until the same have been fully performed according to the terms of this ordinance.

Section 3.- Every person desiring or intending to commence, establish, maintain, or carry on any business, or to make any show or exhibition, or play or offer for play any game, in this ordinance, referred to, shall before doing any of said acts, make written application for a license therefor, and file the same with the City Clerk.

Amended  
by No. 235

Application  
for License

Such application shall be made on the forms therefore furnished by said Clerk, and shall state the facts necessary and proper to be stated on such license, and all the facts necessary and proper to be known before such license is issued, and shall be verified by the affidavit of the applicant.

A like application shall be made and filed whenever a new license is required before the same is required. Said application shall also state the location of the business, exhibition, show or game proposed, and the full name and residence of every person by whom the same is to be maintained, the character thereof, and the term the same is to be continued, and in case the rate of license tax is fixed by the amount of business, such application shall state the amount of such business done in the current or preceding license period as well as that intended or expected to be done in the period for which such application is made.

Petition for  
Saloon License

In the case of the first application for a license for selling liquors in saloons as prescribed by Subdivision 9 of Section 1 hereof, said application shall also be accompanied by a deposit of \$500 to cover the expenses of advertising and a petition requesting the Board of Trustees to grant them a license for such purpose. Said petition shall specify the block and place where the business is proposed to be opened and maintained, and be endorsed by the owners of a majority of the

frontage of real estate in the block fronting on the side or face of the block in which the proposed business is to be conducted, provided, however, that when such place is located at the corner of the block, then said petition shall be signed by the owners, of a majority of the frontage fronting on the two sides or faces of the block which sides intersect at said corner, that is to say, a majority of the frontage on each side counted separately.

Upon filing said petition so endorsed, the clerk shall give notice by publication for at least four consecutive days in a daily news-paper printed and published in the City of Modesto, stating the name of the applicant, the names of his endorsers, the place where said business is to be opened or maintained, notifying all persons having any valid reason why said petition should not be granted to file their objections in writing with the City Clerk on or before the meeting of the Board of Trustees next succeeding the completion of the publication.

Any excess of the deposit over the amount paid for advertising shall be returned to the applicant.

When objection is made to the granting of any petition, the Board of Trustees shall fix a day for hearing said matter, and the Clerk shall notify the applicant and said objectors that at the time and place fixed the Board of Trustees will hear testimony for and against granting said petition.

Whether objection be made or not, the Board of Trustees shall hear and determine the application and grant or refuse the same as in its judgment may be proper, and if such application be granted, shall order a license to be issued to him upon his filing a bond payable to the City of Modesto in the penal sum of \$1,000.00 approved by the President of the Board of Trustees, with two good and sufficient sureties, who shall justify before some person competent to administer an oath, in double the amount mentioned in said bond, over and above statutory exemptions, in property situated in the City of Modesto.

Said bond shall be conditioned that the principal therein named who engages in said business at the place mentioned in his endorsed application will not permit on said premises any breach of the peace or disorderly conduct, nor permit any games prohibited by law to be played, nor sell or give away any wine, beer, or intoxicating liquors to any habitual or common drunkard, or any

-person already intoxicated or under the age of legal majority, nor permit any minor to frequent such place. On the breach of such bond any person injured thereby shall have a right of recovery thereon.

The provisions herein requiring petitions and bonds shall apply only to the first applications.

The Board of Trustees do hereby expressly reserve the right to revoke for good cause any and all licenses issued after the licensee has been granted an opportunity to be heard in his own behalf.

No license shall be issued to any person who is not a person of good moral character, of temperate habits as to the use of intoxicating liquors, and who is not a suitable person in other respects to maintain a saloon where intoxicating liquors are dispensed.

Upon a refusal by the Board of Trustees to grant to any person a license to carry on the business of saloon keeping maintained herein, such person shall not again apply for or be granted a license within three months from the date of such refusal.

Applicants for  
license to present  
Duplicate to  
Marshal

Section 4.- Every applicant named in the last preceding section shall immediately on making the application, present a duplicate thereof to the City Marshal and shall therewith pay to him proper amount of license tax for the business, etc. described in said application as fixed by this ordinance, or in any subsequent ordinance fixing such tax as the case may be.

Section 5.- It shall be the duty of the City Clerk to issue a license under this ordinance for each person liable to pay a license hereunder duly signed by said clerk, and also to amount of license thereon, the time for which the same is issued, and the character and location of the business, etc. for which the same is issued, and the name or names of the persons entitled to such license, and said City Clerk shall deliver such license to the City Marshal for collection, taking his receipts for the amount thereof, and the City Clerk in stating the rate of license shall grade the same according to his best information and knowledge, and for that purpose may confer with persons in interest, and may require any person to file his or her affidavit as to which class he or she may belong, provided, that in no case shall any mistake by the clerk in stating the amount of said license, prevent the collection of what shall

be actually due, with all costs, against any one commencing or carrying on said business, show, exhibition, or game without a license, and provided that any person may appeal to the Board of Trustees and the Board, after hearing, shall fix and determine the amount of tax required for such ~~business~~ license.

It shall be the further duty of the City Clerk immediately after the delinquent list has been delivered to him to make an entry of the delinquent licenses and the amount thereof, and to deliver the same book to the City Marshal, whose duty it shall be to at once proceed to collect the same in his discretion by suit or otherwise.

Nothing herein, however, shall prevent a criminal prosecution as provided in Section 13 for any violation of the provisions of this ordinance.

Every person in any way engaged in or interested in any business, etc., for which a license is prescribed herein shall, whenever the same may be required by the City Clerk, answer all proper questions propounded by said clerk respecting the matters herein prescribed, and shall exhibit to said clerk the books, vouchers, or other documents of such business, etc., and shall ~~prepare~~ and verify such information as given to said clerk by affidavit. Such license shall be delivered to the licensee on proper payment being made therefor.

Section 6- All licenses shall be paid for in advance, in the legal money of the United States, at the office of the City Marshal, and a separate license must be obtained for each branch, establishment, or separate place of business, show, exhibition, or game named in this ordinance which license authorizes the person obtaining it to carry on, pursue, or conduct only that business, show, exhibition, or game described in such license, and only at the location or place of business which is indicated thereby. And no license, issued for one class of business, etc., named in this ordinance shall entitle the licensee to carry on any other class separately named, but a separate license must be had therefor.

The tax for monthly license as this ordinance provided, shall be due and payable to the city on the first of each month, in advance the quarterly license as this ordinance provided for, shall be due and payable to the city on the 15<sup>th</sup> of January, April, July, and October, in advance.

When the license herein provided is per week, the same shall be due and payable each week in advance.

When the license herein provided is per day, the same shall be due and payable each day in advance, and where such license is per year, the same shall be due and payable to the city at the time specified in the ordinance providing the same, and when not so specified, on the 1st day of October of each year. No greater or less amounts of money shall be charged or received for licenses so issued than is provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided for in this ordinance.

Licenses to be exhibited

Section 7.- Every person having a license under the provisions of this ordinance shall place and exhibit the same at all times while in force in some conspicuous part of his or her place of business where patrons of said business may see the same when in the ordinary place for dealing with the persons carrying on such business.

Marshal to file complaints against persons etc. not obtaining license.

Section 8.- It is hereby made a duty of the City Marshal to file or cause complaints to be filed against all persons, firms, or corporations violating any of the provisions of this ordinance.

Conviction and punishment not to excuse from payment of license tax.

Section 9.- The conviction and punishment of any person for transacting any trade, calling, profession, or occupation without a license will not excuse or exempt such person from the payment of any license tax.

City Marshal to prepare list of persons not paying license tax to the city clerk.

Section 10.- The City Marshal is hereby required to examine all places of business and persons within the corporate limits of the City of Modesto liable to pay a license tax, and to see that such licenses are taken out.

The City Marshal shall make out once a month a list of persons, having no license within their places of business, and deliver such list carefully and legibly written, to the City Clerk, and also report to the City Clerk the names of all such being business without a license immediately upon the first coming to his knowledge.

Section 11- The City Marshal of said City shall, on or before the first Monday of each month, deliver to the City clerk the delinquent list of licenses uncollected by him for the previous month, and also a list of all persons that have come to his knowledge or whom he believes not upon the license list, charged with the payment of licenses, and shall pay over to the City Treasurer all licenses collected by him in said month and report the amount thereof to the Board of Trustees of said City of Modesto, together with the amount delinquent, at the first meeting of the said Board of Trustees in each month.

Section 12- No license granted or issued under any of the provisions of this ordinance shall be in any manner assignable or transferable, or authorize any person other than is therein mentioned or named to do business or authorize any other business than is therein mentioned or named to be done or transacted, or the business therein named or mentioned to be done or transacted at any place other than is mentioned in said license.

General Provisions and Penalty.

Section 13.- It shall be unlawful for any person or persons, whether as principal or principals, agent or agents, clerk or clerks, employe or employes, either for themselves or for any other person or persons, corporate or otherwise, or as officers of corporations to commence, establish, maintain, or carry on any business or to make any show or exhibition or to open play or offer for play any game, or counsel or assist any of said acts or any act prohibited by this ordinance, without first having procured a license from said city as to do, and each and every day or fractional part of a day that any of said acts are done or suffered shall constitute a violation of this ordinance, and such person or persons, agent or agents, clerk or clerks, employe or employes, who shall for themselves or for any other person or persons do any of said acts or counsel, aid, or assist or knowingly and willfully permit the game without first having procured a license when required, herein and any person who does any of the acts prohibited by this ordinance, or omits to do any act required thereby, or who engages in, or in any manner assists in commencing or carrying on anything for which a license is required herein, when said license has not been issued and paid for as herein provided whether he does so as principal, agent, servant, employe or otherwise, shall for each violation of this ordinance be deemed guilty of a misdemeanor, and upon conviction by any court having jurisdiction thereof shall be fined therefor in a sum not exceeding ten dollars, or be imprisoned for a term not exceeding 60 days or shall suffer both such fine and imprisonment in the

decision of the court, and the amount of such license shall be deemed a debt to the said City of Modesto, and any or all such persons, agents, clerks, employees, or bodies corporate, or any of them, shall be liable to an action in the name of the City of Modesto, in any court of competent jurisdiction for the amount of such license, in any case of suit. Provided that the payment of a license fee or charge with any person, shall be sufficient defense to any claim or charge with other person for the same license in any civil action against any person.

Section 14.- The passage of this ordinance shall not release any person from the liability for payment of any license heretofore required, but all persons shall be required to pay any additional license required by this ordinance.

Section 15.- All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 16.- This ordinance shall take effect on its passage and publication, but in case any person has heretofore obtained a license for a term not then expired, he shall be entitled to a rebate or shall pay the excess as the case may be of license tax for the term or portion of such term after the time of taking effect of this ordinance.

Introduced February 1<sup>st</sup>, A.D. 1905

Passed this 10<sup>th</sup> day of February, A.D. 1905 by the following vote:  
 Ayes: J. R. Broughton, A. N. Brown, J. L. Small, Charles W. Best, and G. J. Stinson.  
 Nays: None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.  
 Approved this 10<sup>th</sup> day of February, A.D. 1905.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.  
 Attest: H. O. Thompson, City Clerk.

I Walter O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 217 entitled "An Ordinance relating to licenses, license tax rates, and the regulation of certain classes of business and certain shows, exhibitions, and lawful games in the City of Modesto," and that the same has been published as required by law.

Walter O. Thompson, City Clerk

Section 18 - Skating Rinks \$1000 - added by Ord. No. 219

Ordinance No 218.

An ordinance to prohibit street signs and other obstructions upon the public streets of the City of Modesto

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Every street sign or other thing on or over any sidewalk or street, except awnings or porches not coming within seven feet of the sidewalk grade, signs not extending below such height and not extending more than two feet from the building line into the street, hitching posts or racks allowed by law, light, telephone and telephone poles allowed by law, which excepted signs, awnings, porches, posts, racks and poles are so erected and maintained as not to obstruct the street or endanger anyone on the street or sidewalk, is hereby declared to be a public nuisance, and the erection, maintenance or permission of the same is hereby prohibited as such nuisance.

Section 2. Every person who erects, maintains or permits, either as owner, occupant, employe, servant, agent or other wise or counsellor, aide, assists, or promotes the erection, maintenance or continuance of any of the things prohibited by section one of this ordinance is guilty of a misdemeanor and subject to prosecution and punishment as in other cases of violation of the ordinance of said City; and every owner, occupant or person in any way having the control, in whole or in part, of any premises, shall be deemed guilty of such misdemeanor if any such prohibited thing is upon, in front of or attached to such premises.

Section 3. Such nuisances may also be abated as in the case of other public nuisances, and all the rights and remedies applicable in the case of other public nuisances shall be applicable in the case of the nuisances herein prohibited, whether any person is prosecuted respecting the same or not.

Section 4. This ordinance shall take effect immediately upon its adoption and publication and nothing therein shall be prohibited by law.

Introduced, March 15, 1905, by Justice A. W. Brown.

Passed, April 5, 1905, by the following vote:

Ayes; J. R. Broughton, A. W. Brown, J. E. Spake, C. A. Post and  
S. J. Owen.

Noes - none.

J. R. Broughton, President of the Board of Trustees  
of City of Modesto.

Approved - this 5th day of April A. D. 1905.

J. R. Broughton,  
- President of the Board of Trustees of City of Modesto.

Attest W. O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto,  
do hereby certify that the foregoing is a true and correct  
copy of Ordinance No. 218, entitled "An Ordinance to prohibit  
street signs and other obstructions upon the public streets  
of the City of Modesto" and that the same has been published  
as required by law.

## Ordinance 219.

An Ordinance to amend section 4 of Ordinance No. 173, relating to the riding of Bicycles and Tricycles within the corporate limits of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows;

Section 1. - That section 4 of Ordinance Number 173, "An Ordinance to regulate the riding of Bicycles and Tricycles within the corporate limits of the City of Modesto," approved June 24, 1897, is hereby amended to read as follows:

Section 4. No person shall ride any bicycle or tricycle within said City on any sidewalk within the following limits, to wit: On "G", "H", "I", and "J" streets, between "5th" and "15th" streets; and on the cross streets between "G" and "J", from "5", to "15" streets, both inclusive.

Section 2. - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced - March 15th, 1905. By Trustee G. J. Wren.

Passed - April 5th, A. D. 1905, by the following vote:  
Ayes - J. R. Broughton, A. R. Brown, Z. E. Drake, Chas. A. Post and G. J. Wren.  
Nays - None.

J. R. Broughton, President of  
the Board of Trustees of the City of Modesto.

Approved this 5th day of April, A. D. 1905.

J. R. Broughton, President of  
the Board of Trustees of the City of Modesto.

Attest: Walter O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 219, entitled, "An Ordinance to amend section 4 of Ordinance No. 173, relating to the riding of bicycles and tricycles within the corporate limits of the City of Modesto," and that the same has been published as required by law.

## Ordinance No. 220.

An Ordinance relating to hitching posts, the hitching of animals and matters relating thereto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. - It shall be unlawful for any person to allow or cause any animal to run at large within the limits of said City, or to remain standing upon any of the public streets or places therein, without being securely and lawfully tied or otherwise restrained and controlled, or to tie or secure any animal at any place or in any manner prohibited by this or any other ordinance of said City, or to erect, have, maintain, permit, or counsel, aid, assist or cause or procure to be erected or maintained any of the things prohibited by this or any other ordinance of said City, or to be done any of the acts by this or any other ordinance of said City relating to such matters prohibited.

Section 2. - No hitching post, post or other device for the purpose of hitching or furnishing means to restrain animals shall be erected, maintained or permitted or allowed by any person having the control thereof or of the premises in front of which they may be, upon any of the streets or public places in said City within the following limits: to-wit: On West side of 7<sup>th</sup> St between H and I, both sides of 10<sup>th</sup> St between G and J, on J St both sides between 9<sup>th</sup> and 11<sup>th</sup> streets, on H St, both sides, from 9<sup>th</sup> to 11<sup>th</sup> St, provided that any person owning or having control of the premises may maintain one hitching post, ring or the like, in front of the premises for the sole use of the persons engaged in the business, trade, profession or calling maintained there on, and the patrons thereof, and provided further that the person desiring to erect, have or maintain such post, ring etc. shall first apply to the Superintendent of Streets for permission to erect, have or maintain the same, and shall at all times comply with all reasonable requirements he may make regarding the same, and that the same shall not be used for any other purpose than as permitted by this ordinance, and shall at all times be kept safe and proper for the purpose, and shall not be of a character to interfere with the proper use of such public place

or to offend or annoy the public properly using the same.

Section 3. - No animal shall be hitched, tied or otherwise allowed to stand upon the public streets or places within said limits, except that the person engaged in any business, trade, profession or calling, may permit any animal properly used by him therein to be properly secured at any of the places therefore permitted by this ordinance; and except that any of the patrons of any such business, trade, profession or calling, may with the consent of the person carrying on the same, and for a reasonable time while patronizing the same and for the purpose of such patronage, allow any animal used by him in transporting himself to and from the place of such patronage to remain secured at such place for a reasonable time, not to exceed one half hour.

Section 4. - Ordinance No. 30 and Ordinance No. 33 of said City are hereby repealed provided that this repeal shall not affect any right or liability accrued or incurred thereunder.

Section 5. - Any violation of this said ordinance shall be a misdemeanor and punishable as such and subject to all the liabilities, remedies and actions relating to such misdemeanor; and all things contrary to the provisions of this ordinance are hereby declared to be nuisances and subject to abatement and removable as such, and all the rights, remedies, penalties and actions relating to such nuisances are hereby made applicable thereto; and any and all expense incurred or caused thereby or by such abatement or removal or the enforcement of any such right, shall be recoverable by civil action by said City against the party violating this ordinance, notwithstanding any other remedy that may have been had or attempted to be had respecting the same.

Introduced, May 2nd, 1905 by Senator J. E. Drake.

Passed May 17th, A. D. 1905 by the following vote:

Attest: J. R. Broughton, A. N. Brown, J. E. Drake, Chas. A. Post, and  
L. J. Wren.  
None. None.

J. R. Broughton, President  
of Board of Trustees of the City of Modesto.

Approved this 17th day of May, A. D. 1905.

J. R. Broughton, President  
of Board of Trustees of City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto,  
do hereby certify that the foregoing is a true and  
correct copy of Ordinance No. 220 entitled, "An  
Ordinance relating to hitching posts, the hitching of  
animals and matters relating thereto"; and that the  
same has been published as required by law.

## Ordinance No. 221

An Ordinance to amend Ordinance No. 217.

The Board of Trustees of the City of Modesto do ordain as follows;

Section 1. — Ordinance No 217 of the City of Modesto is hereby amended as follows; a new section is hereby enacted and added to said Ordinance No. 217 to be a part thereof and to read as follows; Section 17, no act, business, trade, profession or calling exempt by any law of the United States of America shall be subject to any charge, fee or tax by reason of this ordinance, nor shall any part thereof be construed or so applied as to restrain inter-state commerce, provided that no act, business, trade, profession, calling, person, matter or thing shall be exempt from the provisions of this ordinance so far as they would otherwise be applicable thereto, by reason of the fact that they are connected with matters so exempt, or by reason of the fact that the persons doing such acts or engaged in such business, trade, profession or calling may also be engaged in some matters for which no such charge, fee, tax or license is legally chargeable; but any such person shall in his application for a license set out forth the matters for which he claims such exemption, as well as the matters to which such exemption is not applicable, that the proper officers of said City may take legal action as is required by this ordinance and that the provisions thereof may be applied to the matters not subject to such exemption, and such person shall at all times furnish to such officers reasonable information and means of information regarding the truth of such claim and shall be subject to examination under oath respecting the same, and any violation of this section shall be deemed a misdemeanor and subject to prosecution and punishment as such in the same manner as in the case of any violation of any other provision of this ordinance.

Introduced May 8, 1905 by Trustee A. N. Brown.

Passed May 17th. A. D. 1905, by the following vote:

Ayes - J. R. Broughton, A. W. Brown, J. E. Drake, Geo. A. Post and G. J. Upton.  
 Nays - None.

J. R. Broughton, President of the  
 Board of Trustees of the City of Modesto.

Approved this 17th day of May, A. D. 1905.

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 President of the  
 Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto do here by certify that the foregoing is a true and correct copy of the Ordinance entitled, "An Ordinance to amend Ordinance No. 217," and that the same has been published according to law.

Repealed by No. 210

Ordinance No. 222.

An Ordinance to amend section 1, subdivision 3, of Ordinance No. 217 of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows;

Section 1. - Subdivision 3 of Section 1 of said ordinance 217 is hereby amended so that said subdivision shall read and become a part of said ordinance as follows;

Subdivision 3. Brokerage, Real Estate Agency, or the business of selling, soliciting for sale or attempting to sell any real estate other than that of the person carrying on such business, the sum of \$5.00 per quarter; provided that, any person who does not, at a fixed place of business, carry on such brokerage business for which such license has been paid, solicits for sale, attempts to sell, contracts to sell, or otherwise participates in the selling or negotiating of the sale of any Real Estate other than that of the person so doing, shall, before doing any of said acts, obtain a license therefor and pay a license fee of one percent upon the selling or purchase price of every piece of property so solicited to be sold, attempted to be sold, contracted to be sold, or otherwise the subject of such negotiation or sale.

Section 2. - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced June 21st, A.D. 1905, by Trustee G. J. Wren

Passed July 5th, 1905, by the following vote:  
Aye - J. R. Broughton, A. N. Brown, L. A. Post, and G. J. Wren  
Nay - None.

Absent - G. E. Drake.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Approved this 5th day of July A. D. 1905.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: W.O. Thompson, City Clerk of City of Modesto

I, Walter O. Thompson, do hereby assert that the foregoing is a true and correct copy of Ordinance No. 222, entitled, "An Ordinance to amend section 1, Subdivision 3, of Ordinance No. 217 of the City of Modesto", and that the same has been published according to law.

## Ordinance No. 223.

An Ordinance granting to H. B. Kinney, his successors and assigns, the right, license, franchise, privilege, right of way, permission to construct, lay down, operate and maintain a street railroad with single tracks and with all necessary and convenient side tracks, turn outs, switches, curves, cross-overs, poles, wires, appurtenances and appliances and to operate there-upon cars propelled by electricity or any other motive power other than by steam, for the purpose of carrying passengers, mail, express packages and freight for hire over certain public roads, highways, streets and alleys in said City of Modesto, County of Stanislaus, State of California.

Whereas all notices required by law having been duly given, and all matters, acts and things precedent to the granting of the franchise, privilege and license herein after set forth have heretofore been made and performed in due form of law, and,

Whereas due compliance has been made with all matters required, now therefore, it is ordained by the Board of Trustees of the City of Modesto, as follows:

That the right, franchise, license, privilege and right of way is hereby granted unto H. B. Kinney, his successors or assigns, the permission to construct, lay down, operate and maintain a street railroad with single tracks and with all necessary or convenient side tracks, turn outs, switches, curves, cross overs, poles, wires, appurtenances, and appliances, and to operate there-upon cars propelled by electricity or any other motive power other than by steam for the purpose of carrying passengers, mail, express packages and freight for hire over, upon and along the route of those certain public roads, highways, streets and alleys in the City of Modesto County of Stanislaus, State of California, in said petition particularly described and set forth, and as follows to-wit:

That the said right of way shall be of the width of twelve feet and shall be built upon those public roads, streets, alleys and highways particularly

described as follows:

#### Subdivision 1.

Beginning at the quarter-quarter corner between the northeast quarter section of section twenty-nine, and the northwest quarter section of section twenty-eight, townships three south, range nine east, Mount Diablo Base, and Meridian; thence south along the public highway to a line intersecting J. and Seventeenth Streets; thence in a southeasterly direction along Seventeenth Street to Burney Street; thence along the West side of Burney Street to D Street; thence along D Street to the railroad reservation.

Also commencing at the corner of Ninth and D streets in said City of Modesto and running in a Northwesterly direction along the Westerly side of Ninth Street to H. Street.

The line heretofore described shall be used for the purpose of carrying mail, express packages, freight and passengers for hire.

#### Subdivision 2.

Also commencing at the intersection of J and Seventeenth Streets of said City of Modesto, thence running in a Southwesterly direction along J Street to the end of said J Street; also commencing at the intersection of J and Ninth Streets thence along the West side of Ninth Street to the South side of H. Street.

The route described in subdivision 2 shall be used only for the purpose of carrying passengers, mail and express packages for hire.

The aforesaid franchise license, privilege, right of way, and permission are hereby given and granted to said H. B. Kinney, his successors in interest and assigns for a period of fifty years from and after the date of the passage of this Ordinance.

Such street railroad shall consist of what is known as a single track railroad, the rails shall be laid in a good substantial and workmanlike manner and shall be maintained and operated by such means and manner as to properly subserve the public necessities and conveniences and shall not permit the use of animals or the less modern and effective motive

power than electricity, or the use of any but first class appliances. No rails shall be laid or cars operated so that the steps of said cars will protrude over any curb line except that on Ninth Street and Burney Street, the tracks may be laid and the cars operated on the West side of the street line, of said Burney and Ninth Streets.

The Grantee of this franchise, his successors or assigns, shall pave, plank, macadamize or otherwise improve the portions of the streets between the rails of car tracks and for two feet on each side thereof in the same manner and with the same kind or quality of material as the same may be improved by the City and within ten days after notice by said City that it has improved or intends to immediately improve said streets.

That said electric road must be complete and in operation within eighteen months after the adoption of this ordinance.

All the rails to be used on J Street and Ninth Street between J and H are to be regular street car rails and subject to the approval of the Board of Trustees of the City of Modesto. That no freight cars are to be left standing on the street either on main line or on switches. Said H. B. Kinney, his successors in interest or his heirs or assigns, shall file within the time allowed by law from the approval of this ordinance with the Clerk of the Board of Trustees of the City of Modesto, a bond with two or more sufficient sureties in the penal sum of \$2000.00 two thousand dollars to be approved by the Board of Trustees conditioned for the faithful performance of all the requirements of this ordinance.

This franchise is granted in pursuance of the general laws of the State of California, and the resolutions heretofore passed respecting the same. It is of the terms and conditions of this franchise that the grantee, his successors or assigns by accepting or using the franchise thereby become and are bound to keep and perform all the terms and conditions and restrictions herein set forth.

This ordinance is adopted and the said franchise is granted to H. B. Kinney his successors and assigns in pursuance of a resolution of said Board of Trustees

passed and adopted at a regular meeting thereof on the 19<sup>th</sup> day of July, 1905, accepting the bid and tender of said H. B. Kinney for said Franchise privilege, permission, license and right of way and awarding the same to H. B. Kinney, his successors and assigns, after notice given and proceedings had all as required by law.

Said grantee or his successors or assigns shall during the life of said Franchise pay said City of Modesto, two percent of the gross annual receipts arising from the use, operation, and possession of said franchise. No such or any percentage shall be paid for or during the first five years next succeeding the date of said Franchise, and thereafter such percentage shall be paid annually.

This ordinance shall be of no effect to vest the rights and privileges herein granted unless the said H. B. Kinney shall within the time allowed by law after the passage of this Franchise, file in the office of the City Clerk of the City of Modesto, an unconditional acceptance thereof.

This Ordinance shall take effect and be in force after its passage and upon publication thereof for one week in a newspaper, all as required by law.

It is adopted by the Board of Trustees of the City of Modesto, County of Stanislaus, State of California, this 19<sup>th</sup> day of July, 1905.

Ayes: J. R. Broughton, J. E. Drake, G. J. Wren.

Noes: None.

Absent: A. N. Brown and Chas A Post.

Passed by Board of Trustees Aug., 2nd. A. D. 1905.

Attest: W. O. Thompson, Clerk.

I, Walter O Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 223, and that the same has been published according to law.

## Ordinance No. 224.

An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1905-6.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. - The rate of taxation for the years 1905 and 1906, in and for the City of Modesto, shall be, and is hereby fixed as follows, to-wit: -

For General Fund - Seventy one cents on each one hundred dollars value of all property taxable for City purposes.

For Bond Redemption and Interest Fund - Forty four cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

The aggregate of which sum to-wit: One dollar and fifteen cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1905 on all property taxable in said City for City purposes it is hereby levied and apportioned to and shall be paid into the above named funds respectively, of said City.

Section 2. - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced, September 6<sup>th</sup> A. D. 1905, by Trustee A. N. Brown

Passed, September 20<sup>th</sup>, A. D. 1905 by the following vote:  
 Ayes J. R. Broughton, A. N. Brown, C. A. Post, and G. J. Wren  
 Nays None  
 Absent J. E. Drake

J. R. Broughton, President of the  
 Board of Trustees of the City of Modesto.

Approved this 20<sup>th</sup> day of September, A. D. 1905

J. R. Broughton, President of the  
 Board of Trustees of the City of Modesto

Attest - W. O. Thompson, City Clerk.

W. O. Thompson, City Clerk of the City of Modesto.

do hereby certify that the foregoing is a true and correct copy of Ordinance No. 224, entitled, "An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1905-6", and that the same has been published according to law.

Ordinance No. 225.

An Ordinance to amend Ordinance No. 194.

The Board of Trustees of the City of Modesto do ordain as follows:

Be it ordained, that Ordinance 194 be, and the same is hereby amended so that section No. 1. thereof shall read as follows:

Section 1. - The fire limits within said City are hereby established and the same shall be hereafter maintained as comprising the land included within a line extending around and bounding the territory comprised in Block Numbers fifty four (54), fifty five (55), fifty six (56), sixty eight (68), sixty nine (69), and seventy (70).

Section 2. - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced November 15th, 1905 by Trustee J. E. Drake.

Passed December, 6th, A.D. 1905, by the following vote:  
Aye: J. R. Broughton, A. N. Brown, J. E. Drake, C. R. Posh, and G. J. Wren.  
Nays: None

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Approved this 6th day of December, A.D. 1905.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: W. D. Thompson, City Clerk

I, Walter D. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 225, entitled, "An Ordinance to amend Ordinance No. 194," and that the same has been published according to law.

Ordinance No. 226.

An Ordinance prescribing rules and specifications for the construction of sidewalks and curbs in the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. - The sidewalks of said city shall be constructed to official grade (except through special permission of the Board of City Trustees,) and so that there shall be a fall of three inches from the property line of the sidewalk to the outside or curb line of the sidewalk.

For convenience in description the City is divided into two sections, first, that portion included at all times within the fire limits of said city shall be known as division one.

Second, all other portions of said city shall be known as the residence portion or division two.

All artificial stone sidewalks in division one, or the fire limits, shall be walks built the full width of the public sidewalks in front of all buildings, but where there is no building and the lot vacant, the width of the walk may be eleven feet, constructed from curb line.

All artificial stone sidewalks in division two, or the residence portion of the city, shall be five feet wide, built two feet from the property line, except through special permission from the Board of City Trustees.

Artificial stone sidewalks built within the City of Modesto shall be built according to the following specifications, to-wit:

The ground upon which any side walk is to be laid, must be properly excavated and well watered, and then tamped with iron tamping bars until a perfectly firm foundation is made, care having been taken to remove all roots or perishable material and the wood forms or stripe for building the walk to shall be two inches by four inches dressed Oregon pine.

The sidewalk must be constructed in two layers. The first or concrete layer must be of cleaned, washed, sharp gravel, or broken rock (entirely free from earthy or other injurious matter) not larger than will pass through a one inch ring, clean, sharp sand and the best of Portland cement, thoroughly mixed together when dry.

After having been thoroughly mixed in the dry state, water must be added to the mixture above described by means of gentle sprinkling, and the mixing process continued until every particle of gravel or broken stone has become coated with cement, and the mass to be just wet enough so that in ramming or tamping in place, the water will not splash and the creamy film of cement appears on surface of solidified layer.

The thickness of lower layer when in place and after having been tamped to solidity, must not be less than three and one half inches.

The upper or top layer of sidewalk must consist of six buckets of clean, sharp gravel sand (free from earthy matter, or other injurious material) screened through a number three or four sieve, and one pound of A 1 lamp black and six buckets of cement. Said mixture to be completely mixed when in dry state, and again after water has been added by means of sprinkling. The mixing to be done in mortar boxes and in a thorough manner.

The lamp black and sand must be thoroughly mixed together before cement is added. The thickness of the upper layer after having been properly placed and trowelled must be one-half inch.

The upper layer must be laid before the lower has set, and immediately upon the completion of the lower layer, as both layers may set together, and form one and the same rigid body.

Before the upper layer is constructed a mixture of very plastic material, consisting of one part of very fine gravel, and one of A 1 Portland cement, with sufficient water (thoroughly mixed both before and after application of water) must be spread over and well pressed to the lower layer.

The concrete shall be made up in batches, only so fast as it can be laid in place and tamped before the cement is set.

The surface of the walk must be graded to the proper height, well floated and then trowelled until perfectly smooth and regular on grade.

The sidewalks may be blocked or marked according to the wishes of property holders, other wise to be blocked to the satisfaction of the Board of City Justices. Such curbs must be from 2-1/2 to 1-1/2 inch in depth.

The cement to be used in the construction of sidewalk must be A. 1 Portland cement, brand to be approved by the Board of City Trustees, or their authorized agent. All material used and work done must be subject to the approval and satisfaction of the Board of City Trustees.

Where a private driveway crosses the sidewalk, the walk must be rough finished for a lineal distance of at least eight feet.

Driveways must extend to the gutters and across same to a distance of at least three feet on the roadway side of the curb line. Said driveways must gradually descend in grade to conform to bottom grade of gutters, and also to conform to cross section of gutters, and crown of finished roadway adjacent to gutters, as far as practical. The curbing to be cut out or removed to permit of the construction of said driveways. The entire surface of said driveway must be roughened, and the cement work forming said driveways must be at least four inches in thickness.

No future construction of driveways over gutters will be permissible, except upon special permit from the Board of City Trustees.

The sidewalk as finished must be covered so as to protect from the destructive effects of sun and frost, and after the first day (except during damp or frost weather) must be sprinkled each day for ten days.

When ever the stone walk does not cover the whole space between the curb and the property line, the space not covered shall be graded and leveled so that the surface will form one continuous plane from property line to curb.

Curb shall be constructed along the outer edge of all sidewalks when ordered by the Board of City Trustees.

The grade of all curbs shall be three inches lower than the grade of the sidewalk adjacent to said curb at the property line of said sidewalk.

Curbs. When wooden curbs are ordered to be put in they shall be as follows: All curbs constructed of lumber shall be made of two inch redwood boards not less than twelve inches wide and sixteen feet long, except where such length would be necessarily shorter on account of space finally apportioned to four by six inch redwood posts three and one half feet long, set in the

ground flush with the top of the curb. said posts to be spaced five feet four inches center to center and set inside of curb and firmly spiked with at least four 60 d nails in each plank at each post. At corners the curb shall be joined diagonally from a point one and one-half feet back from the projected intersection of curb line, with a post at each joint.

When concrete curbs are ordered by the Board of City Trustees to be put in, they shall be as follows: six inches in width at top, nine inches in width at the base, and eighteen inches in height. The side to the street to be vertical. No square corners will be allowed, except where the inside line of the curb is to be connected with a concrete pavement.

Top of curb to be constructed to a curve of three-inch radius. Concrete to be composed of broken stone or gravel and not larger than will pass through a one and one-half inch mesh or ring and the best Portland cement as will be used in the construction of artificial stone sidewalks hereinafter given, and clean sharp sand, and the proportion shall be one measure of cement to two measures of sand or gravel, the whole to be mixed in the manner hereinafter provided for concrete to be used in the construction of artificial stone sidewalks and immediately laid.

Section 2 - This Ordinance shall be in full force and effect from and after its passage and publication.

Introduced, November, 15, 1903, by Trustee A. N. Brown.

Passed - January 3, A. D. 1906, by the following vote:  
 Aye - J. R. Broughton, J. E. Drake, C. A. Det., and J. J. Wren.  
 Nays - None.  
 Absent - A. N. Brown.

J. R. Broughton, President of  
 the Board of Trustees of City of Modesto.

Approved this third day of January, 1906.  
 J. R. Broughton, President of  
 the Board of Trustees of City of Modesto.

Attest: W. O. Thompson, City Clerk.

J. Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 226, entitled, "An Ordinance prescribing rules and specifications for the construction of sidewalks and curbs in the City of Modesto," and that the same has been published as prescribed by law.

## Ordinance No. 227.

An Ordinance to amend section one, sub-division sixteen of Ordinance No. 217, of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. - Sub-division 16 of Section 1. of Ordinance No 217 is hereby amended so that said sub-division shall read and become a part of said Ordinance as follows:

Sub-division 16: - Theatres or theatrical performances of any kind, opera singing, concert singing or any public amusement, show or exhibition of any like character for which a fee is charged, the sum of \$3.00 per day for each day not exceeding two days, and the further sum of \$2.00 per day for each additional day.

Section 2. - This Ordinance to take effect and be in force from and after its passage and publication.

Introduced, January 3rd, A. D. 1906 by Trustee J. E. Drake.

Passed, January, 17th, A. D. 1906, by the following vote.  
 Ayes: J. R. Broughton, A. R. Brown, J. E. Drake, C. A. Post, G. J. Wren  
 Abs: None  
 Absent: None

J. R. Broughton, President of  
 the Board of City Trustees, City of Modesto

Approved this 17th day of January, 1906 A. D.

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 227, entitled, "An Ordinance to amend Section 1, sub-division 16, of Ordinance No. 217, of the City of Modesto", and that the same has been duly published according to law.

Ordinance No. 228.

An Ordinance amending Sections 1 and 2 of Ordinance No. 216 and fixing the rates to be collected and paid for water on and after July, 1st, A.D. 1906.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- Section one of Ordinance No 216 is hereby amended so as to read as follows:

Section 1.-

Schedule.

Sub-division 1- For tenements occupied by a single family or private boarding house	\$ 0.75
Sub-division 2- For restaurants, chop houses, and eating houses	2.00
Sub-division 3- For Hotels having not more than twelve beds	5.00
For each additional bed for guests	.25
Sub-division 4- For lodging houses not to exceed five beds	1.50
For each additional bed for lodgers	.05
Provided, that families occupying rooms in hotels or lodging houses doing their own cooking, shall be separately rated.	
Sub-division 5- For stores, shops or other business places on ground floors, not separately rated for each 25-foot front or fraction thereof, provided that for corner store only one frontage shall be charged	.50
Sub-division 6- For offices on the ground floor	.50
Sub-division 7- For warehouses, each	.50
Sub-division 8- For saloons, where spirituous, vinous, or malt liquors are sold, each	2.50
For saloons where lunches are cooked and served free or otherwise, in addition to the above	1.50
Sub-division 9- For beer bottling establishments	1.00
Sub-division 10- For public bath tubs, used in bathing establishments or barber shops, for one tub	1.50
For each additional tub	.50

Sub-division 11 - For bakeries, in addition to family rates, for each twenty five barrels of flour or fraction thereof used per month	75
Sub-division 12 - For drug stores, each	1.00
Sub-division 13 - For blacksmithing and wagon shops	1.00
Sub-division 14 - For livery, feed, and sale stables	6.00
For feed and sale stables	2.00
Sub-division 15 - For breweries, each	2.25
Sub-division 16 - For building and plastering, for water used by plasterers for slacking each barrel of lime, plaster, or cement	15
For water used by brick layers to make mortar or dampen brick, for each 1,000 brick laid	.25
Sub-division 17 - For barber shops, for one chair	.75
For each additional chair	.25
Sub-division 18 - For laundries and wash houses, other than steam laundries	5.00
Sub-division 19 - For candy store, coffee or ice cream saloon or parlor	.50
Sub-division 20 - For candy store where candy is made	1.00
Sub-division 21 - For Soda or other fountains, in addition to other rates when included in the annual rate, that is to say, when such water is paid for during the whole year, each	.50
Sub-division 21 - When not so included	1.00
Sub-division 22 - For dental rooms	1.00
Sub-division 23 - For photograph galleries	1.50
Sub-division 24 - For printing offices, weekly	.75
Daily and weekly	2.50
Sub-division 25 - For paint shops, each	.75
Sub-division 26 - For use of water for manufacturing gas	9.00
For use of water for private gas machines	.75
Sub-division 27 - For graining mills, where gasoline engine only is used	.75
Sub-division 28 - For upper floors occupied as offices, for each person or firm occupying not more than three rooms	.50
For each additional room	.00

When occupied by families as lodgings only, office rates, otherwise family rates. Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.

Sub-division 29 - For the use of water in lodge rooms	50
Sub-division 30 - For steam laundries	10 00
Sub-division 31 - For butcher shops	1 00
Sub-division 32 - For theatre or dance hall	.50
Sub-division 33 - For the use of water in soda factories	3 00
Sub-division 34 - For the use of water for the county court house, including irrigation for the whole of block No. 83.	30 00
Sub-division 35 - For the use of water in that portion of the city known as "Chinatown" comprising block No. 45 and lot 1 in block 31	22 00

### Irrigation.

Sub-division 36 - For the irrigation of a lot or part of a lot 25 ft. by 140 feet as laid off on the official map of the City of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year .25

For irrigation of lot or fraction of a lot, when taken in connection with a family rate on same premises during the pleasure of the owner 60

For the irrigation of premises otherwise occupied when an annual rate is desired, and which rate must be paid each month during the entire year, for each lot or fraction of a lot 60

For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of flowers for sale, which rate must be paid for the entire year 50

For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the

irrigation of alfalfa, meadow stock, or exclusively for market gardening, which rate must be paid for the entire year

1.00

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of water where such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purpose indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the remainder of such year, for the same or similar purpose or purposes to that for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed above, as the annual rate for such use.

Meter Rates.

Subdivision 37 - For water, to be ascertained by meter or otherwise, for each 1000 gallons 2.00

Sub-division 38 - For steam engines or any other use not herein before specified, meter rates must be paid, or in lieu thereof such rates or amounts as upon application of the parties interested, and the Board of Trustees may fix by special order.

Sub-division 39 - For use of water for creamery 6.00

Sub-division 40 - For use of water for the manufacture of brick, for each 1000 bricks 2.00

Sub-division 41 - Janitor houses 1.00

Sub-division 42 - Cycleries, where auto-mobiles are cleaned or repaired 1.50

Section 2 - Section 2 of Ordinance No. 216 is hereby amended as to read as follows: -

Section 2 - The foregoing schedule of rates shall take effect and be in force on and after the first day of July A. D. 1906.

Section 2 - This Ordinance shall take effect and be in force after the first day of July, A. D. 1906.

Passed this 21st. day of Feb. A. D. 1906. by the following vote:

Ayes - J. R. Broughton, A. N. Brown, J. E. Drake, C. A. Post, G. J. Wren.

Noes - None

Absent - None

J. R. Broughton, President  
of the Board of Trustees of the City of Modesto

Approved this 21st. day of Feb. A. D. 1906.

J. R. Broughton, President  
of the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 225, entitled, "An Ordinance amending Sections 1 and 2 of Ordinance No. 216, and fixing the rates to be collected and paid for water on and after July 1st, A. D. 1906." and that the same has been published according to law.

## Ordinance No 229.

An Ordinance to amend Ordinance No. 217.

The Board of City Trustees of the City of Modesto do ordain as follows:

Section 1 - Ordinance No 217 of the City of Modesto is hereby amended as follows; a new section is hereby enacted and added to said Ordinance No. 217, to be a part thereof and to read as follows:

Section 15 - Skating rink, the sum of \$10.00 per quarter.

Introduced March 7th, 1906, by Trustee J. E. Drake.

Passed March 21st, 1906, by the following vote:

Ayes - J. R. Broughton, A. N. Brown, J. E. Drake, C. A. Post and F. J. Wren

Noes - None

Absent - None.

J. R. Broughton, President  
of the Board of Trustees of the City of Modesto.

Approved this 21st day of March A. D. 1906.

J. R. Broughton, President of  
the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson City Clerk.

I Walter O. Thompson do hereby certify that the foregoing is a true and correct copy of Ordinance No. 229, entitled, "An Ordinance to amend Ordinance No. 217", and that the same has been published according to law.

## Ordinance No. 230.

An Ordinance to prevent the keeping of swine, and to regulate the keeping of cattle within the City of Modesto.

The Board of Trustees of the City of Modesto, do ordain as follows:

Section 1 - No swine shall be kept within the City of Modesto.

Section 2. No cattle shall be kept within the City of Modesto so that the feeding, watering or customary place of resort of them or any of them may be within fifty feet of any human habitation or building occupied by human beings, or so that their surroundings are unsanitary, or injurious to the health or offensive to the senses of any person.

Section 3. - No person shall keep more than one head of cattle within the portion of said City bounded by 9th, G, 15th, and M streets, and no more than two head shall be kept in said City outside of the portion so bounded; provided that any reasonable number may be kept, subject to the provisions of section two hereof, on premises exceeding two acres in extent, and where streets have not been laid out and used.

Section 4. - Any person, as owner, agent, lessee, employe or otherwise, does, aids, assists, advises, encourages or knowingly permits where owning or controlling such animals they have the right to prevent, any of the acts or things inhibited by this ordinance shall be deemed guilty of doing such act or things whether the same be done in whole or in part on premises owned or controlled by such person or otherwise, or whether the animals kept contrary to the provisions of this ordinance are owned or controlled in whole or in part by such person or not.

Section 5. - Any person violating any of the provisions of this ordinance is guilty of a misdemeanor.

Section 6.- The City Marshal, finding any animal or animals kept contrary to any of the provisions of this ordinance shall impound the same and deal with the same as in case of other impounded animals, and such animals shall be subject to all the provisions of law relating to animals impounded for other reasons.

Section 7.- Subject to the provisions of section two hereof, animals kept in suitable places temporarily for purposes of sale or transportation, shall not be deemed animals kept contrary to the provisions of this ordinance, provided such place and animals are properly kept, managed and cared for and provided that no such animal shall be kept more than one week.

Section 8.- This ordinance is not intended to prevent or supersede any right or remedy relating to, or contravene any other provision of law regarding any of the acts or things herein referred to.

Section 9.- All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10.- This ordinance shall take effect and be in force from and after its passage and publication.

Introduced April 15th, A. D. 1906.

Passed June 6th, A. D. 1906, by the following vote:  
 Aye - J. R. Broughton, C. A. Post and F. J. Drew.  
 Oppose - None  
 Absent - A. N. Brown and J. E. Drake.

J. R. Broughton, President of the  
 Board of Aldermen of the City of Medford.

Approved this 6th day of June, A. D. 1906.

J. R. Broughton, President of the  
 Board of Aldermen of the City of Medford.

Attest: W. O. Thompson, City Clerk.

W. O. Thompson, City Clerk of the City of Medford,

do hereby certify that the foregoing is a true and correct copy of ordinance No. 230, entitled, "An ordinance to prevent the keeping of swine, and to regulate the keeping of cattle within the City of Modesto," and that the same has been published according to law.

## Ordinance No. 231.

An Ordinance to prohibit the sale or use of certain fireworks.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- It shall be unlawful to sell, give away or use the following kind of fireworks, known as Night-bombshells, Paper balloons, Dynamite Cans, and Rockets of any kind, from the first day of June to the first day of November of each and every year.

Section 2.- This Ordinance to take effect and be in force from and after its passage and publication.

Introduced June 6th, A. D. 1906, by Trustee J. R. Broughton.

Passed June 20th, A. D. 1906, by the following vote  
 Ayes - J. R. Broughton, A. N. Brown, L. A. Post, J. E. Drake, and T. J. Allen.  
 Noes - None.  
 Absent - None.

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Approved this 20th day of June A. D. 1906.

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 231, entitled, "An Ordinance to prohibit the sale or use of certain fireworks", and that the same has been published according to law.

Ordinance No. 232.

An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1906-7.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- The rate of taxation for the year 1906 and 1907, in and for the City of Modesto, shall be, and is hereby fixed as follows, to-wit: -

For General Fund - Seventy four cents on every one hundred dollars value of all property taxable for City purpose.

For Bond Redemption and Interest Fund - Forty one cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

The aggregate of which sum to-wit: One dollar and fifteen cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1906 on all property taxable in said City for City purposes it is hereby levied and apportioned to and shall be paid into the above named funds respectively, of said City.

Section 2.- This ordinance shall take effect and be in force from and after its passage and publication.

Introduced, Sept. 5th, A.D. 1906, by Trustee J. R. Broughton.

Passed Sept 19th, A.D. 1906, by the following vote.  
Ayes - J. R. Broughton, Chas. A. Peck, and F. J. Brown.  
Nays - None.

Absent - J. E. Drake and A. M. Brown.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Approved this 19th day of September, A. D. 1906

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 232, entitled, "An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1906 and 1907," and that the same has been published according to law.

## Ordinance No. 233.

An Ordinance fixing the license tax upon theaters and theatrical performances in the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1 - Every manager, proprietor or lessee of an opera house, theatre, or place of public amusement in the City of Modesto shall pay a license tax of \$12.50 per quarter.

Section 2 - Theatrical performances or shows held elsewhere than in an opera house, theatre, or place of public amusement licensed under this ordinance shall pay the license rates prescribed in Ordinance No. 227 of the City of Modesto.

Section 3 - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced Sept. 5th, 1906, by Trustee Chas. A. Post.

Passed Sept. 19th, 1906, by the following vote:  
 Ayes - J. R. Broughton, Chas. A. Post, and J. J. Brent.  
 Nays - None  
 Absent - A. N. Brown and J. E. Drake

J. R. Broughton President of the  
 Board of Trustees of the City of Modesto

Approved this 19th day of Sept. A. D. 1906.

J. R. Broughton, President of the  
 Board of Trustees of the City of Modesto

Attest W. D. Thompson, City Clerk.

I, Walter D. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 233, entitled, "An Ordinance fixing the license tax upon theaters and theatrical performances in the City of Modesto," and that the same has been published according to law.

## Ordinance No. 234.

An Ordinance to amend Ordinance No. 173.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- Ordinance No. 173 of the City of Modesto is hereby amended as follows; a new section is hereby enacted and added to said Ordinance No. 173 to be a part thereof and to read as follows:

Section 4 1/2 - Provided that any person having first procured a permit therefor, from the President of the Board of Trustees of the City of Modesto, may during the hours fixed in such permit, when engaged in and when necessary for his ordinary business, ride upon the sidewalks on the streets outside of the fire limits.

Section 2. This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced October 2nd 1906 by J. E. Drake.

Passed October 19th, 1906 by the following vote;  
 Aye - J. R. Broughton, Mr. Brown, J. E. Drake, C. A. Post, and G. J. Whinn  
 Nays - None  
 Absent - None

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Approved this 19th day of October, A. D. 1906.

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Attest: Walter D. Thompson, City Clerk

I, Walter D. Thompson, City Clerk of City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 234, entitled, "An Ordinance to amend Ordinance No. 173, and that the same has been published according to law.

Ordinance No. 235.

An Ordinance to amend Ordinance No. 217.

The Board of Trustees of the City of Modesto, do ordain as follows:

Section 1.- Ordinance No. 217 of said City is hereby amended as follows: Section number three of said ordinance is hereby amended to read as follows:

Section 3.- Every person desiring or intending to commence, establish, maintain, or carry on any business, or to make any show or exhibition, or play, or offer for play any game, in this ordinance referred to, shall before doing any of said acts, make written application for a license therefor, and file the same with the City Clerk.

Such application shall be made on the forms therefor furnished by said Clerk, and shall state the facts necessary and proper to be stated in such license, and all the facts necessary and proper to be known before such license is issued, and shall be verified by the affidavit of the applicant.

A like application shall be made and filed when ever a new license is required, before the same is required. Said application shall also state the location of the business, exhibition, show or game proposed, and the full name and residence of every person by whom the same is to be maintained, the character thereof, and the time the same is to be continued, and in case the rate of license tax is fixed by the amount of business, such application shall state the amount of business done in the current or preceding license period as well as that intended or expected to be done in the period for which such application is made.

In the case of the first application and each application annually thereafter for a license for selling liquors in saloons as prescribed by sub-division 9 of Section 1 here of and Wholesale liquor dealing as described in sub-division 33 of Section 2, said application shall also be accompanied by a deposit of \$5.00 to cover the expense of advertising and a petition requesting the Board of Trustees to grant him a license for such purpose. Said petition shall specify the block and place where the business is proposed to be opened and main-

Repealed by No. 5475

Application  
for license

Section  
of Saloon  
License

tained, and be endorsed by the owners of a majority of the frontage of real estate in the block fronting on the side or face of the block in which the proposed business is to be conducted; provided, however, that when such place is located at the corner of the block, then said petition shall be signed by the owners of a majority of the frontage fronting on the two sides or faces of the block which side interest at said corner, that is to say, a majority of the frontage on each side counted separately.

Upon filing said petition so endorsed the Clerk shall give notice by publication for at least four consecutive days in a daily newspaper printed and published in the City of Modesto stating the name of the applicant, the names of his endorsers, the place where said business is to be opened or maintained, notify all persons having any valid reason why said petition should not be granted to file their objections in writing with the City Clerk on or before the meeting of the Board of Trustees next succeeding the completion of the publication.

Any excess of the deposit over the amount paid for advertising shall be returned to the applicant.

When objection is made to the granting of any petition, the Board of Trustees shall fix a day for hearing said matter, and the Clerk shall notify the applicant and said objectors that at the time and fixed place the Board of Trustees will hear testimony for and against granting said petition.

Whether objection be made or not, the Board of Trustees shall hear and determine the application and grant or refuse the same as in its judgment may be proper and if such application be granted shall order a license to be issued to him upon his filing a bond payable to the City of Modesto in the penal sum of \$1000.00 approved by the president of the Board of Trustees with two good and sufficient sureties, who shall justify before some person competent to administer an oath, in double the amount mentioned in said bond, over and above statutory exemptions, in property situated in the City of Modesto.

Said bond shall be conditioned that the principal therein named while carrying on said business at the place mentioned in his endorsed application will not permit on said premises any breach of the peace or disorderly conduct nor permit any games prohibited by law to be played,

nor sell or give away any wine, beer or intoxicating liquors to any habitual or common drunkard or any person already intoxicated or under the age of legal majority, nor permit any minor to frequent such place. On the breach of such bond any person injured thereby shall have a right of recovery thereon.

The provisions herein requiring petitions and bonds shall apply only to the first applications and to each annual application thereafter.

The Board of Trustees do hereby expressly reserve the right to revoke for good cause any and all licenses issued after the licensee has been granted an opportunity to be heard in his own behalf.

No license shall be issued to any person who is not a person of good moral character, of temperate habits as to the use of intoxicating liquors and who is not a suitable person in other respects to maintain a saloon where intoxicating liquors are dispensed.

Upon a refusal by the Board of Trustees to grant to any person a license to carry on the business of saloon keeping mentioned herein, such person shall not again apply for or be granted a license within three months from the date of refusal.

Section 2.- Section 1 is hereby amended by adding a new sub-division thereto, to be known and numbered Sub-division No. 33.

Sub-division No. 33. Wholesale liquor dealing; the keeping of a liquor store where intoxicating liquors, wine or beer are dispensed in quantities of one quart or more and not to be used on the premises, the sum of (\$10.00) Ten Dollars per quarter.

Section 3.- This Ordinance shall take effect on its passage and publication.

Introduced November 21st, A. D. 1906.

Passed this 5th day of Dec. A. D. 1906, by following vote:  
Ayes: J. R. Broughton, A. R. Brown, Chas. A. Post, and J. J. Wynn  
Nays: None.  
Absent: J. E. Spake.

J. R. Broughton, President of

the Board of Trustees of the City of Modesto.

Approved this 5th day of Dec. A. D. 1906.

J. R. Broughton, President of the  
Board of Trustees of the City of Modesto.

Attest: W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 235, entitled, "An Ordinance to Amend Ordinance No. 219," and that the same has been published according to law.

Walter O. Thompson, City Clerk

Ordinance No. 236.  
An Ordinance to Amend Ordinance No. 235.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1 - Ordinance No 235 of said City is hereby amended by changing section No. 3 so as to read as follows: Section. 3 - This Ordinance shall take effect and be in force on and after June 1st, A. D. 1907.

Introduced Dec. 19th A. D. 1906. by Trustee G. J. Wren.

Passed January 2nd. 1907, by the following vote:

Ayes - J. R. Broughton, A. R. Brown, J. E. Drake, C. A. Post and G. J. Wren.  
Noes - None  
Absent - None

J. R. Broughton, President  
of the Board of Trustees of the City of Modesto.

Approved this 2nd day of Jan. A. D. 1907.

J. R. Broughton, President  
of the Board of Trustees of the City of Modesto.

Attest: Walter O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 236, entitled, "An Ordinance to Amend Ordinance No. 235", and that the same has been published according to law.

Walter O. Thompson, City Clerk

## Ordinance No. 237.

An Ordinance Amending Ordinance No. 228 and fixing the rates to be collected and paid for water after July 1st, A. D. 1907.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- The monthly rates to be paid for the use of water to the City of Modesto, are hereby fixed and established as follows:

## Schedule.

Sub-division 1.- For tenements occupied by a single family or private boarding house	\$ 0.75
Sub-division 2.- For restaurants, chop houses, and eating houses	2.00
Sub-division 3.- For hotels having not more than twelve beds	5.00
For each additional bed for guests	.05
Sub-division 4.- For lodging houses not to exceed five beds	1.50
For each additional bed for lodgers	.05
Provided, that families occupying rooms in hotels or lodging houses doing their own cooking, shall be separately rated.	
Sub-division 5.- For stores, shops, or other business places on ground floor, not separately rated for each 20 foot front or fraction thereof, provided that for corner stores only one frontage shall be charged.	.50
Sub-division 6.- For offices on the ground floor	.50
Sub-division 7.- For warehouses, each	.50
Sub-division 8.- For saloons where spirituous, vinous, or small liquors are sold, each	2.50
For saloons where luncheons are cooked and served free, otherwise, in addition to the above,	1.50
Sub-division 9.- For beer bottling establishments	1.00
Sub-division 10.- For public bath-tubing, used in bathing establishments or barber shops, for one tub	1.50
For each additional tub,	.50
Sub-division 11.- For breweries, in addition to family rates: for each twenty five barrels of flour or greater amount used per month	.75

Sub-division 12.- For drug stores, each	\$ 1.00
Sub-division 13.- For blacksmithing and wagon shops	1.00
Sub-division 14.- For livery, feed and sale stables	6.00
For feed and sale stables	3.00
Sub-division 15.- For breweries, each	2.25
Sub-division 16.- For building and plastering, for water used by plasterers for slacking each barrel of lime, plaster, or cement	15
For water used by brick layers to make mortar or dampen brick, for each 1,000 brick laid	25
Sub-division 17.- For barber shops, for one chair	75
For each additional chair	.25
Sub-division 18.- For laundries and wash houses, other than steam laundries	5.00
Sub-division 19.- For candy stores, where candy is made	1.00
Sub-division 20.- For candy store, coffee or ice cream saloon or parlor	50
Sub-division 21.- For soda or other fountains, in addition to other rates when included in the annual rate, that is to say, when such water is paid for during the whole year, each	50
When not so included	1.00
Sub-division 22.- For dental rooms	1.00
Sub-division 23.- For photograph galleries	1.50
Sub-division 24.- For printing offices, weekly	75
Daily and weekly	2.50
Sub-division 25.- For paint shops, each	75
Sub-division 26.- For use of water for manufacturing gas	9.00
In use of water for private gas machines	75
Sub-division 27.- For planing mills, where gasoline engine only is used	75
Sub-division 28.- For upper stories occupied as offices for each person or firm occupying not more than three rooms	50
For each additional room	.25
When occupied by families as lodgings only, office rates, otherwise family rates. Such rates must be aggregated for the whole building and in each instance paid by the owner or agent.	
Sub-division 29.- For the use of water in large rooms	50
Sub-division 30.- For steam laundries	10.00

- Sub-division 31.- For butcher shops \$ 1.00
- Sub-division 32.- For theatre or dance halls, each .50
- Sub-division 33.- For the use of water in soda factories 3.00
- Sub-division 34.- For the use of water for the county court house, including irrigation for the whole of block No. 53. 30.00
- Sub-division 35.- For the use of water in that portion of the City known as "Chinatown" comprising block No. 45 and lot 1 in block 31 22.00

Irrigation.

Sub-division 36.- For the irrigation of a lot or part of a lot 25 feet by 140 feet as laid off on the official map of the City of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year .25

For the irrigation of each lot or fraction of a lot, when taken in connection with a family rate on the same premises during the pleasure of the owner .60

For the irrigation of premises otherwise unoccupied when an annual rate is desired, and which rate must be paid each month during the entire year, for each lot or fraction of a lot. .40

For the irrigation of a lot or fraction of a lot 25 ft. by 140 feet whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of flowers for sale, which rate must be paid for the entire year .50

For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa, nursery stock, or exclusively for market gardening, which rate must be paid for the entire year 1.00

The rates above fixed for the use of water (except other sums specially provided) are the rates to be paid per month for the use of water where such water is used and paid for during the entire year, or such portion thereof

as water may or might be required for the purposes indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the remainder of same year, for the same or similar purpose or purposes to that for which water is used during a part of the year, then the rate for the time water is so used shall be double that herein fixed as above, as the annual rate for such use.

### Meter Rates.

- Sub-division 37.- For water, to be ascertained by meter or otherwise, for each 1,000 gallons 20
- Sub-division 38.- For steam engines or any other uses not heretofore specified, meter rates must be paid, or in lieu thereof such rate or amount as upon application of the parties interested, and the Board of Trustees may fix by special order.
- Sub-division 39.- For the use of water for creamery 6.00
- Sub-division 40.- For the use of water for the manufacturing of brick, for each 1,000 bricks .20
- Sub-division 41.- Small houses 1.00
- Sub-division 42. Cycleries, where automobiles are cleaned or repaired 1.50

Section 2.- Section 2 of Ordinance No. 228 is hereby amended so as to read as follows:

Section 2.- The foregoing schedule of rates shall take effect and be in force on and after the first day of July, A. D. 1907.

Section 3.- This Ordinance shall take effect and be in force on and after the first day of July, A. D. 1907.

Introduced February 6th, A. D. 1907 by  
Speaker A. N. Brown

Passed this 20th day of February A. D. 1907  
by the following vote:  
Ayes J. R. Broughton, A. N. Brown, J. P. Drake, C. A. Post and  
G. J. Wren

Docs - None  
 Absent - None

J. R. Broughton, President  
 of the Board of Trustees of the City of Modesto.

Attest: W. Q. Thompson, City Clerk.

I, Walter Q. Thompson, City Clerk of the City of Modesto,  
 do hereby certify that the foregoing is a true and  
 correct copy of Ordinance No. 237, entitled, "An  
 Ordinance amending Section 2 of Ordinance No. 228 and  
 fixing the rates to be collected and paid for water on and  
 after July 1st, A. D. 1907," and that the same has been  
 published according to law.

W. Q. Thompson, City Clerk

Ordinance No. 231.

An Ordinance to Amend Section One of Ordinance No. 86.

The Board of Trustees of the City of Modesto, do ordain as follows:

Section 1. The official width of sidewalk space on streets in the City of Modesto shall be twelve feet measuring from the line of the blocks and including the curbing, with the exception as noted in section 2.

Section 2.- The official width of sidewalk space on the following designated streets in that part of the City of Modesto known as the Weircarver addition shall be fifteen feet measuring from the line of the blocks and including the curb, namely Hackberry, Poplar, Park, Sycamore, Maple and Elmwood Avenue.

Introduced March 6th, 1907, by J. E. Drake.

Passed March 20th, 1907, by the following vote:

Ayes - J. R. Broughton, A. N. Brown, J. E. Drake, C. A. Post, and G. J. Wood.

Noes - None

Absent - None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: W. O. Thompson

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 231, entitled, "An Ordinance to Amend Section One of Ordinance No. 86," and that the same has been published according to law.

Walter O. Thompson, City Clerk

## Ordinance No. 239.

An Ordinance to Amend Ordinance No. 217 and to Repeal Ordinances and Parts of Ordinances in Conflict Herewith.

The Board of Trustees of the City of Modesto do Operate as follows:

Section 1. Sub-division 9 of Ordinance No. 217 is hereby amended to read as follows:

Sub-division 9 Liquor dealing; the keeping of a saloon or other place where intoxicating liquors, wine, or beer are dispensed in less quantities than one quart or to be drunk on the premises where dispensed, for each bar of place where the same are dispensed, the sum of \$60.00 per quarter.

Section 2.- Ordinance 236. is hereby repealed.

Section 3.- Ordinance No. 235 is hereby amended by striking out the words "and each application annually thereafter" after the words, "in the case of the first application" and inserting after the words "counted separately" of the same sub-division the words "in case of each annual application for such license after such license has been granted, the same need be signed by the owners of only 100 feet in frontage on the block fronting on the side or face where such saloon or liquor dealer is located."

Section 4.- This Ordinance shall take effect on its passage and publication.

Introduced May 15th, 1907.

Passed, June 19th, A.D. 1907, by the following

vote:

Aye - A. M. Brown, Chas. A. Post, and J. E. Drake.

Nay - J. R. Broughton, and J. J. Ward.

Absent - None.

J. R. Broughton, President of  
the Board of Trustees of the City of Modesto

Attest: W. O. Thompson, City Clerk.

J. Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 239, entitled "An Ordinance to Amend Ordinance No. 217, and to Repeal Ordinances and Parts of Ordinances in Conflict Therewith", and that the same has been published according to law.

Walter O. Thompson, City Clerk

Ordinance No. 240.

An Ordinance providing for a Board of Health and other officers and to prescribe their powers and duties relating to the sanitary condition of the City of Modesto; and to make certain sanitary and quarantine provisions in and for said city.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1.- A Board of Health in and for the City of Modesto is hereby established, which said Board shall be successors in office of the Board heretofore established. Said Board shall consist of five members to be appointed by the Board of City Trustees and hold office during its pleasure. One at least of said Board of Health shall be a practicing physician and a graduate of some reputable school of medicine, and one, if practicable, a civil engineer. Said Board of Health shall, until the further order of this Board consist of the following persons, to-wit: - Dr. F. R. De Lappe M. D., G. A. Cressey Esq., Geo. H. Freitas, John A. Dunn and John D. Turner.

Section 2.- The officers of said Board of Health shall consist of a president, a secretary, and a City physician who shall be the health officer of said board and said city, and such inspectors as may be found necessary. Said officers shall be appointed by said Board of Health and hold office during its pleasure.

Section 3.- The Board of Health hereby appointed shall meet immediately after notice of its appointment, to be given by the clerk of this board, which notice shall fix the time and place of such meeting. It shall then and there fore, or at such other time as it may fix by adjournment, organize as such board, appoint its officers, and perform such other duties as come within its juris diction and power. It shall hereafter hold regular monthly meetings on the second Monday of each month, at the hour of 8 o'clock P. M., or at other time, at least once a month, as said board of health may fix. It may also hold a special

meeting whenever called by the president or a majority of the members thereof, but no action at such special meeting shall be valid unless concurred in by majority of the Board. At all meetings three members shall constitute a quorum. Notice of special meetings shall be given, if practicable, to each member not joining in the call, but failure to give such notice shall not invalidate the action of the Board provided a majority of the Board is present at such meeting and concur in such action.

Section 4.- All ordinances and parts of ordinances in conflict herewith are hereby repealed; but so far as this ordinance is substantially the same as any existing ordinance or part thereof, or is in harmony therewith, it shall be construed as a continuance thereof or amendment thereto, as the case may be; the Board of Health now in office shall continue till its successor has met and organized; and all ordinances, rules, regulations and other provisions relating to health, sanitation and quarantine shall remain in force until superseded or changed by this ordinance or the proceedings taken thereunder or some provision hereafter legally made.

Section 5.- Said Board of Health shall have power and it shall be its duty:-

1. To supervise all matters pertaining to the sanitary condition of the City of Modesto and make such rules, regulations and orders as are necessary and proper relating thereto and not contrary to law.

2. To perform all duties prescribed by law, including the ordinances of said City, relating to the sanitary condition thereof and the inhabitants' health, quarantine, interments and disinterments, infectious, communicable or similar diseases, and all matters and things pertaining to the duties of such Boards;

3. To hold regular meetings at the times appointed and such other meetings as may be necessary for the performance of its duties;

4. To keep a record of its proceedings upon such officers and employees as are prescribed by law or provided thereby and necessary and proper to enable it to carry out the purposes of its organization and to do all other things necessary and proper for

such purposes:

5. And to do and perform all acts and things prescribed by law and particularly the ordinances of said City relating to said Board or such Boards of Health.

Section 6.- The president of the Board of Health shall preside at its meetings, perform such other duties as pertain to such office, and in the absence or failure to act of the health officer, act as such officer.

Section 7.- The secretary shall keep a record of the proceedings of said Board and its officers, have charge of the records thereof and of such officers, conduct their correspondence and perform all clerical duties prescribed by law as required of said Board or its officers.

Section 8.- The health officer shall be the executive officer of the Board of Health, and as such shall act as its representative, having all its powers, when such Board is not in session. He shall have general oversight of the health of the city; shall make or order made by the proper officer or person, a careful inspection of said city, and shall remove all alleged nuisances complained of, or referred to him by said Board, and take all proper means necessary for the abatement thereof; and shall have all other powers and perform such other duties as are prescribed by ordinance of said City, or other law, or the orders of said Board of Health not in conflict therewith.

Section 9.- The inspectors shall have such powers and duties as the Board of Health may, within its powers, prescribe.

Section 10.- The Board of Health shall have power and it shall be its duty, to adopt such measures as will best preserve and promote the health of said City and prevent the spread of disease, to enter into and examine on the daytime all buildings, lots and other places in said City; to prevent or forbid communication with infected families, persons, houses or other places or things, and by and with the consent of the Court of City Trustees to establish a pest house or hospital; to exercise a general supervision over hospitals, prisons, school houses

and public buildings; and to make such rules and regulations relating thereto as may be necessary and proper to carry out the provisions of law relating to health, sanitation and quarantine so far as the said City may be affected thereby. The specific provisions of this ordinance, or of any rule or regulation of said Board of Health, shall not be construed so as to relieve any officer or other person from any duty or liability otherwise prescribed or imposed by law, nor to limit or control any other provision of law or such rules so as to prevent the enforcement thereof.

Section 11. - Whenever any household knows, or has good reasons to believe, that any person within his household has a communicable disease, dangerous to the public health, he shall immediately report the same to the health officer, giving the street and number, or other particular location, of his house or premises, and he shall immediately placard the same, which placard shall not be removed until so ordered by the health officer. No parent, guardian or master in whose family there shall have been a communicable disease dangerous to the public health shall permit any child or other person residing in such house or family to attend any public, private or Sunday school, Church, or other public gathering after the cessation of said disease within a period of thirty days after the house shall have been thoroughly disinfected and cleansed, except by permit of the Board of Health, and all such children or other persons, before being permitted to return to or attend school shall furnish to the teacher or principal, a certificate signed by the health officer stating that the child or person is free from contagious or infectious disease. It shall be the duty of the Board of Health to have this section printed on cards mentioning the names of the diseases declared to be communicable and dangerous to the public health and to furnish the same to every school, academy, seminary, kindergarten and Sunday school in this City.

Any place in which a person suffering with a dangerous infectious disease may be confined shall be and remain under the control of the Board of Health so long as the disease exists or the place may be

considered dangerous to the public health and no person shall enter or leave the same if forbidden by the board or its proper officer. The board may further, if it deems it necessary, put a guard or guards upon said house, place or premises.

Section 12. - No person shall sell milk or distribute milk for the use of persons other than himself without having a license therefor. To obtain such license, he shall make application to the health officer therefor, and give him sufficient proof that the cows from which such milk is obtained are in good health and that they and their stables, or other surroundings, and that the conveyances, appliances and milk, will be kept clean and sanitary and furnish such officer with the necessary information to enable him to enforce the sanitary regulations relating thereto; on receipt of which application, and other matters, said health officer shall issue such license. Hereafter, such license shall at all times comply with the rules and regulations of said Board of Health respecting such license, and keep the cows from which such milk is sold or distributed are obtained, and all stables, surroundings, conveyances or appliances affecting such milk subject to the inspection of such officer, and in case such milk comes from unhealthy cows, or the same are not properly fed and watered, or the milk is more than 12 hours old when delivered to patrons, or between April 1st and October 31st, has more than 75,000 bacteria per C. M., or between November 1st and March 31st, has more than 50,000 bacteria per C. M., or the lawful rules and regulations of said Board or orders of said officer are in any way broken, said license shall be revoked.

Section 13. - No person shall place, throw or deposit on or in any public street, way, sidewalk, alley, square, or private property without the permission of the owner, or have possession of or at any such place, with intent to place, throw or deposit the same, any manure, dung, grease or scraps of paper, waste board, old yarn, hand bills, or undelivered or business cards.

Section 14.- All expenses necessarily incurred by the Board of Health must be provided for and fixed in advance by the City Trustees, and thereafter audited and allowed by said Board of City Trustees, which may make an appropriation out of the general fund by taxation therefor.

The compensation until otherwise ordered by this Board shall be: Of the health officer, the sum of \$25.00 per month; the secretary of the Board of Health, nothing; the members of the Board of Health, nothing; the inspectors, such sums as may be fixed by the Board of City Trustees, when notified of the appointment of such inspectors.

Section 15.- The health officer shall establish, maintain and enforce quarantine, whether ordered by to do or not by the State Board of Health, whenever the same would be legal or proper if so ordered, and all the provisions of the law applicable to quarantine when ordered by said State Board shall apply to the quarantine so established, maintained and enforced by the health officer, and he shall have in such case, such other powers and duties as may be prescribed by the Board of Health and which may be necessary or proper to more effectually and specifically carry out the provisions and principles of law relating to such quarantine.

Section 16.- The violation of any provision of this ordinance or any other ordinance of said City relating to health, sanitation or quarantine, the breach or failure to comply with any rule, regulation or lawful order of said Board of Health or any of the officers charged with the performance of any duty hereunder, and the breach or violation of any other law relating to health, sanitation or quarantine, so far as the same affects said city or is in force therein, shall be a misdemeanor, and the penalty thereof is hereby fixed and prescribed as a fine of not exceeding \$200.00 or imprisonment not exceeding three months, or both such fine and imprisonment, for each offense.

Section 17.- This Ordinance shall take effect from and after its passage and publication.

Introduced June 5<sup>th</sup>, A. D. 1907.

Passed, July 3<sup>d</sup>, A. D. 1907 by the following vote:  
 Ayes: J. R. Broughton, A. N. Brown, J. E. Drake, Chas. A. Post and  
 G. J. Arew.

Nays: None

Absent: None

J. R. Broughton, President  
 of the Board of Trustees of the City of Modesto.

Attest: W. D. Thompson, City Clerk of said City.

I, Walter D. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 240, entitled, "An Ordinance providing for a Board of Health and other Officers and to prescribe their powers and duties relating to the sanitary condition of the City of Modesto, and to make certain sanitary and quarantine provisions in and for said City," and that the same has been published according to law.

W. D. Thompson, City Clerk

Ordinance No 241

An Ordinance Repealing Section No 48 of Ordinance No 40, In Reference to allowing the Marshall, Commissions on Taxes and other monies collected by him.

The Board of Trustees of the City of Modesto Do Ordain as Follows:

Section 1 - Section No. 48 of Ordinance No. 40 is hereby repealed.

Section 2 - This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced July 17th, 1907

Passed August 7th, 1907, by the following vote:  
Ayes - J.R. Broughton, A.N. Brown, J.C. Inaba,  
C.A. Post, G.J. Wren.

Noes - none

Absent - none

J.R. Broughton, President  
of the Board of Trustees of the City  
of Modesto

Attest: Walter D. Thompson, City Clerk.

I, Walter D. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No 241 entitled "An Ordinance repealing section 48 of Ordinance No 40 in reference to allowing the Marshall, Commissions on Taxes and other monies collected by him" and that the same has been published according to law.  
Walter D. Thompson, City Clerk

## Ordinance No. 242

## An Ordinance to Better Protect Paved Streets.

The Board of Trustees of the City of Modesto do Ordain, as follows:

Section 1. - It is hereby made a misdemeanor for any person to burn any thing or make a fire for any purpose on any of the paved streets or alleys, also shall it be a misdemeanor to haul any combined harrow on or over the paved streets.

Section 2 - Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding one Hundred Dollars, or less, or by imprisonment not exceeding sixty Days or by both such fine and imprisonment.

Section 3 - This ordinance shall take effect and be in force from and after its passage and publication.

Introduced July 17th, 1907.

Passed August 7th, 1907 by the following vote:  
 Ayes - J. R. Broughton, Anderson, E. E. Drake, S. J. Whelan  
 4 yea - B. A. Post  
 Absent - none

J. R. Broughton, President of  
 the Board of Trustees of the City of Modesto.

Attest - Walter S. Thompson, City Clerk

I, Walter S. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 242, entitled "An Ordinance <sup>to</sup> ~~providing for a Board of Health and other affairs and~~ <sup>Better Protect and</sup> ~~to provide these powers and duties relating to the~~ <sup>sanitary conditions of the City of Modesto and to make</sup> ~~certify and guarantee provisions in and for~~ <sup>said City</sup> and that the same has been published according to law.

W. S. Thompson  
 City Clerk

Ordinance No. 243

An Ordinance for the closing of saloons certain hours.

The Board of Trustees of the City of Modesto do Ordain as follows:

Section 1 - All saloons shall close every night at 12-30 o'clock and not re-open until 6 o'clock in the morning.

Section 2 - The punishment for violating this ordinance will be the revocation of the liquor license of the party violating the same.

Section 3 - This ordinance shall take effect and be in force from and after its passage and publication.

Introduced July 17, 1907

Passed August 7th, 1907, by the following vote:  
 Ayes - J. R. Broughton, Anderson, G. E. Drake,  
 W. A. Post, H. J. Wren

Noes - none.

Absent - none.

J. R. Broughton, President of the Board of Trustees of the City of Modesto

Attest: - Walter O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 243, entitled, "An Ordinance for the closing of saloons certain hours" ~~Ordinance passed by the Board of Health and other officers and to provide their powers and duties relating to the sanitary conditions of the City of Modesto and to make certain sanitary and general rules of provisions in and for said city and that the same has been published according to law~~

W. O. Thompson  
 City Clerk

Ordinance No. 244

On the matter of a Public Library for the City of Modesto

The Board of Trustees of the City of Modesto do Ordain  
As follows:

Section 1 - That a Public Library be established  
in and for the City of Modesto to be known, as the  
Modesto City Library.

Section 2 - This Ordinance to be in force and  
effect on and after its adoption and publication.

Introduced September 24<sup>th</sup> A.D. 1907, by the following  
vote:

Yeas - J. Broughton, F. E. Drake, C. A. Beck and  
J. F. Wren

Nays - none

Absent - none

J. Broughton, President of the Board  
of Trustees of the City of Modesto.

Attest - W. E. Thompson, City Clerk.

I, Walter E. Thompson, City Clerk of the City of Modesto,  
do hereby certify that the foregoing is a true and  
correct copy of Ordinance No. 244 entitled "An Ordinance  
establishing a Public Library for the City of Modesto"  
and that the same has been published according to  
law.

W. E. Thompson  
City Clerk

## Ordinance No. 245

An Ordinance Fixing the Rate of Taxation in and for the City of Modesto for the years, 1907 & 1908.

The Board of Trustees of The City of Modesto Do Ordain As Follows:

Section 1 - The rate of taxation for the years 1907 and 1908, in and for the City of Modesto, shall be, and is hereby fixed, as follows, to-wit:

For General Fund - Seventy five cents on each one hundred dollars value of all property taxable for City purposes.

For Bond Redemption, and Interest Fund, - Thirty five cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

Library Fund - Five cents on each one hundred dollars value of all property taxable for maintenance of a free Public Library.

The aggregate of which sum to-wit: One Dollar and fifteen cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1907 on all property taxable in said city for it is hereby levied and apportioned to and shall be paid into the above named funds respectively, of said City.

Section 2 - This ordinance shall take effect and be in force from and after its passage and publication.

Introduced September 25th, 1907 by trustee  
G. J. Wren.

Passed September 25th, 1907, by the following vote:  
Ayes - J. H. Brington, A. Brown, L. B. Drake, A. B. Hart.  
Nays - none.

Absent - none

J. Broughton, President of the Board  
of Trustees of the City of Modesto.

Attest, W. A. Thompson, City Clerk.

I, Walter A. Thompson, City Clerk of Modesto, do hereby  
certify that the foregoing is a true and correct copy  
of Ordinance No 245, entitled "An Ordinance Fixing  
the Rate of Taxation in and for the City of Modesto for the  
years 1907-8" and that the same has been published  
according to law.

W. A. Thompson  
City Clerk.

## Ordinance No 246.

An Ordinance to Better Protect Paved Streets.

The Board of Trustees of the City of Modesto Do Ordain  
As Follows:

Section 1 - It is hereby made a misdemeanor for any person to burn anything or make a fire for any purpose on any of the paved streets or alleys; also it shall be a misdemeanor to haul or run any combined harvester, traction engine with grouser, injurious to pavement or other vehicle injurious to pavement, on or over the paved streets or alleys or to spill oil or other deleterious substance thereon.

Section 2 - This ordinance shall not be construed to permit any injury to the streets or pavements not herein specified, or to authorize or permit any act or thing not herein prohibited, and which would otherwise be unlawful.

Section 3 - It shall be the duty of the city marshal to take all necessary and proper measures to guard against and prevent the violation of this ordinance as well as to secure the punishment of such violation if any is committed.

Section 4 - Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than Twenty Dollars.

Section 5 - This Ordinance shall take effect upon its passage and publication.

Introduced December 10th A.D. 1907 by trustee J.H. Broughton.

Passed December 18th, 1907, by the following vote:  
Ayes - J.H. Broughton, Anderson, F.L. Drake, and H.J. Wilson.

None - none.

Absent - A.P. Post.

J.H. Broughton President of the  
Board of Trustees of the City of Modesto.

Attest, W. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk, of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 246, entitled, "An Ordinance to Better Protect Paved Streets," and that the same has been published, according to law.

W. O. Thompson,  
City Clerk

Ordinance No. 247

An Ordinance providing a system for the assessment, levy and collection of City Taxes.

The Board of Trustees of the City of Modesto do ordain, as follows.

Section 1 - It shall be the duty of the Marshal of the City of Modesto to collect all taxes levied by the Board of Trustees, except as otherwise provided.

Section 2 - Immediately upon the receipt by the clerk from the Assessor of the assessment roll, he must give notice thereof, and of the time the Board of Trustees, acting as a Board of Equalization, will meet to equalize assessments, by publication in a newspaper published in said City of Modesto, which notice shall be published at least once a week from the time of delivery of such assessment roll until the said board shall meet providing, that in any event, it shall not be published more than three times.

Section 3 - The Board of Trustees, shall on the first Monday in September fix the rate of City Taxes, designating the number of cents one each one hundred dollars of property levied for each fund, and shall, at said time, levy such taxes upon the taxable property of the said city, provided, that the levying of such taxes may be postponed from time to time for a period, however not exceeding three weeks.

Section 4 - Within ten days after the receipt of the tax list from the clerk, the marshal must publish a notice specifying:

First - that taxes will be delinquent on the last Monday in November next thereafter at six o'clock P.M., and that unless paid prior thereto fifteen per cent will be added to the amount thereof.

Second - the time and place at which payment of taxes may be made.

Such notice must be published at least once a week for two successive weeks.

section 5- The Marshall must mark the date of payment of any tax or of the several partial payments, as the case may be, in the Assessment Book, opposite the name of the person paying, and give a receipt to the person paying any tax or any part of any tax, specifying the amount of the assessment, and the tax or part of tax paid, and the amount remaining unpaid, if any, with a description of the property assessed.

section 6- On the last Monday of November in each year at 6 o'clock p.m., all taxes then unpaid are delinquent, and thereafter the Marshall must collect for the use of the City an additional fifteen per cent.

section 7- On or before the first day of February of each year the Marshall must publish the delinquent list which must contain the names of the persons, and a description of the property delinquent, and the amount of the assessment, and costs due, opposite each name and description. He must append to and publish with the delinquent list, a notice that unless the taxes delinquent, together with costs and percentage, are paid, the real property upon which such taxes, are in lieu will be sold at public auction.

The publication must be made once a week for three successive weeks in a newspaper published in the City of Modesto, provided that no error or mistake in the publication, unless such as to mislead any one to the detriment of the owner of such property, shall invalidate any sale made there under, and provided, further, that if any error in the publication of the sale of delinquent property which might invalidate a sale there under should occur, and be discovered prior to the sale, the Marshall shall at once republish notice of sale of the property affected by such error making such republishing conform to the provisions of this ordinance, and the time of sale designated in such republishing must not be less than twenty-one days from the first republishing, and when sold under such republishing, such sale shall in every respect be, as valid as though no error had been committed.

Section 8 - The Marshall must collect in addition to the taxes due on the delinquent list, and fifteen per cent added, fifty cents on each lot, piece or tract of land separately assessed.

On the day fixed for the sale, or some subsequent date to which he may have postponed it, of which he must give notice, the Marshall between the hours of ten a. m. and three o'clock p. m. must commence the sale of the property advertised, commencing at the head of the list, and continuing alphabetically or in the numerical order of lots or blocks, until completed.

He may postpone the day of commencing the sale, or the sale, from day to day, but the sale must be completed within three weeks from the day fixed.

Section 9 - The owner or person in possession of any real estate offered for sale for taxes due thereon, may designate, in writing, to the Marshall, prior to the sale, what portion of the property he wishes sold; if less than the whole; but if the owner or possessor does not, then the Marshall may designate it, and the person who will take the least quantity of the land, or in a case, an undivided interest is assessed, then the smallest portion of the interest, and pay the taxes and costs due, including two dollars for the duplicate certificate of the sale to the purchaser.

If the purchaser does not pay the taxes and costs before ten o'clock a. m. the following day, the property on the next sale day, must be resold for the taxes and costs. But in case there is no purchaser in good faith for the same on the first day that the property is offered for sale, then such property shall be struck off to the city of Modesto as the purchaser, and a duplicate certificate delivered to the Clerk of the City, and filed by him in his office. No charge shall be made for the duplicate certificate when the City is the purchaser, and in such case the Marshall shall make an entry "sold to the City" and he shall be credited with the amount thereof in his settlement.

When the City is purchaser at such sale it shall be entitled to the same rights as a private purchaser, and the title so acquired by the City subject to the right of redemption herein provided, may be conveyed by deed executed and acknowledged by the President of the Board of Trustees, and the Clerk of said City, provided, that authority to so convey must be conferred by resolution of the Board, entered on its minutes, fixing the price at which such sale may be made.

Section 10 — After receiving the amount of taxes and costs, the Marshal must make out in duplicate, a certificate dated on the day of sale, stating when known, the name of the person assessed, and description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, and specifying the time when the purchaser will be entitled to a deed. The certificate must be signed by the Marshal, and one copy delivered to the purchaser and the other filed in the office of the County Recorder.

Section 11 — The Marshal, before delivering any certificate, must in a book prepared for that purpose, enter a description of the land sold, corresponding with the description in the certificate, the date of the sale, purchaser's name, and amount paid, regularly number the description on the margin of the book, and put a corresponding number on each certificate. On filing the certificate with the County Recorder, the lien of the taxes vests with the purchaser, and is only divested by the payment to him, or to the Marshal for his use, of the purchase money, and such costs, penalties, and interest as now or hereafter may be required for the redemption of property sold for state taxes.

Section 12 — A redemption of the property sold may be made by the owner or any party in interest within five years from the date of the sale, or when sold to the City at any time prior to the delivery of the deed.

Section 13 — Redemption must be made in gold or silver coin, as provided for the collection of state and county

Taxes, and when made to the Marshal, he must credit the amount paid to the person named in the certificate, and pay it, on demand, to him or his assignees, and report to the Board of Trustees the names of persons entitled to redemption money and the amount due each. He must on receipt of the amount necessary to redeem, deliver to the person so redeeming, the proper receipt showing the payment by him, and the redemption from said sale.

Section 14 - If the property is not redeemed within the time herein provided, the Marshall or his successor in office must make to the purchaser, or his assignee, a deed of the property reciting in the deed substantially the matters contained in the certificate, and that no person redeemed the property during the time allowed by law by redemption. The Marshall shall receive from the person the purchaser for the use of the City for the making of such deed, and said deed shall be prima facie evidence: 1 That the property was assessed, as required by law. 2 That the property was equalized, as required by law. 3 That the taxes were levied in accordance with law. 4 That the taxes were not paid. 5 That, at the proper time and place, the property was sold as prescribed by law and by the proper officer, after sufficient notice. 6 That the property was not redeemed. 7 That the person who executed the deed, was the proper officer. The deed conveys to the grantee the absolute title to the land described therein, free from all encumbrance.

Section 15 - Every tax due upon personal property is a lien upon such property and upon all the real estate belonging to the owner of such <sup>personal</sup> property, in the City of Modesto, from and after the first Monday in March of each year, and shall remain such lien until paid or until such property is sold to satisfy the same.

Section 16 - Any person may pay his taxes to the assessor at the time his property is assessed, or at anytime thereafter prior to the time the tax list is delivered to the Marshall, and in such case, the assessor shall give the person paying such tax a receipt and shall keep a

a record thereof, and pay such taxes into the Treasury immediately.

Section 17 - The assessor must demand the taxes on all personal property, as soon as the same is assessed, when, in his opinion, said taxes are not a lien upon real property situated in the city of Modesto, and belonging to the owner of such personal property, sufficient to secure the payment of such taxes, and if such taxes are not immediately paid, the assessor shall report the non payment thereof and the marshal shall immediately seize sufficient personal property owned by the delinquent and sell the same.

Section 18 - For all the taxes collected by him, the assessor shall give a similar receipt and make like entries in his books provided, when payment is made to the marshal.

Section 19 - The sale provided for in section 18 must be at public auction and of sufficient amount of the property to pay taxes and costs, and must be paid after one week's notice of the time and place of sale given by publication in a newspaper published in the said city of Modesto. Upon seizing and selling such personal property, the marshal shall charge in each case the sum of \$3 for his services and expenses.

Section 20 - On payment of the price bid for any property and the delivery thereof to the purchaser of a bill of sale signed by the marshal, vests the title therein in the purchaser.

Section 21 - All moneys received from such sale over the taxes and costs must be paid to the owner of the property, and the unpaid portion of any property may be left at the place of sale at the wish of the owner.

Section 22 - At any time after the tax list is delivered to him, upon discovery that there is not sufficient real estate situated in the city of Modesto, upon which the taxes assessed upon personal property are a lien to pay said taxes, the marshal may seize sufficient personal property of the person owing said taxes to pay the same and costs of sale, and

shall sell the same in the same manner, as property required to be sold, under the preceding sections

Section 23 — When the property is sold for taxes properly imposed, no misnomer of the owner or ~~the~~ <sup>the</sup> owner, or <sup>the</sup> mistake relating to the ownership, and no irregularity in title of the purchase or render void or voidable such sale.

Section 24 — In case property assessed for taxes is purchased by the City, it shall be assessed the next year for the taxes in the same manner as if it had not been purchased, but the sale there of shall be deferred until the time for redemption from the previous sale shall have expired, and in case property sold to the City, under such delinquent tax sale, is subsequently assessed, no person shall be permitted to redeem from such sale, except upon payment, also of the amount of such subsequent assessment, percentage cost, fees and interest.

Section 25 — On all sales of personal property under this Ordinance, if there are no buyers for the property, the marshal shall strike the same off to the City of Modesto, and report the same to the Board of Trustees, who shall make such order respecting the disposal of the same, as the circumstances require.

Section 26 — Any taxes, costs or penalties erroneously assessed or erroneously or illegally collected, may be refunded by order of the Board of Trustees, and such Board of Trustees is hereby empowered, by resolution, to authorize the correction of any mistake or error in the assessment or sale of any property.

Section 27 — All delinquent receipts, statements books, and lists necessary to carry out the provisions of this Ordinance shall be furnished, the respective officers by the Board of Trustees.

Section 28 — All the provisions of the Political Code now or hereafter to be enacted relative to the assessment and collection of State and County taxes upon

real and personal property, so far as the same are not inconsistent, with the provisions of this Ordinance or of the act of the Legislature entitled, "an act to provide for the organization, incorporation and government of municipal corporations, approved March 19, 1883", and the acts amendatory and supplemental thereto, are hereby made applicable to the assessment, payment and collection of taxes assessed in the City of Modesto, where ever provision is not made in this Ordinance or in the said act of the Legislature or the amendments thereto.

Section 29 — All Ordinances or parts of Ordinances in conflict with the foregoing are hereby repealed.

Section 30 — This Ordinance shall take effect and be in force from and after its passage and publication.

Introduced February 5th 1905 by Trustee Antosrown  
Passed this 19th day of February, 1905 by the following vote:

Aye - J. Broughton, Antosrown, L. B. Drake, C. A. Park  
and H. J. Wren  
None - none  
Absent - none

J. Broughton, President of the Board  
of Trustees of the City of Modesto, California

Attest: W. O. Thompson, clerk.

W. O. Thompson City Clerk of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 247 entitled, "an ordinance providing a system for the assessment levy, and collection of city taxes" and that the same has been published according to law.

W. O. Thompson  
City Clerk

Ordinance No. 248

An Ordinance amending Section 2 of Ordinance No. 237 and fixing the rates to be collected and paid for water on and after July 1st A.D. 1908.

The Board of Trustees of the City of Modesto do hereby ordain as follows:

Section 1 - The monthly rates to be paid for the use of water to the City of Modesto are hereby fixed, and established as follows:

Schedule.

- Subdivision 1 - For tenements occupied by a single family or private boardinghouse - - - - - \$ 0.75
- Subdivision 2 - For restaurants, chop houses, and eating houses - - - - - 2.00
- Subdivision 3 - For hotels having not more than twelve beds \$ 2.00  
For each additional bed for guests \$ 0.15
- Subdivision 4 - For lodging houses not to exceed five beds 1.00  
For each additional bed for lodgers 00
- Provided that families occupying rooms in hotels or lodging houses doing their own cooking, shall be separately rated.
- Subdivision 5 - For stores, shops, or other business places on ground floor not separately rated, for each 25 foot front or fraction thereof provided that for corner stores only one frontage shall be charged - - - - - 50
- Subdivision 6 - For offices on ground floor - - - - - 50
- Subdivision 7 - For warehouses each - - - - - 50
- Subdivision 8 - For saloons, where spirituous, vinous, or malt liquors are sold each - - - - - 3.50  
For saloon where lunches are cooked and served free or otherwise, in addition to the above - - - - - 1.50
- Subdivision 9 - For beer bottling establishments - - - - - 1.00
- Subdivision 10 - For public bath tubs, used in bathing establishments or barber shops for one tub - - - - - 1.00  
For each additional tub - - - - - 50
- Subdivision 11 - For bakeries in addition to family rates for each twenty five barrels of flour or fraction thereof used per month - - - - - 40
- Subdivision 12 - For drug stores each - - - - - 1.00
- Subdivision 13 - For blacksmithing and wagon shops - - - - - 1.00

subdivision 14	For livery, feed and sale stables	6 00
	For feed and sale stables	3 00
subdivision 15	For breweries each	2 25
subdivision 16	For building and plastering for water used by plasterers for slacking each barrel of lime, plaster or cement	1 50
	For water used by bricklayers to make mortar or dampen bricks for each 1000 bricks laid	2 50
subdivision 17	For barber shops, for one chair	7 50
	For each additional chair	2 50
subdivision 18	For laundries and other wash houses other than steam laundries	5 00
subdivision 19	For candy stores where candy is made	1 00
subdivision 20	For candy stores, coffee or ice cream saloon or parlor	5 00
subdivision 21	For soda or other fountains in addition to other water when included in the annual rate, that is to say, when such water is paid for during the whole year each	5 00
	When not so included	0 00
subdivision 22	For dental rooms	1 00
subdivision 23	For photographic galleries	1 00
subdivision 24	For printing offices, weekly	7 50
	Daily and weekly	8 50
subdivision 25	For paint shops, each	7 50
subdivision 26	For use of water for manufacturing gas	9 00
	For use of water for private gas machines	7 50
subdivision 27	For planing mills where gasoline engine only is used	7 50
subdivision 28	For upper stories occupied as offices, for each person or firm occupying not more than three rooms	5 00
	For each additional room	2 50
	When occupied by families as lodging only office water, otherwise family water such rates must be aggregated for the whole building and in each instance paid by the owner or agent	
subdivision 29	For the use of water in lodg. room	5 00
subdivision 30	For steam laundries	5 00
subdivision 31	For butcher shops	1 00
subdivision 32	For theatre or dance halls, each	5 00
subdivision 33	For use of water in soda factories	5 00
subdivision 34	For use of water for the county court house, including irrigation for the whole of block No 22	21 00

Subdivision 35 - For the use of water in that portion of the city known as Chinatown, comprising blocks No. 25 and lot 1 in block 31 - - - - - 22 00

### Irrigation

Subdivision 36. For the irrigation of a lot or part of a lot 25 feet by 140 feet as laid off on the official map of the city of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid off for the entire year - - - 25

For the irrigation of each lot or fraction of a lot when taken in connection with a family rate on the same premises during the pleasure of the owner - - - - - 60

For the irrigation of premises otherwise unoccupied when an annual rate is desired, and which rate must be paid each month during the entire year for each lot or fraction of a lot - - - - - 60

For the irrigation of a lot or part of a lot 25 feet by 140 feet whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of flowers for sale, which rate must be paid for the entire year - - - - - 50

For the irrigation of a lot or part of a lot 25 ft. by 140 ft. whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa, nursery stock or exclusively for market gardening, which rate must be paid for the entire year - - - - - 1 00

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of water where such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purposes indicated by the clause clause fixing such rates, but in the case such rate is not paid for the whole year and the premises are used or occupied during any part of the remainder of such year for the same or similar purpose or purposes as that for which water is used during a part of the year then the rate for time water is so used, shall be double.

that herein fixed, as above, as the annual rate for such use.

meter Rates.

Subdivision 37 - For water to be ascertained by meter or otherwise for each 1,000 gallons	20
Subdivision 38 - For steam engines or any other uses not hereinbefore specified, meter rates must be paid, or in lieu thereof such rates or amount, as upon application of the parties interested, and the Board of Trustees, may fix by special order.	
Subdivision 39 - For the use of water in the creamery	6 00
Subdivision 40 - For the use of water for the manufacture of brick for each 1,000 brick	20
Subdivision 41 - For tamale houses	1 00
Subdivision 42 - Cycleries	50
Subdivision 43 - Garages	3 00

Sec. 2 Section 2 of Ordinance no 297 is hereby amended so as to read as follows: Section 2. The foregoing schedule of rates shall take effect and be in force on and after the first day of July A.D. 1908.

Sec. 3 This ordinance shall take effect and be in force on and after the first day of July, A.D. 1908.

Introduced February 5, 1908 by Trustee R. V. Brown.

Passed this 14th day of February A.D. 1908 by the following vote:

yeas: J. B. Broughton, R. V. Brown, L. E. Drake, R. A. Post, and H. J. Rubin

noes - none

absent - none

J. B. Broughton, President of the Board  
of Trustees of the City of Modesto, California.  
Witness W. P. Thompson, clerk

W. P. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance no. 297 entitled: "An Ordinance amending Section 2 of Ordinance no. 297, and fixing the rates to be collected and paid for water on and after July 1st A.D. 1908," and that the same has been published according to law.

W. P. Thompson

Ordinance No 249.

The Board of Trustees of The City of Modesto Do Ordain as Follows:

Section 1 - Every saloon, bar, bar room, dram shop, tippling house, tippling place, or stand where vinous, spirituous, distilled, fermented, malt, alcoholic or intoxicating liquors or wines of any kind, or any admixture thereof, are sold, given away or otherwise disposed of, either at whole sale or retail, within the corporate limits of the City of Modesto, and shall be closed and kept closed from and after twelve (12) o'clock midnight of Saturday until the hour of five (5) o'clock a.m. of the next following Monday of each and every week after the final passage and publication of this ordinance, and for and during the whole and every part the time when, as provided in this section, all places, and things named or described in this section, are required to be closed, the sale, gift or other dispensation of any spirituous, vinous, malt, alcoholic or intoxicating liquor of any kind, or any admixture of the same, at or in any of said places or things, is hereby prohibited.

Section 2 - It shall be unlawful in any saloon, bar room, dram shop or in any other place required by the terms of this ordinance to be kept closed from 12 o'clock Saturday night until five o'clock a.m. of the Monday following, for any musical instrument, including phonographs, gramophones, orchestrons, etc to be played at any time.

Section 3 - The sale, gift or dispensation of any spirituous, vinous, malt or intoxicating liquor, or any admixture thereof, at or in tamale houses, tamale cafes, restaurants, hotels, lodging houses, clubs, juueries, pharmacies, drug stores and all other public places from and after the hour of twelve (12) o'clock midnight of Saturday until the hour of five (5) o'clock a.m. of the next following Monday of each and every week after the final passage and publication of this ordinance, is hereby strictly

prohibited.

Section 4 - During any of the time or times when saloons and other places named or described in this ordinance, are by the provisions thereof, required to be closed and not closed, or are prohibited from selling or giving away any of said intoxicating liquors, spirituous, vinous, malt or intoxicating liquor may, for medical purposes, but not otherwise be dispensed by registered pharmacists, or their registered prescription of a regularly licensed physician for each time that any intoxicating liquors are sold, given away or dispensed to any person.

Section 5 - It is further provided that this ordinance shall not apply to the use or dispensation of wines at church sacraments.

Section 6 - Whenever it shall be brought to the attention of the trustees that any of the provisions of this ordinance have been violated in any saloon, dram shop or other place to which its provisions are made applicable the said board of trustees shall there upon by resolution declare that any liquor dealer, dealers, traders or other license theretofore issued to the proprietor of such place of business by the City of Modesto shall be forfeited and revoked and such proprietor shall not be entitled to obtain a license from said City.

Section 7 - Any violation of this ordinance shall be unlawful and a misdemeanor and shall be punishable by a fine of not to exceed one hundred fifty dollars (\$150) or by imprisonment in the county Jail of the County of Stanislaus, or the City Prison of the City of Modesto, not to exceed one hundred fifty (150) days, or by both such fine and imprisonment, or by any such fine and imprisonment, or by such fine with the alternative of the payment thereof, by such imprisonment at the rate of one (1) day of imprisonment for each dollar of fine unpaid.

Section 8 - It is hereby made the duty of the City Marshal or the City Attorney, upon any violation of this

ordinance being brought to the attention of either of said officers, immediately to prosecute in the proper court any one violating any of the provisions of such ordinance.

Section 9 - The burning of more than one light during the night time, after half past twelve o'clock A.M. in any of the places required by this ordinance to be closed, during the time when by this ordinance such places are required to be closed, shall be conclusive evidence of the violation of the provisions of this ordinance.

Section 10 - This ordinance shall take effect from and after its final passage and publication.

Introduced March 18th, 1908, by trustee J. H. Wren

Passed April 1st, 1908, by the following vote:  
 ayes: J. R. Broughton, A. W. Brown, L. E. Drake, A. C. Post,  
 and J. H. Wren

noes - none

absentees - none.

J. R. Broughton, President of the  
 Board of Supervisors of the City of Modesto

Attest Walter B. Thompson, City Clerk.

I, Walter B. Thompson, City Clerk, of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 249 and that the same has been published according to law.

W. B. Thompson,  
 City Clerk

An Ordinance defining nuisances, providing for the abatement thereof, and fixing the penalty for the maintenance of any such nuisance.

The Board of Trustees of The City of Modesto do Ordain, As follows:

Section 1. - Anything in the City of Modesto which interferes with the free passage over or upon or use of any street, sidewalk, alley or other public property, or which is so unsightly as seriously to depreciate the value of or agreeable use or occupation of adjoining property, or which so obstructs the view of any railway tracks as to prevent a clear view of approaching or passing trains from being obtained by one passing along or over any street or thorough fare crossing such railroad tracks, or which is dangerous to health or a menace to property by reason of its inflammable nature or its contents, or which is unsightly or disagreeable, or which interferes with the improvement of any street, sidewalk or thoroughfare, or which, by its location or otherwise, is in any way a menace to life or health or is in any way dangerous or disagreeable to the public, and any thing which by resolution the Board of Trustees may declare to be a nuisance, is hereby defined as and declared to be a nuisance.

Section 2. - The planting, maintenance, pruning and trimming of all trees now or here after planted or growing upon any sidewalk, street, alley or other public highway in the City of Modesto shall be under the control and subject to the regulation, as to varieties or kinds of trees, planting, maintaining, trimming and pruning, of the Board of Trustees, and unless checked, placed, planted, maintained, pruned and trimmed as required by such Board, shall constitute a nuisance.

Section 3. - Whenever it is brought to the attention of the Board of Trustees that a nuisance exists in the City of Modesto or that any thing constitutes a nuisance, the Board may there upon pass a resolution declaring specif-

ically such nuisance to exist (or declaring that the thing complained of is a nuisance) and providing for its abatement as hereinafter provided.

Section 4 - Such resolution may provide for notice to the person or corporation maintaining or permitting such nuisance, to abate the same and may also direct the marshal or other proper officer, either before or after the giving of such notice, if such nuisance is not abated, to abate the same, or may authorize a suit to be brought in the proper court to abate such nuisance.

Section 5 - From and after the passage of the resolution provided for in section 3 and the service of the notice thereof upon the person or corporation permitting or maintaining such nuisance shall be guilty of a misdemeanor, and shall be punished upon conviction, by a fine of not to exceed Fifty (50) Dollars or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment.

Section 6 - This ordinance shall take effect from and after its passage and publication.

Introduced March 15th, 1908, by Trustee B. J. When

Passed April 1st, 1908 by the following vote:  
Ayes: J. R. Broughton, Am. Brown, L. B. Drake, C. A. Post, B. J. When.

Nays: none.

Absent: none.

J. R. Broughton, President of the Board of Trustees of the City of Modesto

Attest: Walter O. Thompson, City Clerk

W. Walter O. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 202 entitled "An Ordinance defining nuisances, providing for the abatement thereof and fixing the penalty for the maintenance of any such nuisance" and that the same has been published according to law.

W. O. Thompson, City Clerk

## Ordinance no 251

The Board of Trustees of The City of Modesto Do  
Ordain as follows:

Section - 1. It shall be unlawful to drive any loose  
cattle, sheep, horses or stock of any kind, through the  
City of Modesto, except on the following streets between  
the south and north limits: on 7th between the bridge  
and "F" street; on "H" street between 7th and 8th streets;  
on 8th street between "H" and "L" streets; on "L" street bet-  
ween 8th and 9th streets; and on any street between  
"L" and the Salida Road.

Section 2 - Any violation of this ordinance shall be a  
misdemeanor and punishable by fine not exceeding fifty  
dollars or by imprisonment not exceeding thirty days  
or by both such fine and imprisonment.

Section 3 - Any and all persons present with such  
stock, as being driven contrary to the provisions of this  
ordinance, whether driving the same or assisting in  
such driving, or as owner or having charge thereof,  
shall be liable to the penalty hereinbefore provided  
for such violation.

Section 4 - This ordinance shall take effect from and  
after its passage and publication.

Introduced April 1st, 1908

Passed April 22nd, 1908, by the following vote:  
Yeas: J. H. Broughton, Anderson, L. C. Drake, and G. J. Wilson  
Nays: None  
Absent: None

J. H. Broughton President of the Board  
of Trustees of the City of Modesto.

Attest: W. H. Thompson City Clerk

I, W. H. Thompson, City Clerk of Modesto do hereby  
certify that the foregoing is a true and correct copy of  
Ordinance no 251, and that the same has been  
published according to law. W. H. Thompson  
City Clerk

## Ordinance No. 252.

Repealed by no 54 no

An Ordinance to amend Ordinance No. 217 by amending Subdivisions 2, 8, 9, 10, 13, 20, 30 and 31, and by adding two new subdivisions to be known as Subdivisions 34 and 35 to Section 1. of said Ordinance

The Board of Trustees of the City of Modesto do Ordain as Follows:-

Section 1. Subdivisions 2, 8, 9, 10, 13, 20, 30 and 31 of Section 1 of said ordinance are hereby amended to read as follows:

Subdivision 2. Banking, the sum of \$30. per quarter  
 Subdivision 8. Making and selling soda and mineral water, \$10. per quarter

Subdivision 9. Liquor dealing, the keeping of a saloon or other place where intoxicating liquors, wine or beer are dispensed in less quantities than one quart, or to be drunk on the premises where dispensed, for each bar or place where the same are dispensed, the sum of \$5. per quarter

Subdivision 10.- The selling or dispensing such liquors in any other place in any other manner or for any other purpose than set forth in subdivision 9 the sum of \$10.00 per quarter.

Subdivision 20. - Selling, keeping, repairing, leasing or renting any motor vehicle for hire, the sum of \$15.00 per quarter

Subdivision 30. - Restaurants, lunch counters and Tamale houses where wine or beer are sold to the patrons otherwise than by saloon keepers and restaurants on wheels the sum of \$30.00 per quarter Other restaurants, hotel or tamale houses where no intoxicating liquors are sold, the sum of \$20.00 per quarter

Subdivision 31. Flying horses or merry go rounds for each day the sum of \$2.00, but it shall be unlawful to run any flying horses or merry go rounds on Sunday.

Section 2. Two new subdivisions, to be known as Subdivisions 34 and 35 of section 1 of said ordinance as hereby added to read as follows:

## Ordinance No. 252.

*Repealed by 7054ms*  
 An Ordinance to amend Ordinance No. 217 by amending Subdivisions 2, 8, 9, 10, 13, 20, 30 and 31, and by adding two new subdivisions to be known as Subdivisions 34 and 35 to Section 1. of said Ordinance

The Board of Trustees of the City of Modesto do Ordain as Follows -

Section 1. Subdivisions 2, 8, 9, 10, 13, 20, 30 and 31 of Section 1 of said ordinance are hereby amended to read as follows:

Subdivision 2. - Banking, the sum of \$30. per quarter

Subdivision 8. - Making and selling soda and mineral water, \$10. per quarter

Subdivision 9. - Liquor dealing, the keeping of a saloon or other place where intoxicating liquors, wine or beer are dispensed in less quantities than one quart, or to be drunk on the premises where dispensed, for each bar or place where the same is dispensed, the sum of \$75. per quarter

Subdivision 13. - Shooting galleries, the sum of \$5.00 per quarter.

Subdivision 20. - Selling, keeping, repairing, leasing or renting any motor vehicle for hire, the sum of \$15.00 per quarter

Subdivision 30. - Restaurants, lunch counters and Tamale houses where wine or beer are sold to the patrons otherwise than by saloon keepers and restaurants on wheels, the sum of \$30.00 per quarter Other restaurants, hotel or tamale houses where no intoxicating liquors are sold, the sum of \$3.00 per quarter

Subdivision 31. - Flying horses or merry go rounds for each day the sum of \$2.00, but it shall be unlawful to run any flying horse or merry go rounds on Sunday.

Section 2. - Two new subdivisions, to be known as Subdivisions 34 and 35 of section 1 of said ordinance is hereby added to read as follows:

Subdivision 34. - Agencies or depots where cream is purchased for export, the sum of \$30.00 per quarter.

Subdivision 35. - Express Companies conducting the business of a common carrier, the sum of \$10.00 per quarter.

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

Section 4. - This ordinance shall take effect on July 15th, 1908.

Introduced June 3rd, 1908.

Passed June 18th, 1908, by the following vote:

Ayes: - J. R. Droughton, A. M. Brown, J. M. Pike, C. A. Post and Chas. E. Rice.

Nays: - None.

Absent: - None.

J. R. Droughton, President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson, City Clerk

I, Hallowell Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 202, and that the same has been published according to law.

H. O. Thompson  
City Clerk

## Ordinance No. 253.

An ordinance to prohibit skating with roller skates on the streets and sidewalks of the City of Modesto

The Board of Trustees of the City of Modesto Do Ordain as Follows:-

Section 1- No person shall skate with roller skates on any streets or sidewalks within the corporate limits of the City of Modesto.

Section 2- Any person who shall violate this ordinance shall be deemed guilty of a misdemeanor.

Section 3- This ordinance shall take effect and be in force from and after its passage and publication.

Introduced:- June 3rd, 1908.

Passed June 18th, 1908, by the following vote:-

Ayes: J. R. Broughton, A. M. Brown, J. M. Pike, Ch. Post and Chas. C. Rice.

Nays: None

Absent: None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest H. O. Thompson, City Clerk

I, Hatten O. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 253 and that the same has been published according to law

H. O. Thompson  
City Clerk

## Ordinance No. 254

The Board of Trustees of the City of Modesto  
Do Ordain as Follows:-

Section 1 - It shall be unlawful for any motor or other vehicle to be driven, operated or run in any manner upon any street, highway, avenue, parkway or alley in the City of Modesto at a speed greater than one mile in six minutes.

Section 2 - Any one running, driving or otherwise operating any vehicle at a greater speed than provided in section one of this act or contrary to the provisions thereof, shall, upon conviction, be punished by a fine of not to exceed one hundred dollars or by imprisonment not to exceed thirty days, or by both such fine and imprisonment, and any person upon any vehicle so driven, run or operated contrary to the provisions of section one of this act, either as owner or having the charge or control of such vehicle, shall be liable to the same punishment as the person driving, running or operating such vehicle.

Section 3 This ordinance shall take effect from and after its passage and publication.

Introduced June 17th, 1908

Passed July 1st, 1908, by the following vote:-

Ayes: J. R. Broughton, J. M. Pike, C. A. Post, A. L. Leland and  
Chas. E. Rice

Noes: None

Absent: A. D. Brown

J. R. Broughton, President of the Board of  
Trustees of the City of Modesto

Attest H. O. Thompson, City Clerk

I, Hattie B. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 254, relating to the speed of motors and other vehicles, and that the same has been published according to law.

H. O. Thompson  
City Clerk



## Ordinance No 256

An ordinance amending ordinance No. 249 by adding three new sections to be known as Sections 4 A, Section 4 B and Section 4 C.

The Board of Trustees of the City of Modesto Do Ordain as Follows:-

Section 1 - Ordinance No. 249 of the City of Modesto is hereby amended by adding to said Ordinance immediately following Section 4 thereof three new sections to be known respectively as Section 4 A, Section 4 B and Section 4 C, to read as follows, to wit:-

Section 4 A It shall be unlawful to play or conduct in any place of public resort, any gambling game, or game of cards, or any game of chance during the time when by this ordinance any saloon or other place is required to be closed.

Section 4 B. For the purposes of this ordinance, any club or other place where vinous, spiritous, malt, or any intoxicating liquor is dispensed, either to the members of such club or other organization, or to the public, or where the members of such club or other such organization, or where the public, may gather for eating, drinking, or participating in billiards, pool, card games or any gambling game or game of chance, is hereby defined and declared to be a place of public resort.

Section 4 C: All saloons and other places of public resort at all times shall be open to the marshal and other police officers of the City of Modesto, without the necessity of any warrant or judicial process, and it shall be unlawful for any person to refuse admission to, or delay in admitting, or in any way ~~intentionally~~ interfere with the free admission to any such place or any such officer, or in any way prevent or interfere with his free and full inspection of such premises, and all persons present in such place where and when such admission is refused, delayed, or interfered with shall be guilty of a misdemeanor and subject to the

punishment provided for a violation of this ordinance

Section 2. This ordinance shall take effect from and after its passage and publication.

Introduced Sept. 2nd, A.D. 1908, by trustee J.M. Pike

Passed Sept. 16th, 1908, by the following vote:

Ayes: J. R. Broughton, J. M. Pike and Chas. E. Rice

Noes: None

Absent: A. H. Brown and C. A. Post.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson, City Clerk

I, Hattie B. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No 256, and that the same has been published according to law

H. O. Thompson,  
City Clerk

## Ordinance No. 257

The Board of Trustees of the City of Modesto do Ordain as Follows:-

Section 1. It shall be unlawful, within the City limits of Modesto, for any person, or persons, upon the public streets or alleys, or elsewhere, except as hereinafter provided, to announce in a loud voice or advertise in a loud and boisterous manner, or by megaphone, phonograph, or other device simulating the human voice, any business show or theatrical performance, or make any announcement of any kind in a loud and boisterous manner.

When any show or theatrical performance is to be conducted in said city for one night or day only, said prohibitions shall not apply.

Section 2. Any person violating this ordinance shall upon conviction thereof, be liable to a fine not exceeding \$25.00 or imprisonment not exceeding 25 days, or by both such fine and imprisonment.

Section 3. This ordinance shall take effect from and after its passage and publication.

Introduced September 2nd, 1908, by trustee,  
J. R. Broughton

Passed September 16th, 1908, by the following vote:  
Ayes: J. R. Broughton, J. M. Pike and Chas. E. Rice  
Nays: None Absent: A. M. Brown and C. A. Post

J. R. Broughton, President of the Board  
of Trustees, of the City of Modesto  
Attest H. O. Thompson, City Clerk

I, Hattie D. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 257, relating to the announcement or advertising of any business, show or theatrical performance, and that the same has been published according to law.

H. O. Thompson,  
City Clerk

## Ordinance No. 258

The Board of Trustees of the City of Modesto  
Do Ordain as Follows:

Section 1: It shall be unlawful for any one to leave any horses or team or any vehicle drawn by horses or mules standing upon the streets or alleys of Modesto within the fire limits, unless such horse, team or vehicle is in the charge of some competent person, or unless such horse, horses or other animal drawing such vehicle is safely and securely tied or fastened.

Section 2: Any person, whether the owner of such horse, team or vehicle, or driving the same, or having charge thereof, who shall leave the same untied or unattended, contrary to the provisions of Section 1 of this ordinance, shall, upon conviction thereof, be punished by a fine of not to exceed \$25 or imprisonment not to exceed twenty five days or of both such fine and imprisonment.

Section 3: Whenever the City Marshall or any other police officer of the City of Modesto finds any horse, team or vehicle, untied or unattended, contrary to the provisions of section 1 of this ordinance, it shall be lawful for such Marshall or police officer to take charge of such team, and if he deems it advisable, to put the same in the livery stable, or feed yard, and the owner thereof shall be liable for all expenses incurred in the care, feeding and preservation of such horse, horses or team, and shall not be entitled to the possession thereof until the repayment of such expenses.

Section 4: This ordinance shall take effect from and after its passage and publication.

Introduced September 2nd, 1905, by trustee W. M. Brown  
Passed September 16th, 1905, by the following vote:  
Ayes: J. R. Boughton, J. M. Pike, and Chas. B. Rice

Notes: None.

Absent A. N. Brown and C. A. Post.

J. R. Broughton, President of the Board  
of Trustees of the City of Modesto.

Attest, H. O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of Modesto,  
do hereby certify that the foregoing is a true  
and correct copy of Ordinance No 258, relating to  
the hitching of animals within the fire limits of  
the City of Modesto, and that the same has been  
published according to law.

H. O. Thompson  
City Clerk

Ordinance No 259

An Ordinance Fixing the Rate of Taxation in and for the City of Modesto for the years 1908-9

The Board of Trustees of the City of Modesto Do Ordain as Follows:-

Section 1- The rate of taxation for the years 1908 and 1909, in and for the City of Modesto, shall be, and is hereby fixed as follows, to wit:

For General Fund:- Seventy five cents on each one hundred dollars value of all property taxable for City purposes.

For Bond Redemption and Interest Fund:- Thirty five cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present fiscal year.

Library Fund:- Ten cents on each one hundred dollars value of all property taxable for the maintenance of a free Public Library.

The aggregate of which sum to wit: One dollar and twenty cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1908 on all property taxable in said City for City purposes, it is hereby levied and apportioned to and shall be paid into the above named funds respectively, of said City.

Section 2: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced September 2<sup>nd</sup>, 1908, by trustee Chas C Rice.

Passed September 16<sup>th</sup>, 1908, by the following vote:

Ayes: J. P. Broughton, J. W. Rice and Chas. C. Rice.  
Nays: None.

Absent: A. M. Brown, C. A. Post

J. R. Broughton, President of the Board  
of Trustees of the City of Modesto.

Attest: H. O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of Modesto,  
do hereby certify that the foregoing is a true and  
correct copy of Ordinance No 259 and that the  
same has been published according to law.

H. O. Thompson  
City Clerk.

Ordinance No. 260.  
An Ordinance to Amend Ordinance No. 194

The Board of Trustees of the City of Modesto do Ordain as follows:

Section 1. - Section one of Ordinance No. 194 is hereby amended to read as follows:

Section 1. - The fire limits within said City are hereby established and the same shall hereafter be maintained as comprising the land included within the line extending around and bounding the territory included in blocks numbers 54, 55, 56, 68, 69, and 70, and the land extending between "H" and "J" streets and 8th and 9th Streets in said City

Section 2. - This ordinance shall take effect and be in force from and after its passage and publication.

Introduced December 2nd, 1908

Passed December 16th, 1908, by the following vote:

Ayes: J. R. Broughton, W. A. Brown, J. M. Pike, E. A. Post, and Chas. E. Rice.

Moves None Absent: None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto

Attest: H. A. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 260 and that the same has been published according to law.

H. A. Thompson  
City Clerk

## Ordinance No. 261.

An ordinance granting unto the La Grange Water and Power Company, a corporation, its successors and assigns, a franchise for fifty years, to erect, construct, maintain and operate along, across, over and under the roads, highways, streets, alleys, public ways, parks and public grounds of said City of Modesto, poles, masts and other superstructures upon and from which to suspend wires and other appliances for transmitting and conducting electric heat and power and for transmitting and conducting electric current for heat, light and power and for lighting the same, and for other useful purposes, and for telephone wires connected therewith.

Whereas, the La Grange Water and Power Company, a corporation, did on the 22nd day of October, A.D. 1908, present to this Board its application for a franchise to erect, construct, maintain and operate along, across, over and under the roads, highways, streets, alleys, public ways, parks and public grounds of said City of Modesto, poles, masts and other superstructures upon and from which to suspend wires and other appliances for transmitting and conducting electric heat and power and for transmitting and conducting electric current for heat, light and power and for lighting the same, and for other useful purposes, and for telephone wires connected therewith, for a period of fifty years, for the purpose of constructing, maintaining, and operating electric lines and other appliances for the use and conveyance of electricity in all its forms; and

Whereas, said application came on regularly for hearing before the Board of Trustees of the City of Modesto, on the 22nd day of October, 1908, and this Board having heard and duly considered said application, and all matters pertaining thereto, did, in pursuance of said application and in accordance

therewith and with the law in such cases made and provided, adopt a Resolution of Intention authorizing and empowering the Clerk of said Board to cause notice of such application to be given by an advertisement in "The Modesto Evening News", a daily newspaper of general circulation printed and published in said City of Modesto, County of Stanislaus, daily except Sundays, and also in the "Stanislaus County Weekly News", a weekly newspaper of general circulation printed and published in said City of Modesto, County of Stanislaus, which said notice stated the fact that an application for such franchise had been made, together with a statement of the purpose of said Board to grant the same also the character of the franchise proposed to be granted, the term of its continuance and the date on which tenders would be received for such franchise and all other things required by law, and the 18th day of December, 1908, at eight o'clock P.M. at the office of the said Board of Trustees of said City of Modesto, was so nominated as the date on which tenders would be received and the place where the same would be received for the sale or other disposition of said franchise and,

Whereas, a notice in accordance with the law and in full compliance with the said order has been given by the Clerk of this Board by an advertisement in the said "The Modesto Evening News", a daily newspaper of general circulation printed and published in said City of Modesto, County of Stanislaus, daily except Sundays, and also in the "Stanislaus County Weekly News", a weekly newspaper of general circulation printed and published in said City of Modesto, each of which said publications was completed more than twenty days and less than thirty days before the 18th day of December, 1908, and the said notice referred to said application and stated the fact that an application for such franchise had been made, together with a statement of the purpose of said Board to grant the same and also the character of the franchise

proposed to be granted, the term of its continuance, and the date on which tenders would be received for such franchise and all other things required by law, and the 18th day of December, 1908, was fixed in the said notice as the date on which tenders would be received and the office of the Board of Trustees of said City of Modesto, in said City of Modesto was named as the place where tenders and bids would be received, and this Board does find that said notice was given and published in all respects as required by this Board and in accordance with the law in such cases made and provided to wit: in accordance with the Act of the Legislature of the State of California, entitled, "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts", approved March 22, 1905; and,

Whereas, on the 18th day of December, 1908, at the said place, this Board of Trustees of the City of Modesto, convened in open session at a regular meeting of said Board and opened and read the tenders submitted for such franchise; and it satisfactorily appearing to the said Board that the tender and bid of the La Grange Water and Power Company is the highest and best bid for said franchise and that it is to the best interests of the said City of Modesto that a franchise should be granted to it in accordance with said application.

Now, therefore, in accordance with the purposes and in compliance with the laws of the State of California, in such cases made and provided, the Board of Trustees of the City of Modesto do ordain as follows:

That franchise be, and the same is hereby, granted unto the said La Grange Water and Power Company a corporation, and to its successors and assigns,

for the term of fifty years from and after the date hereof, authorizing and empowering, and the said Board does hereby authorize and empower, the said La Grange Water and Power Company, its successors and assigns to erect, construct, maintain and operate, along, across, over and under the roads, highways, streets, alleys, public ways, parks and public grounds of said City of Modesto, poles, masts and other superstructures upon and from which to suspend wires and other appliances for transmitting <sup>heat and power for transmitting and conducting electric</sup> and conducting electric current for heat, light and power and for lighting the same, and for other useful purposes, and for telephone wires connected therewith, together with all proper, useful, convenient or desirable appurtenances and appliances to fully carry into effect the said franchise.

This grant of franchise is not exclusive and the governing body of the said City of Modesto shall have the right to grant similar franchise to other persons or corporations.

It is further provided that the construction, operation, location, maintenance and repair of said wires, poles, masts and other appliances upon, along, across, over and under each and all of the said roads, highways, streets, alleys, public ways, parks and public grounds of the said City of Modesto shall and may be under the reasonable direction of the Board of Trustees of the said City of Modesto, and the erection, construction, location, operation and repair of the same shall be done so as to be no injury to the paving, planking, macadamizing or grading of any such roads, highways, streets, alleys, public ways, parks and public grounds of the said City of Modesto and so that public travel shall in no way be obstructed beyond what is absolutely necessary in the act of erecting, constructing, maintaining and repairing such poles and wires, appurtenances and appliances and provided also that said masts, poles and other superstructures

wires shall be placed along and upon the alleys of said City of Modesto, except when the same shall not be practicable.

It is further provided that all wires and other conductors of electricity, suspended upon and from said masts, poles or other superstructures, shall be placed, <sup>and maintained</sup> at such a height above the surface of the ground, as not to endanger or interfere with the trade traffic or travel on any of the said roads, highways, streets, alleys, public ways, parks and public grounds of the said City of Modesto.

It is further provided that in case wires or other conductors of electric current shall be placed and maintained <sup>on ground, the same shall be so placed and maintained under</sup> the supervision of the Board of Trustees of the said City of Modesto, as not to endanger or interfere with trade, traffic or travel on any of the said roads, highways, streets, alleys, public ways, parks and public grounds of the said City of Modesto.

It is further provided that all masts, poles and other superstructures shall be so erected, constructed and maintained as not to interfere with or interrupt any masts, poles or other superstructures now erected and maintained by any other person, persons or corporations under authority of law.

It is further provided that all said poles, masts and other superstructures and all wires and other conductors of electric current suspended therefrom or connected therewith shall be well constructed and maintained in good order and condition, so that the same shall in no way menace and endanger the lives and property of persons passing along the said roads, highways, streets, alleys, public ways, parks and public grounds.

It is further provided that all poles and masts erected under said franchise shall be kept properly painted by the owner of said franchise.

It is further provided that where a pole line constructed under such franchise crosses another electric line, the line to be constructed and the wires placed thereon shall pass at least five (5) feet above or five (5) feet below the existing line, and safe and suitable guard wires shall be erected and maintained at all such crossings, in accordance with the rules and regulations passed by the National Board of Fire Underwriters in such cases, and then in force.

It is further provided that the wires for the transmission of electric current for light, heat and power placed on the pole lines to be constructed under such franchise shall be not less than thirty (30) feet above the surface of the ground.

It is further provided that the poles to be constructed under the franchise shall be so placed and used as to afford the least interference with the use of the road by the public for traveling and other highway purposes, and the poles shall be placed as near the edge of the road, highway, and street and property line as can reasonably be done.

This franchise is granted subject to the right of the City of Mediate to require said lines and wires to be placed under ground, provided that all other <sup>existing</sup> transmission lines and all other over head-wires in said City shall be required and can legally be compelled to be placed under ground.

This franchise is granted upon the further condition that work thereunder must be commenced in good faith within not more

than four months from the granting of such franchise, and upon the further condition that within one year from the date of said franchise the work to be done thereunder, will be so far performed that electric current for heat, light and power can be generally and furnished and distributed within the corporate limits of the said City of Modesto.

This franchise is granted for the consideration of the sum of Two Hundred Twenty five Dollars, this day paid in cash by said La Grange Slater and Power Company, therefore, and upon the further condition and covenant that the said La Grange Slater and Power Company shall pay, and it is hereby obligated and required to pay, to the said City of Modesto, two (2%) per cent of the gross annual receipts of itself, its successors and assigns, arising from the use, operation or possession of said franchise; no percentage to be paid for the first five years succeeding the date of this franchise but thereafter such percentage shall be paid to said City annually, and in the event said payment is not so made, this franchise shall be forfeited.

This ordinance shall take effect and be in force from and after its passage and the publication thereof at least once in a newspaper published in the said City of Modesto, County of Stanislaus, State of California.

Introduced December 18<sup>th</sup>, 1908.

The foregoing ordinance is adopted by said Board of Trustees of the City of Modesto, County of Stanislaus, State of California, on the 30<sup>th</sup> day of December, 1908, by the following vote, to wit:

Ayes: Messrs. G. K. Broughton, P. M. Brown, J. M. Pike, C. A. Reed  
and John C. Rice.

Noes: None.

Absent: None.

J. R. Broughton, President of the Board  
of Trustees of the City of Modesto, County  
of Stanislaus, State of California.

Approved this 30th day of December, 1908.

J. R. Broughton, President of the Board  
of Trustees of the City of Modesto, County  
of Stanislaus, State of California

Attest: W. O. Thompson, City Clerk

I, Walter A. Thompson, City Clerk of Modesto,  
do hereby certify that the foregoing is a true and  
correct copy of Ordinance No. 261, and that the  
same has been published according to law

Walter A. Thompson  
City Clerk

## Ordinance No. 262.

An ordinance providing for reimbursing the City of Modesto for the cost of supervision of private building construction therein and providing for the issuance of permits for such construction.

The Board of Trustees of the City of Modesto Do Ordain as Follows:

Section 1: No person, company or corporation shall erect a building or structure of any kind, or enlarge, add to or extend any building or structure already erected within the City of Modesto without first obtaining a permit from the Clerk of said City.

The application for such permit shall state the exact site to be occupied, the material, dimensions and estimated cost of the proposed building or structure, and the probable time to be occupied in building.

All applications shall be filed in duplicate. The person, company or corporation applying for such permit shall file with the City Clerk the complete plans and specifications of the proposed building or structure, or, in lieu of said plans and specifications a statement in writing setting forth what repairs, alterations or improvements are contemplated, and describing the general character, nature and extent of the same and particularly the material and size of chimneys and flues.

Section 2: The applicant or applicants for each building permit shall pay to the City Clerk the sum of two dollars and fifty cents when the estimated cost of the building does not exceed one thousand dollars; five dollars when the estimated cost is over one thousand dollars and not over three thousand dollars; and for every building the estimated cost of which is over three thousand dollars, one dollar additional shall be charged for the permit for each additional

thousand dollars, or fraction thereof, of cost.

Section 3: Before a permit is issued for the construction of any building or structure facing upon any improved street in said city, a deposit of twenty-five dollars shall be made with the City Clerk, which deposit shall be returned upon certificate of the Superintendent of Streets that all rubbish has been removed and the street left in the same good condition as it was in before the construction of said building or structure was commenced.

Section 4: No building shall be moved upon or along the public streets of said City unless a permit be first obtained therefor, which permit will be issued upon the payment of the sum of five dollars.

Section 5: Every person, firm, company or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding three hundred dollars, or by imprisonment for a period not exceeding three months, or by both such fine and imprisonment.

Section 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced December 20th, 1908. By J. R. Broughton.

Passed January 6, 1909 by the following vote:

Ayes: J. R. Broughton, A. M. Brown, J. M. Pike, C. C. Abel and Chas. C. Rice.

Notes: None.

Absent: None.

J. R. Broughton, President of the Board of  
Trustees of the City of Modesto.

Attest: Walter O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 260, and that the same has been published according to law.

Walter O. Thompson,  
City Clerk

## Ordinance No 263.

Approved by No. 5475  
 An ordinance to amend ordinance No. 217 by amending subdivisions 2, 3, 4, 5, 6, 9, 12, 18, 19, 22, 23, 30, and 32, and by adding twenty eight new subdivisions to be known as 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, and 63 to section one of said ordinance.

The Board of Trustees of the City of Modesto Do Ordain as Follows:-

Section 1. Subdivisions 2, 3, 4, 5, 6, 9, 12, 18, 19, 22, 23, 30 and 32 of Section 1 of said Ordinance are hereby amended to read as follows:

Banking,  
etc.  
 Subdivision 2. For the business of banking, loaning money at interest, or buying or selling notes, bonds or other evidences of indebtedness of private persons, or buying and selling state, county or city bonds or other evidences of county, city or state indebtedness, or stocks or notes or other evidences of indebtedness of incorporated companies, the sum of forty dollars per quarter.

Brokers, Real  
Estate agents,  
Solicitors  
 Subdivision 3. Brokers, real estate agents or any person who solicits for sale or attempts to sell any real or personal property other than his own, the sum of fifteen (\$15) dollars per quarter.

Lightmaking  
etc.  
 Subdivision 4. Gas making or selling, or electric light producing or selling, or the furnishing of any light, or for heat or power to consumers or users thereof, the sum of twenty dollars per quarter.

A. Retailers  
 Subdivision 5. Every person or firm engaged in or carrying on the business of butchery, shall pay a license of seven dollars and fifty cents per quarter.

- Fire Insurance Subdivision 6. For the business of soliciting fire insurance or receiving for or forwarding or transmitting to any company or agent applications to insure property against fire in said City of Modesto, five dollars per quarter for each company represented by said person soliciting insurance.
- Saloon Keeping. Subdivision 9. Liquor dealing; the keeping of a saloon or other place where intoxicating liquors, wine or beer are dispensed in less quantities than one quart, or to be drunk on the premises where dispensed, for each bar or place where the same are dispensed, the sum of one hundred dollars per quarter.
- Bowling Alleys. Subdivision 12. Bowling alleys, for each alley, the sum of five dollars per quarter.
- Teaming, Draying, etc. Subdivision 13. Teaming or running any vehicle for hire for the carrying of freight or passengers, for each vehicle, the sum of two dollars per quarter.
- Livery or Feed Stables. Subdivision 14. Livery or feed stables or yards, the sum of five dollars per quarter.
- Telegraph. Subdivision 22. For the business of maintaining or conducting a telegraph office or place of business in said city, wherein telegraph messages are sent and received to and from points within the State of California, the sum of five dollars per quarter.
- Traders or Merchants. Subdivision 23. Unless otherwise herein provided for, every person who at a fixed place of business sells any wearing apparel, dry goods, fancy goods, notions, jewelry, cutlery, groceries, harness,

machinery, vehicles, hardware, tin ware, mill products, merchandise of any class or character to persons not regularly engaged in or carrying on such lines of business, whether by sample or otherwise, shall pay quarterly a license as hereinafter provided:

a. Where the average monthly sales are one thousand (\$1000) dollars, or under, the sum of seven dollars and fifty cents per quarter.

b. Where the average monthly sales exceed one thousand (\$1000) dollars, one fourth of one per cent. on all sums over and above one thousand (\$1000) dollars per quarter.

Subdivision 30. Restaurants, lunch counters, and tamale houses where wine or beer is sold to the patrons otherwise than saloon keepers, and restaurants on wheels, the sum of thirty dollars per quarter. Other restaurants, hotels or tamale houses where no intoxicating liquors are sold, the sum of five dollars per quarter.

Subdivision 32. Every person engaged in the business of bill posting shall pay a license of three dollars per quarter.

Section 2. Twenty eight new subdivisions to be known as subdivisions 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, and 63 of Section 1 of said Ordinance are hereby added to read as follows:

Subdivision 36. Every person soliciting orders for rubber stamps, or selling rubber stamps or signs shall pay a license of five dollars per quarter.

Subdivision 37. Every person engaged in mending or peddling, sewing machines, organ pianos, typewriters, or soliciting orders for same shall pay a license of five dollars per quarter.

Subdivision 38. Every person engaged in

job printing or publishing a newspaper in the City of Modesto, shall pay a license of five dollars per quarter.

Subdivision 39. Every traveling merchant, hawker, peddler, vender, street fakir, or advertiser, who sells or advertises goods, wares or merchandise of any kind, by music, dancing, jugglery, tricks, sleight of hand, buffonery, gymnastics, or by spectacular displays, shows or performances, or by speeches, declamations or oratory, or by any performance on the street calculated to draw a crowd around the person selling or advertising as aforesaid, shall pay a license of ten dollars per day.

Subdivision 40. Every person bringing into the City of Modesto a stock of goods, wares or merchandise of any kind to be disposed of at auction, or at both auction and private sale, shall pay the sum of fifty dollars per quarter.

Subdivision 41. Every person who sells tobacco, cigars, cigarettes or other supplies for smokers, shall pay a license of five dollars per quarter.

Subdivision 42. Every person who conducts a candy and ice cream stand, or a candy or ice cream stand, shall pay a license of five dollars per quarter.

Subdivision 43. Hardware stores that deal in hardware, farming implements, machinery, vehicles, etc., twenty five dollars per quarter.

Subdivision 44. Dealers in lumber, whether carrying stock or rebaiting, the sum of thirty dollars per quarter.

Subdivision 45. Every astrologer, seer, fortune teller, hypnotist, clairvoyant, spiritist, spirit ualistic medium, or physiologist who demands a fee for his services, the sum of five dollars per

week

Subdivision 46. Moving picture shows, the sum of fifteen dollars per quarter.

Subdivision 47 For the business of keeping or conducting a lodging house of fifteen rooms or under, three dollars per quarter; over fifteen rooms and less than twenty rooms, five dollars per quarter; over twenty rooms, ten dollars per quarter.

Subdivision 48. For the business of keeping or carrying on a bakery where wagons are used in the delivery of the product, the sum of ten dollars per quarter.

Subdivision 49. For the business of keeping or conducting a cannery or packing-house, the sum of five dollars per quarter.

Subdivision 50. For the business of selling ice, the sum of seven dollars and fifty cents per quarter.

Subdivision 51. For every photograph gallery permanently located, the sum of three dollars per quarter.

Subdivision 52. For every portable photograph gallery, or traveling photographer, the sum of fifteen dollars per quarter.

Subdivision 53. For the business of operating or maintaining a planing mill, or machine shop, the sum of five dollars per quarter.

Subdivision 54. For the business of conducting or maintaining a millinery store, the sum of five dollars per quarter.

Subdivision 55. For the business of supplying milk to the inhabitants of the City of Modesto, where a horse and wagon is used in the delivery, the sum of five dollars per quarter.

Subdivision 56. For the business of carrying on a barber shop, the sum of three dollars per quarter.

Subdivision 57. For the business of carrying on an undertaking establishment, the sum of ten dollars per quarter.

Subdivision 58. Every person, engaged in searching records and compiling abstracts of title to real property, shall pay a license of ten dollars per quarter.

Subdivision 59. Every person engaged in buying or selling grain, whether on commission or otherwise, shall pay a license of five dollars per quarter.

Subdivision 60. Every person engaged in the selling of wood, coal or coke shall pay a license of five dollars per quarter.

Subdivision 61. For the business of conducting or operating any warehouse used for the storage of grain, hay, any merchandise, or goods of other persons for profit, shall pay the sum of five dollars per quarter.

Subdivision 62. Creameries, where butter is made, the sum of fifteen dollars per quarter.

Subdivision 63. For the business of keeping bicycles or tricycles for hire or letting same out for pay, the sum of three dollars per quarter.

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

Section 4. This ordinance shall take effect January 15th, 1909.

Introduced December 20th, 1908.

Passed January 6th, 1909, by the following vote:  
Ayes, J. R. Doughton, A. M. Brown, J. M. White, C. A. Bond and Charles  
G. Rice.

Notes: none

Absent: none

J. R. Broughton, President of the Board  
of Trustees of the City of Modesto.

Attest: H. O. Thompson, City Clerk

I, Walter O. Thompson, City Clerk of Modesto,  
do hereby certify that the foregoing is a true and  
correct copy of Ordinance No. 263, and that the  
same has been published according to law.

Walter O. Thompson,  
City Clerk.

## Ordinance No. 264

an ordinance calling a special election to submit to the qualified voters of the City of Modesto the proposition of incurring a debt for the purposes of acquiring a lot for the erection of a municipal building, constructing a municipal building, constructing a building for housing the fire apparatus and purchasing the necessary fire apparatus for the use of the firemen of Modesto; extending the sewer system; extending the water pipes and water system and performing necessary street work, the cost of which will be too great to be paid out of the ordinary annual income and revenue of said city; establishing election precincts for holding said special election and voting for or incurring such indebtedness, and appointing officers of election to conduct said special election.

The Board of Trustees of the City of Modesto do Ordain  
As Follows:—

Whereas, the Board of Trustees of the City of Modesto the said board of Trustees being the legislative branch of said city, did, by resolution duly introduced and passed at a regular meeting of said board held on the 6th day of January, 1909, which said resolution was passed by a vote of two-thirds of all of its members and duly approved by the executive of said municipality, to-wit, the President of the said board of trustees, determine and declare that the public interest and necessity of said city demand the acquisition of the a site for the erection of a municipal building, the construction of a municipal building, the erection of a building for housing the fire department, the acquisition of necessary fire apparatus, the extension of the sewer system and of the water system, and water mains of said city and the performance of necessary street work, the cost of which will be too great to be paid out of the ordinary income and revenue of said city, and

whereas said board has in every respect proceeded as required by law, and done all the

things and acts necessary, incidental or prior to the introduction and passage of this ordinance and.

Whereas, the assessed value of the real and personal property in said city is \$1,607,825, and the aggregate indebtedness of said city is \$17,000.00, and the incurring of the indebtedness herein proposed will not cause the total indebtedness of said city to exceed in the aggregate fifteen percent of the assessed value of the real and personal property in said city, and.

Whereas, the said board of trustees has obtained estimates, offers, plans and specifications showing the cost of the acquisition, construction and completion of the aforesaid work.

Now therefore, the said board of trustees of the said city of Modesto, as aforesaid, do ordain as follows -

Section I. A special election is hereby called to be held in said city of Modesto, on the 23d day of February, A. D. 1909, at which such special election there shall be submitted to the qualified voters of said city the proposition of the incurring of an indebtedness by said city in the sum of One Hundred Thousand Dollars for the purposes aforesaid, and hereinafter more specifically stated.

Section II. The objects and purpose for which said indebtedness is proposed to be incurred and the amount of the principal of the indebtedness proposed to be incurred, for each of said purposes respectively, as follows -

First. The acquisition of a lot for the erection of a municipal building in said city, the proposed amount of the principal of the indebtedness therefore to be Ten Thousand Dollars.

Second. - The construction of a municipal building for the purpose of housing the various departments and the public library of the city of Modesto, the amount of the principal of the indebtedness proposed to be incurred therefore is

Third:- The erection of a building for housing the fire apparatus of the city of Modesto, and the acquisition of the necessary fire apparatus: the amount of the principal indebtedness proposed to be incurred therefore is the sum of Fifteen Thousand Dollars.

Fourth:- The extension of the sewer system of Modesto, the amount of the principal of the indebtedness to be incurred is the sum of Fifteen Thousand Dollars.

Fifth - The extension of the water system and water mains of the city of Modesto, the amount of the principal of the indebtedness to be incurred therefor the sum of \$15,000.

Sixth:- The performance of necessary street work the amount of the principal of the indebtedness <sup>proposed</sup> to be incurred therefor is the sum of \$20,000.

Section IV The total amount of the principal of the indebtedness proposed to be incurred for all said purposes is One Hundred Thousand Dollars.

Section V The estimated cost of the proposed public improvements is \$100,000.00 and the estimated cost of each thereof is the amount specified in section 2 hereof, as the amount of bonds proposed to be issued for each of said purposes.

Section VI The proposition of incurring indebtedness for each of the above and foregoing objects and purposes shall be submitted separately at said election, so that the qualified voters at said election may vote for or against the incurring of indebtedness for any one or more or for all of the aforesaid objects and purposes.

Section VII It is hereby determined, and declared that the cost of the acquisition and construction of the municipal improvements for the purposes hereinbefore specified, and of each of said improvements, as the same are in section 2 hereof separately specified, will be too great to be paid out of the ordinary annual income and revenue of said city, and that it is necessary to incur a municipal indebtedness therefore, and to issue bonds of said city to evidence the same.

Section II If two-thirds of the votes cast at said election shall be in favor of the proposition of increasing municipal indebtedness for said purposes or any one or more of them, the bonds of said city of Modesto shall be issued for the amounts herein before specified for the objects or purposes in favor of which such two-thirds vote shall be cast, and such bonds shall be issued in the form and as required by law.

Section III The maximum rate of interest of said bonds when issued shall not exceed six per cent per annum, payable semi-annually, but such interest may, in the discretion of the board of trustees of said city, be less than the amount.

Section IV Said special election hereby called shall be held on the 23d day of February, A. D. 1909, and the polls for such election shall be opened at six o'clock of the morning of the day of said special election, and must be kept open until six o'clock of the afternoon of the same day, when the polls shall be closed.

Section V For the purpose of holding said special election, the entire incorporated city of Modesto shall be consolidated into one election precinct.

Section VI The polling place in said election precinct and the officers of the election to conduct such special election are hereby named, designated and appointed as follows to-wit:

Polling place - City Office, 920, W. Street  
 Inspectors - Geo. Peley, G. F. Wren  
 Judges - F. W. Dawson, W. C. Saint  
 Clerks - E. B. Walthall, W. M. Bruggs  
 Ballot clerks - L. M. Moss - H. P. Weyer

Section VII The compensation of each of said officers shall be \$10.00 per day.

Section VIII Said special election shall be held in all respects not stated in this ordinance, as provided in law for holding municipal elections in municipalities of the same class, and as provided by the ordinances of this city, provided that the ballots shall be substantially in the following form:

Municipal Ticket  
 Directions to Voters.

Each voter desiring to vote for any of the propositions of incurring a municipal indebtedness, specified on this ballot, shall stamp a cross (X) in the voting square after the printing word "yes" after the proposition in favor of which he desires to vote.

If an elector desires to vote against the adoption of any of the said propositions he shall stamp a cross (X) in the voting square after the word "no" after any of the propositions against which he desires to vote. The mark should be made with a rubber stamp and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

Each proposition must be voted for or against separately.

For incurring and indebtedness for the purchase of a lot for the erection of a municipal building. /yes/  
/no/

For incurring an indebtedness for the erection of a municipal building. /yes/  
/no/

For incurring and indebtedness for the construction of a building for housing the fire apparatus and for purchasing the necessary apparatus therefor. /yes/  
/no/

For incurring an indebtedness for the extension of the power system of the city of Modesto. /yes/  
/no/

For incurring an indebtedness for the extension of the water main and water system of Modesto. /yes/  
/no/

For incurring an indebtedness for the performance of necessary street work. /yes/  
/no/

Section 14. This ordinance shall take effect from and after its passage, approval and publication.

Section 5. This ordinance shall be published by the clerk of the city of Modesto, once a day for at least seven days, Sundays excepted, in the Modesto Evening News, a newspaper printed and published and circulated at least six days a week in said city of Modesto.

Introduced January 11, 1909.

The foregoing ordinance is adopted by said Board of Trustees of the City of Modesto, County of Stanislaus, State of California, on January 20th, 1909, by the following vote, to-wit:-

Ayes: Trustees - J. R. Broughton, J. M. Pike, C. A. Post, and  
C. E. Rice

Noes: Trustees none

Absent: Trustee A. M. Brown.

J. R. Broughton, President of the  
Board of Trustees of the City of Modesto

Approved this 20th day of January 1909

J. R. Broughton, President of the  
Board of Trustees of the City of Modesto.

Attest: W. A. Thompson, City Clerk

Attest: I, Walter O. Thompson, City Clerk of Modesto, do hereby certify that the foregoing is a true and correct copy of ordinance no. 264 and that the same has been published as according to law.

Walter O. Thompson,  
City Clerk

Ordinance No 265

Ordinance specifying the notice to be given, and authorizing the publication thereof, of a special election to be held in this city of Modesto upon a proposition of incurring a municipal debt for the purpose of constructing certain improvements and municipal works, specified in an ordinance heretofore introduced and adopted, and numbered as ordinance No 264

The board of trustees of the city of Modesto do ordain as follows:

Section 1. Where as, on the 17th day of January, 1909, an ordinance was duly introduced, providing for the calling of a special election to be held upon the 23d day of February 1909, at which election should be submitted to the qualified electors within the said city, the question of proposition as to whether the bonds to the amount and for the purpose and objects in said ordinance specified, and also hereinafter specified in the notice hereby directed to be published, should be issued, and

Whereas said ordinance provides that said election shall be held as prescribed by law and the ordinances of this city, the said board of trustees of the said city <sup>heretofore</sup> <sup>passed</sup> <sup>and</sup> its proclamation calling such election which proclamation and the notice shall be in the form specified in section 3 of this ordinance.

Section 2. It is hereby ordered that the city clerk give notice of such election in addition to the notice given by the publishing of said ordinance No 264, by posting a copy of the proclamation on poles at the city square, the polling place of said election, at least ten days prior thereto, and by publishing a copy thereof in Modesto <sup>Journal</sup> <sup>or</sup> <sup>all</sup> <sup>the</sup> <sup>daily</sup> <sup>published</sup>

printed and published in the said city of Modesto, at least three consecutive days prior to the of said election.

Section 3. It is hereby ordered that the said election proclamation or notice be substantially in the following form, and shall have signed thereto the name of the president of this board and of the city clerk, to-wit:--

Election proclamation and notice of a special election.

To the qualified voters of the city of Modesto. A special election will be held in and for the city of Modesto on Tuesday, the 23rd day of February, 1909, at which shall be submitted to the qualified voters of the said city the proposition of incurring indebtedness by the city of Modesto for the purposes, in that amount for each of said purposes specified as follows:--

First.-- The acquisition of a lot for the election of a municipal building in said city, Ten thousand dollars.

Second.-- The construction of a municipal building for the purpose of housing the various departments and the library of the city of Modesto, Fifteen thousand Dollars.

Third.-- The of a building for housing the fire apparatus of the city of Modesto, and also the acquisition of necessary fire apparatus, Fifteen thousand Dollars.

Fourth.-- The extension of the sewer systems of Modesto, Fifteen thousand Dollars.

Fifth.-- The extension of the water system and water mains of Modesto, Fifteen thousand Dollars.

Sixth.-- The performance of necessary street work, Twenty thousand Dollars.

Each of said propositions may be voted for separately and if two-thirds of the votes

cast at said election are cast in favor of any of said propositions, bonds of the said city will be issued to the amount specified for the payments of the costs of such improvements, respectively, as shall have received said two-thirds votes, and in case any of said propositions shall not receive a two-thirds vote, bonds of said city will not be issued for said purpose.

For the purpose of said election, all of the election precincts in said city have been consolidated into one precinct.

The polling place in said city for said consolidated election precinct will be at the city offices #720 "K" street.

The officers of said election are as follows:  
Inspectors: Geo. Parley, G. J. Thoms.

Judges: J. T. Dawson, W. E. Dault.

Clerks: L. B. Marshall and S. M. Briggs.

Ballot Clerks: L. T. Moss and A. O. Brewer.

The polls will be open every day six o'clock in the morning and will be kept until six o'clock in the afternoon of the same day.

The ballots used at said election will be substantially in the following form

### Municipal Ticket

#### Directions to voters

Each voter desiring to vote for any of the propositions or incurring a municipal indebtedness specified in the ballot, shall stamp a cross or cross (X) in the voting square after the printed word "yes" after the proposition in favor of which he desires to vote.

If an elector desires to vote against the adoption of any of the said propositions he shall stamp a cross (X) in the voting square after the word "no" after any of the propositions against which he desires to vote.

The mark should be made with the rubber and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

Each proposition must be voted for or against separately.

For incurring an indebtedness for the purchase of a lot for the erection of a municipal building Yes 1700

For incurring an indebtedness for the erection of a municipal building Yes 1700

For incurring an indebtedness for the construction of a building for housing the fire apparatus and for purchasing the necessary apparatus therefor Yes 1700

For incurring an indebtedness for the construction of the sewer system of the city of Modesto Yes 1700

For incurring an indebtedness for the extension of the water mains and water system of the city of Modesto. Yes 1700

For incurring an indebtedness for the performance of necessary street work. Yes 1700

Section 4. The city clerk shall provide and cause to be printed for said election such ballots as may be required and shall also mail to each qualified of said city whose name is on the great register a sample ballot at least five days prior of the said election.

Section 5. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced January 20th, 1909.

Passed Feb. 21, 1909 by the following vote:--

Yeas: 10      Nays: 0

Present: C. J. Bond, C. E. Rice

Absent: Keastus, none

Abstent: Keastus none

J. R. Broughton, President of the board of trustees of the city of Modesto.

Approved Feb. 3<sup>rd</sup> 1919

President of the board of trustees of the city of Modesto.

Attest: W. D. L. Thompson, City Clerk.

J. D. O. Thompson, City clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 265 and that the same has been published according to law.

J. D. O. Thompson  
City Clerk

Ordinance No. 266.  
An Ordinance fixing the salary of the City Treasurer.

The board of trustees of the city of Modesto do ordain  
as follows:

Section 1. The salary of the Treasurer of the  
city of Modesto shall be Three hundred (\$300.00)  
dollars per year for each and every year,  
payable monthly, and such salary shall be  
in full compensation for all services performed  
by him as such treasurer.

Section 2. The ordinance shall take effect  
and be in force from and after March 1<sup>st</sup> 1909

Introduced February 3<sup>rd</sup>, 1909, by trustee, J. T. Brown  
Passed this 17<sup>th</sup> day of February A. D. 1909 by  
the following vote:

Ayes: J. P. Broughton J. T. Brown, Ch. Post.  
O. E. Rice.

Roll none absent J. M. Calk  
By J. P. Broughton, President of the board  
of trustees of the city of Modesto.

Attest: Walter D. Thompson, City Clerk.

I, W. D. Thompson city clerk of the city of Modesto do hereby  
certify that the foregoing is a true and correct copy of  
Ordinance No. 266 and that the same has been published  
according to law

W. D. Thompson  
City clerk

Ordinance No 7

An ordinance amending section 2 of ordinance No 172 relative to water rates

Section 1 - Section 2 of ordinance No 172 is hereby amended to read as follows

Schedule

- Subdivision 1 - For tenements occupied by a single family or private boarding houses. 50.75
- Subdivision 2 - For restaurants, cafés, houses and eating rooms. 2.00
- Subdivision 3 - For hotels having not more than twelve beds 5.00  
For each additional bed for guests .05
- Subdivision 4 - For lodging houses not to exceed five beds 1.50  
For each additional bed for lodgers .05
- Provided, that families occupying rooms in hotels or lodging houses during their own cooking 75
- Subdivision 5 - For stores, shops or other business places on the ground floor not separately rated, for each 25 foot front or fraction thereof, provided that the corner store only one frontage shall be charged. .50
- Subdivision 6 - For offices, on ground floor. .50
- Subdivision 7 - For warehouses, each .50
- Subdivision 8 - For saloons where spirituous liquors or malt liquors are sold, each 2.50  
For saloons where lunches are cooked and served free or otherwise, in addition to the above 1.50
- Subdivision 9 - For beer brewing establishments 1.25
- Subdivision 10 - For public bath tubs used in bathing establishments or public shops for one tub 1.00
- Subdivision 11 - For bakeries in addition to family rates, for each twenty five barrels of flour or fraction thereof used per month 75
- Subdivision 12 - For drug stores, each 1.00
- Subdivision 13 - For blacksmithing and wagon shops 1.00
- Subdivision 14 - For laundry and salable tables 6.00

Subdivision 15- For breweries each	\$ 2.25
Subdivision 16- For buidies and plastering for water used by plaster for slacking each barrel of lime, plaster, or cement.	.15
For water used by bricklayers to make mortar or dampen brick, for each 1,000 brick laid	.25
Subdivision 17- For barber shops for one chair	.75
For each additional chair	.25
Subdivision 18- For laundries and other wash houses, other than steam laundries	5.00
Subdivision 19- For candy stores stores where candy is made.	1.00
Subdivision 20- For candy store coffee or ice cream saloon or parlor	.50
Subdivision 21- For soda or other fountain in addition to other rates when included in annual rate, that is paid for during the whole year, each.	.50
When $\frac{1}{2}$ included	1.00
Subdivision 22- For dental rooms	1.00
Subdivision 23- For Photograph galleries	1.50
Subdivision 24- For printing offices weekly	.75
Daily	3.00
Subdivision 25- For paint shops each	.75
Subdivision 26- For use of water for manufacturing gas machines	.75
Subdivision 27- For planing mills, where gasoline engine only is used.	.75
Subdivision 28- For upper stories, occupied as offices, for each person or firm occupying not more than three rooms.	.50
For each additional rooms	.05
When occupied by families as lodgings only office rates otherwise family rates.	
Each rate must be aggregated for the whole building and on each costum paid by the owner or agent.	
Subdivision 29- For the use of water in lodge room	.50
Subdivision 30- For steam laundries	10.00
Subdivision 31- For butcher shops	1.00

- Subdivision 32 - For the use of three halls each 50
- Subdivision 33 - For use of water in soda factories 3.00
- Subdivision 34 - For use of water for the county court house, including irrigation for the whole block No. 53. 30 00
- Subdivision 35 - For the use of water in that portion of the city known as "Chinatown," comprising block 28 and lot 1 in block 31 22.00

Irrigation.

- Subdivision 36 - For the irrigation of a lot or part of a lot 25 feet by 140 feet as laid off on the official map of the city of Modesto, when taken in connection with a rate for family use on same premises which rate must be paid for the entire year. 25
- For the irrigation of each lot or fraction of a lot, when taken in connection with a family rate on the same premises during the pleasure of the owner. 1.00
- For the irrigation of premises otherwise unoccupied when an annual rate is desired, and which rate must be paid each month during the entire year for each lot or fraction of a lot. 60
- For the irrigation of a lot, or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not, when the water for said premises is used for irrigation of flowers for sale, which rate must be paid for the entire year. 50
- For the irrigation of a lot or part of a lot 25 by 140 feet whether taken in connection with a rate for family use or not when the water for said premises is used for the irrigation of alfalfa, nursery stock or exclusively for market gardening, which rate

must be paid for the entire year.

2.50

The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for the use of the water where such water is used and paid for during the entire year, or such portion thereof as water may or might be required for the purpose indicated by the clause fixing such rate, but in case such rate is not paid for the whole year, and the premises are used or occupied during any part of the remainder of such year, for the same or similar purpose or purposes to that for which water is used during a part of the year, then the rate for time water is so used shall be double that here-in fixed above, as the annual rate for such use.

But division 37 - For use of water for the manufacture of brick for each 1,000 brick. .20

Subdivision 38 - For the use of water for creamery 6.00

Subdivision 39 - Tamale houses 1.00

Subdivision 40 - Cycles 1.50

### Meter rates.

Subdivision 41 - For water, to be ascertained by meter or otherwise, for each 1,000 gallons. 20

Subdivision 42 - For steam engines or any other uses not hereinbefore specified, meter rates must be paid, or in lieu thereof such rate or amount as upon application of the parties interested, and the board of trustees may fix by special order, provided, that the board of trustees shall have power at any time, by resolution, to direct the installation of a meter to measure the water used by any consumer, in case of such order the meter shall be installed in accordance with the regulations hereto for or to be hereinafter adopted and the consumer shall there after

be charged at meter rates for its water used.

Section 2 - This ordinance shall take effect, and be in force on and after the first day of July 1909.

Introduced February 3d, 1909, by Trustee J. R. Broughton  
Passed this 17th day of February, 1909, by the following vote.

Ayes: Trustees J. R. Broughton A. K. Brown C. J. Post and Charles E. Rice.

Noes: None.

Absent: Trustee J. M. Pake

President or Board of Trustees or City of Modesto: J. R. Broughton.

Attest: H. O. Thompson, city clerk.

J. H. O. Thompson, city clerk of the city of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 267 and that the same has been published according to law.

H. O. Thompson  
City clerk

## Ordinance No. 268.

An ordinance to amend ordinance No. 262, by amending section One thereof, and by adding a new section to be known as section 4 B.

The board of trustees of the city of Modesto do ordain, as follows:

Section 1. Section one of ordinance No. 262 is hereby amended to read as follows: "No person, company or corporation shall erect a building or structure of any kind, or enlarge, add to or extend any building or structure already erected in the city of Modesto, which building, modification or improvement shall cost an amount exceeding one hundred (100.00) dollars, without first obtaining a permit from clerk of said city.

The application for such permit shall state the exact site to be occupied, the material, dimensions, and estimated cost of the proposed building or structure, and the probable time to be occupied in building.

All applications shall be filed in triplicate.

The person, company or corporation applying for such permit shall file with the city clerk the complete plans and specifications of the proposed building or structure, or setting forth with repairs, alterations or improvements as contemplated, and describing its general character, nature and chimneys and flues."

Section 2. A new section is hereby added to said ordinance No. 262 to be known as section 4 B. and to read as follows: "Section 4 B. Whenever any building or structure of any kind within the city of Modesto is in course of construction, alteration, repair or enlargement, it shall be unlawful for the owner of said building or for the person in charge of such construction, enlargement, repair or improvement to obstruct or slow up or permit to be

obstructed or closed up the gutters along the sidewalk or to permit any obstruction within two feet of the curb, upon which such fueling or other structure abuts. After the completion of such improvements the street and sidewalks shall be cleaned and restored to the same condition as before such improvements.

Should the owner or person having charge of such construction, repair or improvement fail or neglect to clean such street or sidewalk after the completion of such construction, repair or improvement the Superintendent of streets shall cause to be performed such work, and the cost thereof shall be retained out of the deposit provided for by section three of ordinance No 262, and the certificate of the Superintendent of streets, of the incurring of such expense shall be sufficient proof of the necessity thereof.

Section 3. This ordinance shall take effect from and after its passage and publication.

Introduced February 27th, 1909. by Chas E. Rice.  
Passed the 17th day of February A. D. 1909.  
by the following vote;

Ayes: J. P. Broughton, A. J. Post and Chas E. Rice  
Noes: None. Absent: J. M. Coker.

J. P. Broughton, President of the Board  
of trustees of the city of Modesto.  
Attest: W. J. Thompson, City Clerk

J. W. C. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 262 and that the same has been published according to law.

J. W. C. Thompson  
City Clerk

## Ordinance No. 269.

An ordinance declaring the result of a special election, held in and for the city of Modesto, on the 23<sup>rd</sup> day of February, 1909.

The board of trustees of the city of Modesto do ordain as follows:

Section I. Whereas, the board of trustees of the city of Modesto did by Ordinance No 264 call a special election for the 23<sup>rd</sup> day of February, 1909 and submit to the qualified voters of the said city and proposition of incurring an indebtedness for the purposes in said ordinance set forth, and which ordinance was published once a day for at least seven days before holding said election in the Daily Evening News, a newspaper, of general circulation, published in said city, at least six days a week, and

Whereas, all the provisions of law requisite to the calling of said election and the notice whereof were duly complied with, and the board of trustees of the city of Modesto so find and

Whereas said special election was on said 23<sup>rd</sup> day of February, 1909, duly held in all respect in conformity with the laws of the state of California, and the ordinances of the said city of Modesto, and

Whereas, the proper officers of said election returned to and filed with the city clerk of said city the returns of said election, and said returns were duly opened and canvassed by the board of trustees of said city, and the results of said election ascertained on the 24<sup>th</sup> day of February, 1909.

Now therefore, it is hereby declared and found by said board of trustees that all of the acts and things required by law and the ordinances of the city relative to the calling, conduct and holding of said election to be done and performed were done and performed, that the proper and necessary resolution required by law was introduced and passed by a <sup>major</sup> ~~majority~~ <sup>majority</sup> vote of the

board of trustees and approved by the executive of said municipality; that an ordinance containing all the statements and things required by law to be contained calling said special election was, duly introduced, passed and approved and published for the time required by law; that said special election was in every respect held and conducted as required by law and the ordinances of this city; that the returns thereof were duly and regularly made and filed with the city clerk and were duly opened and canvassed by said board of trustees, as required by law; and that the results of said special election, and the votes cast for each of the propositions submitted were as hereinafter set forth, to wit:

For incurring an indebtedness for the purpose of a lot for the erection of a municipal building, 130 votes were cast in favor of incurring said indebtedness and 289 votes were cast against incurring said indebtedness.

For incurring an indebtedness for the erection of a municipal building, 157 votes were cast in favor of incurring said indebtedness, and 262 votes were cast against incurring said indebtedness.

For incurring an indebtedness for the construction of a building for housing the fire apparatus and for purchasing the necessary apparatus therefor, 369 votes were cast in favor of incurring said indebtedness and 60 votes were cast against incurring said indebtedness.

For incurring an indebtedness for the extension of the sewer system of the city of Modesto, 913 votes were cast in favor of incurring said indebtedness and 89 votes were cast against said indebtedness.

For incurring an indebtedness for the extension of the water main and water system of the city of Modesto 300 votes were

cast in favor of incurring said indebtedness, and 53 votes were cast

For incurring an indebtedness for the performance of necessary street work, 379 votes were cast in favor of incurring said indebtedness, and 45 votes were cast against incurring said indebtedness.

That the total number of votes cast at said election was 447.

That the affirmatives of each of the following propositions, to wit:

For incurring an indebtedness for the construction of a building for housing the fire apparatus, and for purchasing the necessary therefor;

For incurring an indebtedness for the extension of the sewer system of the city of Modesto.

For incurring an indebtedness for the extension of the water mains and water system of the city of Modesto;

For incurring indebtedness for the performance of necessary street work;

Received more than 293 votes each, which was more than two-thirds of all of the votes cast by the voters, voting at said special election, and the said indebtedness, to wit:

Fifteen thousand (\$5,000.00) Dollars for the erection and construction of a building for housing the fire apparatus of the city of Modesto and the purchase and acquisition of the necessary fire apparatus therefor;

The sum of Fifteen thousand (\$5,000.00) Dollars for the extension of the sewer system of the city of Modesto;

The sum of Fifteen thousand (\$5,000.00) Dollars for the extension of the water system and water mains of the city of Modesto;

The sum of Four thousand (\$4,000.00) Dollars for the performance of necessary street work;

amounting in all to sixty five thousand (\$65,000.00) Dollars and the insurance of the bonds of the said city of Modesto to that amount.

therefore are declared to be determined, accepted and authorized; and that at said special elections it was also decided and determined that an indebtedness proposed at said election for the purchase of a lot for the erection of a municipal building and for the erection of such building was not authorized and was defeated.

Section 2. This ordinance shall take effect upon its passage, approval and publication.

Introduced March 3rd. 1909, by J. R. Broughton.

Passed this 17th, day of March, A. D. 1909, by the following vote:

Ayes: J. R. Broughton, A. H. Brown, J. M. Pike, C. A. Post, and Chas. E. Rice.

Noes: None. Absent: None.

J. R. Broughton, President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson, City Clerk.

I, H. O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 269, and that the same has been published according to law.

H. O. Thompson,  
City Clerk

## Ordinance No. 270.

An ordinance providing for the issue, sale and redemption of bonds of the city of Modesto, in accordance with the result of the special election held in said city on the 23rd day of February, 1909, and providing for the form and denomination thereof.

The board of trustees of the city of Modesto, do ordain as follows.

Section 1. Whereas, at a special election held in the city of Modesto, on the 23rd day of February, 1909, pursuant to the laws of the State of California, and in accordance with ordinance No. 264 and the other ordinances of the city of Modesto relative to elections therein, the said city has been authorized to incur an indebtedness of sixty five thousand dollars for the purposes in said ordinance and hereinafter set forth and has authorized to issue bonds for the amount of said indebtedness.

Now therefore, the board of trustees of the city of Modesto do further ordain as follows:

Section 2. The said city of Modesto shall incur an indebtedness of \$65,000.00 for the purposes in said ordinance 264, and hereinafter specified, and by said special election authorized, and the bonds of said city evidencing such indebtedness shall be issued in the said amount, of the number, denomination and character herein after specified.

Section 3. Each of said bonds shall be of the denomination of five hundred dollars and shall bear interest at the rate of five per cent annum, payable semi-annually on the first day of June, and the first day of December in each year at the city of Modesto, in the county of Stanislaus, State of California.

There shall be issued one hundred and thirty of said bonds, and they shall be numbered consecutively from one to one hundred and thirty, inclusive.

All of said bonds shall be payable at the city of Modesto in said county of Stanislaus, and state of California, and four of said bonds shall be payable, together with all interest thereon unpaid at such date, on the first day of December, 1909, and four of said bonds, together with the interest, as aforesaid, on the first day of December, 1910, and four of said bonds, together with the interest thereon as aforesaid, on the first day of December, 1911, and four of said bonds, together with the interest thereon as aforesaid, on the first day of December, 1912, and six of said bonds, together with interest on said bonds unpaid at such rate, shall be payable on the first day of December of each and every year thereafter at the city of Modesto, County of Stanislaus, state of California, as aforesaid, for the period of thirteen years to and including the first of December, 1925; and thereafter twelve of said bonds together with the interest thereon unpaid at such rate, shall be payable on the first day of December, of each and every year, at the city of Modesto, County of Stanislaus, State of California, as aforesaid, until all said bonds are paid.

Section 4. The said bonds, or any portion of them may be sold by the said board board of trustees of the said city of Modesto at not less than their par value, at either public or private sale and without further notice.

Section 5. The proceeds of the sale of the aforesaid bonds shall be placed in the treasury of the city, and the amount received therefrom shall be

be apportioned to the various funds and for the purpose authorized by said special election.

Section 6. The said bonds shall be executed by the President of the board of trustees, and also by the treasurer of the city of Modesto, and shall be countersigned by the clerk, and each of said bonds shall have attached thereto interest coupons equal in number to at least twice the number of years the said bond as to run before it is due.

The said coupons shall be numbered consecutively and signed by the treasurer.

And the said bonds and coupons shall be in the form substantially as hereinafter set forth.

Each of the interesting coupons shall represent six months interest, and be payable to the bearer.

Section 7. The form and language of all of said bonds be substantially as follows.

United States of America  
State of California  
\$500.00 No. -  
Municipal improvement bond of the city  
of Modesto.

On the first day of December, A. D., 190..... the city of Modesto, a municipal corporation, incorporated under the laws of the state of California, for value received, hereby promises to pay the bearer, at the office of the treasurer of said city, in the city of Modesto, County of Stanislaus, State of California, the sum of five hundred dollars, and gold coin of the United States of America, with interest thereon in like gold coin from the date hereof at the rate of per cent per annum, payable semi-annually at the office of said city treasurer.

on the first days of June and December, of each year upon the presentation and surrender of the proper interest bearing coupons hereto attached.

This bond is one of a series of bonds of like date, tenor and effect issued by the City of Modesto, for the purpose of constructing a building for the housing the fire apparatus, and for purchasing the necessary apparatus therefor; for extending the sewer system of said city, and for the performance of necessary street work, and is issued under and in pursuance of and in conformity with an act of the Legislature of the State of California, entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations, for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision, without the governor's approval.

February 20<sup>th</sup>, 1901 and of the acts supplemental and amendatory thereof.

And it is hereby certified, asserted and declared that this bond is issued after full compliance with, in pursuance of, and in conformity with the constitution and laws of the State of California, and the ordinances of the said City of Modesto, and in pursuance of, and conformity with a vote of more than two thirds of all the qualified electors of said City of Modesto voting at a special election, duly and regularly called and held in said City, as provided in said act and the acts amendatory and supplemental thereto, on the 23<sup>rd</sup> day of February, A. D. 1901; notice thereof having been, duly and regularly given and published in the manner and for the period required by law, and after the result of said election had been canvassed and declared and entered in the manner and as required by law.

It is further certified and declared that all the provisions and requirements of the constitution and laws of the state of California, and of the ordinances of the said city of Modesto have been duly and regularly and fully complied with, the officers of said city in the issuance of this bond; that all the act and conditions and things required by law to be done precedent to and in the issuance of said bonds, have been done, and have been performed in regular and due form, and in strict accordance with the provisions of law authorizing said bonds, and that the total indebtedness of said city of Modesto, including the indebtedness evidenced by this issue of bonds, does not exceed the limit prescribed by the constitution and the laws of the State of California.

This bond ceases to bear interest unless presented at maturity.

In witness whereof, the said city of Modesto has caused this bond to be signed by its President of its board of trustees, (who is the executive of said municipality), and its treasurer of said city of Modesto, and to be countersigned by its City Clerk, it has caused its City Clerk to affix thereto the corporate seal of said city of Modesto, and has caused all coupons attached hereto to be signed by its treasurer has caused his said signature to be lithographed upon all of said coupons and hereby adopts said lithograph signature as his own.

Dated, Modesto, California, the — day of —  
A.D., 1901.

President of the Board of Trustees  
of the City of Modesto.

Treasurer of the City of Modesto.

City clerk of the city of Modesto.  
 The interest coupons attached to said bonds shall  
 be substantially in the following form and language:  
 \$ \_\_\_\_\_ No. \_\_\_\_\_

Interest coupon  
 the city of Modesto.  
 on the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 191\_\_\_\_  
 on surrender of this coupon, will pay to the  
 bearer hereof, at the office of the treasurer,  
 of said city, in said city of Modesto, county  
 of Stanislaus, State of California, the sum  
 of \$ \_\_\_\_\_ in said coin of the United States  
 of America for the semi-annual interest due  
 on that date upon the above numbered mun-  
 icipal bond.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 191\_\_\_\_

Treasurer of said city.

Section 8. The President of the board of  
 trustees, Treasurer and city clerk of the said  
 City of Modesto, are hereby authorized and  
 directed to sign and execute all of said bonds  
 as of the date of April 1st, 191\_\_\_\_, and the said  
 Treasurer to sign all said interest coupons in  
 substantially the form hereinafter provided  
 by this ordinance, and to adopt for each  
 purpose a lithographic signature, and the  
 acts of each of them in so doing shall be  
 construed to be both for his official self,  
 and for the city of Modesto, and the said  
 President of the board of trustees is hereby  
 authorized and appointed as a committee to super-  
 vise and execution of said bonds and coupons.

Section 9. There shall be raised and collected  
 annually each year until said bonds are paid  
 or until there shall be a sum in the treasury  
 of said city of Modesto, set apart for that purpose  
 sufficient to meet all sums coming due for  
 principal and interest on said bonds, and  
 the said \_\_\_\_\_ shall be authorized to pay the interest on said bonds  
 the \_\_\_\_\_ of the \_\_\_\_\_

as shall become due before the time for filing the next general tax levy.

The taxes herein required to be levied and collected shall be in addition to all other taxes levied for municipal purposes and shall be levied and collected at the time and in the manner as all other taxes, and shall be used for no other purpose than paying of said bonds and accruing interest.

Section 10. This ordinance shall be published once in the Modesto Evening News, a newspaper of general circulation printed and published in said city of Modesto, County of Stanislaus, and state of California, and shall take effect and be in force from and after its passage and publication.

Introduced this 31 day of March, 1909.

Passed and adopted as an ordinance of the city of Modesto at a regular meeting of the board of trustees of the said city of Modesto, held on Wednesday, the 17th day of March A. D. 1909.

Attest: J. P. Broughston, C. R. Brown,  
J. M. Calk, C. V. Post and Geo. E. Rice  
Clerks.

Walter Kone.

J. P. Broughston  
President of the board of trustees of  
the city of Modesto

Attest: W. J. Thompson  
City Clerk.

I hereby approve the above ordinance this 19th day of March, A. D. 1909.

J. P. Broughston  
President of the board of trustees of  
the city of Modesto

I hereby certify that the foregoing ordinance was passed by the board of trustees of the city of Modesto, and signed by the Mayor and Clerk at its regular meeting held

on the 17th day of March, A. D. 1959.

H. J. Thompson,  
City Clerk, and clerk of said  
board of trustees.

I, H. J. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No. 270 and that the same has been published according to law.

H. J. Thompson,  
City Clerk.

## Ordinance No. 271.

The Board of Trustees of the City of  
Modesto do ordain as follows:

Section 1. It shall be unlawful for any  
minor, under the age of twenty one years,  
to enter or frequent any house, in or  
whole or part a saloon, or drinking place  
or where spirituous, vinous, malt, alcoholic  
or other intoxicating liquors are sold or dis-  
pensed, and every owner, lessee, or keeper  
of any such house, in or whole or in  
part a saloon, or drinking place, or  
where such beverages are sold or dispensed,  
who knowingly permits any person under  
twenty one years of age to drink in such  
place, or to frequent or stay therein, is  
guilty of a misdemeanor.

Section 2. The presence of any person  
under age of twenty one years in any such  
place referred to in section 1 herein, shall  
be conclusive evidence of the violation by him,  
and by the owner, lessee, or keeper of such  
house of this ordinance.

Section 3. In addition to the penalties  
provided by law for the violation of this  
ordinance, any license which has been granted  
by such owner, lessee, or keeper of any house  
shall be forfeited upon the violation by him  
of the provision of this ordinance, and it shall  
be the duty of the Board of Trustees, upon  
it being brought to their attention that  
this ordinance has been violated by any  
such person, immediately to revoke such  
license, and such order of revocation shall  
be final, and no appeal shall be therefrom.

Section 4. This ordinance shall take effect  
and be in force from and after its passage  
and publication.

Enacted March 2nd, 1909. By the  
Board of Trustees



Repealed by No. 54722

Ordinance No 272

An ordinance No 217 by amending subdivision 35 and repealing subdivisions 41, and 60 of section one thereof.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Subdivision 35 of section 1 of Ordinance No. 217 is hereby amended to read as follows:

Subdivision 35, - Every person engaged in job-printing or publishing shall pay a license of two and one half (\$2.50) dollars per quarter.

Section 2. Subdivisions 41, and 60 of section 1 of Ordinance No 217 is hereby repealed.

Section 3. This ordinance shall take effect from and after its adoption and publication.

Introduced March 3rd, 1939. J. P. Brewster  
Passed this 17th, day of March, A.D. 1939  
by the following vote:

Aye: J. P. Brewster, J. W. Brown, W. H. C. Post and Chas. E. Rice.

Nays: none. Absent: none

J. P. Brewster, President of  
the Board of Trustees of Modesto.

Attest: W. O. Thompson, City Clerk.

I, W. O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 272 and that the same has been published according to law

W. O. Thompson  
City Clerk

Ordinance 273

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. It shall be unlawful for any person to ride or drive into or from any alley in the City of Modesto, crossing the sidewalk therefrom at a speed faster than is equivalent to a walk, and every person riding any horse or driving any motor or other vehicle into or out of any alley in said city at a speed faster than is equivalent to a walk shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than twenty-five (\$25.) dollars, or imprisonment not more than ten days, or by both such fine and imprisonment.

Section 2. This ordinance shall take effect from and after its passage and publication.

Introduced in March 17th, 1909, by Chas. E. Rice.

Passed this 24th day of April 1909, by the following vote:

Ayes: L. P. Brumpton, A. W. Brown, J. A. Best, J. M. Pike and Chas. E. Rice.

Noes: None.

Abstent: None.

L. P. Brumpton  
President of the Board of Trustees  
of the City of Modesto

Attest: W. O. Thompson City Clerk

W. O. Thompson, City Clerk of the City of Modesto do hereby certify that the foregoing is a true and correct copy of Ordinance No 273 and that the same has been published accordingly.

W. O. Thompson  
City Clerk

Ordinance 274.

The board of trustees of the city of Modesto do ordain as follows:

Section 1. The official width of the side walk space extending from the property line to and including the curb for all streets extending from A. to B. streets from 1 to 17th streets, inclusive, except 5, 9, 10, 11 and 12 streets, between H. and I. streets, and H. and I. streets, between 8th and 12th streets, shall be 16 feet, provided that the board of trustees shall have the power at any time by resolution entered upon the minutes to change such width, either for the whole or any portion of such territory.

Section 2. Except so far as the provisions of this ordinance are inconsistent herewith, all other ordinances of the city of Modesto relative to the width of side walk space and the construction of side walks and the control thereof, shall remain in full force and effect.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced March 31st, 1909, by J. P. Broughton.  
Passed: April 7th, 1909, by the following vote:  
Ayes: J. P. Broughton, A. H. Brown, J. J. Post and Chas. W. Allen.  
Nays: None.  
Absent: None.

J. P. Broughton,  
President of the board of trustees  
of the city of Modesto.

Attest: W. V. Thompson City Clerk,  
I, W. V. Thompson, city clerk of the city of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 274 and that the same has been published according to law.  
W. V. Thompson, City Clerk

## Ordinance No. 275

The Board of Trustees of The City of Modesto Do  
Ordain as Follows

Section 1. It shall be unlawful in any restaurant saloon, or place of public resort to keep or maintain any booth, alcove, closed room or separate apartment where food or refreshments are served to the public, separated by a curtain, door or any other obstruction which prevents a full view thereof to be obtained from the main room or apartment accessible to the public generally.

Section 2. The keeping of such booth, closed department or other arrangement by which food, drink or refreshments are served privately, or the serving of such food, drink or refreshments or the delivery thereof to any person in such booth apartment or closed room by any person is hereby declared to be unlawful, and a violation of this ordinance.

Section 3. In all restaurants or eating houses where wines, spirituous, malt, alcoholic or other intoxicating liquors are sold or dispensed, all such stock of liquors must be kept in the front of such eating house and dispensed therefrom, and it shall be unlawful to dispense to any patron any such liquor from the rear of such restaurant or eating house.

Section 4. A violation of this ordinance shall be a misdemeanor and punishable by a fine of not exceeding \$50<sup>00</sup> and by imprisonment not exceeding twenty-five days, or by both such fine and imprisonment, and the violation of any of the provisions of this ordinance in any such restaurant eating house, or place of public resort shall be conclusively presumed to be with the consent of the proprietor of such house, and shall render him liable to punishment hereunder and to the forfeiture of his license.

Section 5. This ordinance shall take effect from and after its passage and publication.

Introduced, May 19th, 1919, by J. C. Broughton

Passed June 2nd 1919, by the following vote

400, J. C. Broughton, J. C. Broughton, J. C. Broughton, J. C. Broughton, J. C. Broughton

Pres: A. M. Brown

Absent: none

J. R. Broughton President of the  
Board of Trustees of the City of Mod-  
esto.

attest: W. O. Thompson city clerk

I, W. O. Thompson, city clerk of the City of Modesto, do hereby  
certify that the foregoing is a true and correct copy of Ordinance  
No. 275 and that the same has been published according to law.

W. O. Thompson  
city clerk

## Ordinance No 276

An Ordinance Fixing and Regulating the Use of Sewers by Private Individuals: Providing for proper Plumbing Inspection, Proper Drains and the Qualifications of Plumbers.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. All drains or sewers must be constructed in open trenches and in opening a trench for any drain the excavated material must be so placed as to cause the least practicable inconvenience to the public and as little as possible of the trench must be dug, until the junction place or branch in the street sewer is found. The sides of trenches that will not stand perpendicular must be properly braced and shored to prevent caving. In case it shall be necessary to connect a drain pipe with a public sewer, the connection in such sewer can only be made under the special supervision and direction of the Superintendent of Sewers.

Section 2. The back filling over drains, after they are laid, must be solidly rammed within the public street and all roadway material or pavement must be properly replaced to the satisfaction of the Street Superintendent, and must be kept in repair for six months. No drain or sewer must be covered over, until it has been properly tested, as hereinafter provided. All gas and water pipes must be protected from injury or settling and at all openings of such trenches lights must be displayed when left open over night and other necessary precautions must be taken to guard the public against accidents. After the drain pipes have been laid and before the excavation has been filled in, notice must be given to the Superintendent of Sewers and he shall examine the same, and if found properly done, he shall issue a certificate of that fact, and not until then, shall the earth be replaced in such trench.

Section 3. Every building or lot shall be sewered by an iron stone or cast iron pipe, not less than four inches inside diameter extending from the building or point of beginning out to the line of the street sewer and such pipe shall be laid at a uniform grade throughout its entire length. There must be a trap and fresh air inlet in line to the main sewer, such trap and air inlet to be of full size of sewer. The air inlet must have a proper cover or strainer. All joints of said iron stone pipe shall be made tight with the best quality of Portland cement, properly mixed with clean, sharp sand. Each joint and length of pipe when laid must be properly cleaned on the inside by a suitable scraper before the succeeding length of pipe is put in place and water must be run thru through so as to show that said pipe is clear of all obstructions to the satisfaction of the Superintendent of Sewers, before such pipe shall be covered. All joints of cast iron pipes shall be made with a suitable packing of oakum and run in full with molten lead and properly caulked.

Section 4. Every house or building hereafter erected must have the house drain constructed of cast iron pipe, where it lies under the building and such pipe must extend beyond said building or foundation walls not less than two feet. When the house drain is outside of the building walls or when there is an open space under the house of at least four feet clear in height, such pipe may be of iron stone. The house drain must have a fall of at least one eighth of an inch to the foot; if made of cast iron, it must run along the cellar wall, where practicable, or if laid under the floor of the building, shall be hung in iron straps securely fastened to the lower floor joists, and in as straight a line as possible. All changes of direction must be made with accurate

pipes, and all connections with "Y" branches and one-eighth bends.

Section 5. The plumbing and drainage of all buildings shall be in accordance with plans and specifications previously filed in the office of the City Clerk and duly approved by the Superintendent of Sewers. Every plumber must before doing any new work in any building file such plans and specifications in the office of the City Clerk, correctly describing in detail the work to be done, and before any plumbing or draining shall be done on any connection made with the City sewer, application must be made therefor to the Superintendent of Sewers at the office of the City Clerk, and shall not be done until a permit therefor is issued by the City.

Section 6. All materials used in plumbing must be of good quality and free from defects. All defective material must be removed and sound material must be put in its place, and all work must be executed in a thorough and workmanlike manner. The arrangement of all soil and waste pipes must be direct as possible. The soil and waste pipes and the traps, where possible, shall be exposed to view for ready inspection at all times and for convenience in repairing. No brick, sheet metal or earthen flue shall be used as a sewer ventilator, nor shall any chimney flue be used for this purpose. All horizontal lines of pipes must have "Y" branches in soil, waste or drain pipes. No "J" shall be used in soil or waste pipes, unless "Py" or long curved sanitary "P"s.

Section 7. Every soil pipe must be of cast iron or lead, not less than five pounds to the foot, or of galvanized wrought iron; waste pipes may be of cast iron, galvanized or tar dipped wrought iron or lead. Every line of soil pipes, leading to water closets above the first floor, must extend full bore one foot above the roof

or fire walls; all vent pipes opening below the main roof of a building must <sup>not</sup> be within fifteen (15) feet of any door or window but must be carried over and above said door or window to the main roof of the building. All cast iron pipes and fittings must be dipped or coated both inside and outside with coal or tar pitch, applied hot, or some other equivalent substance, subject to the approval of the Superintendent of Sewers.

Section 8. All soil and waste pipes inside of buildings must have all openings stopped and be filled with water from outside of the building to the roof and allowed to stand until inspected and approved. All connections of lead with iron pipes must be made with a brass ferrule of the same size as the iron pipe and caulked into the iron pipe and connected to the lead pipe by a wiped joint or by a combination of a lead and iron ferrule. All connections of lead pipes must be wiped joints.

Section 9. Every sink, basin, bath tub, water closet, slop hopper, and each set of wash trays and every fixture having a waste pipe must be separately and effectively trapped. The trap must be placed as near the fixture it serves as practicable. All traps must be protected from siphonage by a special air pipe of lead, cast or galvanized wrought iron, to be in size not less than the traps, which they vent. The size of the vent pipes must be increased for each additional pipe up to two inches, and those used to supply air to traps of single water closets, located in the basement or on the first floor of the building must not be less than two inches in diameter. These pipes must extend one foot above the roof or fire walls. The air pipes of two or more water closets (when used as a back

vent) may be united one foot above the highest fixture, provided said air pipes are not less than two inches in diameter. Where branch venting is done, the connection must not be made less than three feet above the top of the fixture, where such connection is made. All air pipes must have a continuous slope to avoid collecting water by condensation. When the trap of any fixture is set more than two feet from the vertical or horizontal line of pipe, a return connection to the trap must in all cases be provided.

Water closets and slop hoppers on the ground floor detached from a building need have no vent pipe.

Cast iron, or galvanized wrought iron pipes may be used for vent pipes. Vent pipes fifteen feet high and over must have an inside diameter of at least one and one-half inches and vent pipes less than fifteen feet high, one and one-quarter inches inside diameter.

Section 10. Rain water leaders must never be used as soil, waste or vent pipes, nor shall any soil, waste or vent pipes be used as rain water leaders. All rain water leaders or conductors inside of buildings must be of cast iron. All leaders below the tops of any windows must be discharged into open trap hoppers, all on the surface of the ground. All hoppers into which no waste from the house fixtures discharge must have water supply from faucets. All waste pipes from sleeping apartments must discharge into open trap hoppers, except when a building covers the entire width of a lot.

Section 11. All leaders, soil, waste, drain and vent pipes inside of buildings before being covered must have all openings stopped at the lowest point and be filled

with water at the highest point. The test must be made in the presence of the Superintendent of Sewers, and, if satisfactory, he must issue certificate showing that such test has been performed satisfactorily. If the test is not satisfactory he must withhold the certificate until the evil is remedied and all owners of buildings must require of contractors a certificate of good, sanitary plumbing and draining in all cases, where the work is being done. Upon completion of the plumbing work, and before the house is occupied, the plumber must report to the Sewer Superintendent for such final inspection and the Superintendent of Sewers must not sign or deliver any certificate except as herein provided. The plumber must pay a fee of two (\$2<sup>00</sup>) dollars to the Superintendent of Sewers for each inspection and certificate, and should the first inspection not be satisfactory, he must pay one (\$1<sup>00</sup>) dollar for each following inspection.

Section 12. Sinks in all packing houses, connexes, butcher shops, lard rendering establishments, hotels, restaurants, boarding houses, and laundries must be provided with a suitable grease trap of not less than fifteen (15) gallons capacity. All waste rooms for carriages, connected with the public sewer system, must be provided with proper means of intercepting mud by placing catch basins under iron or wood on grating, which catch basin shall be made of brick and concrete shall be provided with automatic flusher of not less than fifteen (15) gallons capacity. No wooden sinks will be allowed in private buildings. Wooden sinks in hotels must be copper-lined.

Section 13. Water closets must be of an approved pattern and must be supplied from a special tank, placed over them, in which case the waste or overflow

From the tank must discharge into the open air of the basin of the closet and not into the soil pipe directly. Direct service of a water closet is prohibited. All interior water closets apartments must be ventilated into air shafts if possible.

Section 14. No person shall place or suffer to be placed any bulky substance in any sewer opening or in the house connections or private drains, connecting with any public main or lateral sewer or any substance having a tendency to obstruct the free flow of said sewers or to damage them in any way. The Superintendent of Sewers shall have the power to stop and prevent from discharging into the sewer system any private sewer, through which substances are discharged which are liable to injure the sewers or obstruct the flow of the sewerage.

*not in city*  
 Section 15. Manufacturing establishments and private buildings situated outside of the city limits may be granted permission to connect with the public sewers by complying with all the requirements and conditions herein contained. To obtain such permissions, however, a written application must be filed with the City Clerk, giving full particulars as to the property desired to be connected, and the connections desired. Permission can only be granted by the City Trustees, and in case such permission is granted the applicant shall pay to the City Treasurer the sum of twenty-five (\$25<sup>00</sup>) dollars, and such annual sum as may, by resolution of the Board of Trustees be fixed from time to time, as a proper charge for such service.

Section 16. No persons shall carry on the business of plumbing in the City of Modest unless he shall have first registered his name as a plumber and his place of business, in the office of the City Clerk, and notice of any change of place

of business of a registered plumber shall be given immediately to the City Clerk.

Before engaging in the business of plumbing a license must be obtained from the City Trustees. Application for such a license shall be filed with the City Clerk, showing that he is a resident of the City of Modesto, and stating his qualifications for performing such work. Before any license shall issue, the person so licensed shall file a bond to the City of Modesto in the sum of twenty five hundred, (\$2500<sup>00</sup>) dollars, with two good and sufficient sureties, who shall justify before any officer authorized to administer oaths. Said bond shall be given for the faithful compliance with the provisions of this ordinance, and must be approved by the President of the Board of Trustees or other executive officer of the City of Modesto, and filed in the office of the City Clerk. When said bond has been filed and the applicant has registered the City Clerk shall issue a certificate of registration to him. Any person who shall sustain damage by the reason of the failure of the principal of said bond to perform any work according to his contract with such person, he may maintain an action thereon in his own name for the amount of damages suffered.

Section 17. It shall be necessary before any connection is made with any sewer for a written application therefor to be filed in the office of the City Clerk, and, thereupon, the Superintendent of Sewers, will locate the "Y" branch or other place in a main sewer, where such connection can be made, and a written permit for such connection will be issued by him. The application for such connection must be accompanied with a fee of one dollar.

Section 18. All fees and charges

collected under this ordinance must be turned into the city treasury every month and placed to the credit of the General Fund.

Section 19. Any violation of any of the provisions of this ordinance shall constitute a misdemeanor and any person convicted of any such violation shall be punished by a fine not exceeding one hundred, (\$100<sup>00</sup>) dollars or by imprisonment not exceeding fifty, (50) days, or by both such fine and imprisonment.

Section 20. This ordinance shall take effect from and after its passage and publication.

Introduced: May 19<sup>th</sup>, 1909.

Passed: July 14<sup>th</sup>, 1909 by the following vote: - Ayes: J. R. Broughton, A. N. Brown, J. M. Fike, C. A. Post, and Chas. E. Rice.

Noes: - None.

Absent: - None.

J. R. Broughton,  
President of the Board of Trustees  
of the City of Modesto.

Attest: W. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 276, and that the same has been published according to law.

W. O. Thompson

City Clerk

Ordinance No. 277.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. All rates and charges for water furnished by the City shall be payable at the office of the City Clerk, and all water bills shall become due on the first and delinquent on the tenth day of the month.

Whenever any bill or charge for water shall not be paid on or before the day, herein provided, upon which it becomes delinquent, there shall be added a penalty of ten per cent of the amount due. After any such rates shall have become delinquent for ten days, that is to say, if it has not been paid on or before the 20th day of the month - the City Clerk is hereby authorized and directed to shut off the water from the premises for which the delinquency has occurred, and the water will not be allowed to be turned on again until all arrearages, penalties, and a charge of \$1.00 in addition thereto for turning on the water shall have been paid.

Section 2. The above ordinance shall take effect from and after its passage and publication.

Introduced: June 2nd, 1909.

Passed: June 23rd 1909 by the following vote:

Ayes: J. R. Broughton, A. M. Brown.

C. A. Post, J. M. Pike, and Chas. E. Rice.

Noes: None.

Absent: None.

J. R. Broughton,  
President of the Board of Trustees  
of the City of Modesto.

Attest: H. O. Thompson,  
City Clerk.

J. Walter O. Thompson, City Clerk of  
the City of Modesto, State of California,

do hereby certify that the foregoing is  
a true and correct copy of Ordinance  
No. 277, and that the same has been  
published according to law.

H. O. Thompson,  
City Clerk

Approved by 7m 5v 75

Ordinance No. 278.

An Ordinance Amending Ordinance No. 217 by Amending Subdivision No. 17 of Section 1 thereof.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Sub-division No. 17 of Section No. 1 of Ordinance No. 217 is hereby amended to read as follows:

Subdivision No. 17. Laundries: The sum of five (\$5<sup>00</sup>) dollars per quarter. Canvassing for laundries, not operating or existing within the corporate limits of the City of Modesto, or soliciting business or custom for such laundry, or acting as agent therefor, taking orders, collecting washing or soliciting orders for any such laundry, the sum of Twenty-five, (\$25<sup>00</sup>) per quarter.

Section 2. - This Ordinance shall take effect from and after its passage and publication.

Introduced: June 23<sup>rd</sup> 1909.

Passed: June 30<sup>th</sup> 1909.

Ayes: Trustees - J. R. Broughton, J. M. Fike, C. A. Post, and Chas. E. Rice.

Nays: None.

Absent: A. W. Brown.

J. R. Broughton.

President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 278, and that the same has been published according to law.

H. O. Thompson,  
City Clerk

Ordinance No. 279.

The Board of Trustees of the City of Modesto, do ordain as follows:

Section 1. It shall be unlawful for any one to fire off any fire-crackers, roman candles or any fire-works, inflammable or explosive in character, or which are ignited by fire, or capable of communicating fire, within the limits of the City of Modesto, except between five o'clock and twelve o'clock P.M. on July 4<sup>th</sup> except when such day comes upon Sunday, in which case such fire-works can only be discharged between five o'clock and twelve o'clock on July 5<sup>th</sup>, except that portion of Modesto south of "G" street and west of 8<sup>th</sup> street.

Section 2. This Ordinance shall take effect from and after its passage and publication.

Introduced: June 23<sup>rd</sup> 1909.

Passed: June 30<sup>th</sup>, 1909.

Yeas: Trustees - J. R. Broughton, J. M. Pike, O. A. Post, and Chas. E. Rice.

Nays: None.

Absent: A. W. Brown.

J. R. Broughton  
President of the Board of Trustees  
of the City of Modesto.

Attest: H. O. Thompson, City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 279, and that the same has been published according to law.

H. O. Thompson  
City Clerk

Referred by No. 54775

Ordinance No. 280.

An Ordinance to Amend Subdivision 3 of Section 1 of Ordinance No. 217

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Subdivision 3 of Section 1 of Ordinance No. 217 is hereby amended to read as follows:

Subdivision 3: Brokers, real estate agents, or any persons who solicit for sale or attempt to sell any real property, other than his own, the sum of fifteen, (\$15<sup>00</sup>) dollars per quarter, provided that any individual, corporation, or partnership, (duly and regularly organized) where more than one solicitor in addition to the individual agent or members of said firm or corporation are employed, shall pay in addition a license of 15<sup>00</sup> per quarter for every solicitor so employed, and

Provided, further, that every individual agent, corporation or partnership shall keep on file with the City Marshal, the name of such individual agent, the members of any partnership, or the officers or members of the corporation transacting such business, together with the names of all solicitors employed, and upon the employment of any extra solicitors, whether at the beginning of the quarter, or at any time during the quarter, the 15<sup>00</sup> license therefor shall immediately become due and payable.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance shall take effect from and after its passage and publication.

Introduced: July 7th, 1909

Passed: July 14th 1909 by the following vote:

Ayes: J. R. Broughton, C. N. Brown, J. M. Lake, C. A. Post, and Chas. E. Rice

Nays: None.

Absent: None.

J. R. Broughton.  
President Board of Trustees of City of Modesto

Attest: W. O. Thompson  
City Clerk

I, Walter O. Thompson, City Clerk of  
the City of Modesto, State of California, do  
hereby certify that the foregoing is a true and  
correct copy of Ordinance No. 280, and that the  
same has been published according to law.

W. O. Thompson,  
City Clerk.

## Ordinance No. 281

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. No license shall be issued by the City of Modesto to any individual, firm, or corporation for the sale of liquors in saloons, or as liquor dealers, or saloon keepers, unless such individuals and the members of such firms applying for such license are bona fide legal residents and citizens of the City of Modesto, and unless any such corporation so applying has its office and principal place of business in the City of Modesto.

Section 2. In all applications for licenses made in accordance with the ordinances of the city heretofore or hereafter adopted, the names of all members of the firm or of the officers of the corporation, in case application is made by a corporation, together with the residence of each of said persons shall be fully set forth and the truth thereof verified by the oath of the principal, or of some member of the firm or partnership, or by the oath of some officer of the corporation making such application.

Section 3. Should any license heretofore or hereafter granted for the sale of liquors in saloons, or as liquor dealers, or saloon keepers, lapse, or be revoked for any cause the same shall not be renewed; provided that with the consent of the Board of Trustees any license now or hereafter granted may be transferred, and in case of the destruction by fire or otherwise of the place of business, a reasonable time, (not exceeding 30 days) shall be allowed for the re-establishment of such business before the license therefor shall be considered to have lapsed or be revoked.

Section 4. No new licenses, except as renewals or extension of licenses now issued except as hereinbefore provided, shall or will hereafter be granted or issued.

Section 5. All ordinances or parts of ordi-

Amended by resolution  
of the Board of Trustees  
of the City of Modesto

mances so far as they are in conflict herewith are hereby repealed.

Section 6. This ordinance shall take effect from and after its passage or publication.

Introduced: July 14<sup>th</sup> 1909.

Passed: July 21<sup>st</sup>, 1909 by the following vote:

Ayes: J. R. Broughton, J. M. Pike, and Chas. E. Rice.

Noes: A. W. Brown and C. A. Post.

Absent: None. ~~Brown and C. A. Post.~~

J. R. Broughton,  
President of the Board of Trustees  
of the City of Modesto

Attest W. O. Thompson,

City Clerk

J. Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 251, and that the same has been published according to law.

W. O. Thompson,  
City Clerk

## Ordinance No. 282

An Ordinance to Amend Section 1 of Ordinance No. 257:

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. It shall be unlawful, within the city limits of Modesto, for any person or person, ~~and~~ upon the public streets or alleys, or elsewhere, except as hereinafter provided, to announce in a loud voice or advertise in a loud voice and boisterous manner, or by megaphone, phonograph, or otherwise simulating the human voice, any business, show, or theatrical performance, or make any announcement of any kind in a loud and boisterous manner.

When any show, business, or theatrical performance is to be conducted in said city for one night or one day only, or when said speaker or crier keeps moving and does not use a megaphone, said prohibition shall not apply.

Section 2 All ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance shall take effect from and after its passage and publication.

Introduced: July 14<sup>th</sup> 1909

Passed: July 21<sup>st</sup> 1909, by the following vote:

Ayes: J. R. Broughton, J. M. Pike, Chas. E. Rice, A. W. Brown, C. A. Post.

Nays: None.

Absent: None.

J. R. Broughton,

President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 282

and that the same has been published  
according to law.

H. O. Thompson  
City Clerk

## Ordinance No. 283.

An Ordinance fixing the rate of taxation in and for the City of Modesto for the years 1909-'10;

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The rate of taxation for the years 1909 and 1910 in and for the City of Modesto shall be, and is hereby fixed as follows, to-wit:

For General Fund - Seventy-five cents on each one hundred dollars' value of all property taxable for City purposes.

For Bond Redemption and Interest Fund - Sixty-five cents on each one hundred dollars' value of all property taxable for the redemption of bonds, and the payment of interest that shall accrue during the present year.

Library Fund - Ten cents on each one hundred dollars' value of all property taxable for the maintenance of a Free Public Library

The aggregate of which sum, to-wit:

One dollar and fifty cents on each one hundred dollars' value as determined by the equalized assessment roll for the year 1909 on all property taxable in said City for City purposes, it is hereby levied and apportioned to and shall be paid into the above named funds, respectively, of said City

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced September 15<sup>th</sup> A. D. 1909 by  
Trustee J. B. Broughton.

Clerks: J. B. Broughton, A. W. Brown, and  
C. A. Post.

None: None.

Absent: J. M. Pike and Chas. E. Rice.

J. B. Broughton,

President of the Board of Trustees  
of the City of Modesto.

Attest: H. D. Thompson,

City Clerk.

I, Walter O. Thompson, City Clerk  
of the City of Modesto, State of California,  
do hereby certify that the foregoing is  
a true and correct copy of Ordinance  
No. 268, and that the same has been  
published according to law.

W. O. Thompson,  
City Clerk

## Ordinance No 284

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. It shall be the duty of all companies or individuals owning or operating railroads in the City of Modesto to maintain at all crossings or intersections of its tracks with any streets, alleys, highways or thorough-fare within said city, at the expense of such company proper and safe crossings over its railroad tracks and rights of way, together with safe approaches thereto, and to provide planking between its rails, or other suitable precaution, to the satisfaction of the Street Superintendent for the safe and convenient crossing of such track or rights of way at such crossings or intersections.

Section 2. Any violation of this ordinance shall be a misdemeanor, punished by a fine not exceeding Fifty Dollars, or by imprisonment not exceeding Twenty-Five days, or by both such fine and imprisonment.

Section 3. The Street Superintendent may at any time that any company or individual fails to construct or maintain such proper crossing, notify the company thereof, and a notice to its local or resident agent shall be sufficient notice to any company or individual; and if, within three days after the delivery of such notice, such crossing is not constructed or repaired, as the case may be, the street superintendent shall have power to make or repair such crossing, and the expenses thereof shall be chargeable against the company or individual owning or operating such railroad, and recoverable in an action therefor; and any person interfering with the street superintendent or his agents or his employes when engaged in the construction or repair of such crossing shall be guilty of a misdemeanor and upon conviction thereof shall be punished by

a fine not exceeding Fifty Dollars, or by  
and imprisonment not exceeding Twenty-  
Five days, or by both such fine and  
imprisonment.

Section 4. All streets, alleys, highways and  
thorough-fares crossing any railroad right  
of way shall be kept open and free of  
obstruction, and any person interfering  
with or obstructing the free use of any  
street, alley or other highway, whether as  
principal, agent or employe of the owner of  
such railway, or otherwise, shall be guilty  
of a misdemeanor, and upon conviction  
shall be subject to a fine not exceeding  
Fifty Dollars, or imprisonment not exceeding  
Twenty-Five days, or by both such fine  
and imprisonment.

Section 5. This ordinance shall take effect  
from and after its passage and publication.

Introduced October 6<sup>th</sup>, 1909 by J. R. Broughton

Passed October 13, 1909 by the following vote:

Ayes: J. R. Broughton, J. M. Pike, Chas. E. Rice

Noes: None.

Absent: A. W. Brown, C. A. Post.

J. R. Broughton.

President of the Board of Trustees  
of the City of Modesto.

Attest: H. A. Thompson

City Clerk and ex-officio  
Clerk of the Board of Trustees of  
the City of Modesto.

I, Walter O. Thompson, City Clerk of  
the City of Modesto, State of California, do  
hereby certify that the foregoing is a true  
and correct copy of Ordinance No. 254  
and that the same has been published  
according to law.

H. A. Thompson

City Clerk

Ordinance No. 285.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Any proprietor, keeper, manager, conductor or person having the control of any pool or any house or room resorted to for the purpose of playing pool or billiards or any similar game, who shall admit any minor under the age of eighteen years to play therein or frequent said room as a spectator or otherwise, shall be guilty of a misdemeanor.

Section 2. Any person violating this ordinance shall be liable to imprisonment for not more than ten days or to a fine of not more than twenty dollars, or to both such fine and imprisonment.

Section 3. The presence of any minor under the age of eighteen years in any such rooms shall be conclusive evidence of the violation by the proprietor, keeper, manager, conductor or person having the control of such room.

Section 4. This ordinance shall take effect from and after its passage and publication.

Introduced October, 6<sup>th</sup> 1909 by J. R.

Broughton

Passed October 13<sup>th</sup> 1909 by the following vote:

Ayes: J. R. Broughton, J. M. Oike, Char. & Rice.

Noes: None.

Absent: A. W. Brown and C. A. Post.

J. R. Broughton,

President of the Board of Trustees of the City of Modesto

Attest H. C. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance

No. 285, and that the same has  
been published according to  
law.

W. O. Thompson  
City clerk

## Ordinance No. 286.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. It shall be unlawful to keep or permit to run at large any bull within that portion of the City of Modesto defined as follows:

Commencing at the northern boundary thereof on the right of way of the Southern Pacific R. R. and running thence easterly to Kimble St, thence south to Annie Street; running thence east to Dry Creek, thence following down Dry Creek to a point where what is known as "B" Street, if continued, would intersect Dry Creek; thence along "B" Street to the southern line of the town of Modesto as originally platted; thence running west along said line and along Willow Street to the western boundary of the City of Modesto; thence north along the western boundary of said city limits to the point of beginning.

Section 2 Every owner or person in charge of such bull, or having the care or custody thereof who keeps such bull within said limits, and every person upon whose premises such animal is kept, is guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than \$20.00 or more than \$50.00 or by imprisonment not less than ten days or more than twenty-four days, or by both such fine and imprisonment.

Section 3 Such fine may be recovered in a civil action.

Section 4 This ordinance shall take effect from and after its passage and publication.

Introduced by J. R. Broughton, Nov. 17<sup>th</sup> 1909

Passed December 1<sup>st</sup>, 1909 by the following vote:

Ayes: J. R. Broughton, A. M. Brown, J. M. Pickett, C. A. Post, and Chas. E. Rice

None

Abst. None

J. R. Broughton  
President of the Board of Trustees of  
the City of Modesto

Attest: W. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 286, and that the same has been published according to law.

W. O. Thompson

City Clerk.

## Ordinance No. 287.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. All billiard and pool rooms and other places of public resort as defined by the ordinances of the City of Modesto, where games of any sort are played, must close at twelve o'clock p. m. and remain closed until 6 o'clock a. m. of the following morning.

Section 2. Not more than one light shall be kept burning in any place required by this ordinance to be kept closed during the time when it is required to be closed, which light shall be in the front part of the room or building occupied by such place of amusement or public resort, nor shall the windows of any room or building so used be so shaded as to prevent inspection from the outside during the time the same is required to be closed, and a violation of any of the requirements of this section shall be conclusive evidence of the violation of this ordinance.

Section 3. The keeper, owner and any person having charge of any place affected by this ordinance, in case such place is kept open in violation of the provisions hereof, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars, or imprisoned not more than twenty-four days, or shall be punished by both such fine and imprisonment, or a civil action may be brought against him to recover such fine.

Section 4. This ordinance shall take effect from and after its passage and publication.

Introduced by J. R. Broughton, Nov. 17<sup>th</sup> 1909

Passed December 1<sup>st</sup> 1909, by the following vote

Ayes: J. R. Broughton, A. W. Brown, J. M. Pike,

C. A. Post, and Chas. E. Rice.

Mores: None.

Absent: None.

J. R. Broughton,

President of the Board of Trustees of the City of Modesto.

Attest: H. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 287, and that the same has been published according to law.

H. O. Thompson  
City Clerk

Amended by 547ms

Ordinance No. 288

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1 Subdivision 48 of Section 1 of Ordinance No. 217 is hereby amended to read as follows:

Section 1, Subdivision 48. For the business of keeping or carrying on a bakery, where wagons are used in the delivery of the product, the sum of \$5.00 per quarter for each wagon used.

Introduced by C. A. Post, Nov. 17<sup>th</sup> 1909.

Passed December 1<sup>st</sup>, 1909 by the following vote:

Ayes: J. R. Broughton, A. W. Brown, J. M. Pike, C. A. Post, and Chas. E. Rice.

Noes: None.

Absent: None.

J. R. Broughton,  
President of the Board of Trustees  
of the City of Modesto.

Attest: H. O. Thompson

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 288, and that the same has been published according to law

H. O. Thompson,  
City Clerk

Ordinance No. 289

An Ordinance fixing the time and place for holding the regular meetings of the Board of Trustees of the City of Modesto.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The regular meetings of the Board of Trustees of the City of Modesto shall be held at the City Building No 717 - 10<sup>th</sup> street in said city on the first and third Wednesdays of each month at the hour of seven-thirty o'clock P.M.

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

Section 3. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced January 8<sup>th</sup>, 1910 by J. R. Broughton  
Passed January 12<sup>th</sup>, 1910 by the following vote:  
Ayes: J. R. Broughton, H. W. Brown, J. M. Fife,  
C. A. Post and Chas. E. Rice

None: None  
Absent: None

J. R. Broughton  
President of the Board of Trustees of  
the City of Modesto.

Attest: W. O. Thompson  
City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 289, and that the same has been published according to law.

W. O. Thompson  
City Clerk

## Ordinance No 290

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. No cab, express wagon or other vehicle used for the transportation for hire of freight, express or merchandise of any kind, or of passengers, shall be kept, when not in use, or shall be permitted to stand upon any public street or highway in the City of Modesto nearer to any other such vehicle on the same side of the street than three hundred (300) feet, provided, also that the consent of the proprietors of the store in front of which such vehicle stands must first be obtained, and provided further that in construing this ordinance the vehicle which has for the longest period of time been kept or had a stand upon any public street shall be held to have the principal right to such stand, and no other vehicle shall be kept on the same side of such street within three hundred (300) feet thereof.

Section 2. Any one violating this ordinance shall be punishable upon conviction by a fine not exceeding Twenty (20) dollars, or by imprisonment not exceeding Ten (10) days or by both such fine and imprisonment.

Section 3. This ordinance shall take effect from and after its passage and publication.

Introduced January 12<sup>th</sup>, 1910 by J. R. Broughton

Passed February 2<sup>nd</sup> 1910 by the following vote:

Ayes: J. R. Broughton, J. M. Pike, C. A. Post, Chas. E. Rice.

Noes: None.

Absent: A. N. Brown.

J. R. Broughton.

President of the Board of Trustees  
of the City of Modesto

Attest: W. O. Thompson.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 290, and that the same has been published according to law.

W. O. Thompson  
City Clerk

Ordinance No 291

The Board of Trustees of the City of Modesto do ordain as follows :

Section 1. It shall be unlawful to erect any building or structure of any kind outside of the fire limits of Modesto nearer than twelve feet to the property lines of the street, except that a permit may be granted by the Board of Trustees to erect a building for business purposes without regard to such building line. And the distance of twelve feet from the property line of all streets of the City of Modesto outside of the fire limits is hereby fixed as the building line of said city.

Section 2. The word "building or structure" as used in the first section hereof is intended to include any steps, porch, portico, porte cochere, or any structure or erection attached to or connected with any house or building.

Section 3. Any person who within the said limits shall erect any structure or building nearer than twelve feet to the property line of the street shall be guilty of a misdemeanor, and such structure or building is thereby declared to be a nuisance.

Section 4. A violation of this ordinance shall be punishable by a criminal proceeding in the Recorder's Court, or by a civil action, and it shall be lawful for the Street Superintendent after notice of five days to the owner or person erecting such structure or building to remove and abate the same. Any person guilty of violating this ordinance shall be subject to a fine of fifty dollars or imprisonment of twenty five days, or to both such fine and imprisonment, or shall be liable as aforesaid for a civil action for \$100.00 and costs.

Section 5. This ordinance shall take effect, and be in force from and after its passage and publication.

Introduced January 12<sup>th</sup>, 1910 by J. R. Broughton

Passed January 19<sup>th</sup>, 1910 by the following vote:

Ayes: J. R. Broughton, J. W. Pike, C. A. Post and Chas. E. Rice

Noes: None

Absent: A. W. Brown

J. R. Broughton  
President of the Board of Trustees of  
the City of Modesto

Attest: W. D. Thompson  
City Clerk

# Ordinance No 292

Am Ordinance Amending Section 2 of Ordinance No. 172.  
Relative to Water Rates

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. - Section 2 of Ordinance No. 172 is hereby amended to read as follows:

## Schedule.

- Subdivision 1. For tenements occupied by a single family or private boarding-house \$1.00
- Subdivision 2. For restaurants, chop-houses and eating houses. \$2.50
- Subdivision 3. For hotels, not having more than 12 beds. \$5.00  
For each additional bed. .05
- Subdivision 4. For lodging houses not to exceed five beds \$1.50  
For each additional bed for lodgers. .05  
Provided that families occupying rooms in hotels or lodging houses doing their own cooking. \$1.00
- Subdivision 5. For stores, shops, or other business places on ground floor, not separately rated, for each 25 foot front or fraction thereof, provided that for corner stores only one frontage shall be charged. .75
- Subdivision 6. For offices on the ground floor .50
- Subdivision 7. For warehouses, each. .75
- Subdivision 8. For saloons, where spirituous, vinous, or malt liquors are sold, each \$2.50  
For saloons, where lunches, are cooked and served free or otherwise, in addition to the above. \$1.50
- Subdivision 9. For beer-bottling establishments. \$1.00
- Subdivision 10. For public bath-tubs, used in bathing establishments or barber shops, for one tub \$1.50  
For each additional tub .50
- Subdivision 11. For bakeries, in addition to family rates, for each twenty five barrels of flour or fraction thereof used per month. .75
- Subdivision 12. For drug-stores, each \$1.00
- Subdivision 13. For blacksmithing and wagon shops \$1.00
- Subdivision 14. For livery, feed & sale stables. \$4.00  
For feed and sale stables. \$3.00
- Subdivision 15. For quarries, each \$2.00

Subdivision 16.	For building and plastering for water used by plasterers for slacking each barrel of lime, plaster or cement.	
	For water used by brick-layers to make mortar or dampen brick, for each 1000 brick laid	.25
Subdivision 17.	For barber shops, for one chair	.75
	For each additional chair	.25
Subdivision 18.	For laundries and other wash houses, other than steam laundries	\$ 5.00
Subdivision 19.	For candy stores, where candy is made.	\$ 1.00
Subdivision 20.	For candy store, coffee or ice-cream saloon or parlor.	\$ 1.00
Subdivision 21.	For soda or other fountains, in addition to other rates when included in the annual rate, that is to say, when such water is paid for during the whole year, each.	.50
	When not so included	\$ 1.00
Subdivision 22.	For dental rooms	\$ 1.00
Subdivision 23.	For photograph galleries	\$ 1.50
Subdivision 24.	For printing offices, weekly	.75
	Daily	\$ 3.00
Subdivision 25.	For paint shops, each	\$ 1.00
Subdivision 26.	For use of water for manufacturing gas.	\$ 15.00
	For use of water for private gas machines	\$ 1.00
Subdivision 27.	For planing mills, where gasoline engine only is used	\$ 1.00
Subdivision 28.	(a) For upper stories, occupied as offices, for each person or firm occupying not more than 3 rooms	.75
	(b) For each additional room	.10
	(c) When occupied by families as lodgings only, office rates; otherwise, family rates.	
	(d) Such rates must be aggregated for the whole building, and in each instance paid by the owner or agent.	
Subdivision 29.	For the use of water in lodge rooms	1.00
Subdivision 30.	For steam laundries	10.00
Subdivision 31.	For butcher shops	1.00
Subdivision 32.	For theatre or dance halls, each	1.00
Subdivision 33.	For use of water in soda factories	4.00

Subdivision 34 For the use of water for the county court-house, including irrigation for the whole of block No. 83. #30.00

Subdivision 35 For the use of water in that portion of the City known as Chinatown comprising Block 45 and Lot 1 in Block 31. #22.00

Irrigation.

(a) Subdivision 36. For the irrigation of a lot or part of a lot 25 feet by 140 feet as laid off on the official map of the City of Modesto, when taken in connection with a rate for family use on same premises, which rate must be paid for the entire year .25

(B) For the irrigation of each lot or fraction of a lot, when taken in connection with a family rate on the same premises during the pleasure of the owner #1.00

(C) For the irrigation of premises otherwise unoccupied when an annual rate is desired, and which rate must be paid each month during the entire year for each lot or fraction of a lot .75

(D) For the irrigation of a lot or part of a lot 25 feet by 140 feet, whether taken in connection with a rate for family use or not when the water for said premises is used for the irrigation of flowers for sale, which rate must be paid for the entire year. .50

(E) For the irrigation of a lot or part of a lot 25 by 140 feet whether taken in connection with a rate for family use or not, when the water for said premises is used for the irrigation of alfalfa, nursery stock, or exclusively for market gardening, which rate must be paid for the entire year #1.00

(F) The rates above fixed for the use of water (except otherwise specially provided) are the rates to be paid per month for



## Ordinance No. 293.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. For all elections held in the City of Modesto said City shall be divided into four election precincts which said election precincts are hereby named and described as follows; to-wit:

All that portion of the City of Modesto lying north and east of the following described line: commencing at a point on the northern boundary line of the City of Modesto where the same intersects the center line of Virginia Avenue in Wise-carver's Addition to the City of Modesto; thence south along the center line of said Avenue to the intersection of the center line of Meesham Street in said Addition; thence east along the center line of said Meesham Street to the intersection of the center line of 13<sup>th</sup> street; thence along the center line of 13<sup>th</sup> street in a southeasterly direction to the intersection of the quarter-quarter section line dividing the east and west half of the northwest quarter of section 33, Township 3 south, range 9 east, Mount Diablo Base and Meridian; thence north on the said quarter-quarter section line to the southwest corner of Grainger's Addition to the City of Modesto; thence east along the south line of said Addition to Dry Creek, shall be embraced in and constitute an election precinct to be known as East Modesto Precinct.

All that part of the City of Modesto lying west of the main track of the S. P. Railroad, shall be embraced in and known as West Modesto Precinct.

All that portion of the City of Modesto bounded and described as follows: Commencing at a pt. where the north boundary line of the City of Modesto intersects the S. P. Railroad; thence along the center line of said railroad in a southeasterly direction to where the center line of 3<sup>rd</sup> Street intersects the said railroad; thence along the center line of 3<sup>rd</sup> Street to the intersection of the center line of 13<sup>th</sup> Street; thence in a northerly direction along the center line of 13<sup>th</sup>

to the intersection of the center line of Meadham street in Wisconsin Addition to the City of Modesto; thence west along the center line of Meadham Street in said Addition to the intersection of the center line of Virginia Avenue in said Wisconsin Addition; thence north along the center line of Virginia Avenue to the intersection of the northern boundary of the City of Modesto; thence west along said northern boundary line to the point of beginning shall be embraced in and known as North Modesto Precinct.

All that portion of the City of Modesto bounded and described as follows: Commencing at a point where the southern boundary of the City of Modesto intersects the Southern Pacific Railroad; thence in a northwesterly direction along the center line of said railroad to the intersection of the center line of 9<sup>th</sup> street; thence along the center line of 9<sup>th</sup> street to the intersection of the center line of 13<sup>th</sup> street; thence along the center line of 13<sup>th</sup> street in a southeasterly direction to the intersection of the quarter-quarter section line dividing the east and west half of the northwest quarter of section 30, Township 2 south, range 4 east, Mount Diablo Base and Meridian; thence north on the said quarter-quarter section line to the southwest corner of Trauger's Addition; thence east along the said south line of said Trauger's Addition to Dry Creek; thence south along Dry Creek to the intersection of the southern boundary line of the City of Modesto; thence following the southern boundary line in a westerly direction to the point of beginning, shall be embraced in and known as South Modesto Precinct.

Sec 2. At least 30 days prior to the holding of all General Municipal Election, and 10 days prior to any Special Election in said city the Board of Trustees shall, by resolution, appoint the necessary election officers and designate the house or place in each precinct where the election is to be held.

Section 3. It shall be the duty of the City Clerk hereafter at least ten days before the holding of any such election to give notice of the same by posting a notice at the office of the Board of Trustees of the said City of Modesto and a copy thereof at each of the polling places designated for said election in said city, also to cause a copy of said notice to be published for ten days in some newspaper of general circulation in the City of Modesto, which said notice shall contain a statement of the time of election, and of the offices to be filled or the proposition to be voted upon, together with names of the election officers and the polling place in each of the precincts in said city, and such other information as the Board of Trustees may, by resolution or ordinance, prescribe. Such notices shall be over the signature of the City Clerk.

Section 4. This ordinance shall take effect from and after its passage and publication.

Introduced February 16<sup>th</sup> 1910, by J. R. Broughton  
 Passed March 2<sup>nd</sup> 1910 by the following vote:  
 Ayes: J. R. Broughton, A. H. Brown, J. M. Pike and  
 C. A. Post.

Noes: None.

Clerk: Chas. E. Rice

J. R. Broughton

President of the Board of Trustees  
 of the City of Modesto.

Attest: Mrs. Thompson  
 City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 295, and that the same has been published according to law.

W. O. Thompson  
 City Clerk

Ordinance No 294

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The official profile map filed in the office of the Clerk of the City of Modesto showing the grades for the streets and side-walks and defining the same and what is known as Wisconsin Addition to the City of Modesto, which said map was approved by resolution of the Board of Trustees on the 16<sup>th</sup> day of March, 1910 and has endorsed thereon such approval, signed by the President of the Board of Trustees and the Clerk of said city is hereby adopted as the official profile map of the said City of Modesto for said Wisconsin Addition and the grades indicated thereon are hereby established and declared to be the official grades for said Addition.

Section 2. This ordinance shall take effect from and after its passage and publication.

Introduced March 16<sup>th</sup> 1910 by J. R. Broughton.

Passed March 31<sup>st</sup> 1910 by the following vote:

Ayes: J. R. Broughton, A. M. Brown, J. M. Rice, C. L. Best

Noes: None

Absent: Chas. E. Rice

J. R. Broughton  
President of the Board of Trustees of the City of Modesto

Attest: W. O. Thompson  
City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No 294, and that the same has been published according to law.

W. O. Thompson  
City Clerk

## Ordinance No. 295

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The streets and alleys and portions of streets and alleys herein after specified having been fully constructed to the satisfaction of the Superintendent of Streets, and of the Board of Trustees of the City of Modesto and the same being in good condition throughout, and it appearing that sewer, gas pipes, and water pipes are laid therein under such regulations as the Board of Trustees has heretofore adopted, and said streets and portions of streets and the work done thereon are hereby accepted.

Section 2. The streets and portions of streets affected by this ordinance, and hereby approved and accepted by said Board of Trustees are described as follows, to wit:

7<sup>th</sup> Street from railroad to 15<sup>th</sup> Street.

8<sup>th</sup> Street from railroad to 17<sup>th</sup> Street

9<sup>th</sup> Street from railroad to alley between 15<sup>th</sup> and 16<sup>th</sup> Streets

10<sup>th</sup> Street from G to K Streets.

11<sup>th</sup> Street from G to K Streets

12<sup>th</sup> Street from G to L Streets

13<sup>th</sup> Street from H to K Streets

14<sup>th</sup> Street from H to L Streets.

15<sup>th</sup> Street from J to Redham Streets

Alleys in Blocks 54, 55, 56, 57 and 59

Section 3. This Ordinance shall take effect from and after its passage and publication.

Introduced by J. B. Broughton, March 31<sup>st</sup>, 1910.

Passed April 6<sup>th</sup> 1910 by the following vote:

Ayes: J. B. Broughton, A. W. Brown, J. M. Cole, C. A. Cook.

Noes: None

Abstract: C. A. Cook

J. B. Broughton

President of the Board of Trustees of the City of Modesto

Attest

W. C. Thompson (City Clerk)

I, Walter C. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 295, and that the same has been published according to law.

W. C. Thompson  
City Clerk

Ordinance No 296

An Ordinance to amend Ordinance No. 194.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The fire limits within said City are hereby established, and the same shall hereafter be maintained as comprising the lands included within the line extending around and bounding the territory comprised in Blocks Nos. 54, 55, 56, 58, 59 and 70; Lots nine (9) to twenty-four (24) inclusive of Block 57; Lots nine (9) to twenty-four (24) inclusive of Block 67; Lots one (1) to eight (8) inclusive and twenty-five (25) to thirty-two (32) inclusive of Block 82 and Lots nine (9) to twenty-four (24) inclusive of Block 84, and the land extending between "H" and "J" and 8<sup>th</sup> and 9<sup>th</sup> streets in said City.

Section 2. This Ordinance shall take effect and be in force from and after its passage and publication introduced March 31<sup>st</sup>, 1910 by J. B. Broughton.

Passed April 6<sup>th</sup>, 1910 by the following vote:

- Ayes: J. B. Broughton, W. M. Brumt, J. M. Cook and A. A. Post
- Nays: None
- Absent: Chas. E. Rice

J. B. Broughton

President of the Board of Trustees of the City of Modesto

Attest:

W. O. Thompson  
City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California do hereby certify that the foregoing is a true and correct copy of Ordinance No. 296, and that the same has been published according to law.

W. O. Thompson  
City Clerk

## Ordinance No 297

An Ordinance to amend Ordinance No 217, as heretofore amended by Ordinance No 252, and as heretofore amended by Ordinance No 263, by amending Subdivision 6 of Section One of said Ordinance No 217, as amended by Ordinance No 263, by amending Subdivision 20 of Section One of said Ordinance, as amended by Ordinance No 252 by amending Subdivision 34 of Section One of said Ordinance, as enacted by Ordinance No 252 by amending Subdivision 62 of Section One of said Ordinance No 217, as enacted by Ordinance No 263, and by adding one new Sub division to Section to be known as 64.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Sub-division 6 of Section One of Ordinance No 217 as amended by Ordinance No 263, Sub-division 20 of Section One of said Ordinance, as amended by Ordinance No 252, Sub-division 34 of Section One of said Ordinance, as enacted by Ordinance No 252, Sub-division 62 of Section One of said Ordinance as enacted by Ordinance No. 263, are hereby amended to read as follows:

Sub-division 6: For the business of soliciting fire insurance or receiving fees or forwarding or transmitting to any company or agent applications to insure property against loss by fire, in the City of Modesto, five dollars (\$5<sup>00</sup>) per quarter.

Sub-division 20: For the business of keeping a garage, for the storage or repair of motor vehicles, (automobiles) or for the business of soliciting orders for automobiles, or selling, or receiving fees or forwarding or transmitting to any company or agent, orders for automobiles, the sum of fifteen dollars (\$15<sup>00</sup>) per quarter.

Sub-division 34: Repairs or depots where annual or partial charges for repair, the sum of twenty two dollars and fifty cents (\$22<sup>50</sup>) per quarter.

Sub-division 62: Creameries, where butter is made, the sum of twenty two dollars and fifty cents, (\$22<sup>50</sup>) per quarter.

Section 2. One sub-division, to be known as Sub-division 64 of said ordinance is hereby enacted and added to section one to read as follows:

Sub-division 64: Keeping, leasing, or renting any motor vehicles for hire, the sum of ten dollars (\$10<sup>00</sup>) per quarter, for one machine, and the sum of five dollars (\$5<sup>00</sup>) per quarter for all

machines so kept, leased or rented for hire, in addition to the first.

Section 3. All Ordinances and parts of Ordinances in conflict here with are hereby repealed.

Section 4. This Ordinance shall take effect on July 15<sup>th</sup>, 1910.

Introduced June 15<sup>th</sup> 1910 by J. D. Ross

Passed July 6<sup>th</sup> 1910 by the following vote:

Ayes: E. W. Coffey, John Harrison, W. S. Mann, C. A. Post and J. D. Ross.

Noes: None.

Absent: None.

C. A. Post.

President of the Board of Trustees of the City of Modesto

Attest:

W. O. Thompson

City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 217, and that the same has been published according to law.

W. O. Thompson  
City Clerk

Ordinance No. 298

## Ordinance No. 299

An Ordinance Calling a Special Election to submit to the qualified voters of the City of Modesto the proposition of incurring a debt for the purpose of the acquisition, construction and completion of additional sewers and an additional sewer system; the acquisition, construction and completion of water works; the construction and completion of street work; and the acquisition of fire apparatus; the cost of which will be too great to be paid out of the ordinary <sup>annual</sup> income and revenues of the said City; establishing election precincts for the holding of said special election; providing for the manner, and fixing the time of holding said special election; and the voting for the incurring of such indebtedness, and appointing officers of election to conduct said special election:

The Board of Trustees of the City of Modesto do ordain as follows:

Whereas, The Board of Trustees of the City of Modesto, being the legislative branch of said City, did, by resolution duly introduced and passed at a regular meeting of said Board on the 20<sup>th</sup> day of July, 1910, which said resolution was passed by a vote of two-thirds of all the members of said Board of Trustees, and duly approved by the executive of said municipality, to wit: the President of the Board of Trustees of said City, determine and declare that the public interest and necessity of said City demand the acquisition, construction or completion of the following municipal improvements, to wit:

The acquisition, construction and completion of additional sewers, and an additional sewer system; the acquisition, construction, and completion of water works; the construction and completion of street work; and the acquisition of fire apparatus and that the cost thereof will be too great to be paid out of the ordinary <sup>annual</sup> income and revenues of said City, and

Whereas, Said Board has on every respect proceeded as required by law and done all the things and acts necessary, incidental and prior to the introduction and passing of this Ordinance, and

Whereas, the said Board has obtained estimates, floor plans and specifications showing the cost of the acquisition, construction and completion of the aforesaid work and the aforesaid apparatus, and

Whereas, the assessed valuation of all the real and personal property of said City as of 1909 was \$ and the

aggregate indebtedness of said City is \$75,750<sup>00</sup> and the incurring of the indebtedness herein proposed will not cause the total indebtedness of said city to exceed in the aggregate fifteen per centum of the assessed value of all the real and personal property of said city;

Now, therefore, the Board of Trustees of the said city of Modesto do ordain as follows:

Section 1. A special election is hereby called to be held in the said City of Modesto on the 6<sup>th</sup> day of September, 1910 at which said special election there shall be submitted to the qualified electors of said city the proposition of the incurring of an indebtedness by said City of One Hundred Thousand Dollars for the purposes aforesaid and hereinafter more specifically stated.

Section 2. The objects and purposes for which said indebtedness is proposed to be incurred and the amount of the principal of the indebtedness proposed to be incurred for each of said purposes, respectively, is as follows:

First. For the acquisition, construction and completion of additional sewer, and an additional sewer system, \$65,000<sup>00</sup>

Second. For the acquisition, construction and completion of water works, \$15,000<sup>00</sup>

Third. For the construction and completion of street work, \$10,000<sup>00</sup>

Fourth. For the acquisition of fire apparatus, \$10,000<sup>00</sup>

Section 3. The total amount of the principal of the indebtedness proposed to be incurred for all of said purposes is One Hundred Thousand Dollars.

Section 4. The estimated cost of the proposed public improvements is One Hundred Thousand Dollars and the estimated cost of each thereof is the amount specified in Section 2 hereof, as the amount of bonds proposed to be issued for each of said purposes.

Section 5. The proposition of increasing indebtedness for each of the above and foregoing objects and purposes shall be submitted separately at said special election, so that the qualified voters at said special election may vote for or against the incurring of indebtedness for any one or more, or for all of the aforesaid objects and purposes.

Section 6. It is hereby determined and declared that the cost of the acquisition, construction and completion of the municipal improvements for the purposes

hereinbefore specified, and for each of said improvements as the same are in section two hereof separately specified will be two great to be paid out of the ordinary annual income and revenue of said city, and that it is necessary to incur a municipal indebtedness and to issue bonds of said city to evidence the same.

Section 7. If two thirds of the votes cast at said special election shall be in favor of the proposition of incurring the municipal indebtedness for said purposes, or for any one or more of them, the bonds of the said city aforesaid shall be issued to the amounts hereinbefore specified for the objects and purposes in favor of which such two-third vote shall be cast, and such bonds shall be issued in the form and as required by law.

Section 8. The maximum rate of interest on said bonds when issued shall not exceed six per cent per annum, payable semi-annually, but such interest may in the discretion of the Board of Trustees of said city be less than said amount.

Section 9. Said special election shall be held on the 6<sup>th</sup> day of September, 1910 and the polls for said special election shall be open at six o'clock in the morning of said day of said special election, and must be kept open until six o'clock in the afternoon of the same day, when the polls shall then be closed.

Section 10. For the purpose of holding said special election the entire incorporated city of the City of Modesto shall be consolidated into one election precinct to be known as the Modesto precinct.

Section 11. The polling place in said election precinct, and the officers of the election to conduct the said special election are hereby named, designated and appointed as follows:

Polling Place: City Office, 717 Third street, in said city.

Inspectors: F. J. Howell, J. K. Bennett.

Judges: J. Mouron, O. A. Lindquist.

Clerk: L. H. Moore, H. C. Taylor.

Ballot Clerk: W. B. Smith, H. M. Guggen.

Section 12. The compensation of each of said officers shall be four dollars per day.

Section 13. Said special election shall be held in all particulars not stated in this ordinance as provided by law for holding municipal elections in municipalities of the sixth class and as provided by the ordinance of this city provided that the ballots shall be individually

in the following form:

### Municipal Ticket

#### Directions to Voters.

Each voter desiring to vote for any of the propositions of incurring a municipal indebtedness specified on this ballot shall stamp a cross (x) in the voting square after the printed word "Yes" after the proposition in favor of which he desires to vote:

If an elector desires to vote against the adoption of any of the said propositions, he shall stamp a cross (x) in the voting square after the word "No" after any of the propositions against which he desires to vote. The mark should be made with the rubber stamp and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

Each proposition should be voted for or against separately.

For incurring an indebtedness for the purpose of the acquisition, construction and completion of additional sewers and an additional sewer system.

For the incurring of an indebtedness for the purpose of the acquisition, construction and completion of water works.

For the incurring of an indebtedness for the purpose of the construction and completion of street work.

For the incurring of an indebtedness for the purpose of the acquisition of fire apparatus.

Section 14 This ordinance shall take effect from and after its passage, approval and publication.

Section 15 This ordinance shall be published by the Clerk of said City of Modesto once a day for at least 7 days, Sundays excepted, in the Modesto Morning News, a newspaper printed and published and circulated at least six days a week, in the said City of Modesto.

Introduced August 3<sup>rd</sup>, 1910 by Trustee John Harrison.

Passed this 17<sup>th</sup> day of August, 1910 by the following vote:  
Ayes: B. W. Dyer, John Harrison, W. S. Mann and J. D. Ross.  
Nays: None.

Attest: C. A. Post.

John Harrison

President pro tempore of the Board of City Trustees of the City of Modesto, Cal.

W. S. Thompson

City Clerk

## Ordinance No. 300.

An Ordinance Specifying the Notice to be given, and authorizing the publication thereof, of a special election to be held in the City of Modesto, upon a proposition of incurring a municipal debt for the purpose of acquiring, constructing and completing certain improvements and municipal works, as specified in an ordinance heretofore introduced and adopted relating thereto, and numbered as Ordinance No. 299.

The Board Of Trustees Of The City Of Modesto So Ordain As Follows:

Section 1. Whereas, on the 4<sup>th</sup> day of August, 1910 an ordinance was duly introduced, providing for the calling of a special election to be held on the 6<sup>th</sup> day of September, 1910 at which said election there shall be submitted to the qualified voters of said city the question or proposition as to whether a municipal indebtedness shall be incurred to the amount and for the purposes and objects in said ordinance specified, and also hereinafter specified in the notice hereby directed to be published, and, whereas, said ordinance provides that said special election shall be held in all respects not therein otherwise specified, as prescribed by law and the ordinances of said city.

Now, Therefore, the said Board of Trustees of said city hereby issues its Proclamation calling said election, which proclamation and the notice shall be in the form specified in section 3 of this ordinance.

Section 2. It is hereby ordered that the City Clerk give notice of such election, in addition to the notice given by the publishing of said Ordinance No. 299 by posting a copy of the proclamation or notice hereinafter mentioned at the city offices, the polling place of said special election at least ten days prior to the day fixed for said special election, and by publishing a copy thereof in the Modesto Evening News, a daily newspaper printed, published and circulated in the said City of Modesto, at least three consecutive days prior to the holding of said special election.

Section 3. It is hereby ordered that the said election proclamation or notice be substantially in the following form, and that the same shall be signed with the name of the President of this Board, and also the name of the City Clerk of this city.

Election Proclamation and Notice of a Special Election  
To the Qualified Voters of the City of Modesto:

A special election will be held in and for the City of Modesto on Tuesday, the 6<sup>th</sup> day of September, 1910 at which shall be submitted to the qualified voters of said city the proposition of

incurring an indebtedness by the said City of Modesto, for the purposes and to the amounts for each of said purposes specified, as follows:

First. For the acquisition, construction and completion of additional sewers and an additional sewer system, \$65,000<sup>00</sup>

Second. For the acquisition, construction and completion of water works, \$15,000<sup>00</sup>.

Third. For the construction and completion of street work, \$10,000<sup>00</sup>

Fourth. For the acquisition of fire apparatus, \$10,000<sup>00</sup>.

Each of said propositions may be voted for separately, and if two-thirds of the votes cast at such election are cast in favor of any of said propositions, the bonds of said city will be issued to the amount specified for the payment of the costs of such improvements, respectively, as receive said two-thirds of the votes cast as aforesaid, and in case any of said propositions shall not receive a two-thirds vote, the bonds of said city shall not be issued for said proposition.

For the purpose of said election all of the precincts of said city have been consolidated into one precinct.

The polling place in said city for said consolidated election precinct will be at the City Offices at 717 Tenth street in said City of Modesto.

The officers of said special election are as follows:

Inspectors - D. P. Howell and J. K. Carson.

Judges - J. Murret and O. L. Woodfield.

clerks - L. S. Moss and R. J. Lerger.

Ballot Clerks - W. K. Dottle and H. M. Briggs.

The polls will be open at six o'clock in the morning of said day and will be kept open until six o'clock in the evening of the same day.

The ballots used in said election will be substantially in the following form:

### Municipal Ticket

#### Directions to Voters.

Each voter desiring to vote for any of the propositions of incurring a municipal indebtedness specified on this ballot shall stamp a cross (x) in the voting square after the printed word "Yes" after the proposition in favor of which he desires to vote.

If an elector desires to vote against the adoption of any of the said propositions, he shall stamp a cross (x) in the voting square after the word "No" after any of the pro-

positions against which he desires to vote. The mark should be made with the rubber stamp and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

Each proposition should be voted for or against separately.

For incurring an indebtedness for the purpose of the acquisition, construction and completion of additional sewers and an additional sewer system. Yes ( )  
No ( )

For the incurring of an indebtedness for the purpose of the acquisition, construction and completion of water works. Yes ( )  
No ( )

For the incurring of an indebtedness for the purpose of the construction and completion of street work. Yes ( )  
No ( )

For the incurring of an indebtedness for the purpose of the acquisition of fire apparatus. Yes ( )  
No ( )

Section 4. The City Clerk shall provide and cause to be printed for said special election such ballots as may be required.

Section 5. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the Modesto Evening News, a daily newspaper of general circulation, printed and published in said City of Modesto, which publication is hereby ordered and directed.

Introduced August 1<sup>st</sup>, 1910 by Trustee John Harrison.

Passed this 17<sup>th</sup> day of August, 1910 by the following vote:

Ayes: B. W. Doffa, John Harrison, W. S. Mann and J. H. Ross.

Noes: None.

Absent: C. A. Post.

John Harrison

President pro tempore of the Board of Trustees of the City of Modesto, Cal.

Attest:

W. C. Thompson

City Clerk

I, Walter C. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 300 and that the same has been published according to law.

W. C. Thompson  
City Clerk

## Ordinance No 301.

An Ordinance calling a Special Election to vote upon a proposed charter for the City of Modesto, under Section 8 of Article XI of the Constitution of California, specifying the notice to be given, and authorizing the publication thereof, of such special election; establishing election precinct for the holding of said special election; providing for the manner, and fixing the time of holding said special election, and the voting on said proposition and appointing officers of election to conduct said special election:

The Board of Trustees of the City of Modesto do ordain as follows:

Whereas, At an election held in the City of Modesto, County of Stanislaus, State of California, on the eleventh day of April, 1910 a board of fifteen qualified free-holders was elected for the purpose of preparing and proposing a charter for the said City of Modesto under Section 8 of Article XI of the Constitution of California, which said board of free-holders thereafter met, qualified and organized, and within ninety days from the date of said election did prepare and propose a charter for said city, in all respects in accordance with the provisions of the said section and article of the Constitution governing the same, and

whereas, Whereafter the said charter was duly published in the Modesto Morning Herald, a daily newspaper of general circulation in said City of Modesto, under the provisions of said section and article of the Constitution, for a period of twenty days, and

whereas, The said section and article of the Constitution provide that within thirty days after such publication such proposed charter shall be submitted to the qualified electors of said city at a general or special election, now therefore,

Section 1 A special election of the qualified voters of the said City of Modesto for the purpose of voting on the ratification or rejection of said proposed charter as hereby called to be held in the said city on the 14<sup>th</sup> day of September 1910.

Section 2. If a majority of the qualified electors voting at such special election upon said proposed charter shall ratify the same, it shall thereafter be submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment.

Section 3. Said special election shall be held on the 14<sup>th</sup> day of September, 1910 and the polls for said special election shall be open at six o'clock in the morning of said day of said special election and must be kept open until six o'clock in the afternoon of the same day when the polls shall be closed.

Section 4. For the purpose of holding said special election the entire incorporated city of the City of Modesto shall be consolidated into one election precinct, to be known as the Modesto Precinct.

Section 5. The polling place in said election precinct and the officers of the election to conduct the said special election are hereby named, designated and appointed as follows:

Polling Place - City Offices, 717 Tenth Street in said City.

Inspectors - J. H. Howell and S. C. Foster.

Judges - L. B. Wallhall and G. A. Perkins.

Sticks - L. J. Moss and H. P. Leyer.

Ballot Sticks - J. W. Dawson and H. M. Briggs.

Section 6. The compensation of each of said officers shall be four dollars per day.

Section 7. Said special election shall be held in all particulars not recited in this ordinance as provided by law for holding municipal elections in municipalities of the sixth class, and as provided by the ordinances of this city; providing that the ballots shall be substantially in the following form:

#### Municipal Ticket.

#### Directions to Voters.

The proposition to be voted upon at this election is that of ratifying or rejecting the charter prepared and proposed for the City of Modesto by the Board of Tax Holders elected therefor at the general election held in said city on the 11<sup>th</sup> day of April, 1910 and as officially published in the Modesto Morning Herald for 20 days.

Each voter desiring to vote in favor of ratifying the said proposed charter shall stamp a cross (x) in the voting square after the printed word "Yes" after the proposition as stated below.

If an elector desires to vote against the ratifying of said proposed charter he shall stamp a cross (x) in the voting square after the word "No" after the proposition as stated below.

The mark should be made with the wet ball stamp.

and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

For ratifying the charter for the City of Modesto as prepared and proposed by the board of free-holders.

Section 7. The Board of Trustees of said City of Modesto hereby issues its Proclamation calling said election, which proclamation and the notice shall be in the form specified in Section 9 of this Ordinance.

Section 8. It is hereby ordered that the City Clerk of said city give notice of such election, in addition to the notice given by the publishing of this ordinance, by posting a copy of the proclamation or notice herein in sections 7 and 9 mentioned, at the City Offices, the polling place of said special election, at least ten days prior to the day fixed for said special election, and by publishing a copy thereof in the Modesto Evening News, a daily newspaper, printed, published and circulated in the said city of Modesto at least three consecutive days prior to the holding of said special election.

Section 9. It is hereby ordered that the said election proclamation and notice be substantially in the following form, and that the same shall be signed with the name of the president of this Board, and also the name of the City Clerk of this city:

Election Proclamation and Notice of a Special Election.  
To the Qualified Voters of the City of Modesto:

A special election will be held in and for the City of Modesto on Wednesday, the fourteenth day of September, 1910 at which shall be submitted to the qualified voters of said city the proposition of ratifying the charter for said city prepared and proposed by the board of free-holders elected therefor at the general election held in said city on the 11<sup>th</sup> day of April, 1910, which said charter, as so prepared and proposed, has been returned, in duplicate, one copy to the president of the board of Trustees of said city of Modesto, who is the chief executive officer of such city, and the other to the Recorder of the County of Stanislaus, and which said charter, as so prepared and proposed, has been regularly and officially published in the Modesto Evening Herald for at least twenty days, as provided by law.

For the purpose of said election all of the precincts

of said city have been consolidated into one precinct.

The polling place in said city for said consolidated election precinct will be at the City Offices at 717 Tenth Street in said City of Modesto.

The officers of said special election are as follows:

Inspectors — J. H. Howell and S. E. Foster

Judges — L. B. Walthall and G. A. Perkins

Clerks — H. P. Ueyer and L. J. Moss.

Ballot Clerks — H. M. Briggs and J. W. Davison.

The polls will be open at six o'clock in the morning of said day and will be kept open until six o'clock in the evening of the same day.

The ballots used in said election will be substantially in the following form:

### Municipal Ticket.

#### Questions to Voters.

The proposition to be voted upon at this election is that of ratifying or rejecting the charter prepared and proposed for the City of Modesto by the board of free-holders elected therefor at the general election held in said city on the 11<sup>th</sup> day of April, 1910, and as officially published in the Modesto Morning Herald for twenty days.

Each voter desiring to vote in favor of ratifying the said proposed charter shall stamp a cross (x) in the voting square after the printed word "Yes" after the proposition as stated below.

If an elector desires to vote against the ratifying of said proposed charter he shall stamp a cross (x) in the voting square after the word "No" after the proposition as stated below.

The mark should be made with the rubber stamp and ink which will be found in each booth, and the ballot shall not be marked in any other manner.

For ratifying the charter for the City of Modesto as prepared and proposed by the board of free-holders.

Section 10. The City Clerk shall provide and cause to be printed for said special election such ballots as may be required.

Section 11. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the Modesto Evening News, a daily newspaper of general circulation, printed and published in said

city of Modesto, which publication is hereby ordered and directed.

Introduced August 10<sup>th</sup>, 1910 by Trustee S. W. Coffee.

Passed this 17<sup>th</sup> day of August, 1910 by the following vote:

Ayes: S. W. Coffee, John Harrison, W. S. Mann and J. D. Ross.

Nays: None.

Absent: S. A. Post.

John Harrison.

President pro tempore of the Board of Trustees of  
the City of Modesto, Calif.

W. C. Thompson.

Attest

City Clerk

J. Walker O. Thompson, City Clerk of the City of Modesto.

State of California, do hereby certify that the foregoing is a true  
and correct copy of Ordinance No. 301, and that the same  
has been published according to law.

J. O. Thompson  
City Clerk

Ordinance No 302.

An Ordinance to amend Ordinance No. 240 by amending section one of said ordinance No. 240, and by adding a new section to said ordinance.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Section 1 of Ordinance No. 240 is hereby amended to read as follows:

"A Board of Health is and for the City of Modesto is hereby established, which said board shall be the successors in office of the board heretofore established. Said board shall consist of five members, to be appointed by the Board of City Trustees and hold office during its pleasure. One at least of said Board of Health shall be a practicing physician, and a graduate of some reputable school of medicine, and one, if practicable, a civil engineer. Said Board of Health shall until further orders of this Board consist of the following persons, to wit: Geo. H. Freitas, J. W. Howell, Dr. W. J. Lechman, M.D., J. E. Van Arden and J. L. Ward."

Section 2. A new section, to be known as Section 15a is hereby added to said ordinance to read as follows:

Section 15a. Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life of property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner of any public park, square, street or highway is hereby declared to be a public nuisance. Every person who maintains or commits any public nuisance the punishment for which is not otherwise prescribed, or who wilfully omits to perform any legal duty relating to the removal of a public nuisance is guilty of a misdemeanor, and upon conviction thereof is punishable by a fine not to exceed one hundred dollars, or by imprisonment not exceeding ten days or both such fine and imprisonment.

Section 3. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby expressly repealed.

Section 4. This ordinance shall take effect immediately upon its passage and publication, even, in the Modesto

Evening News, a newspaper published daily in the said City of Modesto which publication is hereby ordered and directed.

Introduced August 17<sup>th</sup> 1910 by S. W. Zoffe.

Passed September 21<sup>st</sup> 1910 by the following vote:

Ayes: S. W. Zoffe, John Harrison, W. S. Mann, S. A. Post and J. W. Ross

Noes: None

Abstent: None.

S. A. Post.

President of the Board of Trustees of the City of Modesto.

Attest:

W. O. Thompson.

City Clerk.

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 302, and that the same has been published according to law.

W. O. Thompson  
City Clerk

Ordinance No. 303.

An Ordinance declaring the result of a special election held in and for the City of Modesto, on the 6<sup>th</sup> day of September, 1910. The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Whereas, the Board of Trustees of the City of Modesto did by Ordinance No. 299 call a special election for the sixth day of September, nineteen hundred and ten, and submit to the qualified voters of said city the proposition of incurring an indebtedness for the purposes in said ordinance set forth, and which said ordinance was published once a day for at least seven days before holding said election, in the "Modesto Evening News", a newspaper of general circulation, published in said city, at least six days a week; and

Whereas, all the provisions of law requisite to the calling of said election and the notice thereof were duly complied with, and the Board of Trustees of the City of Modesto so find; and

Whereas, said special election was, on the 6<sup>th</sup> day of September, 1910 duly held in all respects in conformity with the laws of the State of California and the ordinances of the said City of Modesto; and

Whereas, the proper officers of said election returned to <sup>with the City Clerk of said City, the</sup> said filed returns of said election, the said returns were duly opened and canvassed by the Board of Trustees of the City of Modesto and the results of said election ascertained on the 7<sup>th</sup> day of September, 1910;

Now, Therefore, It is hereby declared and found by said Board of Trustees that all of the acts and things required by law and the ordinances of this city relative to the calling, conduct and holding of said election to be done and performed were done and performed, that the proper and necessary resolutions required by law was introduced and passed by a two-thirds vote of the Board of Trustees and approved by the executive of said municipality, that an ordinance containing all the statements and things required by law to be contained therein calling said special election was duly introduced, passed and approved and published in the manner and for the time required by law, that said special election was in every respect held and conducted as required by law and the ordinances of this city, that the returns thereof were duly and regularly made and filed with the City Clerk, and were duly opened and canvassed by the said Board of Trustees as required by law; and that the results of said special election and the votes cast for each of the propositions submitted were as

hereinafter set forth, to-wit:

For incurring an indebtedness for the purpose of the acquisition, construction and completion of additional sewers and an additional sewer system, 401 votes were cast in favor of incurring said indebtedness, and 139 votes were cast against incurring said indebtedness;

For the incurring of an indebtedness for the purpose of the acquisition, construction and completion of water works, 429 votes were cast in favor of incurring said indebtedness, and 109 votes were cast against incurring said indebtedness.

For the incurring of an indebtedness for the purpose of the construction and completion of street work, 370 votes were cast in favor of incurring said indebtedness, and 155 votes were cast against incurring said indebtedness.

For the incurring of an indebtedness for the purpose of the acquisition of fire apparatus, 422 votes were cast in favor of incurring such indebtedness, and 110 votes were cast against incurring such indebtedness.

That the total number of votes cast at said election was 547;

That the affirmative of each of the following propositions, to-wit:

For incurring an indebtedness for the purpose of acquisition, construction and completion of additional sewers and an additional sewer system;

For the incurring of an indebtedness for the purpose of the acquisition, construction and completion of water works;

For the incurring of an indebtedness for the purpose of the construction and completion of street work;

For the incurring of an indebtedness for the purpose of the acquisition of fire apparatus.

Received more than 265 votes each, which was more than two-thirds of all of the votes cast by the voters, voting at said special election;

and the said indebtedness, to-wit:

Twenty-five thousand dollars, (\$25,000) for the acquisition, construction and completion of additional sewers and an additional sewer system;

Fifteen thousand dollars, (\$15,000) for the acquisition, construction and completion of water works;

Ten thousand dollars, (\$10,000) for the construction and completion of street work;

Ten thousand dollars, (\$10,000) for the acquisition

of fire apparatus.

Amounting in all to One Hundred Thousand Dollars, (\$100,000) and the issuance of bonds to <sup>of the said City</sup> ~~the~~ amount of Modesto to that amount therefore are declared to be determined, accepted and authorized.

Section 2. This Ordinance shall take effect and be in force from and after the date of its passage, approval and publication once in the Modesto Evening News, which publication is hereby ordered and directed.

Introduced September 7<sup>th</sup> 1910, by Trustee John Harrison

Passed September 21<sup>st</sup> 1910 by the following vote:

Ayes: S. W. Poffe, John Harrison, W. E. Mann, C. A. Post and J. D. Ross

Noes: None.

Absent: None.

C. A. Post

President of the Board of Trustees of the City of Modesto

Attest:

W. O. Thompson

City Clerk

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 303 and the same has been published according to law

W. O. Thompson  
City Clerk

## (Ordinance No. 304.

An Ordinance providing for the issue, sale and redemption of bonds of the City of Modesto in accordance with the result of the special election held in said City on the 6<sup>th</sup> day of September, 1910 and providing for the form and denomination thereof.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. Whereas, at a special election held in the City of Modesto, on the 6<sup>th</sup> day of September, 1910 pursuant to the laws of the State of California, and in accordance with Ordinance No. 299 and the other ordinances of the City of Modesto relative to elections therein, the said city has been authorized to incur an indebtedness of One Hundred Thousand Dollars for the purposes in said ordinance and hereinafter set forth, and has been authorized to issue bonds for the amount of said indebtedness.

Now, therefore, the Board of Trustees of the City of Modesto do further ordain as follows:

Section 2. The said city of Modesto shall incur an indebtedness of One Hundred Thousand Dollars, (<sup>\$</sup>100,000<sup>00</sup>) for the four several purposes in said ordinance No. 299 and hereinafter, specified and by said special election authorized, and the bonds of said city evidencing such indebtedness shall be issued in the said amount of the number, denomination and character hereinafter specified.

Section 3. Each of said bonds shall be of the denomination of Five Hundred Dollars, (<sup>\$</sup>500<sup>00</sup>) and shall bear interest at the rate of five per cent per annum payable semi-annually on the first day of December and the first day of June in each year at the office of the Treasurer of the City of Modesto, in the City of Modesto in the County of Stanislaus, State of California.

There shall be issued two hundred (200) of said bonds and they shall be numbered consecutively from one to two hundred inclusive.

All of said bonds shall be payable at the office of the City Clerk of said city, in the City of Modesto, County of Stanislaus, State of California, and five of said bonds shall be payable, together with all interest thereon at such date unpaid, on the first day of December, 1910; and five of said bonds, together with the interest thereon as aforesaid, on the first day of December, 1911; and

five of said bonds, together with interest thereon as aforesaid on the first day of December, 1912, and thereafter five of said bonds together with the interest thereon unpaid at such date shall be payable on the first day of December of each and every year at the place aforesaid until all of said bonds are paid.

Section 4. The said bonds, or any portion of them, may be sold by the said Board of Trustees of the said City of Modesto at not less than their par value at either public or private sale, and without further notice.

Section 5. The proceeds of the sale of said bonds shall be placed in the treasury of said city, and the amount received therefrom shall be apportioned to the various funds and for the purposes authorized by said special election.

Section 6. The said bonds shall be executed by the President of the Board of Trustees and also by the Treasurer of the City of Modesto, and shall be countersigned by the Clerk, and each of said bonds shall have attached thereto interest coupons equal in number to at least twice the number of years the said bond has to run before it is due. The said coupons shall be numbered consecutively and signed by the Treasurer. The said bonds and coupons shall be in the form substantially as hereinafter set forth. Each of the interest coupons except those payable December first, 1910 shall represent six months interest and be payable to bearer.

Section 7. The form and language of all of said bonds shall be substantially as follows:

United States of America

\$500<sup>00</sup> State of California No. \_\_\_\_\_

Municipal Improvement Bond of the City of Modesto

On the first day of December, 19\_\_ the City of Modesto, a municipal corporation, incorporated under the laws of the State of California, for value received hereby promises to pay to the bearer, at the office of the Treasurer of said city, in the City of Modesto, County of Stanislaus, State of California, the sum of Two hundred dollars, in gold coin of the United States of America with interest thereon in like gold coin from the date hereof at the rate of five per cent per annum, payable semi-annually at the office of the said City Treasurer on the first days of January and June of each year upon the presentation and surrender of six proper interest bearing coupons hereto attached.

This bond is one of a series of bonds of like date, tenor and effect, issued by the City of Modesto, for the purpose of the acquisition, construction and completion of additional sewers and an additional sewer system; for the purpose of the acquisition, construction and completion of water works, for the purpose of the construction and completion of street work, and for the purpose of the acquisition of fire apparatus and is issued under and in pursuance of and in conformity with an act of the Legislature of the State of California, entitled, "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof" which became a law under the constitutional provision, without the Governor's approval, February 25<sup>th</sup>, 1901, and of the acts supplemental and amendatory thereto.

And it is hereby certified, asserted and declared that this bond is issued after full compliance with, in pursuance of, and in conformity with, the constitution and the laws of the state of California, and the ordinances of the said City of Modesto, and in pursuance of and in conformity with a vote of more than two-thirds of all the qualified electors of said city of Modesto, voting at a special election, duly and regularly called and held in said city, as provided in said act and the acts amendatory and supplemental thereto, and the ordinances of said city of Modesto on the 6<sup>th</sup> day of September, 1910, and notice thereof having been duly and regularly given and published in the manner and for the period required by law, and after the result of said election had been canvassed and declared and entered in the manner and as required by law.

It is further certified and declared that all the provisions and requirements of the constitution and laws of the State of California and of the Ordinances of the said City of Modesto have been duly and regularly and fully complied with by the proper officers of said city in the issuance of this bond; that all the acts and conditions and things required by law to be done precedent to and in the issuance of said bonds have been done, and have been performed in regular and due form, and in strict accordance with the provisions of the law authorizing said bonds, and that the total indebtedness of said City of Modesto, including the indebtedness evidenced by this issue of bonds, does not exceed the limit prescribed

by the constitution and the laws of the State of California.

This bond ceases to bear interest unless presented at maturity

In Witness Whereof, the said city of Modesto has caused this bond to be signed by the President of its Board of Trustees (who is the Executive of said Municipality) and the Treasurer of said City of Modesto, and to be countersigned by its City Clerk, and has caused its City Clerk to affix thereto the corporate seal of said City of Modesto, and has caused all the coupons attached hereto to be signed by its Treasurer, and said Treasurer has caused his said signature to be lithographed upon all of said coupons, and hereby adopts said lithographic signatures as his own.

Dated Modesto, California, the — day of — 1910

President of the Board of Trustees of the City of Modesto

Treasurer of the City of Modesto

City Clerk of the City of Modesto

The interest coupons attached to said bonds shall be substantially in the following form and language:

# \_\_\_\_\_ No. \_\_\_\_\_

Interest Coupon.

The City of Modesto

On the first day of \_\_\_\_\_ A. D. 19 — on surrender of this coupon, will pay to the bearer hereof, at the office of the Treasurer of said city, in said city of Modesto, County of Stanislaus, State of California, the sum of \_\_\_\_\_ Dollars in gold coin of the United States of America for the semi annual interest due on that date upon its above numbered municipal bond.

Dated the — day of — 1910

Coupon No. \_\_\_\_\_

Treasurer of said City

Section 2. The President of the Board of Trustees, Treasurer and City Clerk of the said city of Modesto are hereby authorized and directed to sign and execute all of said bonds as of the date of October first, 1910, and the said Treasurer to sign all of said interest coupons in substantially the form hereinabove provided by this ordinance, and to adopt for such purpose a lithographic signature, and the acts of each of them in so doing shall be construed to be both for his official

self, and for the City of Modesto, and the said President of the Board of Trustees is hereby authorized and appointed as a committee to supervise the printing and execution of said bonds and coupons.

Section 9 There shall be levied and collected annually each year, until said bonds are paid, or until there shall be a sum in the Treasury of said City of Modesto, set apart for that purpose, sufficient to meet all sums coming due for principal and interest on such bonds, a tax sufficient to pay the annual interest on said bonds, and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy.

The taxes herein required to be levied and collected shall be in addition to all other taxes levied for municipal purposes and shall be levied and collected at the time and in the manner as all other taxes, and shall be used for no other purpose than the paying of said bonds and accruing interest.

Section 10. This ordinance shall be published once in the Modesto Evening News, a newspaper of general circulation, printed and published in said City of Modesto, County of Stanislaus, and State of California, and shall take effect and be in force from and after its passage, approval and publication.

Introduced September 7<sup>th</sup>, 1910 by Trustee John Harrison.

Passed September 21<sup>st</sup> 1910 by the following vote

Ayes: S. W. Coffey, John Harrison, W. S. Mann, G. A. Post and J. B. Rose

Nays: None

Abstain: None

G. A. Post

President of the Board of Trustees of the City of Modesto.

Attest

W. A. Thompson

City Clerk

I, William A. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 305 and that the same has been published according to law.

W. A. Thompson  
City Clerk

## Ordinance No 305

An Ordinance Fixing the Rate of Taxation in and for the City of Modesto for the years 1910-11.

The Board of Trustees of the City of Modesto do Ordain as follows:

Section 1. The rate of taxation for the years 1910 and 1911 in and for the City of Modesto shall be, and is hereby fixed as follows, to-wit:

For General Fund - Seventy-five cents on each one hundred dollars value of all property taxable for City purposes

For Bond Redemption and Interest Fund - Sixty-six cents on each one hundred dollars value of all property taxable for the redemption of bonds and the payment of interest that shall accrue during the present year.

Library Fund - Nine cents on each one hundred dollars value of all property taxable for the maintenance of a Free Public Library

The aggregate of which sum, to-wit:

One dollar and fifty cents on each one hundred dollars value as determined by the equalized assessment roll for the year 1910 on all property taxable in said city for city purposes it is hereby levied and apportioned to and shall be paid into the above named funds respectively of said city.

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Introduced September 21<sup>st</sup> 1910 A.D. by Trustee J. H. Rose  
Ayes S. W. Coffey, John Harrison, W. S. Neuman, J. A. Post and  
J. H. Rose

Noes None

Absent None

J. A. Post

President of the Board of Trustees of the City of Modesto

W. O. Thompson

City Clerk

Attest

I, Walter O. Thompson, City Clerk of the City of Modesto, State of California, do hereby certify that the foregoing is a true and correct copy of Ordinance No 305, and that the same has been published according to law.

W. O. Thompson

City Clerk

Notice of Sale of Franchise to construct, lay down, maintain, repair and operate a single and double track, street railroad track, together with the necessary turn-outs, curves, switches, and "jo" and to erect the necessary poles and apparatus for the operation of cars thereon, and to operate cars thereon, along, upon, across and over the public streets, avenues, highways, parks and places of that certain portion of the City of Modesto, in the County of Stanislaus, State of California as hereinafter set forth.

To whom it may concern:

Whereas, South San Joaquin Improvement Company, a corporation, on the 18<sup>th</sup> day of January, 1911, made and presented its application in writing to the Board of Trustees of the City of Modesto, in the State of California, for a franchise running to said corporation, its successors in interest and assigns, for a period of twenty-five years, giving it the right, right-of-way, privilege and permission to construct, lay down, maintain, repair and operate for itself, its successors in interest and assigns, a single and double track street railroad track, together with the necessary turn-outs, curves, switches, and "jo" and other apparatus for the operation of cars thereon to connect with and be a part of what is known as an interurban railroad proposed to be constructed between the City of Stockton, and the City of Modesto so as to make a complete and connected system of tracks over the route hereinafter described, and the right to use apparatus for propelling, drawing or running on said track or tracks, cars for the hauling of freight, passengers and express matter and baggage, or any or all; and which said cars shall be propelled by electricity, with the necessary poles and overhead wires, or other electrical appliances, except a third rail system, which said tracks are to be laid and operated over, along and across the streets, lands and thoroughfares, in said City of Modesto, as more particularly set out and described as follows:

Beginning at the intersection of Elm street in the northwesterly limits of the City of Modesto, thence running in an easterly direction along Elm Street to Eighth Street; thence with proper curve southeasterly along the center of Eighth Street to F Street; also a single spur track from Eighth Street at the intersection of F Street along the center of F Street to the westerly line of Ninth Street; and

whereas, it is proposed by said Board of Trustees to offer for sale, and will need grant to the highest bidder, said franchise

on the terms and conditions hereinafter set forth:

Now, Therefore, notice is hereby given that the said City of Modesto hereby offers to sell and grant a franchise for twenty-five years to construct, lay down, maintain, repair and operate a single and double track street railroad track, together with the necessary turn-outs, curves, switches and "Ys", and other apparatus for the operation of cars thereon to connect with and be a part of what is known as an interurban railroad proposed to be constructed between the City of Stockton and the City of Modesto, so as to make a complete and connected system of tracks over the route hereinafter described, and the right to use apparatus for propelling, drawing or running on said track or tracks cars for the hauling of freight, passengers and express matter and baggage, or any or all, and which said cars shall be propelled by electricity, with the necessary poles and overhead wires, or other electrical appliances except a third rail system, which said tracks are to be laid and operated over, along, upon and across the public streets, avenues, highways, parks and places in the city of Modesto as more particularly set out and described as follows:

Beginning at the intersection of Elm Street in the northwesterly limits of the City of Modesto, thence running in an easterly direction along Elm Street to Eighth Street, thence with proper curves southeasterly along the center of Eighth Street to F Street, also a single spur track from Eighth Street at the intersection of F Street along the center of F Street to the westerly line of Ninth Street in said City of Modesto.

Notice is further given that sealed bids in writing will be received up to eight o'clock p.m. on the first day of March, 1911 at the office of the City Clerk of the City of Modesto, in

Stanislaus county, California, at 717 Tenth Street, in said city, and that on said date at the hour of eight o'clock p.m. said Board of Trustees will meet in regular meeting at the regular meeting place of said Board in the Municipal Building at No. 717 Tenth Street in said City of Modesto, and open and read said bids, and strike off and sell and award said franchise; and all bids must be for the payment of a stated sum of gold coin of the United States of America; that said franchise will be struck off, sold and awarded to the person, firm or corporation who shall make the highest cash bid therefor, provided, that at the time of the opening of said bids any responsible <sup>person</sup>, firm, or corporation present or represented may bid for said franchise a sum not less than ten per cent above

the highest sealed bid therefor, and said bid so made may be raised not less than ten per cent by any other responsible bidder, and said bidding may so continue until finally said franchise shall be struck off, sold and awarded by said Board of Trustees to the highest bidder in gold coin of the United States. Each sealed bid shall be accompanied with cash or a certified check payable to the Treasurer of the City of Modesto, for the full amount of said bid, and no sealed bid shall be considered unless said cash or check is inclosed therewith and accompanies the same, and the successful bidder shall deposit at least ten per cent of the amount of his bid with the clerk of the City of Modesto before the franchise shall be struck off to him. And if he shall fail to make such deposit immediately, then and in that case his bid shall not be received, and shall be considered void, and the said franchise shall then and there be again offered for sale to the bidder who shall make the highest cash bid therefor, subject to the same conditions as to deposit, as above mentioned. Said procedure shall be had until said franchise is struck off, sold and awarded to a bidder who shall make the necessary deposit of at least ten per cent of the amount of his bid therefor, as herein provided. Said successful bidder shall deposit with the Clerk of said City of Modesto, within twenty-four hours of the acceptance of his bid, the remaining ninety per cent of the amount thereof, and in case he or it shall fail to do so, then the said deposit theretofore made shall be forfeited and the said award of said franchise shall be void, and the said franchise shall then and there, by said Board of Trustees, be again offered for sale to the highest bidder therefor, in the same manner, and under the same restrictions as heretofore provided, and in case said bidder shall fail to deposit with the clerk of said City of Modesto the remaining ninety per cent of bid within twenty-four hours after its acceptance, the award to him of said franchise shall be set aside, and the deposit theretofore made by him shall be forfeited, and no further proceedings for the sale of said franchise shall be had unless the same shall be re-advertised and again offered for sale in the manner heretofore provided.

Notice is also hereby given that the successful bidder for said franchise must, within five days after said franchise is awarded to him or it, file with the Clerk of said City of Modesto, a bond running to the City

of Modesto, in the penal sum of Five Thousand Dollars, with at least two good and sufficient sureties, to be approved by said Board of Trustees, conditioned that such bidder shall well and truly observe, fulfill and perform each and every term and condition of such franchise and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages, and shall be recoverable from the principal and sureties upon said bond. Upon the filing and approval of such bond the said franchise shall, by the said Board of Trustees of the City of Modesto, be granted by ordinance to the person, firm or corporation to whom it has been struck off, sold or awarded, and in case the said bond shall not be so filed, the award of such franchise shall be set aside, and any money paid therefor shall be forfeited.

Notice is further given that the said franchise, so to be sold, struck off, awarded, as aforesaid shall contain, and be subject to, the following conditions to be strictly complied with by the grantee thereof, upon penalty of forfeiture of said franchise by such grantee in event of the breach of such conditions or any thereof:

(1) That the grantee of said franchise or his assigns, must during the life of said franchise, pay to the City of Modesto, two per cent (2%) of the gross annual receipts of the person, partnership or corporation to whom said franchise is awarded, arising from its use, operation or possession; no percentage shall be paid for the first five years succeeding the date of the franchise, but thereafter such percentage shall be payable annually. The grantee of said franchise shall file annually with the Clerk of the said City of Modesto, or such other officers of said City as its Board of Trustees may designate, a verified report, in form and detail as shall from time to time be prescribed by the Board of Trustees of said City of Modesto or their successors of all the gross receipts arising from all the business done by said person, firm or corporation, within the City of Modesto, for the year immediately preceding such report. Such report shall

contain such further statements as may be required by the governing body of said City of Modesto concerning the character and amount of business done, and the amount of receipts and expenses connected therewith, and also the amount expended for new constructions, repairs and betterments during such year. And the said City of Modesto, by its officers or accountants authorized by its governing body shall have the right at all reasonable times to examine all the books, vouchers, and records of any person, firm or corporation exercising said franchise for the purpose of verifying any of the statements of gross receipts herein provided for, or for any other purpose whatsoever connected with the duties or privileges of the said City, or of such person, firm or corporation, arising under any law of the State of California, or the ordinance granting this franchise, and may audit the same at the end of each year.

(2) The grantee of said franchise shall construct the tracks of said railroad with Trolley rails only on those portions of the streets and avenues above designated as nearly as possible in conformity with the routes as designated above with a toothing of uniform basalt blocks on each side of the rails. shall pave, plank or macadamize the entire length of the street used by such tracks between the rails thereof, and for two feet on each side thereof and between the tracks and for two feet on each side thereof where sidings or two tracks are laid and shall keep such tracks and such paving, planking or macadamizing between said tracks and on two feet on each side thereof constantly in repair flush with the street with good crossings, and shall repair, and remacadamize the same, all such paving or repairing, macadamizing or remacadamizing shall be done with the same material as now is or may hereafter be used for such purpose by the City of Modesto, and under the supervision and specifications, and in the same manner as upon the abutts or portions of abutts over which the rails of runs on the tracks or tracks thereof are laid, and shall keep the same constantly in repair flush with the abutts and with good crossings.

In the event the grantee shall fail to keep said tracks and said portions of said streets in repair, as aforesaid, and shall fail to make such repairs thereto or thereon upon ten days notice by the said City of Modesto, then the said City of Modesto may make said repairs and the cost thereof shall be a lien against the property of said grantee, collectible as may be hereafter by ordinance provided.

Said grantee, its successors in interest and assigns, shall construct necessary flumes and culverts for the free passage of surface water under the tracks of said railway, and all such culverts and flumes shall be constructed in accordance with the plans and specifications approved by the governing body of the City of Modesto.

Said grantee and its assigns, while operating cars over any railway track or tracks as in said franchise provided shall sprinkle the surface of each street occupied or used by said track or tracks between the rails and for two feet on each side thereof, and between the tracks if there be more than one track, in such manner as at all times when cars are being operated over such track or tracks effectually to keep the dust laid on that part of the surface of such street lying between said rails, and within two feet on each side thereof, and between said tracks. The sprinkling herein prescribed shall be done with water, and at such times during the day or night as directed and prescribed by the authorities having charge of street sprinkling; provided, that said grantee, may with the written permission and under the direction of such authorities, use oil for sprinkling the whole or any portion of the track or tracks, of said space between said tracks and on each side thereof.

Passenger cars shall be run over said railroad carrying passengers between Modesto and Stockton at least every three hours between the hours of seven o'clock in the morning and nine o'clock in the evening, except when prevented from so doing by riot, strike or by the elements or any other unavoidable cause, and may be run

as much oftener as may be desired by said grantee and its assigns at any time during the twenty-four hours of every day. Express cars may be run as often as necessary to properly accommodate traffic, and shall be in general appearance like the passenger cars, except that they shall be without side windows. Freight cars such as may be used on steam railroads for transportation of freight may be run over and along Elm and Eighth streets, herein above designated, at any time of the day or night, but it is expressly stipulated that no freight cars as above described shall be run over any other part of the right of way herein proposed to be granted, and shall not stop longer than ten minutes in <sup>any</sup> one block.

The grantee of said franchise shall be subject to the right of the said City of Modesto to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including among other things the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accommodations for the people and insure their comfort and convenience.

(3) The grant of said franchise shall be subject to the right of the said City of Modesto to prescribe and regulate the fares, rates, rentals or charges made for the service rendered under such franchise, and the grantee of said franchise shall at all times permit all United States mail carriers, all police officers and firemen, at all times, while engaged in the actual discharge of duty, to ride on the cars of said grantee without paying any sum of money whatever for fare or otherwise and with all the rights of other passengers.

(4) The grantee of said franchise, when

its tracks shall run over or across the center of the City of Modesto, shall at its own expense and risk support its tracks while excavations are being made, to make necessary repairs or improvements upon such sewer.

(5) The work to construct the railway hereby authorized shall be commenced in good faith within not more than four months from the granting of said franchise, and shall be prosecuted diligently to completion, and said work shall be completed and in operation within not more than one year and eight months thereafter.

(6) The franchise herein proposed to be granted shall not be an exclusive franchise, but the said City of Modesto reserves the right to grant any other franchise or franchises for the same or a similar purpose along the same streets or any portion thereof, and the said grantee of this franchise its successors in interest and assigns shall permit any interurban or street railway company not using steam engines or horses or mules as drawing or propelling power, and which may hold a franchise from the City of Modesto, permitting it to use such tracks, to use the tracks and appliances of said grantee, its successors in interest and assigns, such as may be laid in operation on Elm and Eighte and "D" Streets as herein above described, upon first obtaining permission therefor from the Board of Trustees of the City of Modesto, and upon payment to the holder of this franchise of a proper proportion of the cost of construction of the tracks and appliances to be used by such railways jointly, and upon the entering into of an agreement between the holder of this franchise and such interurban street railway company to pay a proper proportion of the cost of construction of the tracks used by such railways jointly, and upon the entering into of an agreement between the holder of this franchise and such interurban or street railway company to pay a proper portion of the cost of maintenance of such tracks and appliances, and also an agreement providing for the time

and manner of operating cars thereon, so as to reduce the liability of accidents to a minimum, and said grantee, its successors in interest and assigns shall also permit the crossing of its tracks wherever laid within the City of Modesto to be made by other railroads upon proper notice of the desire of other railroad companies to cross such tracks, and upon the entering into of an agreement for the cost of making such crossings and the time and manner of placing the same.

In event of inability to arrive at an agreement within a reasonable time as to the terms and conditions of the using and crossing of tracks by other railroads, such failure to agree shall not bind any railroad so proposing to cross such tracks to await a longer time, but any such railroad corporation desiring to cross such tracks may proceed to do so as provided by the terms and provisions of § 65, sub-division 6 of the Civil Code of California, and in the event of inability to agree upon the terms and conditions for the use of such tracks for transportation purposes within a reasonable time after application is made for such use by such other railway company of the character as hereinabove described, then the railway company so desiring to use such tracks for transportation shall pay immediately to the grantee of this franchise, its successors in interest and assigns, in cash gold coin of the United States one-half (1/2) of the actual cost of the construction of tracks and roadbed and of the appliances which may be used, belonging to said grantee herein, and shall also obtain consent of the Trustees of the said City of Modesto to use said portion of the tracks as above set forth, in conjunction with the grantee of this franchise, its successors in interest and assigns, and upon the entering into of an agreement providing for the payment of one-half (1/2) of the cost of maintenance of said tracks and appliances, to said grantee, its successors in interest and assigns, and upon procuring written permission of the Board of Trustees for the use of said track or tracks, in which permission shall be stipulated the time or times and manner of operating

its cars upon the tracks of this grantee, so as to allow the grantee of this franchise, its successors in interest and assigns, at least equal privilege and use of said track with said other company; then upon the above requirements being duly had and made, such other railroad company shall thereupon be allowed the use of such tracks for transportation purposes upon the terms and conditions as may be fixed and determined by the Board of Trustees of the City of Modesto under the provisions and conditions hereinabove in this section contained.

This advertisement is made in pursuance of a resolution of the City Council of the City of Modesto, duly and regularly passed at a regular meeting of said City Council held on the 18th day of January, 1911, by the following vote:

Ayes: S. A. Post, J. D. Ross, John Harrison, W. E. Mann  
S. W. Coffey

Absent: None

Dated at the City of Modesto, County of Stanislaus, State of California, this 21st day of January, 1911.

Walter O. Thompson  
City Clerk of the City of Modesto.

## Ordinance No. 307.

An Ordinance granting to the San Joaquin Valley Electric Railway, a corporation, its successors in interest and assigns, the franchise, right, right of way and permission to construct, lay down, maintain and operate for itself, its successors in interest and assigns, a single or double track, standard gauge street railway track, together with the necessary turnouts, curves, switches and "y's" to be constructed between the City of Stockton in San Joaquin County and the City of Modesto in Stanislaus County, and the right to run cars thereon, propelled by electricity, with the necessary poles and overhead wires, or other electrical appliances, except the third rail system, together with the necessary mechanical appliances, to be laid and operated over, along and across the streets, lanes and thoroughfare in said City of Modesto, designated therein, as hereinafter provided.

Whereas, All matters acts and things precedent to the granting of the franchise and grant hereinafter set forth and of this ordinance have heretofore happened, been done or performed in due form of law

Now, therefore, the Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The City of Modesto hereby grants to the San Joaquin Valley Electric Railway, a corporation duly organized and existing under and by virtue of the laws of the State of California, and having its office and principal place of business at Stockton, County of San Joaquin, State of California, its successors in interest and assigns for the term of Twenty-five years from and after the approval of this franchise, but subject to all the terms and conditions hereinafter made or expressed, the franchise, right, right of way and privilege to construct, lay down, maintain, repair and operate a single or double track railroad track together with the necessary turnouts, curves, switches and "y's", and other apparatus for the operation of cars thereon to connect with and be a part of what is known as an interurban railroad to be constructed

between the City of Stockton in the County of San Joaquin, State of California, and the City of Modesto, County of Stanislaus, in said State of California, so as to make a complete and connected system of tracks over the route hereinafter described, and the right to use apparatus for propelling, drawing or running on said tracks or tracks, cars for the hauling of freight, passengers and express matter and luggage or any or all, and which said cars shall be propelled by electricity, with the necessary poles and overhead wires, or other electrical appliances, except a third rail system, which said tracks are to be laid and operated over, along and across the streets, lanes and thoroughfares in said City of Modesto, as more particularly set out and described as follows:

Beginning at the intersection of Elm Street in the northwesterly limits of the City of Modesto, thence running in an easterly direction along Elm Street to Eighth Street, thence with proper curves southeasterly along the center of Eighth Street to "F" Street, also a single spur track from Eighth Street at the intersection of "F" Street along the center of "F" Street to the westerly line of Ninth Street in said City of Modesto, as more particularly described and set forth in the map or plat showing said proposed route on file in the office of the City Clerk of the City of Modesto.

Section 2. The City of Modesto hereby grants to said San Joaquin Valley Electric Railway, a corporation, its successors in interest and assigns, for the period of Twenty-Two years, from and after the approval of this franchise, but subject to the terms and conditions hereinafter made or expressed, the franchise right or permission to run, propel, to draw over and along the streets aforesaid cars run, propelled or drawn by electricity, with the necessary poles or overhead wires, hereinbefore referred to, for the convenience of passengers, freight, express matter and luggage, or any or all, for hire.

Section 3. Cars may be run or propelled upon said road within the limits of the City of Modesto by steam locomotive or other steam power or

or gasoline power during the period of construction, and for construction purposes only.

Section 4. The foregoing grants are made upon the following conditions to be strictly complied with by the said grantee, its successors in interest and assigns, upon penalty of forfeiture of said franchise by such grantee, its successors in interest or assigns in event of the breach of such conditions or any thereof.

1. That the grantee of said franchise, or its successors or assigns, must during the life of said franchise, pay to the City of Modesto two per cent (2 per cent) of the gross annual receipts arising from its use, operation or possession, no percentage shall be paid for the first five years succeeding the date of the franchise, but thereafter such percentage shall be payable annually. The grantee, its successors or assigns of said franchise shall file annually with the Clerk of the said City of Modesto, or such other officers of said City as its Board of Trustees may designate, a verified report, in form and detail as shall from time to time be prescribed by the Board of Trustees of said City of Modesto or their successors of all the gross receipts arising from all the business done by said grantee, its successors or assigns within the City of Modesto for the year immediately preceding such report. Such report shall contain such further statements as may be required by the governing body of said City of Modesto concerning the character and amount of business done, and the amount of receipts and expenses connected therewith, and also the amount expended for new construction repairs and betterments during such year. And the said City of Modesto, by its officers or accountants, authorized by its governing body, shall have the right at all reasonable times to examine all the books, vouchers and records of any person, firm or corporation exercising said franchise for the purpose of verifying any of the statements of gross receipts herein provided for or for any other purpose whatsoever connected with the duties or franchises of said city, or of such person, firm or corporation, arising under any

law of the State of California, or the ordinance granting this franchise, and may audit the same at the end of each year.

2. The grantee, its successors, or assignee, of said franchise shall construct the tracks of said railroad with Tully rails, only, on those portions of the streets and avenues above designated as nearly as possible in conformity with the routes as designated above and with a trestling of uniform breadth blocks on each side of the rails, shall pave, plank or macadamize the entire length of the street used by such track between the rails thereof, for two feet on each side thereof, and between the tracks thereof, and for two feet on each side thereof where sidings or two tracks are laid, and shall keep such tracks and such paving, planking or macadamizing between said tracks and on two feet on each side thereof constantly in repair flush with the street with good crossings, and shall repair, and remacadamize the same, all such paving or repaving, macadamizing or remacadamizing shall be done with the same material as now is or may hereafter be used for such purpose by the City of Modesto and under the supervision and specifications, and in the same manner as upon the streets or portions of streets over which the railway runs or the track or tracks thereof are laid, and shall keep the same constantly in repair, flush with the streets and with good crossings. In event the grantee, its successors or assignee shall fail to keep said tracks and said portions of said streets in repair, as aforesaid, and shall fail to make such repairs within or thereon upon ten days' notice by the said City of Modesto, then the said City of Modesto may make said repairs and the cost thereof shall be a lien against the property of said grantee, its successors or assignee, collectable as may be hereafter by ordinance provided.

Said grantee, its successors or assignee, shall construct necessary flumes and culverts for the free passage of surface water under the tracks of said railway, and all such

culverts and flumes shall be constructed in accordance with the plans and specifications approved by the governing body of the City of Modesto.

Said grantee and its successors or assigns, while operating cars over any railway track or tracks as in said franchise provided shall sprinkle the surface of each street occupied or used by said track or tracks between the rails and for two feet on each side thereof, and between the tracks if there be more than one track, in such manner as at all times when cars are being operated over such track or tracks effectually to keep the dust laid on that part of the surface of such street lying between said rails and within two feet on each side thereof, and between said tracks. The sprinkling herein prescribed shall be done with water and at such times during the day or night as directed and prescribed by the authorities having charge of street sprinkling, provided, that said grantee may with the written permission and under the direction of such authorities use oil for sprinkling the whole or any portion of the track or tracks of said space between said tracks and on each side thereof.

Passenger cars shall be run over said railroad carrying passengers between Modesto and Stockton at least every three hours between the hours of seven o'clock in the morning and nine o'clock in the evening, except when prevented from so doing by riot, strike or by the elements, or any other unavoidable cause, and may be run as much oftener as may be desired by said grantee and its assigns at any time during the twenty-four hours of every day. Express cars may be run as often as necessary to properly accommodate traffic, and shall be in general appearance like the passenger cars, except that they shall be without side windows. Freight cars such as now be run on steam railroads for transportation of freight may be run over and along Elm and Eighth Streets herein above designated, at any time of the day or night, but it is expressly stipulated that no freight cars as above described shall be run over any other part of the right of way herein proposed to

be granted, and shall not stop longer than ten minutes in any one block.

The grantee of said franchise, its successors or assigns, shall be subject to the right of the said City of Modesto to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accomodation of the public, including, among other things, the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise, and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accomodations for the people and insure their comfort and convenience.

3. The grantee of said franchise shall be subject to the right of the said City of Modesto to prescribe and regulate the fares, rates, rentals or charges made for the service rendered under such franchise; and the grantee of said franchise, its successors or assigns, shall at all times permit all United States mail carriers, all police officers and firemen, at all times, while engaged in the actual discharge of duty, to ride on the cars of said grantee, its successors or assigns without paying any sum of money whatever for fare or otherwise, and with all the rights of other passengers.

4. The grantee of said franchise, its successors or assigns, whenever its tracks shall run over or across the sewer of the City of Modesto, shall at its own expense and risk support its tracks while excavations are being made, to make necessary repairs or improvements upon such sewer.

5. The works to construct the railway hereby authorized shall be commenced in good faith within not more than four months from the granting of said franchise, and shall be prosecuted diligently to completion, and said work shall be completed and in operation within not more than one year and eight months.

thereafter.

6. The franchise herein proposed to be granted shall not be an exclusive franchise, but the said City of Modesto reserves the right to grant any other franchise or franchises for the same or a similar purpose along the same streets or any portion thereof, and the said grantee of this franchise, its successors in interest and assigns, shall permit any interurban or street railway company not using steam engines or horses or mules as drawing or propelling power, and which may hold a franchise from the City of Modesto, permitting it to use such tracks, to use the tracks and appliances of said grantee, its successors in interest and assigns, such as may be laid in operation on Elm and Eighth and J Streets, as herein above described upon first obtaining permission therefor from the Board of Trustees of the City of Modesto, and upon payment to the holder of this franchise of a proper proportion of the cost of construction of the tracks and appurtenances to be used by such railways jointly, and upon the entering into of an agreement between the holder of this franchise and such interurban street railway company to pay a proper proportion of the cost of construction of the tracks used by such railways jointly, and upon the entering into of an agreement between the holder of this franchise and such interurban or street railway company to pay a proper proportion of the cost of maintenance of such tracks and appliances, and also an agreement providing for the time and manner of operating cars thereon, so as to reduce the liability of accidents to a minimum and said grantee, its successors in interest and assigns shall also permit the crossing of its tracks wherever laid within the City of Modesto to be made by other railroads upon proper notice of the desire of other railroad companies to cross such tracks and upon the entering into of an agreement for the cost of making such crossings and the time and manner of passing the same.

In event of inability to arrive at an

agreement within a reasonable time as to the terms and conditions of the using and crossing of tracks by other railroads, such failure to agree shall not bind any railroad or proposing to cross such tracks to await a longer time, but any such railroad corporation desiring to cross such tracks may proceed to do so as provided by the terms and provisions of §65, subdivisions 6, of the Civil Code of California, and in the event of inability to agree upon the terms and conditions for the use of such tracks for transportation purposes within a reasonable time after application is made for such use by such other railway company of the character as hereinabove described, then the railway company so desiring to use such tracks for transportation shall pay immediately to the grantee of this franchise, its successors in interest and assigns, in cash, gold coin of the United States one-half ( $\frac{1}{2}$ ) of the actual cost of the construction of track and road bed and of the appliances which may be used, belonging to said grantee herein and shall also obtain consent of the Trustees of said City of Modesto to use said portion of the track as above set forth, in conjunction with the grantee of this franchise, its successors in interest and assigns, and upon the entering into of an agreement providing for the payment of one-half ( $\frac{1}{2}$ ) of the cost of maintenance of said tracks and appliances, to said grantee, its successors in interest and assigns, and upon procuring written permission of the Board of Trustees for the use of said track or tracks, in which permission shall be stipulated the time or times and manner of operating its cars upon the tracks of the grantee, as well as allow the grantee of this franchise, its successors in interest and assigns, at least equal privilege and use of said track with said other company, then upon the above requirements, being duly had and made, such other railroad company shall thereupon be allowed the use of such tracks for transportation purposes upon the terms and conditions as may be fixed and determined by the Board of Trustees of the City of Modesto, under the provisions and conditions hereinabove in this section contained.

Section 5. This franchise shall take effect and be in force from and after its passage, approval and publication once in the Modesto Evening News, a newspaper of general circulation published in <sup>the</sup> said City of Modesto, and upon compliance by said grantee of each and all the terms and conditions of sale as set forth in the notice of the sale of said franchise heretofore given in pursuance of the resolution of this Board, dated January 18th, 1911.

Introduced March 1st, A. D. 1911, by Trustee J. D. Ross

Passed this 15th day of March, A. D. 1911, by the following vote:

Ayes. C. A. Post, John Harrison, and J. D. Ross.

Noes. None

Absent. S. W. Coffey and W. S. Mann.

C. A. Post,

President of the Board of Trustees of  
the City of Modesto

Attest:

W. O. Thompson

clerk of the city of Modesto, California.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance no. 307 and that the same has been published according to law.

Walter O. Thompson  
City Clerk

## Ordinance No. 308

An Ordinance Granting To The Standard Oil Company, a Corporation, permission to locate, erect, operate and maintain any warehouse, tankage or both, on that certain piece or parcel of land located in the City of Modesto, lying South of "B" Street and East of the Railroad Right-of-Way, adjoining the land of Arratta and Podesta, at the extreme Southern Boundary of the City of Modesto, for the storage of Petroleum and its Products.

The Board of Trustees of the City of Modesto do ordain as follows, to-wit,

Section 1. The Standard Oil Company, a corporation, having asked permission to locate, erect, operate and maintain a warehouse, tankage, or both, on that piece or parcel of land located in the City of Modesto, lying south of "B" Street and east of the railroad right-of-way adjoining the land of Arratta and Podesta, at the extreme southern boundary of the City of Modesto, for the storage of petroleum and its products, and the same having been considered by the City Trustees it is hereby ordained, and permission is hereby given and granted to the Standard Oil Company, a corporation, permission to locate, erect, operate and maintain a warehouse, tankage or both, upon that piece or parcel of land, located in the City of Modesto, lying south of B street and east of the railroad right-of-way adjoining the land of Arratta and Podesta, at the extreme southern boundary of the City of Modesto, for the storage of petroleum and its products. The petroleum and its products must be kept in closed metal tanks, and the buildings must be roofed and sided with metal.

Provided, however, that the permission herein given is subject to the right of the Board of Trustees of said City to pass and enforce such reasonable ordinances and regulations as may be necessary to protect the health and safety of the people of the City of Modesto.

Section 2. This ordinance shall be published in the Modesto Morning Herald, a paper published and printed in the said City of Modesto, and also

take effect and be in force from and after its passage.

Introduced this 15th day of March, 1911.

Passed and adopted as an ordinance of the City of Modesto by the Board of Trustees of the said city, at a regular meeting of said Board held on the 22d day of March, 1911 by the following votes:

Ayes, and in favor of the passage of said Ordinance: - C. A. Post, S. W. Coffey, John Harrison, W. E. Mann and J. D. Ross

Noes, and against the passage of said ordinance: - none

Absent: - none.

C. A. Post

President of the Board of Trustees of the City of Modesto,  
California

W. E. Thompson.

Clerk of the City of Modesto, California.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 308 and that the same has been published according to law.

Walter O. Thompson  
City Clerk

## Ordinance No. 309.

An Ordinance granting to The Standard Oil Company, a corporation, permission to cross "B" Street with a spur track at the South Limit of the City, said spur track crossing the said street in the railroad right-of-way, so that track facilities can reach that piece or parcel of land located in the City of Modesto, situated as follows to-wit: lying lying South of "B" Street and East of the railroad right-of-way adjoining the land of Arratta and Podesta, at the extreme Southern Boundary of the City of Modesto, map attached.

The Board of Trustees of the City of Modesto do ordain as follows:

Section 1. The Standard Oil Company, a corporation, having asked permission to cross "B" Street with a spur track so that track facilities can reach that piece of land located in the City of Modesto, situated as follows, to-wit: lying south of "B" Street and east of the railroad right-of-way adjoining the land of Arratta and Podesta at the extreme southern boundary of the City of Modesto, maps attached, and the same having been considered by the City Trustees it is hereby ordained and license is hereby given and granted to the Standard Oil Company, a corporation to cross "B" Street with a spur track, so that track facilities can reach that piece or parcel of land located in the City of Modesto, situated as follows, to-wit: lying south of "B" Street and east of the railroad right-of-way, adjoining the land of Arratta and Podesta at the extreme southern boundary of the City of Modesto, map attached.

Provided, however, that said spur track shall cross said "B" Street on the special grade of the said City of Modesto, and in such a manner as not to interfere with traffic on said "B" Street.

Section 2. This Ordinance shall be published in the "Modesto Morning Herald", a paper published and printed in the said City of Modesto, and shall take effect and be in force from and after

its passage.

Introduced this 15th day of March, 1911.

Passed and adopted as an Ordinance of the City of Modesto by the Board of Trustees of the said City, at a regular meeting of said Board held on the 22nd day of March, 1911, by the following votes:

Aye, and in favor of the passage of said ordinance. - C. A. Post, S. W. Coffey, John Harrison, W. S. Mann and J. D. Ross.

Noe, and against the passage of said ordinance. - None.

Absent. - None.

C. A. Post

President of the Board of Trustees of the City of Modesto, California

W. O. Thompson

Clerk of the City of Modesto, California

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 329 and that the same has been published according to law.

Walter O. Thompson  
City Clerk

## Ordinance No 310.

An Ordinance granting to The Tide Water, and Southern Railroad Company, a corporation, its successors in interest and assigns, for the term and period of forty-three years, from the 7th day of February, 1911, the franchise, right, privilege and permission to construct, lay down, maintain and operate for itself, its successors in interest and assigns, a single or double track railroad tracks of standard gauge, to be a part of, and connect with, what is known as an interurban railroad, to be constructed by said corporation between the City of Stockton, in the County of San Joaquin, State of California, and the Town of Turlock, in the County of Stanislaus, State of California; and the right, privilege and permission to pass with, and operate, and run cars thereon, propelled and operated by electricity, gasoline, or any other lawful motive power, except steam, horse and mule, with all the necessary poles, and overhead, and bond, wires, and other electrical or mechanical appliances, (except what are generally known as and called "The Third Rail System, or Under-Ground System") switches, side-tracks, spur-tracks, and equipments for the same (as hereinafter specified), and the right, privilege and permission to excavate and remove such portions of the streets, alleys, and other places in said City of Modesto, County of Stanislaus, State of California, to be occupied by any of its tracks, and poles, as may be necessary to properly construct said railroad, and to erect needful apparatus and other appliances, to properly and fully equip its said railroad, over, along, upon and across, the streets, portions of streets, alleys and other places in the City of Modesto, County of Stanislaus, State of California, and the center line of which said railroad track, or tracks, is particularly described as follows, to-wit:

Commencing at the intersection of the north line of the City of Modesto, with the center line of Tungsten Avenue, thence South

in the center of Virginia Avenue, to a point One Hundred (100) feet North of the North line of Reedham Street, thence curving to the right, crossing Reedham Street and Twelfth Street, to the center of "N" Street, near the Westerly line of Twelfth Street, thence along the center of "N" Street, to a point about One Hundred and Forty (140) feet Easterly from the Easterly line of Ninth Street, thence curving to the left to the center of Ninth Street, about One Hundred and Forty (140) feet Southerly from the Southerly line of "N" Street, thence along the center line of Ninth Street to the Southerly end of Ninth Street, thence across private property to the Southerly line of the City of Modesto, at the Tuolumne River;

And prescribing the terms and conditions upon which said franchise is granted, and upon which it shall be held and operated.

Whereas, All matters, acts and things precedent to the granting of the franchise and grant hereinafter set forth, have heretofore happened, been done and performed, in due form of law,

now, Therefore, Be It Ordained by the Board of Trustees of the City of Modesto, County of Stanislaus, State of California, as follows:

#### Section 1

The City of Modesto hereby grants to The Tide Water and Southern Railroad Company, a Corporation duly organized, incorporated and existing under and by virtue of the laws of the State of California, and having its office and principal place of business in the City of Stockton, County of San Joaquin, State of California, its successors and assigns, for the term and period of forty three (43) years, from and after the 7th day of February, nineteen hundred and eleven (1911), but subject nevertheless to all the terms and conditions hereinafter made and expressed, the franchise, right, privilege and permission to construct, lay down, maintain and operate for itself, its successors, assigns and assigns, a single or double track railroad track of standard gauge to be a part of, and connect with, what is known as an Interurban railroad, to be constructed by said

Corporation between the City of Stockton, in the County of San Joaquin, State of California, and the Town of Turlock, in the County of Stanislaus, State of California, and the right, privilege and permission to pass, work, and operate, and run cars thereon, propelled and operated by electricity, gasoline, or any other lawful motive power, except steam, horses and mules, with all the necessary poles and overhead, and Bond, wires, and other electrical or mechanical appliances, (except what are generally known as and called the "Third Rail System", or "Under-Ground System"), switches, side-tracks, spur-tracks, and equipments for the same, as hereinafter specified, and the right, privilege and permission to excavate and remove such portions of the streets, alleys and other places in said City of Modesto, to be occupied by any of the tracks and poles, as may be necessary to properly construct said railroad, and to erect needful apparatus, and other appliances, to properly and fully equip its said railroad, over, along, upon and across the streets, portions of streets, alleys, and other places in the City of Modesto, County of Stanislaus, State of California, and the center line of which said railroad track or tracks, is particularly described as follows, to-wit:

Commencing at the intersection of the north line of the City of Modesto, with the center line of Virginia Avenue, thence South in the center of Virginia Avenue, to a point One Hundred (100) feet north of the North line of Redham Street, thence curving to the right, crossing Redham Street and Twelfth Street, to the center of "H" Street near the westerly line of Twelfth Street, thence along the center of "H" Street, to a point about One Hundred and Forty (140) feet Easterly from the Easterly line of Ninth Street, thence curving to the left to the center of Ninth Street, about One Hundred and Forty (140) feet Southerly from the Southerly line of "H" Street, thence along the center line of Ninth Street to the Southerly end of Ninth Street, thence across private property to the Southerly line of the City of Modesto at its Eastern limit.

## Section 2

The franchise, grants, privileges and permissions herein given are made and given upon the following express conditions, as well as upon the conditions and terms set forth in sections 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14 and 15, of this Ordinance, whether hereafter expressly designated as conditions or not, all of said conditions to be strictly complied with by said grantee, its successors in interest and assigns, on penalty of forfeiture of said franchise, grants, privileges and permissions for a flagrant or repeated violation of each, any or all thereof.

(1) That the said grantee, its successors in interest and assigns, shall construct the tracks of said railroad on those portions of the streets, alleys and other places in said City of Modesto herein designated, as nearly as possible in conformity with the routes as designated herein.

(2) That the tracks must not be more than five feet wide within the rails, and, where there are two tracks, must have a space between them sufficient to allow cars to pass each other freely.

(3) That the rails shall be of a weight of not less than sixty pounds to the yard; that on Ninth Street between "I" and "L" streets, the rails shall be of the style of rail commonly known as and called the "Tulley" rail, and on other portions of the aforesaid streets of said City, rails of the style commonly known as "T" rails may be used, provided, however, that whenever the streets, or portions of streets, of the said City of Modesto, upon which said "T" rails are placed shall be paved with asphalt, or any other standard pavement (except macadam), the said grantee shall remove said "T" rails and replace them with "Tulley" rails, as the said paving is being done, upon the said City of Modesto, through its governing body, giving said grantee, its successors in interest and assigns, reasonable notice of its intention to pave any of said streets, or portions of streets, as aforesaid.

(4) That said grantee, its successors in interest and assigns, shall, at all times during the continuance of the franchise aforesaid, permit and allow mail carriers, the City Marshal and his deputies, while engaged in the actual discharge of their respective duties and when the City of Modesto shall have police officers, that it will permit and allow said police officers while engaged in the actual discharge of their duties, and the regular fire department of the said City of Modesto, while engaged in the actual discharge of their duties, to ride on the cars of said railroad, within the limits of the said City of Modesto, without paying any sum whatsoever for fare, or otherwise.

### Section 3.

That the said grantee, its successors in interest and assigns, shall, at its own cost and expense, pave or repave, macadamize, or remacadamize, grade or regrade, the entire length of the streets used by its tracks, between the rails thereof, and between the tracks where side-tracks, spurs, switches, or two tracks are laid, and for a width extending two feet on each side of each track, with the same material as may be used for such purposes by the City of Modesto, and under the same supervision and specifications, and in the same manner as upon the streets, or portions of streets over which said railroad runs, or the tracks thereof are laid, and shall keep the same constantly in repair, and flush with the streets, and with good crossings, and where the streets within the limits of the City of Modesto are paved with Asphalt, a coating of Basalt Blocks shall be laid on each side of the rails, and said grantee, its successors and assigns, shall construct and maintain the tracks and road bed hereinbefore mentioned upon said streets, to the official grade thereof, when required so to do by said Board of Trustees, and if not so requested, then the grade approved by said grantee shall be subject to the approval of said

of said Board of Trustees.

#### Section 4.

Said grantee, its successors and assigns, shall construct the necessary flumes and culverts for the free passage of surface water under the tracks of said railroad, where requested, and all such culverts and flumes shall be constructed in accordance with the plans and specifications approved by the City Engineer of the City of Modesto.

#### Section 5

Said grantee and its successors in interest and assigns, while operating cars over any railroad track, or tracks, as in this Ordinance provided, shall sprinkle the surface of each street occupied or used by said track, or tracks, between the rails, and for two feet on each side thereof, and between the tracks if there be more than one track, in such manner as at all times when cars are being operated over such track, or tracks, will be effectual to keep the dust laid on that part of the surface of such street, lying between said tracks and within two feet on each side thereof, and between said tracks. The sprinkling herein prescribed shall be done with water, and at such times during the day or night as directed by the City authorities having charge thereof, provided, however that said grantee may, with the written permission of, and under the direction of, such authorities, use oil for sprinkling the whole, or any portion of the said track, or tracks, or said space between said tracks, and on each side thereof.

#### Section 6

That said railroad shall not be conducted as a street railroad, but as a commercial railroad, stopping to take freight and passengers only at a certain stations or fixed points, both within and without the City of Modesto, that it shall collect no fares, neither shall it carry any passengers except the United States mail carriers, marshal and his deputies, firemen, and policemen, as heretofore specified, within the limits of the City of Modesto and it shall run upon schedule time, or as

nearly thereto as possible, and shall conduct a passenger and freight traffic of the same character as that conducted by ordinary steam or commercial roads, except that there may be a difference in the quantity of freight transported, said railroad to be conducted in the manner herein prescribed, and according to the conditions herein contained and imposed.

#### Section 7

That said grantee, its successors and assigns, shall not place any siding, spur-track, or switches on Ninth Street between F and L Streets, except that, if a single track railroad only be constructed, a passing track may be constructed on Ninth Street between the north line of H Street and the South line of J Street, which said passing track shall be used only for passenger trains.

That Ninth Street shall not be used for switching or yard purposes, that no sidings, spur tracks, "Y's" or switches shall be placed on any portion of Ninth Street (except as hereinbefore provided), Virginia Avenue or N Street in said City, without first obtaining permission from the governing body of said City and for that said grantee, its successors and assigns, shall not permit, nor suffer, nor allow, any freight or express cars to be side-tracked or to stop on said Virginia Avenue or N Street or Ninth Street for more than five minutes in any one block.

#### Section 8

The grantee of this franchise, its successors and assigns, shall be subject to the right of said City of Modesto to make and enforce all Ordinances and regulations which shall be reasonably necessary to secure the safety, welfare, and reasonable accommodation of the public, including among other things, the right to pass and enforce Ordinances to protect the public from damage or danger in the operation of any work or business authorized by the grant of this franchise.

#### Section 9

Whenever the grantee of this franchise, its

successors or assigns, shall cut into or displace any of the streets, or other places, or portions thereof, in said City of Modesto, herebefore named, for the purpose of constructing its said railroad, or for the purpose of making any repairs thereto, or the equipments thereof, it shall restore, all such streets, and other places, and portions thereof, to their former condition, and said grantee shall not tear up more than two blocks on the line of the said road, in said City, at any one time, and any such two blocks shall not remain torn up for a <sup>longer</sup> period than thirty days. And whenever its tracks shall run over, or across, the sewer of the City of Modesto, whether now laid, or to be hereafter laid, said grantee, its successors and assigns, shall at its own expense and risk, support its tracks while excavations are being made, to make the repairs necessary to, or the improvements upon any such sewer, or sewers.

#### Section 10

All privileges, permissions and <sup>required</sup> rights by said grantee, its successors or assigns, for the construction and maintenance of said line of railroad and adjuncts through private property, upon the proposed line of said railroad, are to be secured by said grantee, its successors or assigns, from the owners or owners of such private property.

#### Section 11

Said grantee, its successors and assigns, shall, within ten days after the final passage and approval of this Ordinance, file a bond running to the City of Modesto, with at least two good and sufficient sureties, or a surety company, to be approved by the Board of Trustees of the City of Modesto, in the penal sum of Two Thousand (\$2,000.00) Dollars, which said bond shall be for the term of two years, and at least sixty (60) days prior to the expiration of said bond, said grantee, its successors or assigns, shall file a new, but the same kind of a bond, in the penal sum of One Thousand (\$1,000.00) Dollars, for the period of one year, to take effect at the expiration of the preceding bond, and each year thereafter, during the remaining life or

term of this franchise, the said grantee, its successors and assigns, shall file the same kind of a bond, running to the said City of Modesto, in the penal sum of Five Thousand Dollars, and subject to the approval of the governing body of said City of Modesto. Each of said bonds shall be filed at least sixty (60) days preceding the expiration of the next preceding bond, and shall take effect upon the expiration of the preceding bond. Each of said bonds shall be conditioned that the grantee of this franchise its successors and assigns, shall well and truly observe, fulfill and perform each and every term and condition of sections three (3), four (4), five (5), nine (9), and fourteen (14) of this Ordinance (provided, however, that when the said railroad shall have been completed within the limits of the said City of Modesto, as provided in section fourteen (14) of this Ordinance, the bonds given thereafter need not be conditioned for the performance of the terms of said section fourteen), and that in case of any breach of condition of such bond, or bonds, as to section 14 of this Ordinance, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages, and shall be recoverable from the principal and securities upon said bond, and as to all other sections of this Ordinance, only actual damages shall be recoverable.

#### Section 12

All freight and express matter shall be hauled and transported in closed single cars having the same general appearance as passenger cars, but omitting the windows on the sides and ends thereof, and said cars shall be painted the same general color as the passenger cars, and shall have a generally neat appearance, save and except, however, that between the hours of 10:30 P. M. and 6 A. M., freight matter may be transported in cars such as may generally be used upon steam railroads for the transportation of freight, and save and except, further, that during any hour of the day or night perishable freight only may be transported in such freight cars.

as may be used by steam railroads for the transportation of freight, in trains of not more than five cars.

Section 13.

This franchise shall not be an exclusive franchise, but the City of Modesto reserves the right to grant other franchises or privileges to other interurban railway companies or street railway companies along the same streets or any portion thereof; and the said grantee of this franchise, its successors and assigns, expressly agree, as one of the conditions upon which this franchise, right, privilege and permission is given, that it will and shall permit such other interurban railway company or <sup>or street railway companies</sup> companies, not using steam engines or horses or mules as a drawing or propelling power, and which may hold a franchise or franchises from the City of Modesto permitting it or them to use such streets or tracks to use the same streets or any portion thereof, and the tracks or appliances of the grantee of this franchise, its successors and assigns, such as may be laid and in operation on Virginia Avenue, N Street and Ninth Street (hereinafter described or on such street or streets as may be described in said subsequent franchise or franchises) upon first obtaining permission therefor from the Governing Body of the City of Modesto, and upon payment to the then holder of this franchise of an equal proportion of the cost of construction of such portion of the tracks and appliances of this grantee, its successors in interest, and assigns, as may be used by this grantee, its successors in interest and assigns, and said other interurban railway companies or street railway companies or street railway companies jointly, and upon the further conditions that if the then holder of this franchise shall have constructed only a single track, running in the center, as near as may be, of the streets above named, at said time, then the aforesaid interurban railway company or companies or street railway company or companies, desiring to use said streets, tracks and appliances, or any portion thereof, shall pay to the then holder of this franchise the cost of removing said track from the center of

the street to the appropriate distance on one side thereof, in addition to the equal proportion of the cost of the construction of the double tracks and appliances to be used by the aforesaid interurban railway company or companies or street railway company or companies and the then holder of this franchise, jointly, and the entering into of an agreement and the giving to the then holder of this franchise, by the holder or holders of the aforesaid subsequent franchise or franchises of a bond in the penal sum of ten thousand dollars, with two sureties to be approved by the then holder of this franchise, or with a surety company to be approved by the majority of the banks of the said City of Modesto, (which said bond shall be for the term of two years, and at least sixty days prior to the expiration of said bond, said then holder or holder of the aforesaid subsequent franchise or franchises, its or their successors and assigns, shall execute a new but the same kind of a bond, in the same amount, for the period of five years, to take effect at the expiration of the preceding bond, and each year thereafter during the remaining life or term of the aforesaid agreement or agreements, the then holder or holder of the aforesaid subsequent franchise, its or their successors and assigns, shall execute the same kind of a bond, in the same amount, and subject to the same approval, as named in the aforesaid first bond. Each of said bonds, by each of said subsequent companies shall be delivered at least sixty days preceding the expiration of the next preceding bond, and shall take effect upon the expiration of the preceding bond) to pay its or their equal proportion of the cost of maintenance of the tracks and appliances, to be used jointly, as aforesaid, and thereupon the holder or holders of the aforesaid subsequent franchise or franchises shall have the right to use said tracks and appliances jointly with the grantee of the franchise, provided that no provisions of this ordinance shall be voided by the consolidation of any companies hereafter existing, to which

such subsequent franchise or franchises may be granted. Provided further that any franchisee, rights, privileges or permissions that may be hereafter granted to the aforesaid other interurban railway companies shall not grant any greater rights or privileges than are granted to this grantee by this ordinance without granting the same rights or privileges to this grantee, its successors or assigns.

#### Section 14.

Actual construction of the railroad herein authorized, shall be commenced in good faith within six months from the granting of this franchise, said work shall be prosecuted diligently to completion, and the said railroad shall be completed from the northerly limits of the said City of Modesto to "B" Street in said City of Modesto, within twenty months after the granting of this franchise. Provided, however, that notwithstanding that the grantee of this franchise is by this Ordinance given the privilege and permission to construct a double track railroad track through said City on the route herein proposed, the construction of a single track railroad within said time limit in accordance with the terms of this Ordinance shall be considered as compliance herewith; and provided, further, that the said grantee, its successors and assigns, does not, by the construction of a single track railway only, waive its right to construct a double track railroad at any time thereafter within the life of this franchise in accordance with the provisions hereof.

#### Section 15.

The said grantee, its successors and assigns, shall build and construct said railroad from the City of Stockton, in San Joaquin County, California, to the northerly limits of the said City of Modesto, and shall have the same in practical, and not merely colorable operation, within five years from and after the date of the passage and approval of this franchise.

#### Section 16

This Ordinance shall take effect and be in

force from and after its passage and approval and the filing by said grantee, its successors or assigns, of the bond specified in section 11 of this Ordinance.

This is to certify that Ordinance No. 310 was passed to print by the Board of Trustees of the City of Modesto, on the 17th day of May, 1911, by the following vote:

Ayes - Trustees C. A. Post, John Harrison, E. W. Coffee, W. B. Mann and J. D. Ross.

Noes - Trustees none

Absent - Trustees none.

C. A. Post

President of the Board of Trustees of the City of Modesto

Attest: W. B. Thompson

City Clerk of the City of Modesto

This is to certify that on the 19th day of May, 1911, I caused Ordinance No. 310 with Ayes and Noes, to be published in the Modesto Evening News, a daily newspaper of general circulation published, printed and circulated in the City of Modesto, California, and said Ordinance was so published for at least one time on the 19th day of May, 1911, as provided for by the statutes of the State of California, in such cases made and provided.

Dated, Modesto, California, May 19th, 1911

City Clerk of City of Modesto

This is to certify that Ordinance No. 310 was finally passed (after due publication thereof) by the Board of Trustees of the City of Modesto, County of Stanislaus, State of California, on the 7th day of June 1911, by the following vote:

Ayes: - Trustees: C. A. Post, E. W. Coffee, John Harrison and W. B. Mann.

Noes: - Trustees none

Absent: - Trustee J. D. Ross

Modesto, California, 7th day of June, 1911.

C. A. Post

President of the Board of Trustees of the City of Modesto, County of Stanislaus, State of California.

attest:

W. O. Thompson  
City Clerk of the City of Modesto.

This is to certify that Ordinance No. 310 of the Board of Trustees of the City of Modesto, County of Stanislaus, State of California, is hereby approved by me, this 7th day of June, 1911.

C. A. Post  
President of the Board of Trustees  
of the City of Modesto.

attest: W. O. Thompson  
City Clerk of the City of Modesto.

I, Walter O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 310, and that the same has been published according to law.

Walter O. Thompson  
City Clerk

## Ordinance No. 311.

An Ordinance calling a general municipal election in and for the City of Modesto and a general school election in and for The Modesto City School District, for the election of certain officers, fixing the date therefor, establishing election precincts and polling places, and appointing election officers, and providing generally for holding said election.

Be It Ordained By the Board of Trustees of the City of Modesto;

## Section I.

That under and in pursuance of the charter of the City of Modesto, filed by the Board of Freeholders on July 8<sup>th</sup> 1910, and thereafter approved by the Legislature of the State of California, by Assembly Concurrent Resolution, No. 3, a general municipal election in and for the City of Modesto and a general school election in and for The Modesto City School District, be and the same is hereby called to be held on Tuesday, the 6<sup>th</sup> day of June, 1914, for the purpose of electing the following officers, to wit: One Mayor of the City of Modesto; four Councilmen of the City of Modesto, and five members of the Board of Education of the City of Modesto City School District.

## Section II.

The boundaries of the City of Modesto, for the purpose of holding said general municipal election of Mayor and four Councilmen, and aforesaid, shall be the same as now constituted, and more particularly described in Section 3, of Article II of the aforesaid Charter; and the boundaries of the said The Modesto City School District for the purpose of the said general school election shall be as follows:

Beginning at the northwest corner of section nineteen (19), township three (3) south, range nine (9) east, Mount Diablo Pass and Meridian; thence south one mile; thence west one mile to the northwest corner of section twenty five (25), township three (3) south range nine (9) east; thence south one half mile; thence east one half mile; thence south one half mile; thence east one half mile to the southeast corner of section twenty five (25) aforesaid; thence south one half mile; thence west one half mile; thence, thence quarter (1/4) of a mile to the quarter quarter corner between the northwest one-quarter and the northeast one-quarter of section one (1), township four (4) south, range eight (8) east; thence west one quarter

miles, thence south, to the Tuolumne River; thence in a general easterly direction along the river to the south line of section five (5), township four (4) south, range nine (9) east; thence east two and one half ( $2\frac{1}{2}$ ) miles, more or less, to the quarter corner between sections three (3) and ten (10) township four (4) south, range nine (9) east; thence north to the Tuolumne River; thence easterly along the river to the quarter line north and south in section two (2), township four (4) south, range nine (9); thence north about two and one quarter ( $2\frac{1}{4}$ ) miles to Dry Creek; thence easterly along Dry Creek to the quarter line north and south in section twenty four (24), township three (3) south, range nine (9) east; thence north to the interior quarter corner of section twenty four (24), township three (3) south, range nine (9) east; thence west one and one half ( $1\frac{1}{2}$ ) miles; thence north one quarter ( $\frac{1}{4}$ ) mile; thence west one quarter ( $\frac{1}{4}$ ) of a mile; thence north one quarter ( $\frac{1}{4}$ ) of a mile; thence west one and three quarters ( $1\frac{3}{4}$ ) miles to the northwest corner of section twenty one (21), township three (3) south, range nine (9) east; thence north to Lateral No Three of the Modesto Irrigation District; thence westerly along said Lateral No Three to the line between sections seventeen (17) and eighteen (18), township three (3) south, range nine (9) east; thence west one half ( $\frac{1}{2}$ ) mile; thence south one half ( $\frac{1}{2}$ ) mile; thence west one half ( $\frac{1}{2}$ ) mile to the place of beginning.

#### Section III

For the purpose of holding said election the Board of Trustees of the City of Modesto, by virtue of the authority vested in them by said Charter, hereby establish within the City of Modesto the following election precincts and define the boundaries thereof as follows: North Modesto, South Modesto, West Modesto and East Modesto. The boundaries of said election precincts shall be the same as defined and established for said election precincts by section 1 of Ordinance No. 292, dated March 2, 1910, of the said City of Modesto. The territory included within the Modesto City School District, but outside the corporate limits of the City of Modesto, as aforesaid, is hereby divided into three election precincts, the designation and boundaries of which are hereby defined and established as follows, to wit:

Waverly Precinct

Which shall comprise all the territory within the Modesto City School District hereinbefore

described, and outside of the unincorporated limits of the City of Modesto, which <sup>is</sup> north of Dry Creek and east of the Southern Pacific Railway;

Wage Precinct;

Which shall comprise all the territory within the Modesto City School District heretofore described, and outside of the unincorporated limits of the City of Modesto, which lies north of the Tuolumne River and west of the Southern Pacific Railway.

Tuolumne Precinct;

Which shall comprise all the territory within the Modesto City School District heretofore described, and outside of the unincorporated limits of the City of Modesto, which lies south of the Tuolumne River and also that territory within said School District which lies between the Tuolumne River and Dry Creek;

#### Section IV

For the purpose of holding said election, the Board of Trustees of the City of Modesto hereby designate the following polling places:

West Modesto Precinct;

Voting Booth, Corner of Sixth and D Streets.

East Modesto Precinct;

Voting Booth, Corner of Fourteenth and D Streets.

South Modesto Precinct.

City Hall.

North Modesto Precinct.

Mule Carriage Repository, Corner of Ninth and D Streets.

Weninger Precinct.

The old J. J. Mahan place on the W. Henry Road.

Wage Precinct;

The Wage Ranch on the Wage Road.

Tuolumne Precinct;

The shed at the forks of the road immediately south of the Tuolumne Bridge.

#### Section V

The officers holding said election shall consist of two inspectors, two judges and two clerks in each of the election precincts named in Section II of this ordinance and the following persons are hereby appointed and named as such officers for each precinct to-wit:

## West Modesto Precinct:

J. A. F. Lawrence, and J. D. Bentley. Inspectors  
 W. H. M. Lumber and D. P. Howell Judges  
 W. H. Gottle and J. M. Turpin - Clerks.

## East Modesto Precinct:

Chas. Parley and W. H. Thompson Inspectors  
 J. Murot and L. W. Ardway Judges  
 W. J. Loom and F. L. Kucarner - Clerks

## North Modesto Precinct:

Wm. Jackson and F. H. Gander Inspectors  
 L. B. Wallhall and O. L. Wakefield Judges  
 W. M. Brugge and J. H. Corly Clerks.

## South Modesto Precinct:

W. W. Abel and J. E. Van Aken - Inspectors  
 A. L. Holtham and G. E. Drake - Judges  
 Henry Weyer and Geo. G. Kempell - Clerks

## Maze Precinct:

C. R. D. M. Town and R. E. Gilman Inspectors  
 J. V. Howell and C. O. Marriott - Judge  
 Tom Davis and J. J. Carmichael - Clerks

## Muenzinger Precinct:

W. A. Muenzinger and W. F. Duffey Inspectors  
 Dan Grundy and A. D. Coolidge Judges  
 J. H. Dierl and J. H. Riemenschneider Clerks

## Tadlow Precinct:

John Groher and Tom Davis Inspectors  
 W. W. Taylor and J. T. Hess Judges  
 J. B. King and Lincoln Colbott Clerks.

The duties of the said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the members appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The compensation of the officers of said election shall be the sum of three dollars (\$3.00) per day, and the same upon proper demand being made shall be payable out of the General Fund of the City of Modesto.

## Section 4.

The ballots to be used at said election shall be furnished by the City Clerk, as provided for in the aforesaid Charter. The ballots shall be of the kind designated in the said

Charter. All ballots to be voted within the incorporated limits of the City of Modesto shall provide for the voting for Mayor, four Councilmen of the City of Modesto and five members of the Board of Education of the Modesto City School District. All ballots for use outside of the incorporated limits of the City of Modesto, in the said The Modesto City School District shall provide only for the voting for five members of the Board of Education of the Modesto City School District. The ballots for use within the incorporated limits of the City of Modesto shall be headed: "General Municipal and School Election, City of Modesto, and The Modesto City School District, June 6<sup>th</sup>, 1911." The ballots for use outside the incorporated limits of the City of Modesto and within said The Modesto City School District shall be headed "General School Election, The Modesto City School District, June 6, 1911."

Section VIII.

At least ten days before the date set for the holding of said election, the City Clerk shall cause to be published a Proclamation Calling Said Election. Said Proclamation shall contain a certified list of the names and the offices to be filled, and setting forth that the same are for full term, and shall be signed by the Mayor and City Clerk. Said proclamation shall be published for at least ten successive days before the election in the Modesto Morning Herald, a daily newspaper of general circulation in the said city of Modesto and the Modesto City School District. Said proclamation shall conform in all respects to Section XI of Article III of the aforesaid Charter.

Section VIII.

The Board of Trustees of said City of Modesto shall meet at the Council Chamber in the City Hall in said City at 10 o'clock in the forenoon of Thursday, the 1<sup>st</sup> day of June, 1911, to canvass the returns of said election and declare the result thereof.

Section IX.

If a second election shall be necessary under the provisions of the aforesaid Charter, the same shall be held on Tuesday, the 20<sup>th</sup> day of June, 1911, and the provisions of this Ordinance and of the aforesaid Charter shall govern the holding of the same, except that the Board of Trustees shall meet at the Council Chamber at the City Hall at 10 o'clock in the forenoon of the Thursday

following to canvass the returns of the election and declare the result thereof.

Section I.

All ordinances or parts of ordinances of the City of Modesto in conflict with the terms hereof are hereby repealed.

Section II.

This ordinance shall take effect and be in force from and after its passage, publication once in the Modesto Morning Herald, which publication is hereby ordered, and its approval by the President of the Board of Trustees of the City of Modesto.

Introduced May 15<sup>th</sup>, 1911 by Trustee S. H. Coffey

Passed May 22<sup>nd</sup>, 1911 by the following vote:

Ayes: C. A. Post, S. H. Coffey, John Harrison, W. S. Mann, and J. D. Ross.

Nays: None.

Absent: None.

Approved: C. A. Post,

President of the Board of Trustees  
of the City of Modesto.

Attest:

W. O. Thompson,

City Clerk.

Approved this 22<sup>nd</sup> day of May, 1911.

C. A. Post

President of the Board of Trustees  
of the City of Modesto.

Ordinance No. 312

An Ordinance Requiring a license for the Driving of Loose Stock Through the Streets of the City of Modesto, Fixing the Rate of Such License and Providing for its Collection; To Prevent Stock from Injuring and Destroying Shade and Ornamental Trees along the Streets of the Said City of Modesto, and Providing Penalties for the Violation of the Terms of this Ordinance, and Repealing Ordinance No. 251.

Be It Enacted, By the Board of Trustees of the City of Modesto: -

Section I.

It shall be unlawful for any person, firm, or corporation, or any employe of any person, firm or corporation, to drive or conduct any loose stock in bands, flocks or herds, of more than twenty-five at any one time, in transit through the City of Modesto, on, over, across, or through, any of the public streets, alleys, ways, or places of said City of Modesto, without first procuring from the City Marshall of said City of Modesto a permit or license therefor, as hereinafter stated.

Section II.

Before any such license or permit shall be issued, it shall be the duty of the person, firm or corporation, or the employe of the person, firm or corporation during the same to make application therefor to the City Marshal of Modesto; which said application shall contain a statement of the number of such stock which it is desired to drive or conduct through said streets or any thereof, together with a statement or description of the public streets, alleys, ways or places through which it is desired to conduct, lead or drive the same; and said application shall also be accompanied by the amount of the license fee as hereinafter stated.

Section III.

The license fee to be paid for such loose stock conducted or driven through said City of Modesto as aforesaid, shall be as follows: For sheep, two and one half (2 1/2) cents per head; cattle two and one half (2 1/2) cents per head; horses or mules, two and one half (2 1/2) cents per head; hogs two and one half (2 1/2) cents per head.

Section IV.

Upon making application as provided in section

sections two and three of this ordinance, it shall be the duty of the City Marshal to issue the licence or permit specified in section one of this ordinance. It shall further be the duty of the City Marshal to cover all amounts received from the issuance of such licences into the City Treasury at the same time and in the same manner as other licence fees collected by him.

Section V.

It shall be unlawful for any person, firm or corporation, or any employee of any person, firm or corporation, to allow or permit any loose stock in their custody, control or possession, while leading, driving or conducting the same along any public street, alley, way or place, within the limits of the City of Modesto, to injure or destroy any shade or ornamental trees planted on any of such streets, alleys, ways or places, or in any public place adjacent thereto.

Section VI.

Any person or corporation violating any of the provisions of section one or section five of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the City Jail not exceeding three months, or by both such fine and imprisonment.

Section VII.

Ordinance No. 251 of the City of Modesto, relating to the driving of loose stock through certain streets of the City of Modesto is hereby repealed.

Section VIII.

This ordinance shall take effect and be in force from and after its passage, approval, and publication, once, in the Modesto News, which publication is hereby ordered.

Introduced June 24, 1911 by Trustee W. S. Mann

Passed June 24th 1911 by the following vote:

Ayes: J. H. Coffey, John Harwood, W. S. Mann and J. D. Case

Noes: None

Absent: C. A. Post

John Harwood

President Pro Tem of the Board of Trustees of the City of Modesto, Calif.

Walter O. Thompson

Attest