

SPECIAL
NOT IN CODE

39B

1 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF
2 REAL PROPERTY

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

5 SECTION 1. The sum of Ten thousand, two hundred and
6 no/100 (\$10,200.00) Dollars, or so much thereof as may be necessary,
7 is hereby appropriated from the General Fund of the City of Modesto,
8 not heretofore appropriated, for the purchase from the ownersthere-
9 of, of certain real property which is described ~~generally~~ as
10 follows:

11 All that portion of the Northeast quarter
12 of Section 5, T. 4 S., R. 9 E., M.D.B. & M.,
particularly described as follows:

13 Commencing at the Southeast corner of the
14 Northeast quarter of the Northwest quarter of
15 said Section 5, said corner being also the
16 Northeast corner of Lot 15 of Rouse Colony, the
17 Southeast corner of Lot 55 of Sunset Acres, and
18 the Southwest corner of Lot 56 of Sunset Acres,
19 First Addition; thence East, along the South
20 line of Lots 56 and 72 of Sunset Acres, First
21 Addition, 442.20 feet to the Southeast corner
22 of Lot 72 above mentioned; thence North 23° 32'
23 15" East along the East line of said Lot 72,
24 21.82 feet to the true point of beginning of
25 this description; thence continuing North 23°
26 32' 15" East along the East line of said Lot
27 72, said line being also on the corporate limit
28 line of the City of Modesto, 589.52 feet; thence
29 East, and along the corporate limit line of the City
30 of Modesto, 564.99 feet; thence South 0° 48'
31 East, 285.46 feet; thence West, 466.43 feet;
32 thence North 38° 41' East, 25.62 feet; thence
West, 234.18 feet to the true point of beginning
of this description, containing 4.017 acres.

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

6607

1 SECTION 3. The foregoing Ordinance was introduced at a
2 special meeting of the Council of the City of Modesto held on the
3 16th day of October, 1946, by Councilman Wilson, who
4 moved its adoption and passage to print, which motion being duly
5 seconded, was carried and the Ordinance ordered printed and
6 published by the following vots:

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


8 NOES: Councilmen: None

9 ABSENT: Councilmen: None

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11 APPROVED: 

12 Carl W. Shannon, Mayor

13 ATTEST:

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15 Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 16th day of October, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 23, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 802 N. S.

AN ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THREE PROPOSITIONS FOR INCURRING BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT: (1) SEWER SYSTEM, (2) FIRE PROTECTION, AND (3) WATER SYSTEM; DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH THEREOF, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED FOR EACH THEREOF, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; MAKING PROVISION FOR THE LEVY AND COLLECTION OF TAXES; FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, ESTABLISHING ELECTION PRECINCTS AND POLLING PLACES FOR SAID ELECTION AND APPOINTING BOARDS OF ELECTION THEREFOR, AND PROVIDING FOR NOTICE THEREOF.

WHEREAS, the Council of the City of Modesto, by resolution duly passed and adopted at a special meeting of said Council on the 16th day of October, 1946, by affirmative vote of more than two-thirds of all of its members, did determine that the public interest and necessity demand the acquisition, construction and completion of the municipal improvements hereinafter mentioned, and each of them, and did further determine the cost of each of said proposed municipal improvements will be too great to be paid out of the ordinary annual income and revenue of said municipality, which resolution was duly entered on the minutes of said Council and is now on file and of record in the City Clerk's office of said City; now, therefore,

SPECIAL
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THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN as follows:

Section 1. That a special municipal election be and is hereby ordered and will be held in said City of Modesto on TUESDAY, the 10th DAY OF DECEMBER, 1946, at which election shall be submitted to the qualified electors of said City the question of incurring a bonded indebtedness of said City for the objects and purposes set forth in the following propositions, and each of them, as follows, to wit:

PROPOSITION NO. 1: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$1,201,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the sewage disposal system of the City of Modesto, including the enlargement and extension of the present sewage disposal plant, industrial waste plant, industrial sewers and sanitary sewers, pipes, pumps, machinery, equipment, apparatus and all lands, rights of way, easements and other works, property or structures necessary or convenient for sanitary and industrial sewer purposes?

PROPOSITION NO. 2: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$50,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the fire protection system, including new fire station, extension of fire alarm signal system, fire fighting equipment, lands, rights of way and other works, property or structures necessary or convenient for the improvement of the fire protection system of the City of Modesto?

PROPOSITION NO. 3: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$300,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the existing municipal water system, including additional overhead storage tanks, pipes, pipelines, mains, pumps, machinery, apparatus, lands, rights of way and other works, property or structures necessary or convenient for improving and augmenting the water system of the City of Modesto?

That the estimated cost of the municipal improvement set forth in said Proposition No. 1 (Sewer System) is the sum of \$1,201,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$1,201,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 2 (Fire Protection) is the sum of \$50,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$50,000. That the estimated cost of the municipal improvement set forth in said Proposition No. 3 (Water System) is the sum of \$300,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$300,000.

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

amount specified in the proposition or propositions which carried by the affirmative vote of two-thirds of the qualified electors of said City voting on such proposition or propositions at said election shall be issued and sold for the purposes specified in the proposition or propositions which received such affirmative two-thirds vote. Said bonds shall be negotiable in form and of the character known as serial, and shall bear interest at a rate not exceeding five (5) per cent. per annum, payable semi-annually, which coupon rate shall not be exceeded in the issuance of said bonds but may be decreased if the Council shall obtain bids for the purchase of said bonds at any lower coupon rate, and said bonds shall be offered for sale on the basis of the lowest net interest cost to the City of Modesto. Provision is hereby made for the payment of the principal of and interest on said bonds as follows, to wit: The Council of the City of Modesto shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until said bonds are paid, or until there shall be a sum in the treasury of said City set apart for that purpose to meet all sums coming due for principal and interest on such bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due, and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal; provided, however, that if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of issuance of such bonds (if, as provided by law, the time of payment of such bonds may be legally postponed), such tax shall be levied and collected at the time and in the manner aforesaid annually each year sufficient to pay the interest on such indebtedness as it falls due, and also to constitute

a sinking fund for the payment of the principal thereof on or before maturity. Said tax shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

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

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

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

Section 6. For the conduct of said special municipal election the City of Modesto is hereby divided into ten (10) special election precincts, and the general state and county election precincts into which said City is divided for general state and county election purposes are hereby consolidated as hereinafter provided. The territory embraced within each of said precincts, the polling places therein, and the election officers appointed to conduct said election thereat are as follows, to wit:

CONSOLIDATED ELECTION PRECINCT NO. 1

(consisting of Precincts Nos. 1, 2 and 33 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Utterback Garage,
102 Olive Avenue.

Inspector: Lilabeth J. Thurber

Judge: Marguerita Coughlin

Clerk: Ludora E. Wilbur

Clerk: Ada Dallas Carroll

CONSOLIDATED ELECTION PRECINCT NO. 2

(consisting of Precincts Nos. 3, 4, 5 and 34 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Simidian Garage,
305 Elmwood Avenue.

Inspector: W. G. Proper

Judge: Sarah A. Jessen

Clerk: Ada M. Pickett

Clerk: Marie J. Kraus

CONSOLIDATED ELECTION PRECINCT NO. 3

(consisting of Precincts Nos. 6, 7 and 8 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Broughton Garage,
1715 Downey Avenue.

Inspector: Ora R. Bates

Judge: Wanda V. Messenger

Clerk: Dora L. Peterson

Clerk: Dorothy V. Hayworth

CONSOLIDATED ELECTION PRECINCT NO. 4

(consisting of Precincts Nos. 9, 10, 11, 35 and 36 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Ripley Garage,
223 High Street.

Inspector: Edith M. Rogers

Judge: Maud B. Test

Clerk: Mabel E. Flint

Clerk: Florence J. Norviel

CONSOLIDATED ELECTION PRECINCT NO. 5

(consisting of Precincts Nos. 12, 13 and 15 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Singleton Garage,
1104 14th Street

Inspector: Joseph Duckart

Judge: Ann Osborne

Clerk: Myrtle Wootten

Clerk: Margaret J. Bacon

CONSOLIDATED ELECTION PRECINCT NO. 6

(consisting of Precincts Nos. 14, 17, 18 and 37 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Fire Station No. 3
2016 Downey Avenue

Inspector: Estella Smith

Judge: Annie M. Duckart

Clerk: Helen A. Gunderson

Clerk: Bernice H. Larrabee

CONSOLIDATED ELECTION PRECINCT NO. 7

(consisting of Precincts Nos. 16, 19, 20 and 21 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: City Hall,
717 10th Street

Inspector: Mabel C. Love

Judge: Lottie Savercool

Clerk: Grace E. Darling

Clerk: Elsie Ring

CONSOLIDATED ELECTION PRECINCT NO. 8

(consisting of Precincts Nos. 22, 23, 24 and 38 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: William Cummings Garage
105 Linden Street

Inspector: Alice F. Handley

Judge: Cecelia Cummings

Clerk: Gertrude F. Boundey

Clerk: Anna Starr

CONSOLIDATED ELECTION PRECINCT NO. 9

(consisting of Precincts Nos. 25, 26, 27, 32, 39 and 41 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Sturm Garage,
515 Fifth Street

Inspector: Gertrude J. Epperson

Judge: Teresa J. Cross

Clerk: Emma S. Putman

Clerk: Ruby C. Sturm

CONSOLIDATED ELECTION PRECINCT NO. 10

(consisting of Precincts Nos. 28, 29, 30, 31 and 40 of the City of Modesto, as now established of record by the Board of Supervisors of the County of Stanislaus, State of California, for general state and county election purposes)

Polling Place: Fire Station No. 2,
629 Second Street.

Inspector: Marion Glestad

Judge: Olive C. Rasmussen

Clerk: Wilna J. Graham

Clerk: Maggie A. Cooper

Section 7. The ballots to be used at said special municipal election shall be substantially in the following form:

No. (This number is to be torn off by Inspector) : MARK CROSSES (X) ON BALLOT
 ONLY WITH RUBBER STAMP;
 NEVER WITH PEN OR PENCIL.
 No. _____ : (ABSENTEE BALLOTS MAY BE MARKED
 WITH PEN AND INK OR PENCIL.)
 : (Fold ballot to this perforated
 : line, leaving top margin exposed)

MUNICIPAL BALLOT
 SPECIAL MUNICIPAL BOND ELECTION
 CITY OF MODESTO

Tuesday, December 10, 1946.

INSTRUCTIONS TO VOTERS: To vote on any measure, stamp a cross (X) in the voting square after the word "YES" or after the word "NO".

All marks except the cross (X) are forbidden. All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly stamp, tear or deface this ballot, return it to the Inspector of Election and obtain another. On absent voter's ballots mark a cross (X) with pen or pencil.

<p><u>PROPOSITION NO. 1:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$1,201,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the sewage disposal system of the City of Modesto, including the enlargement and extension of the present sewage disposal plant, industrial waste plant, industrial sewers and sanitary sewers, pipes, pumps, machinery, equipment, apparatus and all lands, rights of way, easements and other works, property or structures necessary or convenient for sanitary and industrial sewer purposes?</p>	YES	
<p><u>PROPOSITION NO. 2:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$50,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the fire protection system, including new fire station, extension of fire alarm signal system, fire fighting equipment, lands, rights of way and other works, property or structures necessary or convenient for the improvement of the fire protection system of the City of Modesto?</p>	YES	
<p><u>PROPOSITION NO. 3:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$300,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: Improvement of the existing municipal water system, including additional overhead storage tanks, pipes, pipelines, mains, pumps, machinery, apparatus, lands, rights of way and other works, property or structures necessary or convenient for improving and augmenting the water system of the City of Modesto?</p>	YES	
	NO	

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

Section 9. The returns of said election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at said election; and this Council shall meet at its regular meeting place and canvass said returns on Tuesday, the 17th day of December, 1946, at the hour of 4:00 P.M., and declare the result of said election.

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

Section 11. This ordinance, upon its introduction and passage to print, shall be published once in full, with the eyes and noses, in THE MODESTO BEE, at least three (3) days before its adoption. Upon its final passage and adoption, this ordinance shall be forthwith entered upon the minutes of this Council and in the book of City Ordinances of said City. This ordinance, being an ordinance calling and ordering an election pursuant to the general laws of the State of California prescribing the procedure for the creation and issuance of bonded indebtedness, shall take effect immediately upon its final passage.

PASSED AND ADOPTED this 6th day of November,
1946, by the following vote:

AYES: Councilmen Morris, Stanley, Wilson, Mayor Shannon

NOES: Councilman None

ABSENT: Councilman Neece



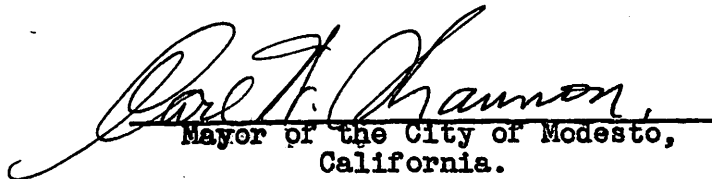
Mayor of the City of Modesto,
California.

Attest:



City Clerk

The foregoing ordinance is presented to me for
approval and is hereby approved this 6th day of November,
1946.



Mayor of the City of Modesto,
California.

CLERK'S CERTIFICATE

I, REX E. GALLIUS, City Clerk of the CITY OF MODESTO, California, do hereby certify that the foregoing ordinance is a full, true and correct copy of an ordinance introduced and read at an adjourned regular meeting of the Council of said City, duly and regularly held on the 30th day of October, 1946, and said ordinance was ^{adjourned} thereafter duly passed and adopted at an ~~regular~~ meeting of said Council duly and regularly held at the regular meeting place thereof on the 6th day of November, 1946, of which meeting all of the members of said Council had due notice and at which two-thirds thereof was present and acted, by the following vote:


AYES: Councilmen Morris, Stanley, Wilson, Mayor Shannon

NOES: Councilman None

ABSENT: Councilman Neece

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

WITNESS my hand and the seal of the City of Modesto this 6th day of November, 1946.



City Clerk of the City of Modesto,
California.

FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at an adjourned regular meeting of
5 the Council of the City of Modesto held on the 30th day of
6 October, 1946 and subsequently printed and published as required
7 by the Charter of the City of Modesto, and coming on for final
8 adoption at the adjourned regular meeting of November 6, 1946, it
9 was upon roll call so finally adopted by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: Neece

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14 APPROVED: Paul H. Shannon

MAYOR

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16 ATTEST: W. E. G. G.

CITY CLERK
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AN ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE INDUSTRIAL WASTE SYSTEM AND/OR THE SANITARY SEWAGE SYSTEM OF THE CITY OF MODESTO AND PRESCRIBING RULES, REGULATIONS AND SCHEDULE OF CHARGES FOR THE RECEIVING AND TREATMENT AND DISPOSAL OF INDUSTRIAL WASTES.

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

REPEALED BY MUNICIPAL CODE

Section 1. Definitions.

Industrial Plant: A plant or works producing waste material, other than sanitary sewage.

Industrial Waste: Liquid and/or solids contained within a liquid, other than sanitary sewage, and discharged into either the Industrial Waste System or Sanitary Sewage System.

Industrial Waste Plant: The treatment plant or plants owned or to be owned by the City of Modesto which may be designed and used for the treatment and disposal of "industrial waste".

Industrial Waste System: The Industrial Waste Plant and all appurtenant pipe lines and/or laterals which discharge into said Industrial Waste Plant.

Sanitary Sewage: Waste discharging into the City Sewerage systems and which contain human or animal excreta.

Sanitary Sewer Plant: The plant owned by the City of Modesto and designed for the treatment and disposal of Sanitary Sewage.

Sanitary Sewage System: The Sanitary Sewer Plant and all appurtenant pipe lines and laterals discharging into said plant.

Person: Person shall mean any natural person, corporation, partnership, trust, or any other legal entity.

Section 2. Sanitary Sewage.

It shall be unlawful for any person to discharge or allow the discharge of sanitary sewage into the Industrial Waste System or into any pipe line, either private or public which leads

unrepealed by Ord. # 839 N.S.
Repealed by Ord. 1092-A-S

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1 into the Industrial Waste System. In the event that sanitary
2 sewage connections exist, or are in the future discovered to exist,
3 which discharge into the Industrial Waste System, they shall be
4 immediately disconnected and the cost thereof shall be paid for by
5 the owner and/or the user of such connection.

6 Section 3. Permits.

7 Before an Industrial Waste connection is made to the
8 Industrial Waste System or the Sanitary Sewerage System, a permit
9 must first be obtained from the City Engineer or his authorized
10 representative. Application for a permit to discharge such wastes
11 shall be in writing and shall contain the following information:
12

13 (a) Name and address of applicant.

14 (b) Proposed location of connection.

15 (c) Estimated gallonage of wastes proposed to be dis-
16 charged, estimated time of discharge, time of peak loads, and
17 other similar data.

18 (d) Character of waste proposed to be discharged.

19 (e) Tonnage of produce to be processed.

20 (f) Other information as may be deemed to be necessary
21 by the City Engineer.

22 Upon receipt of an application as provided, the City
23 Engineer shall promptly make such investigation as he shall deem
24 necessary.

25 In the event that the City Engineer finds and determines:

26 (a) That the Industrial Waste pipe line in which the
27 connection is to discharge has sufficient unused carrying capacity
28 for the disposition of these wastes;

29 (b) That the character of the wastes proposed to be dis-
30 charged by the applicant is such that they can successfully be treat
31 ed in the Industrial Waste Plant;

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(c) That such wastes will not result in damage to the Industrial Waste Plant or Industrial Waste System;

1 then he shall issue a permit to the applicant as requested.

2 In the event that it is necessary or desirable to dis-
3 charge Industrial Waste into the Sanitary Sewage System, and the
4 City Engineer finds that items (a), (b) and (c) above apply to the
5 Sanitary Sewerage System, then he shall issue a permit to the
6 applicant as requested.

7 Said City Engineer, at his discretion, and toward the end
8 of fulfilling the intent and purpose of this ordinance, may grant a
9 permit in part only and may thereupon prescribe conditions with
10 respect to discharge of such wastes into such systems and may require
11 treatment thereof; the maintenance of individual screens to collect
12 waste products and/or may require the construction and use of tanks
13 designed to equalize flow and reduce peak load.

14 No peach, plum, cherry, apricot, prunes, nectarine or
15 other fruit pits or similar waste shall be discharged into or per-
16 mitted to enter the sewerage system.

17 Permits shall be required of all persons who now have
18 Industrial Waste or Waste Water connections into the Industrial Waste
19 and/or Sanitary Sewerage systems. Such permits shall be requested
20 within sixty (60) days of the adoption of this ordinance, and shall
21 be subject to all the rules and regulations herein imposed on all
22 permits and connections issued or made hereunder.

23 In the event that after the granting of a permit, as
24 provided for in this Ordinance, it shall develop, by reason of
25 increased flow, change of character of discharge or for any cause
26 whatsoever that it becomes necessary or desirable to change the con-
27 ditions prescribed at the time of issuing said permit, then the said
28 City Engineer may revoke said permit or may impose further condi-
29 tions with respect thereto, toward the end of remedying such con-
30 ditions.

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32 Section 4. Transfer from Sanitary to Industrial System.

1 In the case of an Industrial Waste connection made to the
2 Sanitary Sewerage System, where in the future the Industrial Waste
3 System may be made available for connection, then upon request of
4 the City Engineer the person owning and/or operating the Industrial
5 plant shall, at his own expense, upon request of the City Engineer,
6 change the connection from the Sanitary Sewerage system to the
7 Industrial Waste system.

8 Section 5. Appeals.

9 Any person who shall be dissatisfied with the action of
10 the City Engineer, in denying a permit or granting a permit wherein
11 conditions are imposed, or in modifying or revoking a permit or in
12 requiring a transfer from the sanitary to the industrial sewerage
13 system, may, within thirty (30) days, appeal to the City Council by
14 giving written notice thereof to the said City Engineer and to the
15 City Clerk. In the event of such an appeal, the City Engineer shall
16 transmit to the City Council a report setting forth the reasons for
17 denying the permit or for imposing conditions or for modifying or
18 revoking the permit or in requiring a change over. The City Council
19 shall have full power to review any action of the City Engineer.
20

21 Section 6. Rate Schedules.

22 All persons to whom a permit shall have been granted for
23 the disposition of Industrial Waste into the sewer systems, shall
24 pay to the City of Modesto, as rental for the use of such facilities
25 in accordance with a rate schedule to be charged on the following:

26 Raw or green tonnage of fruit or vegetables processed, or
27 Tonnage of milk or other fluid bottled or processed, or
28 Thousand gallons of water or liquid waste discharged
29 into the sewer systems, or
30

31 Any other convenient unit,

1 and shall be based on the Biochemical Oxygen Demand of the dis-
2 charge, and/or the suspended solids in the discharge and/or the
3 volume of such discharge, and such charges shall be within the
4 following limits:

5 For food processing, maximum of fifteen (15) cents per
6 raw or green ton, minimum of five (5) cents per raw or green ton.

7 For milk bottling or processing, and creameries, minimum
8 of five (5) cents per raw ton.

9 For plants washing dried or dehydrated fruits where
10 such fruits are dried or dehydrated at some other location, a
11 minimum of five (5) cents per ton of dried or dehydrated fruit.

12 For chemical plants, a minimum of one (1) cent per
13 1000 gallons of discharge.

14 For clear waste water, a minimum of one half ($\frac{1}{2}$) cent
15 per 1000 gallons of discharge.

16 For laundries, a minimum of two (2) cents per 100 pounds
17 of laundry.

18 For wineries, a minimum of ten (10) cents per ton of raw
19 or green fruit, and a maximum of fifteen (15) cents per ton of raw
20 or green fruit.

21 For vinegar plants, a minimum of five (5) cents per ton
22 of raw products, and a maximum of fifteen (15) cents per ton of raw
23 product.

24 *amended by Ord. #839-NS*
25 (Four) poultry killing and/or dressing, a minimum of one
26 half ($\frac{1}{2}$) cent per turkey, and a minimum of one-fourth ($\frac{1}{4}$) cent per
27 chicken or other fowl.

28 For any other manufacturing or treatment process, or for
29 any other plant, works or place of business which discharges wastes
30 other than sanitary sewage, into the sewer systems, the rates shall
31 be on a comparable basis and shall be fixed by the City Council.

32

1 When it is determined that the rate shall be charged on
2 gallonage of water or liquid waste, then the person holding the permit
3 at his expense shall install a meter, approved by the City Engineer,
4 which will accurately measure by a recording dial or device the flow
5 into the sewer systems.

6 The schedule of rates within the rate limits herein set
7 forth shall be prepared by the City Engineer within fifteen days after
8 the effective date of this ordinance and shall be submitted to the
9 City Council for approval. Upon approval by said City Council,
10 the rates shall become effective at such time as may be designated
11 by said City Council. The City Engineer/^{may}from time to time submit
12 to the City Council for its consideration, or the City Council may
13 instruct the City Engineer to submit changes, additions and amend-
14 ments to the approved Rate Schedule, as may be considered necessary
15 and/or desirable. After considering such changes, additions and/or
16 amendments, the City Council may change said rate schedule. The
17 changes in rates shall thereupon become effective at the first of the
18 following month.

19
20 Section 7: Collection of Charges.

21 In order to facilitate the payment of charges made in
22 accordance with the rate schedule, each and every person who holds an
23 Industrial Waste connection permit, shall, not later than the tenth
24 of each month, submit to the City Tax Collector a statement showing
25 tonnage, gallonage, and/or other units being used as a basis for
26 charges, which was processed, treated, used or discharged during
27 the preceding month, showing the approved rate for each such item
28 and the total amount of the rental charge. Accompanying this
29 statement shall be a check or cash in the amount calculated.
30
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1 If, on checking the statement an error is found, or if
2 on later investigation the amount of the tonnage, gallonage, and/or
3 other unit being used as a basis for charges, it is found that an
4 error exists, the person making the statement shall pay such
5 additional sum, or the City shall make such refund, as may be
6 found to be necessary to properly adjust the payment.

7 Any authorized agent of the City of Modesto shall have
8 the right to go upon the premises, or any part thereof, of the per-
9 son holding a valid permit for the discharging of Industrial Waste
10 into the City Sewer System, for the purpose of protecting the
11 rights of the City of Modesto and to obtain any information deemed
12 necessary to protect such rights. This right shall include the
13 right to examine the books of the person holding the permit in
14 order to correctly check the tonnage, gallonage or other unit being
15 used as a basis of charge.

16 Section 8. The fees to be paid herein are hereby
17 assessed and levied as fees to provide for the payment of interest
18 and principal of any bonded indebtedness which may be hereafter
19 incurred for the object and purpose of improving, enlarging and
20 extending the industrial waste plant, and industrial sewerage system.
21 In the event the electors of the City of Modesto do not vote to in-
22 cur such bonded indebtedness by December 31, 1946, or if such
23 bonded indebtedness is incurred but a surplus of funds shall exist
24 after making the foregoing payments, then such funds may also be
25 used for the purpose of maintenance, repair, extension and improvement
26 of the industrial sewerage system. The fund created hereby shall
27 be devoted exclusively for the foregoing purposes.

28 Section 9. Penalty.

29 Any person, firm or corporation, or any partner, officer
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1 agent or employee thereof, violating any of the provisions of this
2 ordinance or of any rule or regulation adopted pursuant hereto,
3 shall be guilty of a misdemeanor and upon conviction thereof shall
4 be punished by a fine of not more than Five Hundred (\$500.00)
5 Dollars, or by imprisonment in the City Jail of said City or in
6 the County Jail of Stanislaus County, as the committing magistrate
7 may direct, for a period of not more than six months, or by both
8 such fine and imprisonment.

9 Section 10. Severability.

10 If any provision of this ordinance, or the application
11 thereof, to any person or circumstances, is held invalid, the
12 remainder of the ordinance, or the application of such provision
13 to other persons or circumstances, shall not be affected thereby.

14 Section 11.

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

18 Section 12.

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

22 The foregoing ordinance was introduced at an/regular adjourned
23 meeting of the Council of the City of Modesto held on the 6th day
24 of November, 1948, by Councilman Morris, who moved
25 its adoption and passage to print as aforesaid, which motion being
26 duly seconded, was upon roll carried, and the ordinance ordered
27 published as above by the following vote:
28
29
30
31
32

1 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon
2 NAYS: Councilmen: None
3 ABSENT: Councilmen: Neece

4
5
6 APPROVED: Carl W. Shannon
CARL W. SHANNON, Mayor

7
8
9 ATTEST:

10 R. E. Gailfos
11 R. E. GAILFOS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at an adjourned regular meeting of the Council of the City of Modesto held on the 6th day of November, 1946 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 27, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Carl Shannon*
MAYOR

ATTEST: *W. E. Gaeffus*
CITY CLERK

amended by Ord 811-N.S. Ord 874-N.S.

AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND REGULATING THE SALE, INSTALLATION, MAINTENANCE AND REPAIR OF APPLIANCES AND/OR GAS PIPING ON THE OUTLET SIDE OF GAS METERS FOR USE WITHIN THE CITY OF MODESTO, AND PROVIDING FOR INSPECTION THEREOF, ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR, LICENSING OF PERSONS ENGAGED IN THE BUSINESS THEREOF, IMPOSING PENALTIES FOR VIOLATION OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Repealed by Ord. 1100 N.S.

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

SECTION 1. That certain document, three copies of which are on file in the office of the City Clerk of the City of Modesto, being marked and designated as "Standard Gas Code recommended by the Pacific Coast Plumbing Inspectors Association as amended October 11, 1940" which said standard gas code provides for proper regulations for selling, installing, maintaining and repairing of appliances and/or gas piping on the outlet side of gas meters for use within said City of Modesto and providing inspection thereof, the issuance of permits and collection of fees therefor, the licensing of persons engaged in the business thereof, the imposing of penalties for violation thereof, and repealing conflicting ordinances, as hereinafter amended, deleted and added to, be and the same is hereby adopted as the gas code of the City of Modesto.

SECTION 2. That the name "Modesto" and/or "California" be inserted in the appropriate places provided therefor in each and every section of said code wherein the name of the City or the State is left blank.

SECTION 3. That the words "Building Code" or "Building Law" as used in said code shall be amended to read "building code of the City of Modesto" and the words "Fire prevention bureau" shall be amended to read "Fire Marshal" wherever such words are used in said code.

SECTION 4. That Section 2-B of said Code entitled "Gas Appliance Dealer" be amended to read as follows: One who sells

installs gas appliances. A merchant who sells but does not install gas appliances does not come under the classification of gas appliance dealer as used in this ordinance, however, any gas appliance sold or distributed by such merchant shall meet the requirements set forth in Section 41 of Standard Gas Code as amended. Every person selling gas appliances in the City of Modesto shall keep an accurate record of all such appliances sold that are to be installed within the corporate limits, together with the name and address of the person to whom sold, and shall mail a copy of same to the office of the inspector on the first of the month following the sale of such appliance.

SECTION 5. That Section 2-E of said Code entitled "Gas Flue" be amended to read as follows: A conduit or pipe, vertical or nearly so in direction, designed to convey the products of combustion to the outside atmosphere. In order that there be no conflict between this Ordinance and the Building Code with reference to gas vents and gas flues, every section in the gas code which reads gas flues shall mean gas vents and every section in the gas code which reads gas vents shall mean gas vent connections.

SECTION 6. That Section 3 of said Code be amended to read as follows: Before any person shall engage in the business of installing gas piping and/or gas appliances in the City of Modesto, such person shall first procure from said City a license so to do, and pay a license tax hereby imposed on such business and he must register his name in a book provided at the office of the gas inspector, giving his full name, residence and place of business, and in case of removal from one place to another in the City, there shall be made a corresponding change in said register, and shall file therewith his affidavit that such name and place are correctly stated.

1 SECTION 7. That Section 4 of said Code be amended to
2 read as follows: No person shall install any gas piping and/or
3 appliance in the City of Modesto until he shall have received a
4 certificate of competency as a gas fitter from the Board of Plumb-
5 ing Examiners.

6 Every applicant for a gas appliance dealer's license
7 shall furnish proof that he is the lawful possessor of a valid gas
8 appliance dealer's certificate of competency or that he has in
9 his employ such person or persons who are in lawful possession
10 of such certificate of competency and who shall install any gas
11 appliance or piping sold or distributed by said dealer.

12 Plumbers already licensed and registered by the City of
13 Modesto shall not be required to furnish another license or
14 pass another examination for a gas appliance dealer's certificate
15 of competency.

16 Any person who is required by this ordinance to
17 possess a certificate of competency, shall make application there-
18 for to the Board of Plumbing Examiners on application blanks pro-
19 vided for that purpose by the secretary and pay the fee of One
20 (\$1.00) Dollar for such examination. Every gas fitters certificate
21 of competency shall be issued for one year, and shall remain in
22 force and effect for that period unless sooner cancelled or
23 revoked.

24 Each such certificate may be renewed from year to year
25 upon payment of a renewal fee of one (\$1.00) Dollar, without
26 further examination.

27 The Board of Plumbing Examiners may cancel or revoke
28 any certificate of competency issued by it if the person to whom
29 such certificate was granted later shows incompetency or lack of
30 knowledge in matters relevant to such certificate, or if such
31 certificate was obtained by fraud, and may order such person to
32

appear before it for examination or re-examination, as the case may be.

SECTION 9. That Section 17 of said Code be amended to read as follows: Permits for house gas piping shall show the total number of gas outlets to be provided for and such other information as may be required by the inspectors. Layout plans of large or unusual jobs shall be submitted with the application for permit when required by the gas inspector.

SECTION 9 A. That the first four paragraphs of Section 19 of said Code be amended to read as follows: The design capacities of house gas piping installed in any building shall not exceed the values shown in the table facing this page. (See page facing page 10 of Standard Gas Code)

For longer lengths of pipe and larger diameters, Table No. 1 in the booklet entitled "Requirements and Recommended Practice for House Piping and Appliance Installation", published in 1940 by the American Gas Association, shall be used.

In no case shall the diameter of the supply pipe to any gas appliance be of smaller size than the inlet connection of such appliance, except by special permission of the gas inspector.

For converting the value found in the above mentioned tables to gas of any other gravity, multiply the value given by

$$\left(\frac{\text{S. G.}}{\text{Sp. Gr.}} \right)^{\frac{5}{4}}$$

where S. G. is the gravity of gas as used for the table and Sp. Gr. is the gravity of the gas for the particular condition.

SECTION 10. That a new Section 27a be added to said Code which section 27a shall read as follows: Where gas meters are installed within a building there shall be installed a valve for gas control outside the building in an accessible location and conspicuously marked "Gas Shutoff."

SECTION 11. That section 41 be amended to read as follows: The inspector shall require that a model or sample of each appliance hereafter installed shall have been examined and tested, and found to comply with the national standard of safety, which shall be the standard approval requirements of the American Gas Association, relating to such subjects, which approval requirements are on file at the office of the gas inspector.

Provided, however, that the inspector may authorize the sale and use of any gas appliance that is in the stock of any gas appliance dealer or jobber on the date of the adoption of this ordinance, by stenciling an approval upon such appliance on or before ninety (90) days after the date this ordinance becomes in effect, provided the use of such appliance will not endanger life, health or property.

SECTION 11 A. That a new Section 41 A be added to said code, which Section 41 A shall read as follows:

Appliances shall be rated as to capacity, in accordance with BTU rating as set forth by the American Gas Association. In the following table "R" indicates temperature rise.

THE FORMULA	For Central Furnaces		For Circulators or Floor Furn.	
	35°R	40°R	35°R	40°R
Multiply:				
Sq. Ft. Area - Exposed Doors and Windows by.....	58	67	52	60
Net Sq. Ft. Area - Exposed Walls (Deduct Doors and Windows) and Exposed Ceilings by.....	15	17	13	15
Sq. Ft. Area - Partially Exposed Floors by	11	13	10	12
Contents (Vol. in Cu. Ft.) by.	1.6	1.8	1.4	1.6

SECTION 12. That Section 44 of said Code be amended to read as follows: Except as provided in Section 45 and 50, every gas appliance shall be rigidly connected to the house gas piping outlet with standard weight wrought iron or steel pipe and malleable iron fittings, or copper pipe and copper fittings, or brass pipe and brass fittings, and an approved ground-in valve and a ground joint union or right and left coupling shall be placed between the outlet and the appliance.

SECTION 13. That Section 45 be amended to read as follows: Flexible metal tubing permanently equipped with union or screw type and connectors at the factory of a type approved by the gas inspector may be used for connecting gas appliances designed for portable use, such as washing machines, ironers, clothes dryers, flat irons, dentists' torches, or other appliances, the location of which must be changed prior to or during operation, provided, however, that such flexible tubing shall not exceed six feet (6') in length. Where such tubing is used, a shut-off valve or gas cock shall be installed at the point where tubing is connected to the gas supply pipe.

SECTION 14. That Section 47 be amended to read as follows: Gas plates or ranges shall not be installed in rooms used for sleeping purposes; they may, however, be installed for cooking purposes in a room designed to conform with the legal requirements for a kitchen. The oven of every gas range shall be connected with a gas vent to a proper gas flue or chimney; provided, however, that where no gas flue or chimney has been installed the oven need not be vented if the kitchen is provided with adequate natural or forced draft ventilation. Combination gas ranges and trash burners may be vented by a common smoke pipe to any smoke stack or chimney constructed in accordance with the provisions of the Building Code of the City of Modesto. Every gas range shall be rigidly connected to the house gas piping outlet.

1 SECTION 15. That Section 49 of said Code be amended to
2 read as follows: Gas Water heaters shall not be installed in
3 public garages, in bath rooms, or rooms used for sleeping
4 purposes. Gas water heaters installed in closets, or any other
5 enclosure having an area of less than forty-eight (48) square
6 feet of floor space shall have at least seventy-eight (78) square
7 inches of free ventilation area near both top and bottom, with
8 the top ventilating area leading to the outside atmosphere and
9 if structural conditions permit shall be ventilated through the
10 roof. Gas Water heaters shall not be installed in a recess
11 having less than forty-eight (48) square feet of floor space,
12 unless such recess shall have one side entirely open, and not
13 equipped with any door or other closing device. Gas water heaters,
14 except automatic water heaters with at least one (1) inch of
15 approved insulation, shall not be located less than nine inches
16 (9") from combustible materials or three inches (3") from protected
17 combustible materials.
18

19 *Amended by Ord 874* SECTION 16. That Section 50 of said Code be amended to
20 read as follows:
21

22 All manually operated and/or automatic water heating
23 appliances installed in the City of Modesto shall be provided with
24 an approved automatic temperature and pressure relief valve. The
25 outlet or discharge opening of such valve shall be piped in such
26 manner so that the hot water discharging therefrom will not damage
27 property or injure persons.

28 All automatic storage water heaters and/or any gas
29 burning device having automatic or remote control shall be equipped
30 with an approved automatic device so designed that the supply of
31 gas to the main burners in connection therewith will be automatical
32 shut off when combustion is not taking place at the pilot.

1 The gas inlet to automatic storage water heaters shall be
2 connected to the house gas piping by means of copper tubing not
3 less in weight than 18 gauge and not over 18 inches in length and
4 the outside diameter of said tubing to be the same size as the
5 inlet to which it is connected. All copper tubing shall have
6 approved expansion joints.

7 All water heaters shall have an approved ground in type
8 shut-off.

9 Manually operated water heaters shall be rigidly connected

10 Persons who are in possession of a gas fitters certificate
11 of competency only, shall not be allowed to make any connections
12 whatsoever to the water distribution system and/or drainage system
13 except that any gas appliance dealer or employee of said dealer,
14 holding a certificate of competency, may install gas water heaters
15 for replacement purposes only. That said dealer or employee shall
16 not be allowed to install any water piping beyond that already in
17 place.
18

19 SECTION 17. That Section 51 of said Code be amended to
20 read as follows: Unvented space heaters shall not be permitted
21 nor shall any unvented appliance be installed in any room used for
22 sleeping purposes. Appliances installed in sleeping rooms shall
23 be rigidly attached to the house gas piping outlet.

24 SECTION 18. That Section 54 be amended to read as
25 follows: Gas furnaces, except floor and wall furnaces, shall be
26 placed not less than twelve (12) inches from protected combustible
27 material, and not less than eighteen (18) inches from unprotected
28 combustible material, and shall be set on masonry, concrete or
29 other incombustible floors or upon floors protected by top floors
30 of masonry, concrete, tile or similar material of at least two (2)
31 inches in thickness, or asbestos board not less than one-quarter
32

1 (1/4) of an inch in thickness and covered with No. 20 U.S. Standard
2 gauge galvanized iron or steel. Such top floors shall extend out
3 from the furnaces at least six (6) inches on the sides and back
4 and eighteen (18) inches in front thereof. The top of such furnaces
5 shall not be less than nine (9) inches from protected combustible
6 material or less than eighteen (18) inches from unprotected
7 combustible material. All gas furnaces shall be rigidly connected
8 to the house piping outlet, and shall be vented to a proper gas
9 flue or chimney.

10 Gas furnaces shall not be installed in any place or in
11 such a manner as to be inaccessible for inspection or repair, and
12 in no case shall they be located under any stairway unless such
13 furnaces are installed within enclosures protected with metal lath
14 and cement plaster three-fourths (3/4) of an inch thick.

15 Exceptions--Unit Gas Furnaces of the blower type, where
16 the blower fan and its motor are installed in the lower compartment
17 below the gas burners of said furnace, are not required to be set on
18 masonry, concrete, or other incombustible floor or on protected
19 floors of any kind, but may be set directly on any wood floor. If
20 the side walls are properly insulated from heat transmission from the
21 gas burners, the distances between the side walls of said furnace
22 and the nearest protected or unprotected woodwork of the space in
23 which installed, as specified in the first paragraph of this
24 section, may be reduced for this type of furnace if no fire risk
25 would be entailed thereby in the opinion of the authority enforcing
26 this ordinance and if not in conflict with the Building Code of the
27 City of Modesto.

28
29 SECTION 19. - That Section 59 of said code be amended to
30 read as follows:

31 No gas appliance shall be hereafter installed or any
32

1 existing gas appliance replaced unless the room or place where
2 such a gas appliance is located has sufficient ventilation to properly
3 support combustion. No gas appliance shall hereafter be installed
4 or any existing gas appliance replaced unless the same shall be
5 vented to a gas flue or chimney which shall be at least the full size
6 of the vent outlet of the appliance to be vented. No damper shall
7 be installed in any gas vent, gas flue, or chimney except as may be
8 specifically provided for elsewhere in this ordinance. Dampers
9 integral in the construction of kitchen heater type or combination
10 ranges are permissible.

11 Gas refrigerators, gas sad irons, gas mangles and gas
12 washing machines, the gas consumption of which is less than five
13 thousand (5,000) B. T. U. per hour, are not required to be vented,
14 nor shall permanent ventilation, as specified in Section 60, be re-
15 quired for the room or enclosure in which said appliances are in-
16 stalled or operated. Gas mangles installed in commercial locations
17 whose gas consumption is five thousand (5,000) B. T. U. per hour or
18 over need not be vented if installed in a room or other enclosure
19 provided with adequate permanent ventilation.

20 SECTION 21. That Section 62 of said Code be amended to
21 read as follows:

22 (a) Gas flues shall be constructed of unglazed tile
23 clay not less than one-half ($\frac{1}{2}$ ") inch in thickness. The connection
24 of such pipe shall be by sleeves or flanges well cemented. The pipe
25 shall be securely fixed to the building frame at each sleeve or
26 flange, and shall be at least three-fourth ($\frac{3}{4}$ ") inch away from all
27 combustible material between flanges. Gas flues may be constructed
28 of terra cotta, cements, or approved asbestos compound gas flue pipe
29 of the male and female type, or of other approved materials. Each
30 joint shall be cemented to be gas and water tight with male end
31

1 pointing down. Terra cotta or cement flue pipe shall be cased in
2 galvanized iron or steel of not less than No. 26 U. S. Standard
3 Gauge. All smoke stacks and chimneys that are constructed in accord-
4 ance with the Building Code of the City of Modesto may be used as
5 gas flues. Vents of other materials or design may be approved by the
6 procedure specified in Section 105 of the Nineteen Forty-Six
7 Building Code.

8 (b) Every gas flue shall extend above the roof surface
9 and terminate in an approved hood or cap with a venting capacity
10 not less than that of the flue.

11 (c) Except as specified in subsection (d) the area of
12 any flue or vent shall be not less than the area of the largest
13 connection plus 50 per cent of the areas of all additional
14 connections with minimum area of not less than twelve square inches
15 (12 sq. in.) and a minimum dimension of not less than two inches
16 (2").

17 (d) Any two inlets shall be staggered by not less than
18 the diameter of the large inlet. All inlets to any flue shall be
19 within the same story.

20 (e) The vent connection shall be of incombustible
21 material not less durable than galvanized or copper bearing metal
22 pipe exposed to view in a room throughout its entire length. It
23 shall be not less in diameter than the vent outlet on the appliance.
24 Vent connections shall have a rise of not less than one inch (1")
25 per foot. The horizontal projected length shall not exceed the
26 vertical projected length of the vent and vent connection.

27 (f) Combustible material within twelve inches (12")
28 vertical or six inches horizontally of any vent connection shall
29 be protected by fire resistive material. These distances shall
30 be measured at right angles to the vent connection.
31

1 (g) Kitchen Ventilation: There shall be installed in
2 the wall or ceiling, approximately over cooking facilities, a
3 ventilating opening with an area of not less than six inches by
4 eight inches (6" by 8"), connected to a ventilating duct leading to
5 the outside air, such duct for each kitchen to be not less than
6 thirty-six square inches (36 sq. in.) in cross sectional area. An
7 approved system of forced draft ventilation may be substituted for
8 the natural draft ventilating system.

9 (h) Water heater vents. Every gas water heater shall
10 have an entirely separate and independent vent, except that not more
11 than four gas water heaters may be connected to a common vent
12 manifold if constructed and installed in accordance with the
13 following additional requirements:
14

- 15 1. Location. All water heaters that are connected to
16 the common vent shall be located in the same story
17 of the building
- 18 2. Vent manifold required. If more than three feet
19 (3') of vent connection is required to connect
20 a water heater to the common vent, the water
21 heater shall be connected to a vent manifold.
- 22 3. Length of Vent Manifold. The length of the vent
23 manifold shall not be greater than the height of
24 the vertical vent which it connects, nor shall the
25 length of the vent manifold exceed fifteen feet (15')
- 26 4. Slope. Vent manifold and vent connections shall
27 slope upward toward the vent at a rate of not less
28 than one inch (1") per foot of length.
- 29 5. Connections. The connection between any heater and
30 a vent manifold shall not exceed three feet (3') in
31 length.

1 Vent connections shall approach and intersect the
 2 vent manifold so that the flow of products of
 3 combustion will converge at an angle of not more
 4 than forty-five (45) degrees.

5 6. Size of Vent. The size of the common vent and
 6 vent manifold shall be not less than the value set
 7 forth in Table below.

No. of Gas Water Heaters	Max. Gas Input Rating of all gas Water Heaters	Min. Internal diameter of vent and vent manifold
2 or 3	75,000 B. T. U.	5 inches
4	100,000 B. T. U.	6 inches
4	200,000 B. T. U.	7 inches
4	300,000 B. T. U.	8 inches

17 SECTION 22: That Section 63 of said Code be amended to
 18 read as follows: Gas flues constructed of approved asbestos
 19 compound gas flue pipe may start at any desired level. When
 20 concealed they shall be securely supported between studding,
 21 and shall have a protective layer of Portland Cement mortar or
 22 equal two inches (2") in thickness in the bottom of such flue.

23 Bends or offsets in gas flues shall be of one piece, and
 24 shall not be in excess of forty-five (45) degrees from the verti-
 25 cal except that bends, and offsets in terra cotta or cement flues
 26 shall not be in excess of thirty (30) degrees from the vertical.
 27 Round approved asbestos compound gas flue pipe to which a vertical
 28 vent pipe is to be connected may be installed in a ceiling
 29 starting at a point 6 inches (6") below such ceiling and extending
 30 through the roof in accordance with Section 62. Such flue pipe
 31 shall be held in place by means of an approved metal strap at least

and
 1 1/8 of an inch in thickness and 1 1/8 inches in width/shall be securely
 2 fastened to such flue pipe under a collar and to structural members
 3 immediately above the ceiling. A metal collar shall be provided at
 4 the ceiling and installed in a neat and workmanlike manner. No
 5 such ceiling flue shall have an area over twelve square inches.

SECTION 23: That Section 64 be amended to read as
 7 follows: Except as provided in this Section the internal area
 8 of any flue or chimney to which a gas appliance is connected shall
 9 not be less than the area of the largest vent connection inlet plus
 10 fifty (50) per cent of the area of all other additional inlets
 11 connected thereto; provided, however, that in the case of a rec-
 12 tangular flue the total internal area of such flue shall be in-
 13 creased not less than ten (10) per cent greater than the total area
 14 as figured above, the following table shall be used for the com-
 15 putation of flue areas in round flue pipe or vent inlets:

Round Pipe	3"	4"	5"	6"	8"	10"	12"
Sq. inches	7.1	12.6	19.6	28.3	50.3	78.5	113.1

18 Large commercial or industrial gasfired steam boilers,
 19 hot water systems and similar apparatus with vent outlets in
 20 excess of twelve (12) inches may be vented to proper flues or
 21 chimneys of an internal area less than said vent outlets, provided
 22 that such flue or chimney areas are not less than as approved by
 23 the City Engineer.

SECTION 24. That Section 65 of said Code be amended to
 25 read as follows: No flue shall terminate within a point three feet
 26 (3') above or ten feet (10') from any window or other opening
 27 designed to serve as a means of ventilation of any building or room
 28 therein, nor shall a flue terminate in any court or vent shaft
 29 which is designed or may be used to serve as a source of air for
 30 ventilation of any building or room therein. All gas flues shall
 31 be rigidly braced.

1 Gas vents passing through walks, partitions, or floors shall have
2 approved double insulating sleeves and shall be installed in
3 accordance with the provisions of the Building Code.

4 SECTION 27. That Section V of said Code be amended to
5 read as follows: All Ordinances or parts of Ordinances in conflict
6 with this ordinance are hereby repealed except, that in case of any
7 conflict between the provisions of this code, and the Building
8 Code of the City of Modesto, the more rigid of the two codes shall
9 rule in each individual case unless permitted otherwise by mutual
10 consent of the Gas Inspector and the Building Inspector.

11 SECTION 28. That Section II of said Code be amended to
12 read as follows: The violation of any of the terms of this
13 Ordinance shall constitute a misdemeanor. Any person convicted of
14 a violation of any of the terms of this Ordinance shall be punishable
15 by a fine not to exceed One Hundred (\$100.00) Dollars, or by imprison-
16 ment in the County Jail of Stanislaus County, at Modesto, California,
17 for a period not to exceed one (1) day for each Two (\$2.00) Dollars
18 of said fine remaining unpaid, or by both such fine and imprisonment.

19 SECTION 29. This Ordinance shall take effect and be in
20 full force from and after fifteen (15) days after its final adoption.

21 SECTION 30. This Ordinance shall be printed and published
22 in full at least once at least three days prior to its final adoption
23 in The Modesto Bee, the official newspaper of the City of Modesto.

24 The foregoing ordinance was introduced at a regular
25 meeting of the Council of the City of Modesto held on November 13,
26 1946, by Councilman Morris who moved its adoption and
27 passage to print as aforesaid, which motion, being duly seconded, was
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1 upon roll call carried, and the ordinance ordered published as
2 above by the following vote:

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4 AYES: Councilmen: Morris, Stankey, Wilson, Mayor Shannon

5 NOES: Councilmen: None

6 ABSENT: Councilmen: Neece

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

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11 ATTEST: *REX E. GAILFUS*
12 REX E. GAILFUS, City Clerk.

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 27, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: *Carew Shannon*
MAYOR

ATTEST: *T. E. Gault*
CITY CLERK

1 SPECIAL
2 IN AN CODE

1 AN ORDINANCE APPROPRIATING MONEY FOR THE PAYMENT OF SERVICES
2 RENDERED TO THE CITY OF MODESTO.

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

SECTION 1. The sum of One thousand, seven hundred and
no/100 (\$1,700.00) Dollars, or so much thereof as may be necessary
is hereby appropriated out of the General Fund of the City of
Modesto as payment for services rendered by Edward T. Taylor
with reference to the sale of certain real property for and on be-
half of the City of Modesto.

SECTION 2. This Ordinance shall go into effect from and
after fifteen (15) days after its final passage and adoption. It
shall be published in full at least once (1), at least three (3)
days prior to its final adoption in the Modesto Bee, the official
newspaper of the City of Modesto.

SECTION 3. The foregoing ordinance was introduced at
a special meeting of the Council of the City of Modesto held on
November 20, 1946, by Councilman Neece, who moved its
adoption and passage to print, which motion was duly seconded,
was carried and the ordinance ordered printed and published by
the following vote:

- AYES: Councilmen: Morris, Neece, Stanley, Wilson, Mayor Shannon
- NOES: Councilmen: None
- ABSENT: Councilmen: None

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

ATTEST: Rex E. Gailfus
Rex E. Gailfus, City Clerk

3 SPECIAL
4 IN AN CODE

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 20th day of November, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 27, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: Stewart Shannon
MAYOR

ATTEST: Pat E. Gueffus
CITY CLERK

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CODE SEC:
NO. 4-2.01

1 AN ORDINANCE AMENDING ORDINANCE NO. 10 N. S. BY PROVIDING FOR THE
2 LIMITED USE OF BARB WIRE IN CONSTRUCTION OF FENCES.

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

5 SECTION I. Section 15 (b) of Ordinance No. 10 N. S. is
6 hereby amended to read as follows:

7 "Section 15. It shall be unlawful and a misdemeanor:

8 b. To use barbed wire as material for
9 construction, repairing or maintaining any
10 part of a fence or adjunct thereof except
11 that on fences six (6) feet or more in
12 height barb wire may be placed on the top
13 thereof for an additional height of not to
14 exceed eighteen (18) inches, but such barb
15 wire shall not be placed in such a manner
16 as to extend in an outward direction and
17 away from the premises enclosed by said
18 fence."

19 SECTION II. This Ordinance shall go into effect from and
20 after fifteen days after its final passage and adoption. It shall
21 be published in full at least once, at least three days prior to
22 its final adoption in The Modesto Bee, the official newspaper of
23 the City of Modesto.

24 SECTION III. The foregoing ordinance was introduced at
25 a regular meeting of the Council of the City of Modesto held on the
26 27 day of November, 1946, by Councilman Morris, who moved
27 its adoption and passage to print, which motion being duly seconded,
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1 was carried and the ordinance ordered printed and published by the
2 following vote:

3 AYES: Councilmen: MORRIS, Stanley, Wilson, Mayor Shannon

4 NOES: Councilmen: none

5 ABSENT: Councilmen: ~~none~~

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APPROVED:


Carl W. Shannon, Mayor

Carl W. Shannon, Mayor

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ATTEST:

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Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 11, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED: Ray W. Shannon
Mayor

ATTEST: [Signature]
City Clerk

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SPECIAL
NOT IN CODE

ORDINANCE NO. 807-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF AUTOMOBILE FOR THE MUNICIPAL AIRPORT OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MODESTO

---oOo---

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

SECTION 1. The sum of One Thousand Five Hundred (\$1500.00) Dollars, or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purchase of an automobile to be used by the Municipal Airport of the Department of Public Works of the City of Modesto.

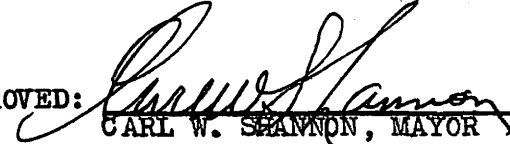
SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 17th day of December, 1946 by Commissioner Morris, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GALLUS, CITY CLERK

1 Time
10 copies

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at an adjourned regular meeting of the Council of the City of Modesto held on the 17th day of December, 1947 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 26, 1946, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Neece

APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, CITY CLERK

REPEALED BY
MUNICIPAL CODE

1 AN ORDINANCE AMENDING SECTION 4501 OF ORDINANCE NO. 387 N. S. EN-
2 TITLED "AN ORDINANCE OF THE CITY OF MODESTO REGULATING THE ERECTION,
3 CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL,
4 DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA
5 AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THE CITY OF
6 MODESTO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF
7 FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;
8 DECLARING AND ESTABLISHING FIRE ZONES; REPEALING ORDINANCE NO.
9 267 N. S. OF THE CITY OF MODESTO, AND ALL OTHER ORDINANCES AND
10 PARTS OF ORDINANCES IN CONFLICT THEREWITH."

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

13 SECTION 1. Section 4501 of Ordinance No. 387 N. S.
14 entitled "AN ORDINANCE OF THE CITY OF MODESTO REGULATING THE
15 ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING,
16 REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT,
17 AREA AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THE CITY
18 OF MODESTO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION
19 OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF;
20 DECLARING AND ESTABLISHING FIRE ZONES; REPEALING ORDINANCE NO.
21 267 N. S. OF THE CITY OF MODESTO, AND ALL OTHER ORDINANCES AND
22 PARTS OF ORDINANCES IN CONFLICT THEREWITH," is hereby amended by
23 adding section (i) thereto, which section (i) shall read as
24 follows:

25 (i) The construction of an overhead passageway,
26 bridge or other overhead connecting structure across Madonia
27 Street by The Grange Company is hereby authorized. Said structure
28 is to be constructed at a clear height of not less than fifty (50)
29 feet from ground level and according to plans and specifications
30 to be approved by the City Engineer.

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

3 SECTION 3. This Ordinance shall be published in full
4 at least once (1) at least three (3) days prior to its final
5 adoption in the Modesto Bee, the official newspaper of the City of
6 Modesto.

7 The foregoing Ordinance was introduced at a regular
8 meeting of the Council of the City of Modesto held on the 26th
9 day of December, 1946, by Councilman Morris, who moved
10 its adoption and passage to print, which motion being duly
11 by Commissioner Stanley
12 seconded/was upon roll call carried and the Ordinance ordered
13 printed and published as above by the following vote:

14 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

15 NOES: Councilmen: None

16 ABSENT: Councilmen: Neece

17 APPROVED Charles Shannon
18 Mayor of the City of Modesto

19 ATTEST:

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21 Robert E. Lawrence
22 City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 26th day of December, 1946, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 8, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Shannon*
MAYOR

ATTEST: *Ed. G. [unclear]*
CITY CLERK

AN ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL WASTE INTO THE INDUSTRIAL WASTE SYSTEM AND/OR THE SANITARY SEWAGE SYSTEM OF THE CITY OF MODESTO AND PRESCRIBING RULES, REGULATIONS AND SCHEDULE OF CHARGES FOR THE RECEIVING AND TREATMENT AND DISPOSAL OF INDUSTRIAL WASTES.

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

SECTION 1. DEFINITIONS.

Industrial Plant: A plant or works producing waste material, other than sanitary sewage.

Industrial Waste: Liquid and/or solids contained within a liquid, other than sanitary sewage, and discharged into either the industrial waste system or sanitary sewage system.

Industrial Waste Plant: The treatment plant or plants owned or to be owned by the City of Modesto which may be designed and used for the treatment and disposal of "industrial waste."

Industrial Waste System: The industrial waste plant and all appurtenant pipe lines and/or laterals which discharge into said industrial waste plant.

Sanitary Sewage: Waste discharging into the city sewerage system and which contains human or animal excreta.

Sanitary Sewer Plant: The plant owned by the City of Modesto and designed for the treatment and disposal of sanitary sewage.

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

Person: Person shall mean any natural person, corporation, partnership, trust, or any other legal entity.

SECTION 2. SANITARY SEWAGE.

It shall be unlawful for any person to discharge or allow the discharge of sanitary sewage into the industrial waste system or into any pipe line, either private or public which leads into the industrial waste system. In the event that sanitary sewage connections exist, or are in the future discovered to exist, which discharge into the industrial waste system, they shall be immediately disconnected and the cost thereof shall be paid for by the owner and/or the user of such connection.

SECTION 3. PERMITS.

Before an industrial waste connection is made to the industrial waste system of the sanitary sewage system, a permit must first be obtained from the City Engineer or his authorized representative. Application for a permit to discharge such wastes shall be in writing and shall contain the following information:

- Name and address of applicant.
- Proposed location of connection.
- Estimated gallage of wastes proposed to be discharged, estimated time of discharge, time of peak loads, and other similar data.
- Character of waste proposed to be discharged.
- Tonnage of produce to be processed.
- Other information as may be deemed to be necessary by the City engineer.

Upon receipt of an application as provided, the City Engineer shall promptly make such investigation as he shall deem necessary.

In the event that the City Engineer finds and determines:

(a) That the industrial waste pipe line in which the connection is to discharge has sufficient unused carrying capacity for the disposition of these wastes;

(b) That the character of the wastes proposed to be discharged by the applicant is such that they can successfully be treated in the industrial waste plant;

(c) That such wastes will not result in damage to the industrial waste plant or industrial waste system; then he shall issue a permit to the applicant as requested.

In the event that it is necessary or desirable to discharge industrial waste into the sanitary sewage system, and the City Engineer finds that items (a), (b) and (c) above apply to the sanitary sewerage system, then he shall issue a permit to the applicant as requested.

Said City Engineer, at his discretion, and toward the end of fulfilling the intent and purpose of this ordinance, may grant a permit in part only and may thereupon prescribe conditions with respect to discharge of such wastes into such systems and may require treatment of such wastes and may require individual screens to collect waste products and/or may require the construction and use of tanks designed to equalize flow and reduce peak load.

No peach, plum, cherry, apricot, prunes, nectarine or other fruit pits or similar waste shall be discharged into or permitted to enter the sewerage system.

Permits shall be required of all persons who now have industrial waste or water connections into the industrial waste and/or sanitary sewerage systems. Such permits shall be requested within sixty (60) days of the adoption of this ordinance and shall be subject to all the rules and regulations herein imposed on all permits and connections issued or made hereunder.

In the event that after the granting of a permit, as provided for in this ordinance, it shall develop, by reason of increased flow, change of character of discharge or for any cause whatsoever that it becomes necessary or desirable to change the conditions prescribed at the time of issuing said permit, then the said City Engineer may revoke said permit or may impose further conditions with respect thereto, toward the end of remedying such conditions.

SECTION 4. TRANSFER FROM SANITARY TO INDUSTRIAL SYSTEM.

In the case of an industrial waste connection made to the sanitary sewerage system, where in the future the industrial waste system may be made available for connection, then upon request of the City Engineer the person owning and/or operating the industrial plant shall, at his own expense, upon request of the City Engineer, change the connection from the sanitary sewerage system to the industrial waste system.

SECTION 5. APPEALS.

Any person who shall be dissatisfied with the action of the City Engineer, in denying a permit or granting a permit wherein conditions are imposed, or in modifying or revoking a permit or in requiring a transfer from the sanitary to the industrial sewerage system, may, within thirty (30) days, appeal to the City Council by giving written notice thereof to the said City Engineer and to the City Clerk. In the event of such an appeal, the City Engineer shall transmit to the City Council a report setting forth the reasons for denying the permit or for imposing conditions or for modifying or revoking the permit or in requiring a change over. The City Council shall have full power to review any action of the City Engineer.

SECTION 6. RATE SCHEDULES.

All persons to whom a permit shall have been granted for the disposition of industrial waste into the sewer systems, shall pay to the City of Modesto, as rental for the use of such facilities in accordance with a rate schedule to be charged on the following:

Raw or green tonnage of fruit or vegetables processed, or

Tonnage of milk or other fluid bottled or processed, or

Thousand gallons of water or liquid waste discharged into the sewer systems, or

Any other convenient unit, and shall be based on the Biochemical Oxygen Demand of the discharge, and/or the suspended solids in the discharge and/or the volume of such discharge, and such charges shall be within the following limits:

For food processing, maximum of fifteen (15) cents per raw or green ton, minimum of five (5) cents per raw or green ton.

For milk bottling or processing, and creameries, minimum of five (5) cents per raw ton.

For plants washing dried or dehydrated fruits where such fruits are dried or dehydrated at some other location, a minimum of five (5) cents per ton of dried or dehydrated fruit.

For chemical plants, a minimum of one (1) cent per 1000 gallons of discharge.

For clear waste water, a minimum of one half (½) cent per 1000 gallons of discharge.

For laundries, a minimum of two (2) cents per 100 pounds of laundry.

For wineries, a minimum of ten (10) cents per ton of raw or green fruit, and a maximum of fifteen (15) cents per ton of raw or green fruit.

For vinegar plants a minimum of five (5) cents per ton of raw products, and a maximum of fifteen (15) cents per ton of raw product.

For poultry killing and/or dressing a minimum of one half (½) cent per turkey, and a minimum of one fourth (¼) cent per chicken or other fowl.

For any other manufacturing or treatment process, or for any other plant, works or place of business which discharges wastes other than sanitary sewage, into the sewer systems, the rates shall be on a comparable basis and shall be fixed by the City Council.

When it is determined that the rate shall be charged on gallage of water or liquid waste, then the person holding the permit at his expense shall install a meter, approved by the City Engineer, which will accurately measure by a recording dial or device the flow into the sewer systems.

The schedule of rates within the rate limits herein set forth shall be prepared by the City Engineer within fifteen days after the effective date of this ordinance and shall be submitted to the City Council for approval. Upon approval by said City Council, the rates shall become effective at such time as may be designated by said City Council. The City Engineer may from time to time submit to the City Council for its consideration, or the City Council may instruct the City Engineer to submit changes, additions and amendments to the approved Rate Schedule, as may be considered necessary and/or desirable. After considering such changes, additions and/or amendments, the City Council may change said rate schedule. The changes in rates shall thereupon become effective at the first of the following month.

SECTION 7. COLLECTION OF CHARGES.

In order to facilitate the payment of charges made in accordance with the rate schedule, each and every person who holds an industrial waste connection permit, shall, not later than the tenth of each month, submit to the City Tax Collector a statement showing tonnage, gallage, and/or other units being used as a basis for charges, which was processed, treated, used or discharged during the preceding month, showing the approved rate for each such item and the total amount of the rental charge. Accompanying this statement shall be a check or cash in the amount calculated.

If, on checking the statement an error is found, or if on later investigation the amount of the tonnage, gallage, and/or other unit being used as a basis for charges, it is found that an error exists, the person making the statement shall pay such additional sum, or the City shall make such refund, as may be found to be necessary to properly adjust the payment.

Any authorized agent of the City of Modesto shall have the right to go upon the premises, or any part thereof, of the person holding a valid permit for the discharging of industrial waste in the city sewer system, for the purpose of protecting the rights of the City of Modesto and to obtain any information deemed necessary to protect such rights. This right shall include the right to examine the books of the person holding the permit in order to correctly check the tonnage, gallage or other unit being used as a basis of charge.

SECTION 8.

The fees to be paid herein are hereby assessed and levied as fees to provide for the payment of interest and principal of any bonded indebtedness which may be hereafter incurred for the object and purpose of improving, enlarging and extending the industrial waste plant, and industrial sewerage system. In the event the electors of the City of Modesto do not vote to incur such bonded indebtedness by December 31, 1946, or if such bonded indebtedness is incurred but a surplus of funds shall exist after making the foregoing payments, then such funds may also be used for the purpose of maintenance, repair, extension and improvement of the industrial sewerage system. The fund created hereby shall be devoted exclusively for the foregoing purposes.

SECTION 9. PENALTY.

Any person, firm or corporation, or any partner, officer, agent or employee thereof, violating any of the provisions of this ordinance or of any rule or regulation adopted pursuant hereto, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred (\$500.00) dollars, or by imprisonment in the City Jail of said City or in the County Jail of Stanislaus County, as the committing magistrate may direct, for a period of not more than six months, or by both such fine and imprisonment.

SECTION 10. SEVERABILITY.

If any provision of this ordinance, or the application thereof, to any person or circumstances, is held invalid, the remainder of the ordinance, or the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 11.

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

SECTION 12.

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

The foregoing ordinance was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 6th day of November, 1946, by Councilman Morris who moved its adoption and passage to print as aforesaid, which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

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

Noes: Councilmen: None.

Absent: Councilmen: Neece.

Approved

CARL W. SHANNON, Mayor.

Attest: Rex E. Gailfus, City Clerk.

Nov. 12, 1946.

1 SPECIAL
2 NOT IN CODE
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AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY AND THE EXCHANGE OF OTHER REAL PROPERTY.

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

"All of Lots 51, 52 and 53 of Block 337, except a fourteen (14') foot strip parallel and adjacent to the southeasterly property line of H Street as said Lots are shown on Page 337 in the Block Maps of the City of Modesto, Stanislaus County, California, recorded in Maps, Volume 15 in the records of the County Recorder of Stanislaus County, California,"

is no longer needed and was acquired by the City of Modesto by virtue of tax sales, and

WHEREAS, the following described property owned by Charles P. Ogston and Mary Corder Ogston, his wife, described as follows:

"Beginning at a point which is the intersection of the east property line of Leon Avenue and the southeasterly property line of "H" Street; thence northeasterly a distance of 8.66' more or less to a point which is the intersection of the northerly property line of Lot 50 of Block 337 and the southeasterly property line of "H" Street; thence easterly along south line of Lot 51 to a point of intersection with a line which bears southwesterly and parallel to and a distance of 14' from the southeasterly property line of "H" Street; thence southwesterly parallel to and a distance of 14' from the southeasterly property line of "H" Street to a point of intersection on the easterly property line of Leon Avenue; thence northerly along said east property line of Leon Avenue to a point of beginning, as said Lot and Block is shown on Page 337 in the Block Map of the City of Modesto, Stanislaus County, California, and recorded in Maps, Volume 15, in the records of the County Recorder, Stanislaus County, California,"

is needed by the City of Modesto and it will be beneficial to the City of Modesto to acquire said above described property to be used ultimately for the purpose of widening H Street, and it will be of benefit to the City of Modesto to dispose of the property herein-

1 above described now owned by the City of Modesto, and

2 WHEREAS, Charles P. Ogston and Mary Corder Ogston,
3 his wife, in addition to deeding the property now owned by them
4 to the City of Modesto have paid to said City of Modesto the sum
5 of Two hundred fifty five and no/100 (\$255.00) Dollars, which the
6 City Council finds to be a reasonable and proper sum to be paid
7 under the circumstances.

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

10 SECTION 1. That the City of Modesto sell and convey
11 to Charles P. Ogston and Mary Corder Ogston, his wife, the
12 following described property:

13 "All of Lots 51, 52 and 53 of Block 337,
14 except a fourteen (14') foot strip parallel
15 and adjacent to the southeasterly property
16 line of H Street as said Lots are shown on
17 Page 337 in the Block Maps of the City of
18 Modesto, Stanislaus County, California, re-
19 corded in Maps, Volume 15 in the records of
20 the County Recorder, Stanislaus County,
21 California,"

22 and take in consideration therefor the sum of Two hundred fifty
23 five and no/100 (\$255.00) Dollars and the deed of Charles P.
24 Ogston and Mary Corder Ogston, his wife, to the following
25 described property,

26 "Beginning at a point which is the inter-
27 section of the east property line of Leon
28 Avenue and the southeasterly property line
29 of "H" Street; thence northeasterly a distance
30 of 8.66' more or less to a point which is the
31 intersection of the northerly property line of
32 Lot 50 of Block 337 and the southeasterly property
line of "H" Street; thence easterly along south
line of Lot 51 to a point of intersection with
a line which bears southwesterly and parallel
to and a distance of 14' from the southeasterly
property line of "H" Street; thence southwesterly
parallel to and a distance of 14' from the south-
easterly property line of "H" Street to a point
of intersection on the easterly property line of
Leon Avenue; thence northerly along said east
property line of Leon Avenue to a point of
beginning."

1 SECTION 2. The Mayor and the City Clerk of the City
2 of Modesto are hereby authorized and directed to execute a
3 deed conveying all the right, title and interest of the said
4 City of Modesto in and to said property to Charles P. Ogston and
5 Mary Corder Ogston, his wife.

6 SECTION 3. The Mayor of the City of Modesto is hereby
7 authorized to accept from Charles P. Ogston and Mary Corder
8 Ogston, his wife a deed to the property described as follows:

9 "Beginning at a point which is the inter-
10 section of the east property line of Leon
11 Avenue and the southeasterly property line
12 of "H" Street; thence northeasterly a distance
13 of 8.66' more or less to a point which is the
14 intersection of the northerly property line
15 of Lot 50 of Block 337 and the southeasterly
16 property line of "H" Street; thence easterly
17 along south line of Lot 51 to a point of inter-
18 section with a line which bears southwesterly
and parallel to and a distance of 14' from the
southeasterly property line of "H" Street;
thence southwesterly parallel to and a
distance of 14' from the southeasterly property
line of "H" Street to a point of intersection
on the easterly property line of Leon Avenue;
thence northerly along said east property line
of Leon Avenue to a point of beginning,"

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

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

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

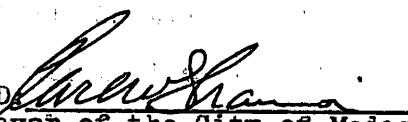
27 The foregoing ordinance was introduced at a special
28 meeting of the Council of the City of Modesto held on the 2nd
29 day of January, 1947, by Councilman Wilson, who moved
30 its adoption, which motion being duly seconded/ was, upon roll call
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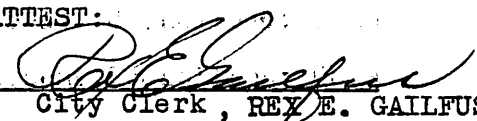
1 carried and the ordinance ordered printed and published as above
2 by the following vote:

3
4 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

5 NOES: Councilmen: None

6 ABSENT: Councilmen: None

7
8 APPROVED 
Mayor of the City of Modesto

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

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 2nd day of January, 1947, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of January 22, 1947, it was upon roll call so finally
8 adopted by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12
13 APPROVED: *Carroll Shannon*
14 MAYOR

15
16 ATTEST: *Paul E. Gassner*
17 CITY CLERK

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1 REVEALED BY
MUNICIPAL CODE
2 AN ORDINANCE AMENDING ORDINANCE NO. 602 N. S. BY DELETING THEREFROM
3 THE PROVISION THAT A MEMBER OF THE PERSONNEL BOARD MAY NOT FOR A
4 PERIOD OF ONE YEAR AFTER HE HAS CEASED FOR ANY REASON TO BE A MEMBER
5 BE ELIGIBLE FOR APPOINTMENT TO ANY SALARIED OFFICE OR EMPLOYMENT IN
6 THE SERVICE OF THE CITY OR ANY CITY ELECTIVE OFFICE.

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

9 SECTION 1. Section 2 of Ordinance No. 602 MS. entitled
10 "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF
11 CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL, PRESCRIBING
12 ITS DUTIES, SETTling THE STATUS OF PRESENT EMPLOYEES, AND PROVIDING
13 A PENALTY FOR THE VIOLATION THEREOF" is hereby amended to read as
14 follows:

15 "SECTION 2. DEPARTMENT OF PERSONNEL. There is hereby
16 created a Department of Personnel which shall consist of a Personnel
17 Board and a Personnel Clerk. The Personnel Board shall consist of
18 three members to be appointed by the City Council.

19 The Board to be appointed, shall, at its first meeting,
20 so classify its members by lot that one shall serve for a term which
21 shall expire January 15, 1941, one shall serve for a term which
22 shall expire January 15, 1943, and one shall serve for a term which
23 shall expire January 15, 1945. At the expiration of each of the
24 terms so provided for a successor shall be appointed by the City
25 Council for a term of six (6) years.

26 Vacancies on the Personnel Board from whatever cause,
27 shall be filled by appointment by the City Council for the unexpired
28 term. Each member of the Board shall serve until his successor is
29 appointed and qualified. A four-fifths vote of all the members of
30 the City Council shall be required to appoint a member to said
31 Board or to fill any vacancy thereon or to remove any member of
32 said Board from office prior to the expiration of his term of office.
Any and all vacancies upon the Personnel Board must be filled by

1 the City Council within thirty (30) days after said vacancy or
2 vacancies occur.

3 No person shall be appointed to said Board who holds
4 any salaried public office or employment, nor shall any member, while
5 a member of the Board be eligible for appointment to any salaried
6 office or employment in the service of the city or any city elective
7 office."

8 SECTION 2. This ordinance shall go into effect from and
9 after fifteen (15) days after its final passage and adoption.

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

13 The foregoing ordinance was introduced at a special
14 meeting of the Council of the City of Modesto held on the 15th
15 day of January, 1947, by Councilman Stanley, who moved its adoption
16 and passage to print, which motion being duly seconded was upon
17 roll call carried, and the ordinance ordered printed and published
18 as above by the following vote:

19 AYES: Councilmen: Wilson, Morris, Stanley, Mayor Shannon
20 NOES: Councilmen: None
21 ABSENT: Councilmen: None

22
23 APPROVED Paul Shannon
24 MAYOR

25 ATTEST:
26 Ray C. [Signature]
27 City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 15th day of January, 1947, and
5 subsequently printed and published as required by the Charter of the
6 City of Modesto, and coming on for final adoption at the regular
7 meeting of January 22, 1947, it was upon roll call so finally adopted
8 by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12
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14 APPROVED: *Ernest Shannon*

MAYOR

15
16 ATTEST: *Peter [unclear]*

CITY CLERK

*amended
by Ord 811 AS*

1 AN ORDINANCE AMENDING ORDINANCE NO. 804 N. S. OF THE CITY OF
2 MODESTO BY REPEALING SECTIONS 16 and 80 OF THE STANDARD GAS CODE
3 AND BY ADDING SECTION 8A PROVIDING FOR A DOUBLE FEE WHEN GAS
4 PIPING AND/OR GAS APPLIANCES FOR WHICH A PERMIT IS REQUIRED ARE
5 INSTALLED WITHOUT FIRST OBTAINING A PERMIT.

REPEALED BY
MUNICIPAL BODY

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

8 SECTION 1. Ordinance No. 804 N. S. entitled "AN ORDINANCE
9 PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND REGULATING
10 THE SALE, INSTALLATION, MAINTENANCE AND REPAIR OF APPLIANCES AND/
11 OR GAS PIPING ON THE OUTLET SIDE OF GAS METERS FOR USE WITHIN THE
12 CITY OF MODESTO, AND PROVIDING FOR INSPECTION THEREOF, ISSUANCE
13 OF PERMITS AND COLLECTION OF FEES THEREFOR, LICENSING OF PERSONS
14 ENGAGED IN THE BUSINESS THEREOF, IMPOSING PENALTIES FOR VIOLATION
15 OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES IN CONFLICT THERE-
16 WITH," is hereby amended by adding Sections 8, 8A and 20 to read
17 as follows:

18 "Section 8: Section 16 of the Standard Gas Code re-
19 commended by the Pacific Coast Plumbing Inspectors Association as
20 amended October 11, 1940" is hereby expressly repealed."

21 "Section 8A: Any person, firm, company or corporation
22 who or which shall install any gas piping and/or gas appliance for
23 which a permit is required under this ordinance, without first
24 obtaining a permit therefor, if subsequently allowed to take out
25 such a permit, shall be required to pay therefor double the fee
26 herein provided for such permit, provided that this section shall
27 have no application to emergency work when it shall be proved to
28 the satisfaction of the Gas Inspector that such work was necessary
29 and that it was impracticable to obtain a permit therefor prior
30 to its commencement."

REPEALED BY
MUNICIPAL BODY

1 "Section 20: Section 60 of the "Standard Gas Code re-
2 commended by the Pacific Coast Plumbing Inspectors Association as
3 amended October 11, 1940" is hereby expressly repealed."

4 SECTION II. This Ordinance shall take effect and be in
5 full force from and after fifteen (15) days after its final
6 adoption.

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

11 The foregoing ordinance was introduced at a special
12 meeting of the Council of the City of Modesto held on February
13 6, 1947, by Councilmen Wilson, who moved its
14 adoption and passage to print as aforesaid, which motion, being
15 duly seconded, was upon roll call carried, and the ordinance
16 ordered published as above by the following vote:

17 AYES: Councilmen: Stanley, Wilson, Mayor Shannon

18 NOES: Councilmen: None

19 ABSENT: Councilmen: Morris

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

22
23 Attest:

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

2 The foregoing ordinance, having been introduced and order-
3 ed printed and published at a special meeting of the Council of the
4 City of Modesto held on the 6th day of February, 1947, and subse-
5 quently printed and published as required by the Charter of the City
6 of Modesto, and coming on for final adoption at the regular meeting
7 of February 26, 1947, it was upon roll call so finally adopted by
8 the following vote:

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

10 Noes: Councilmen: None

11 Absent: Mayor Shannon

12
13 APPROVED: *G. Stanley*
14 MAYOR (ACTING)

15 ATTEST: *W. E. ...*
16 CITY CLERK

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REPEALED BY
MUNICIPAL CODE

1 AN ORDINANCE AMENDING ORDINANCE NO. 569 N. S. OF THE CITY OF MODESTO
2 BY ADDING SECTION 15 A, PROVIDING FOR A DOUBLE FEE WHEN PLUMBING
3 OR PIPING FOR WHICH A PERMIT IS REQUIRED IS INSTALLED WITHOUT
4 FIRST OBTAINING A PERMIT.

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

7 SECTION 1. Ordinance No. 569 N. S. entitled "AN ORDINANCE
8 PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, AND THE EX-
9 AMINATION, REGISTRATION, AND LICENSING OF PERSONS ENGAGED IN THE
10 BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; RE-
11 QUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING
12 AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING INSPECTOR
13 AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR DUTIES;
14 DEFINING CERTAIN TERMS, ESTABLISHING MINIMUM REGULATIONS FOR THE
15 INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS
16 AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATION
17 THEREOF, AND REPEALING CONFLICTING ORDINANCES," is hereby amended
18 by adding Section 8A to read as follows:

19 "Section 8A: Any person, firm, company or corporation
20 who or which shall install any plumbing, or piping pertaining
21 thereto, for which a permit is required under this Ordinance,
22 without first obtaining a permit therefor if subsequently allowed
23 to take out such a permit, shall be required to pay therefor
24 double the fee herein provided for such permit, provided that
25 this section shall have no application to emergency work when it
26 shall be proved to the satisfaction of the Plumbing Inspector that
27 such work was necessary, and that it was impracticable to obtain
28 a permit therefor prior to its commencement."

29 SECTION 2: This Ordinance shall take effect and be in
30 full force from and after fifteen (15) days after its final adoption.
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1 SECTION 3: This ordinance shall be printed and published
2 in full at least once at least three days prior to its final
3 adoption, in the Modesto Bee, the official newspaper of the
4 City of Modesto.

5 The foregoing Ordinance was introduced at a special
6 meeting of the Council of the City of Modesto held on February
7 6, 1947, by Councilman Wilson who moved its adoption
8 and passage to print as aforesaid, which motion, being duly
9 seconded, was upon roll call carried, and the ordinance ordered
10 published as above by the following vote:


11 AYES: Councilmen: Stanley, Wilson, Mayor Shannon

12 NOES: Councilmen: None

13 ABSENT: Councilmen: Morris

14 APPROVED: 
15 CARL W. SHANNON, MAYOR

16 Attest:

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18 REX E. GAILFUS, CITY CLERK
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 6th day of February, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 26, 1947, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: C. J. Stanley
MAYOR (ACTING)

ATTEST: P. E. Gausman
CITY CLERK

REPEALED BY
MUNICIPAL CODE

1 AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 778 N. S. ENTITLED
2 "AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC
3 STREETS IN THE CITY OF MODESTO, DEFINING AND PROVIDING FOR THE
4 ESTABLISHMENT OF PARKING METER ZONES, REGULATING AND PROVIDING FOR
5 INSPECTION OF THE PARKING OF VEHICLES THEREIN BY THE USE OF PARKING
6 METERS: PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER
7 ZONES, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND PROVIDING
8 PENALTIES FOR THE VIOLATION THEREOF."

9
10
11 The Council of the City of Modesto do ordain as
12 follows:

13 SECTION 1. Section 2 of Ordinance No. 778 N. S. of the
14 City of Modesto is hereby amended to read as follows:

15 Section 2. The following portions of streets within
16 the City of Modesto are hereby established as parking meter zones:

17 Both sides of Tenth Street from "G" Street to "L" Street;

18 Both sides of Eleventh Street from "G" Street to "L" Street;

19 Both sides of Twelfth Street from "H" Street to "K" Street;

20 Both sides of "H" Street from Ninth Street to Twelfth
21 Street;

22 Both sides of "I" Street from Ninth Street to Twelfth
23 Street;

24 Both sides of "J" Street from Ninth Street to Thirteenth
25 Street;

26 Both sides of "K" Street from Ninth Street to Twelfth
27 Street;

28 East side of Ninth Street from "H" to "J" Street

29 SECTION 2. This ordinance shall be in full force and
30 effect from and after fifteen (15) days after its final passage
31 and adoption.

32 SECTION 3. This ordinance shall be published in full

1 at least once at least three days prior to its final passage in the
2 Modesto Bee, the official newspaper of the City of Modesto.

3 The foregoing Ordinance was introduced at a regular
4 meeting of the Council of the City of Modesto held on March 26th,
5 1947, by Councilman Stanley who moved its adoption and
6 passage to print as aforesaid, which motion being duly seconded
7 was upon roll call carried and the ordinance ordered published
8 as above by the following vote:

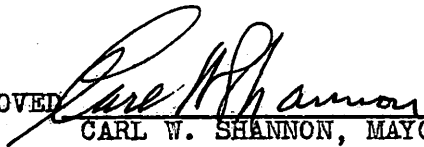
9 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

10 NOES: Councilmen: None

11 ABSENT: Councilmen: None

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APPROVED 
CARL W. SHANNON, MAYOR

14

15

16 Attest;


17 REX E. GAILFUS, CITY CLERK.

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 26th day of March, 1947 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 9, 1947, it was upon roll call so finally adopted by the following vote:

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

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

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

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SPECIAL
NOT IN CODE

ORDINANCE NO. 814-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A "CRASH FIRE FIGHTING" TRUCK FOR THE MUNICIPAL AIRPORT OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF MODESTO

---oOo---

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

SECTION 1. The sum of One Thousand Three Hundred (\$1300 00 Dollars, or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purchase of a "Crash Fire Fighting" truck to be used by the Municipal Airport of the Department of Public Works of the City of Modesto.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption, It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1947 by Commissioner Wilson who moved its adoption, and passage to print, which motion being duly seconded by Commissioner Morris, was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: Rex E. Gallus
REX E. GALLUS, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 23, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

[Signature]
CITY CLERK

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SPECIAL
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY
2 TO THE CITY OF MODESTO

3
4 WHEREAS, a petition dated the 4th day of March, 1947,
5 was filed with the City Council by Herbert M. Brockett and Madge
6 Brockett, his wife, and Minden W. Valk and Mabel M. Valk, his wife,
7 which petition was for the annexation of uninhabited territory under
8 the Uninhabited Territory Act of 1939, and

9 WHEREAS, the City Council by Resolution made on the 12th day
10 of March, 1947, set for hearing said petition for the hour of
11 7:30 o'clock P. M. on the 9th day of April, 1947, in the Council
12 Chambers of the City Hall of the City of Modesto, and

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

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

17 SECTION 1. That the petition of Herbert M. Brockett and
18 Madge Brockett, his wife, and Minden W. Valk and Mabel M. Valk,
19 his wife, be and the same is hereby granted and the territory
20 described in said petition is hereby annexed to and made a part
21 of the City of Modesto.

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

26 SECTION 3. That the area of territory so annexed is
27 generally described as follows:

28 That certain tract of land situated in the
29 County of Stanislaus, State of California, known
30 as the Brockett & Valk Tract, being a subdivision
31 of all of Lot 1, except the south 264.02 feet, of
32 Rice Colony in Section 21, Township 3 South,
Range 9 East, M. D. B. & M., as shown on that
certain instrument No. 5096 recorded February
26, 1947, in Volume 16 of Maps, at page 32 of
Stanislaus County Records.

1 That the area of territory so annexed is particularly de-
2 scribed as follows, to-wit:

3 All that certain real property located in
4 the County of Stanislaus, State of California,
and more particularly described as follows:

5 Commencing at a point 20 feet east of the
6 point of intersection of the center line of
Helen Avenue with the center line of Sunrise
7 Avenue, said point being on the center line
of Helen Avenue, and running thence South 89°55'30"
8 east 639.87 feet to the northeast corner of Lot 1
of Rice Colony; thence running south 0°48'30"
9 east 398.62 feet; thence running north 89°57'30"
10 west 639.70 feet to a point 20 feet east of the
center line of Sunrise Avenue; thence north 0°50'
west 397.25 feet to the point of commencement.

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

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

18 The foregoing ordinance was introduced at a regular meeting
19 of the Council of the City of Modesto held on the 9th day of April,
20 1947, by Councilman Stanley who moved its adoption
21 and passage to print, which motion being duly seconded/ was upon
22 roll call carried by the following vote:

23 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

24 NOES: Councilmen: None

25 ABSENT: Councilmen: None

26 APPROVED

Carl W. Shannon
27 CARL W. SHANNON, Mayor of
The City of Modesto

28 ATTEST:

29 *Rex E. Gailfus*
30 REX E. GAILFUS, City Clerk

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3 **FINAL ADOPTION CLAUSE**

4 The foregoing ordinance having been introduced and ordered
5 printed and published at a regular meeting of the Council of the
6 City of Modesto held on the 9th day of April, 1947, and subsequently
7 printed and published as required by the Charter of the City of
8 Modesto, and coming on for final adoption at the regular meeting of
9 April 23, 1947, it was upon roll call so finally adopted by the
10 following vote:

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

12 **Noes: Councilmen: None**

13 **Absent: Councilmen: None**

14 **APPROVED:** *Carl W. Shannon*
15 **MAYOR**

16 **ATTEST:** *Edna E. Searles*
17 **CITY CLERK**



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NOT SPECIAL
IN CODE

ORDINANCE NO. 816-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PREPARING, SURFACING AND ERECTION OF FENCES ON PARKING LOT LEASED FROM THE SOUTHERN PACIFIC COMPANY

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

SECTION 1. The sum of Three Thousand (\$3000 00) Dollars or so much thereof as may be necessary is hereby appropriated out of the Parking Meter Fund of the City of Modesto for the purpose of preparing, surfacing and erection of fences on parking lot leased to the City of Modesto by the Southern Pacific Company.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of April, 1947 by Commissioner Wilson, who moved its adoption, and passage to print, which motion being duly seconded by Commissioner Morris was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

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3 FINAL ADOPTION CLAUSE

4 The foregoing ordinance having been introduced and ordered
5 printed and published at a special meeting of the Council of the
6 City of Modesto held on the 16th day of April, 1947, and subsequently
7 printed and published as required by the Charter of the City of
8 Modesto, and coming on for final adoption at the regular meeting of
9 April 23, 1947, it was upon roll call so finally adopted by the
10 following vote:

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

12 Noes: Councilmen: None

13 Absent: Councilmen: None

14 APPROVED: *Carroll Shannon*

MAYOR

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17 ATTEST: *[Signature]*

CITY CLERK

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1 AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. AND REZONING CERTAIN
2 AREAS
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4 WHEREAS, the Modesto City Planning Commission has been
5 requested to make certain changes in use districts and by
6 means of a Resolution has initiated proceedings for a change in
7 the use district of certain areas being designated as Lots 1,
8 2, 7, 8 and 9 in Block 579, and

9 WHEREAS, a request has been made to the Modesto City
10 Planning Commission by means of a duly executed petition asking
11 a change in the use district of Lots 3, 4, 5 and 6 of Block 579,
12 and

13 WHEREAS, after two public hearings as required by the
14 City Ordinance and the State Planning Act, and after due con-
15 sideration, the Modesto City Planning Commission has recommended
16 to the City Council the amending of the Zoning Ordinance of the
17 City of Modesto to effect the changes as hereinafter set forth,
18 and

19 WHEREAS, a public hearing has been had by the Council
20 of the City of Modesto as provided by law,

21 NOW, THEREFORE, the City Council of the City of Modesto
22 do ordain as follows:
23

24 SECTION 1. That the public interest, necessity and
25 general welfare requires a change in the use districts as recommended
26 in said Resolution.

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

29 Block 579, Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9
30 as said lots and block are shown in Volume 15 of Maps, said Volume
31 being on file and on record in the office of the County Recorder
32

1 of Stanislaus County, State of California, are hereby taken and
2 removed from the R-3 Multiple Family Residence District Use Zone
3 and placed in the C-1 Neighborhood Business District Use Zone.

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

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

10 The foregoing Ordinance was introduced at a special
11 meeting of the Council of the City of Modesto held on May 7,
12 1947, by Councilman Morris who moved its adoption
13 and passage to print as aforesaid, which motion, being duly
14 seconded, by Commissioner Wilson and the ordinance ordered
15 published as above by the following vote.

16 AYES: Councilmen: Morris, Benson, Stanley, Wilson, Mayor Shannon
17 NAYS: Councilmen: None
18 ABSENT: Councilmen None
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22 APPROVED: Carl J. Shannon
CARL J. SHANNON, MAYOR

23
24 ATTEST:

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26 Rex E. Gailfus
27 REX E. GAILFUS, CITY CLERK
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and ordered
3 printed and published at a special meeting of the Council of the
4 City of Modesto held on the 7th day of May, 1947, and subsequently
5 printed and published as required by the Charter of the City of
6 Modesto, and coming on for final adoption at the regular meeting
7 of May 14, 1947, it was upon roll call so finally adopted by the
8 following vote:

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

10 Noes ; Councilmen: None

11 Absent: Councilmen: None

12
13 APPROVED: *Ernest Shannon*

MAYOR

14
15
16 ATTEST: *Ray E. Clausen*

CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 812-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING
CHLORINE TO BE USED IN DISINFECTION OF INDUSTRIAL WASTE

---oOo---

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

SECTION 1. The sum of Twenty Thousand (\$20,000.00) Dollars, or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purpose of purchasing Chlorine to be used in the disinfection of industrial waste.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 7th day of May, 1947 by Commissioner Morris, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 7th day of May, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 14, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes ; Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *Patricia G. ...*
CITY CLERK

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SPECIAL
NOT IN CODE

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN REAL PROPERTY

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

Lot 19 in Block 37 as said Lot is shown on Page 37 in the Block Maps of the City of Modesto, Stanislaus County, California recorded in Maps, Volume 15 in the Records of the County Recorder of Stanislaus County, California

is no longer needed and it will be beneficial to the City of Modesto to dispose of the property hereinabove described, now owned by the City of Modesto, and

WHEREAS, Roy Nave has paid to said City of Modesto the sum of Two hundred and no/100 (\$200.00) Dollars as and for the purchase price for said property, which sum the City Council finds to be a reasonable and proper sum under the circumstances.

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

SECTION 1. That the City of Modesto sell and convey to Roy Nave the following described property:

Lot 19 in Block 37 as said Lot is shown on Page 37 in the Block Maps of the City of Modesto, Stanislaus County, California recorded in Maps, Volume 15 in the Records of the County Recorder of Stanislaus County, California

and take in consideration therefor the sum of Two hundred and no/100 (\$200.00) Dollars.

SECTION 2. The Mayor and the City Clerk of the City of Modesto are hereby authorized and directed to execute a deed conveying all the right, title and interest of the said City of Modesto in and to said property to Roy Nave.

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

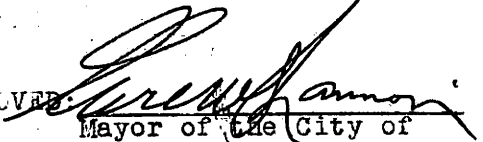
1 SECTION 4. This ordinance shall go into effect and be
2 in full force and operation from and after fifteen (15) days
3 after its final passage and adoption.

4 The foregoing ordinance was introduced at a special
5 meeting of the Council of the City of Modesto held on the 21st
6 day of May, 1947, by Councilman Benson, who moved
7 its adoption, which motion being duly seconded by Councilman
8 Morris, was upon roll call carried and the
9 ordinance ordered printed and published as above by the following
10 vote:

11 AYES: Councilmen: Morris, Benson, Wilson, Mayor Shannon

12 NOES: Councilmen: None

13 ABSENT: Councilmen: Stanley

14
15 APPROVED: 
16 Mayor of the City of
17 Modesto

18 ATTEST:

19 
20 City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and ordered
3 printed and published at a special meeting of the Council of the
4 City of Modesto held on the 21st day of May, 1947, and subsequently
5 printed and published as required by the Charter of the City of
6 Modesto, and coming on for final adoption at the regular meeting of
7 May 28, 1947, it was upon roll call so finally adopted by the
8 following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12
13 APPROVED


14 CARL W. SHANNON, MAYOR

15
16 ATTEST:


17 REX E. GAILFUS, CITY CLERK
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SPECIAL
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO

3 WHEREAS, a petition dated the 23rd day of April, 1947,
4 was filed with the City Council by Joseph L. Brady, Marian
5 LaFayette Brady, also known as Marion Layfaette Brady, and
6 Ruth B. Cox, formerly Ruth B. Elliott, which petition was for the
7 annexation of uninhabited territory under the Uninhabited
8 Territory Act of 1939, and

9 WHEREAS, the City Council by Resolution passed on the
10 23rd day of April, 1947, set for hearing said petition for the
11 hour of 7:30 o'clock P. M. on the 14th day of May, 1947, in
12 the Council Chambers of the City Hall of the City of Modesto,
13 and,

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

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

18 SECTION 1. That the Petition of Joseph L. Brady, Marian
19 LaFayette Brady, also known as Marion Layfaette Brady, and
20 Ruth B. Cox, formerly Ruth B. Elliott, be and the same is hereby
21 granted and the territory described in said Petition is hereby
22 annexed to and made a part of the City of Modesto.

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

27 SECTION 3. That the area of territory so annexed is
28 located in the County of Stanislaus, State of California, described
29 as follows:

30 All of the Leonardo Tract according to the
31 official map thereof filed in the office of the
32 County Recorder of Stanislaus County on January
30, 1947, in Vol. 16 of Maps at page 20.

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

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

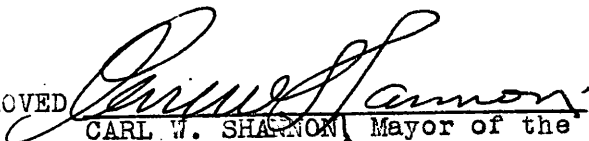
8 The foregoing ordinance was introduced at a ~~regular~~ ^{SPECIAL}
9 meeting of the Council of the City of Modesto held on the ^{21st} ~~14th~~
10 day of May, 1947, by Councilman Morris who moved
11 its adoption and passage to print, which motion being duly
12 seconded ^{by Councilman Benson} / was upon roll call carried by the following vote:

13 AYES: Councilmen: Morris, Benson, Wilson, Mayor Shannon

14 NOES: Councilmen: None

15 ABSENT: Councilmen: Stanley

16
17 APPROVED


18 CARL W. SHANNON, Mayor of the
19 City of Modesto

20 ATTEST:

21 
22 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 21st day of May, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 28, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE AMENDING SECTION 132 OF ORDINANCE NO. 487 N. S. AS
2 AMENDED, PROVIDING PROCEDURE FOR REGULATING AND LICENSING THE
3 BUSINESS OF SELLING OR PEDDLING TICKETS, CHECKS OR COUPONS TO BE
4 USED IN PAYMENT OR PART PAYMENT FOR PICTURE FRAMES, PICTURES,
5 PORTRAITS, PHOTOGRAPHS OR THE ENLARGING OR RETOUCHING OF THE SAME
6 OR THE TAKING OF PHOTOGRAPHS BY PERSONS, FIRMS OR CORPORATIONS
7 WHO DO NOT MAINTAIN A FIXED PLACE OF BUSINESS WITHIN THE CITY OF
8 MODESTO AND PROVIDING FOR THE POSTING OF A BOND.

9
10 The Council of the City of Modesto do ordain as
11 follows:

12 SECTION 1. Section 132 of Ordinance No. 487 N. S. of
13 the City of Modesto entitled: "An Ordinance Providing For
14 Licensing And Regulating The Carrying On Of Certain Professions,
15 Trades, Callings And Occupations In The City Of Modesto, Providing
16 The Method Of Collecting Said Licenses, And Repealing Certain
17 Ordinances," is hereby amended to read as follows:

18 "Every person, firm or corporation who operates, con-
19 ducts, carries on or manages the business of selling or peddling
20 tickets, checks or coupons to be used in payment or part payment
21 for picture frames, pictures, portraits, photographs, or the
22 enlarging or retouching of the same or who engages in the taking
23 of photographs and who does not maintain a fixed place of business
24 within said City of Modesto, and every person employed by such
25 person, firm or corporation to solicit such business shall first
26 secure a permit from the chief of police and a license therefor from
27 the tax collector and shall post a bond as hereinafter required."

28 (a) Application for permit. Every person requiring
29 a permit as provided for herein shall make written application to
30 the Chief of Police for such a permit on forms provided by the
31 Police Department. Said application shall be accompanied by
32

1 fingerprints of the applicant, shall contain all information
2 deemed relevant by the Chief of Police and shall contain in
3 addition thereto the name, business or occupation and resident
4 address of each person financially interested in such business.
5 Permits requested by persons acting as solicitors for the person
6 conducting, carrying on or managing the business shall be first
7 authorized in writing by the person engaging, employing or hiring
8 such person.

9 Solicitor shall mean every person acting as servant,
10 agent or employee of the person conducting, carrying on or
11 managing the business.

12 **(b) Investigation - issuance or denial of permit -**
13 **expiration date.** Upon receipt of said application, the Chief of
14 Police shall conduct such investigation as he may deem proper
15 as to the character and morals of the applicant and the character
16 of the business to be conducted. No permit shall be issued to any
17 person who has been convicted of a felony, petty theft or a crime
18 involving moral turpitude. If the chief of police approves the
19 granting of said permit, he may issue a permit to said applicant,
20 which permit shall be serially numbered and shall expire on the
21 last day of the calendar quarter year in which issued.

22 **(c) Permit forwarded to tax collector.** When any permit
23 is issued under the provisions of this section, the chief of
24 police shall cause said permit to be forwarded to the office
25 of the tax collector for delivery to the permittee upon the payment
26 of the sum of Fifty and no/100 (\$50.00) Dollars per quarter or
27 fraction thereof for every person, firm or corporation who operates,
28 conducts, carries on or manages said business, and Ten and no/100
29 (\$10.00) Dollars per quarter or fraction thereof for every person
30 employed to solicit such business. Said permit shall be carried by
31 permittee at all times and exhibited upon request.
32

1 (d) Revocation of permit - rules and regulations.

2 The Chief of Police may revoke any permit issued hereunder when
3 the permittee is violating or attempting to violate any law of
4 the State of California, any Ordinance of the City of Modesto, any
5 provisions of this section or the rules and regulations issued
6 by the Chief of Police governing the conduct or operations of
7 the permittee. Written notice of such revocation shall be forwarded
8 by the chief of police to the tax collector.

9 (e) Permit and license not exemption from any other

10 provision. The issuance of a permit or license under the provisions
11 of this section shall not exempt the permittee from any other pro-
12 visions of the ordinances of the City of Modesto requiring a permit
13 or license or otherwise regulating the business defined herein.

14 (f) Bond. At the time of filing with the Chief of

15 Police an application for such license each applicant shall file
16 and thereafter maintain with the city tax collector a good and
17 sufficient bond in the aggregate sum of \$250.00 running to the
18 City of Modesto for the use and benefit of interested persons
19 and parties executed by the applicant and by two or more re-
20 sponsible sureties who are residents and householders of the
21 City of Modesto or a surety company authorized to do business in
22 the State of California, to be approved by the Tax Collector.
23 The total aggregate liability on said bond shall be limited to
24 the payment of \$250.00. Said bond shall be conditioned upon the
25 strict compliance by the licensed applicant with the provisions of
26 Ordinance No. 487 N. S. as amended and the payment of any direct
27 pecuniary loss sustained through any act of grand or petit theft
28 on the part of the said applicant by any person to whom tickets,
29 checks or coupons or goods, wares or merchandise have been sold
30 or photographs taken.

31
32 Said bond shall remain in force and effect until said

1 bond and undertaking is cancelled by the sureties. The sureties
2 may cancel said bond and be relieved of further liability there-
3 under by delivering thirty days' written notice to the City Tax
4 Collector. Such cancellation shall not affect any liability
5 incurred or accrued thereunder prior to the termination of said
6 thirty day period.

7 Any person who sustains any injury covered by said
8 bond may in addition to any other remedy that he may have, bring
9 an action in his own name upon said bond for the recovery of any
10 damage sustained by him.

11 Upon such action being commenced, such bond shall not
12 be void upon first recovery thereon, but may be sued upon from time
13 to time until the whole of such penalty shall be exhausted. The
14 tax collector may in his discretion require the filing of a new
15 bond and immediately upon the recovery in any action on such
16 bond such solicitor shall file a new bond and upon failure to file
17 the same within ten days in either case, the tax collector
18 shall forthwith suspend such solicitor's license.

19 The time within which any action may be brought against
20 a surety upon any bond filed hereunder may by express provision
21 of the bond to that effect, be limited to a period of two years
22 from and after the discovery by the person aggrieved of the act
23 or default complained of."

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

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

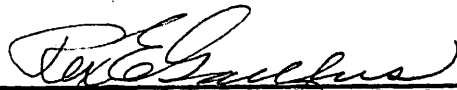
30 The foregoing Ordinance was introduced at a regular
31 meeting of the Council of the City of Modesto held on May 28,
32

1 1947, by Councilman Stanley, who moved its adoption
2 and passage to print as aforesaid, which motion, being duly
3 seconded by Councilman Morris, was upon roll call carried
4 and the ordinance ordered published as above by the following
5 vote.

6 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
7 NOES: Councilmen: None
8 ABSENT: Councilmen: None

9
10 APPROVED: 
11 CARL W. SHANNON, Mayor

12 ATTEST:

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14 
15 REX E. GALLFUS, City Clerk

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18 100 copies
19 1 Time

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 11, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: Rex E. Gallus
REX E. GALLUS, CITY CLERK

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1 AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND
2 OBJECTS OF NATURAL GROWTH IN THE CITY OF MODESTO; DEFINING CERTAIN
3 TERMS USED HEREIN; PROVIDING FOR ENFORCEMENT; AND IMPOSING PENALTIES
4

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

6 SECTION 1. DEFINITIONS. As used in this ordinance
7 certain terms used herein are defined as follows:

8 (1) Structure means any object constructed or installed
9 by man, including, but without limitation, buildings, towers, poles,
10 smoke-stacks, and overhead transmission lines.

11 (2) Tree means any object of natural growth.

12 (3) Person means any individual, firm, co-partnership,
13 corporation, company, association, joint stock association or body
14 politic, and includes any trustee, receiver, assignee, or other
15 similar representative thereof.

16 SECTION 2. HEIGHT LIMITS. No person shall erect,
17 alter, allow to grow, or maintain in the City of Modesto any building
18 structure, tower, pole, smokestack or tree to a height in excess of
19 one hundred and fifty (150) feet.

20 SECTION 3. PENALTY. Any person violating this Ordinance
21 shall be guilty of a misdemeanor and shall be punishable by a fine
22 of not more than Three Hundred Dollars (\$300.00) or by imprisonment
23 in the County Jail of Stanislaus County, California for a term not
24 exceeding three (3) months or by both such fine and imprisonment. Such
25 person shall be deemed guilty of a separate offense for each and
26 every day during any portion of which any violation of this
27 Ordinance is committed, continued or permitted by such person and
28 shall be punishable as herein provided.

29 SECTION 4. REPEALING CLAUSE. All ordinances or parts
30 of Ordinances in conflict herewith are hereby repealed.

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

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

6 The foregoing Ordinance was introduced at a regular
7 meeting of the Council of the City of Modesto held on the 28th
8 day of May, 1947, by councilman Morris, who moved its
9 adoption and passage to print, which motion being duly seconded
10 by Councilman Wilson, was upon roll call carried
11 by the following vote:

12 AYES: Councilmen: Benson, Morris, Wilson, Stanley, Mayor Shannon
13 NOES: Councilmen: None
14 ABSENT: Councilmen: None

15
16 ATTEST


17 REX E. GAILFUS, City Clerk

18 APPROVED:


19 CARL W. SHANNON, MAYOR

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of May, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 11, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

*Repealed
by Ord 1051-A.S.*

1 AN ORDINANCE AMENDING ORDINANCE NO. 608 N. S. BY EXTENDING THE
2 BOUNDARIES WITHIN WHICH BUTANE OR OTHER LIQUIFIED PETROLEUM
3 GASES MAY BE KEPT, INSTALLED OR MAINTAINED

REPEALED BY
MUNICIPAL CODE

4
5 The Council of the City of Modesto do ordain as follows:
6 SECTION 1. Section 3.1 of Ordinance No. 608 N. S.
7 entitled "AN ORDINANCE REGULATING THE STORAGE AND/OR INSTALLATION
8 OF PLANTS AND AUTOMOBILE FILLING STATIONS HANDLING AND/OR DEALING
9 IN BUTANE AND OTHER LIQUIFIED PETROEUM GASES, AND PROVIDING A
10 PENALTY FOR THE VIOLATION OF THIS ORDINANCE" is hereby amended
11 to read as follows:

12 SECTION 3.1. Any person, firm or corporation keeping,
13 storing or maintaining butane or other liquified petroleum
14 gases in quantities greater than 400 gallons (water capacity)
15 is hereby prohibited from keeping the same in any portion of
16 the city limits of the City of Modesto, save and except within
17 the boundaries of the hereinafter described property:

18 Beginning at a point at the intersection of
19 the center lines of 9th Street and B Streets;
20 thence northeasterly along the said center
21 line of B Street, and the said center line
22 of B Street, extended and produced to its in-
23 tersection, with the westerly property line
24 of Morton Boulevard, extended and produced;
25 thence southerly along the said westerly
26 property line of Morton Boulevard, extended and
27 produced, and the said westerly property line of
28 Morton Boulevard, to its intersection with the
29 southerly property line of the said Morton
30 Boulevard, extended and produced; thence
31 easterly along the said southerly property
32 line of Morton Boulevard, extended and pro-
duced to its intersection with the center
line of Beard Brook; thence southeasterly
long the said center line of Beard Brook, to
its intersection with a line which is extended
and produced from a line which is 500 feet
southerly from, and parallel with the said
southerly property line of Morton Boulevard;
thence westerly along the said line which is
extended and produced from the line which
is 500 feet southerly from and parallel
with the said southerly property line of
Morton Boulevard, and continuing along the
said line which is 500 feet southerly from

1 and parallel with the said southerly property
2 line of Merton Boulevard, to the center line
3 of the Southern Pacific Railroad main line
4 track, which is located northeasterly from the
5 northeasterly property line of 7th Street;
6 thence northwesterly along the said center line
7 of the Southern Pacific Railroad main line track,
8 to its intersection with the southeasterly
9 property line of E Street, extended and
10 produced; thence northeasterly along said
11 southeasterly property line of E Street, ex-
12 tended and produced, to a point which is 175
13 feet southwesterly from the southwesterly
14 property line of 9th Street; thence southeasterly
15 along a line which is 175 feet southwesterly
16 from and parallel with the said southwesterly
17 property line of 9th Street, to its intersection
18 with the said center line of B Street; thence
19 northeasterly along the said center line of B
20 Street, to the point of beginning.

21 All of Lots 1 to 11 inclusive (and Lots 19 to 28
22 inclusive of Block 438 as said Lots and Block
23 are shown in Volume 15 of Maps at Page 438,
24 Stanislaus County Records.

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

28 SECTION 3. This ordinance shall go into effect and be
29 in full force and operation from and after 15 days after its final
30 passage and adoption.

31 The foregoing ordinance was introduced at a regular
32 meeting of the Council of the City of Modesto held on the 11th
day of June, 1947, by Councilman Benson, who moved its
adoption and passage to print as aforesaid, which motion being
duly seconded by Councilman Wilson, was upon roll
call carried, and the ordinance ordered published as above by the
following vote:

AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED

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

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, City Clerk

1 T. 25 copies

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 25, 1947, it was upon roll call so finally adopted by the following vote:

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

APPROVED Carroll Shannon
MAYOR

ATTEST: W. E. Higgins
CITY CLERK

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Repealed by
Ord 1053-115

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AN ORDINANCE AMENDING SUB-DIVISION H OF SECTION 3 OF ORDINANCE NO. 753 N. S. REGULATING THE RATES OF FARES TO BE CHARGED FOR USE OF TAXI CABS

REPEALED BY
MUNICIPAL CODE

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

SECTION 1. Sub-division H of Section 3 of Ordinance No. 753 N. S. entitled "AN ORDINANCE REGULATING THE USE AND OPERATION OF TAXI CABS UPON THE PUBLIC STREETS OF THE CITY OF MODESTO; PROVIDING FOR DRIVER'S PERMITS, AND AUTHORIZING THE COUNCIL TO HOLD PUBLIC HEARINGS AND TO GRANT OR DENY APPLICATIONS FOR OWNER'S PERMITS TO OPERATE TAXI CABS; REGULATING THE RATES OF FARES TO BE CHARGED FOR USE OF TAXI CABS; PROVIDING A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH" is hereby amended to read as follows:

Section 3. RATES OF FARES

H. For all taxi cabs not equipped with meters operating in the City of Modesto for such length of time as such operation may be legal and while they are not equipped with taxi meters, it shall be unlawful for the owner or driver of any taxi cab as defined in Section 1 of this Ordinance to fix or charge or collect a rate in excess of the rates as set forth in that certain printed document in pamphlet form, three (3) copies of which are on file in the office of the City Clerk in the City of Modesto, each being designated "Modesto Taxi Rates, Effective July 5, 1947" and each consisting of nineteen (19) pages, and setting forth and fixing the rates to be charged by taxis or taxi cabs licensed by the City of Modesto.

REPEALED BY
MUNICIPAL CODE

SECTION 2. This ordinance shall take effect and be in full force and operation from and after fifteen days after

1 its final passage and adoption.

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

6 The foregoing ordinance was introduced at a regular
7 meeting of the Council of the City of Modesto held on the 11th
8 day of June, 1947, by Councilman Stanley, who moved
9 its adoption and passage to print, which motion, being duly
10 seconded by Councilman Benson was upon roll call
11 carried and adopted by the following vote:

12 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

13 NOES: Councilmen: None

14 ABSENT: Councilmen None

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

19 ATTEST

20 REX E. GAILFUS
21 REX E. GAILFUS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 25, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST:


CITY CLERK

1 AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 700 N. S.
2 SETTING FORTH PROCEDURE FOR ADJUSTMENTS AND VARIANCES.
3

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

5 SECTION 1. That hearings having been duly held before the
6 Planning Commission of the City of Modesto and the recommendation
7 of the Planning Commission having been regularly forwarded to the
8 City Council of the City of Modesto, and the City Council having
9 considered the recommendations of the Planning Commission and
10 public hearings having been held by the City Council as provided
11 by law, the Zoning Ordinance of the City of Modesto, being
12 Ordinance No. 700 N. S. and particularly Section 12 thereof is
13 hereby amended to read as follows:

14 SECTION 12. ADJUSTMENTS AND VARIANCES:

15 1. The Planning Commission shall have power to vary or
16 modify the strict application of any of the regulations or provisions
17 of this ordinance in cases where there are practical difficulties
18 or unnecessary hardships in the way of such strict application,
19 and in no other case.

20 2. Upon receipt of any such application by the Secretary of
21 the Planning Commission or employee of the Commission designated
22 in the rules of the Planning Commission for such purpose, such
23 Secretary or employee may set a time and place for a public hear-
24 ing before the planning Commission on such application. Such
25 Secretary or employee shall cause public notice of such hearing to
26 be given by a notice of public hearing published in the official
27 newspaper not less than ten (10) days prior to the hearing.

28 3. The applicant shall present a statement and adequate
29 evidence in such form as the Planning Commission may require,
30 showing that, and the Planning Commission shall not grant a
31 variance unless it finds that:
32

1 (a) There are special circumstances or conditions applying
2 to the land, building or use referred to in the application.

3 (b) The granting of the application is necessary for the
4 preservation and enjoyment of substantial property rights.

5 (c) The granting of the application will not materially
6 affect adversely the character of the neighborhood or the health
7 or safety of persons residing or working in the neighborhood of
8 the proposed use and will not be materially detrimental to the
9 public welfare or injurious to property or improvements in said
10 neighborhood.

11 (d) That the owners of property shall approve of any use
12 permits or variance affecting the owner's property.

13 4. In granting any variance under the provisions of this
14 section, the Planning Commission shall designate such conditions
15 in connection therewith as will, in its opinion, secure substant-
16 ially the objectives of the regulations or provisions in the
17 application of which the variance is granted, as to light, air,
18 character of neighborhood, conformity to the master plan, and
19 generally, the public health, safety, comfort, convenience and
20 general welfare.

21 5. If a building permit or certificate of occupancy is not
22 issued for an approved variance or use permit, such variance or
23 use permit shall cease at the end of six months period from the
24 date of approval and if any use granted by an approved variance or
25 use permit is discontinued for a period of six months or more, such
26 variance or use permit shall cease.

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

30 SECTION 3. This ordinance shall go into effect and be in
31 full force and operation from and after 15 days after its final
32

1 passage and adoption.

2 The foregoing ordinance was introduced at a regular meeting
3 of the Council of the City of Modesto held on the 11th day of
4 June, 1947, by Councilman Morris, who moved, its
5 adoption and passage to print as aforesaid, which motion being
6 duly seconded by Councilman Benson, was upon roll call
7 carried, and the ordinance ordered published as above by the
8 following vote:

9 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

10 NOES: Councilmen: None

11 ABSENT: Councilmen: None

12
13 Approved: Carl W. Shannon
Mayor of the City of Modesto
Carl W. Shannon

14
15 ATTEST: Rex E. Gailfus
City Clerk, Rex E. Gailfus

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17 1 T

18 200 copies
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of June, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 25, 1947, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Benson, Merris, Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED Carroll Shannon
MAYOR

ATTEST: Pat E. Gaudin
CITY CLERK

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1 AN ORDINANCE CREATING AND ESTABLISHING FIRE ZONES IN THE CITY OF
2 MODESTO

3
4 The Council of the City of Modesto do ordain as follows:

5 SECTION 1. For the purpose of regulating the erection,
6 construction, enlargement, alteration, repair, moving, removal,
7 demolition, conversion, occupancy, equipment, use, height, area
8 and maintenance of buildings and/or structures in the City of
9 Modesto as defined in the Building Code of the City of Modesto,
10 the entire City of Modesto is hereby declared to be and is es-
11 tablished as a fire district comprising three zones respectively
12 known and designated as Fire Zone No. 1, Fire Zone No. 2 and
13 Fire Zone No. 3.

14 The territory or portions of the City of Modesto in-
15 cluded in each of said zones is more particularly described
16 as follows:

17 FIRE ZONE NO. 1 shall include and comprise all the
18 territory within the City of Modesto described as follows:

- 19 Lots 1 to 4 inclusive in Block 54
- 20 Lots 1 to 16 inclusive in Block 55
- 21 Lots 1 to 16 inclusive in Block 56
- 22 Lots 1 to 16 inclusive in Block 57
- 23 Lots 13 to 16 inclusive in Block 58
- 24 Lots 13 to 20 inclusive in Block 66
- 25 Lots 1 to 32 inclusive in Block 67
- 26 Lots 1 to 32 inclusive in Block 68
- 27 Lots 1 to 32 inclusive in Block 69
- 28 Lots 1 to 4 inclusive and Lots 29 to 32
- 29 inclusive in Block 70
- 30 Lots 1 to 4 inclusive and Lots 29 to 32
- 31 inclusive in Block 82
- 32 All of Block 83 (Court House)

- 1 Lots 1 to 32 inclusive in Block 84
- 2 Lots 1 to 32 inclusive in Block 85
- 3 Lots 13 to 20 inclusive in Block 86
- 4 Lots 13 to 20 inclusive in Block 91
- 5 Lots 1 to 32 inclusive in Block 92
- 6 Lots 1 to 32 inclusive in Block 93
- 7 Lots 1 to 32 inclusive in Block 94
- 8 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 95
- 9 Lots 29 to 32 inclusive in Block 104
- 10 Lots 17 to 32 inclusive in Block 105
- 11 Lots 17 to 32 inclusive in Block 106
- 12 Lots 17 to 32 inclusive in Block 107
- 13 Lots 17 to 20 inclusive in Block 108

14
15 FIRE ZONE NO. 2 shall include and comprise all the
16 territory within the City of Modesto described as follows:

- 17 Lots 1 and 2 in Block A
- 18 All of Block B
- 19 Lots 17 to 21 inclusive in Block G
- 20 Lots 13 to 26 inclusive in Block H
- 21 All of Block I
- 22 Lots 17 to 22 inclusive in Block J
- 23 All of Block K
- 24 All of Block L
- 25 Lots 1 to 9 inclusive in Block O
- 26 All of Block P
- 27 Lots 1 to 7 inclusive in Block Z
- 28 Lots 1 to 32 inclusive in Block 1
- 29 Lots 1 to 32 inclusive in Block 2
- 30 Lots 1 to 4 inclusive and Lots 29 to 32
31 inclusive in Block 3
- 32 Lots 1 to 32 inclusive in Block 4

- 1 Lots 1 to 32 inclusive in Block 5
- 2 Lots 13 to 20 inclusive in Block 6
- 3 Lots 13 to 20 inclusive in Block 8
- 4 Lots 1 to 32 inclusive in Block 9
- 5 Lots 1 to 32 inclusive in Block 10
- 6 North Westerly 100 feet of Block 11 (Westside Park)
- 7 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 14
- 8 Lots 1 to 32 inclusive in Block 15
- 9 Lots 1 to 32 inclusive in Block 16
- 10 Lots 1 to 20 inclusive in Block 17
- 11 Lots 1 to 16 inclusive in Block 18
- 12 Lots 5 to 16 inclusive in Block 19
- 13 Lots 17 to 32 inclusive in Block 20
- 14 Lots 17 to 32 inclusive in Block 21
- 15 Lots 13 to 32 inclusive in Block 22
- 16 Lots 1 to 32 inclusive in Block 23
- 17 Lots 1 to 32 inclusive in Block 24
- 18 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 25
- 19
- 20 Lots 29 to 32 inclusive in Block 31
- 21 Lots 1 to 32 inclusive in Block 32
- 22 Lots 1 to 32 inclusive in Block 33
- 23 Lots 1 to 20 inclusive in Block 34
- 24 Lots 1 to 32 inclusive in Block 42
- 25 Lots 1 to 32 inclusive in Block 43
- 26 Lots 1 to 32 inclusive in Block 44
- 27 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 50
- 28
- 29 Lots 13 to 20 inclusive in Block 51
- 30 Lots 1 to 32 inclusive in Block 53
- 31 Lots 5 to 32 inclusive in Block 54
- 32 Lots 17 to 32 inclusive in Block 55

1 Lots 17 to 32 inclusive in Block 56
2 Lots 17 to 32 inclusive in Block 57
3 Lots 1 to 12 inclusive and Lots 17 to 32
4 inclusive in Block 58
5 Lots 1 to 32 inclusive in Block 59
6 Lots 1 to 32 inclusive in Block 60
7 Lots 1 to 32 inclusive in Block 61
8 Lots 1 to 32 inclusive in Block 62
9 Lots 1 to 32 inclusive in Block 63
10 Lots 1 to 32 inclusive in Block 64
11 Lots 1 to 32 inclusive in Block 65
12 Lots 1 to 12 inclusive and Lots 21 to 32
13 inclusive in Block 66
14 Lots 5 to 28 inclusive in Block 70
15 Lots 1 to 32 inclusive in Block 71
16 Lots 13 to 20 inclusive in Block 73
17 Lots 1 to 4 inclusive and Lots 29 to 32
18 inclusive in Block 74
19 Lots 1 to 4 inclusive and Lots 29 to 32
20 inclusive in Block 78
21 Lots 1 to 20 inclusive in Block 79
22 Lots 1 to 16 inclusive in Block 80
23 Lots 1 to 32 inclusive in Block 81
24 Lots 5 to 28 inclusive in Block 82
25 Lots 1 to 12 inclusive and Lots 21 to 32
26 inclusive in Block 86
27 Lots 1 to 32 inclusive in Block 87
28 Lots 1 to 32 inclusive in Block 88
29 Lots 9 to 30 inclusive in Block 89
30 All of Block 90 (Roosevelt School)
31 Lots 1 to 12 inclusive and/21 to 32
32 inclusive in Block 91
33 Lots 5 to 28 inclusive in Block 95
34 Lots 1 to 32 inclusive in Block 96
35 Lots 1 to 32 inclusive in Block 97

- 1 Lots 1 to 32 inclusive in Block 98
- 2 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 99
- 3 Lots 1 to 4 inclusive and Lots 29 to 32
4 inclusive in Block 100
- 5 Lots 1 to 32 inclusive in Block 101
- 6 Lots 1 to 32 inclusive in Block 102
- 7 Lots 1 to 32 inclusive in Block 103
- 8 Lots 1 to 28 inclusive in Block 104
- 9 Lots 1 to 16 inclusive in Block 105
- 10 Lots 1 to 16 inclusive in Block 106
- 11 Lots 1 to 16 inclusive in Block 107
- 12 Lots 1 to 16 inclusive and Lots 21 to 32
13 inclusive in Block 108
- 14 Lots 4 to 32 inclusive in Block 109
- 15 Lots 1 to 32 inclusive in Block 110
- 16 Lots 1 to 32 inclusive in Block 111
- 17 Lots 1 to 32 inclusive in Block 112
- 18 Lots 1 to 32 inclusive in Block 113
- 19 Lots 1 to 32 inclusive in Block 114
- 20 Lots 1 to 32 inclusive in Block 115
- 21 Lots 1 to 32 inclusive in Block 116
- 22 Lots 1 to 32 inclusive in Block 117
- 23 Lots 17 to 32 inclusive in Block 118
- 24 Lots 17 to 32 inclusive in Block 119
- 25 Lots 1 to 4 inclusive and Lots 17 to 32
26 inclusive in Block 120
- 27 Lots 1 to 32 inclusive in Block 121
- 28 Lots 1 to 32 inclusive in Block 122
- 29 Lots 1 to 32 inclusive in Block 123
- 30 Lots 16 to 26 inclusive in Block 124
- 31 Lots 1 to 32 inclusive in Block 125
- 32 Lots 1 to 32 inclusive in Block 126
- 33 Lots 1 to 4 inclusive and Lots 29 to 32
inclusive in Block 127

1 Lots 1 to 4 inclusive and Lots 29 to 32
2 inclusive in Block 129
3 All of Block 130
4 All of Block 131
5 All of Block 132
6 Lots 2 to 11 inclusive and Lots 17 to 32
7 inclusive in Block 133
8 All of Block 141
9 All of Block 142
10 All of Block 143
11 All of Block 144
12 All of Block 145
13 All of Block 146
14 All of Block 147
15 Lots 1 to 23 inclusive in Block 200
16 West 150 feet of Lot 1, all of Lot 2 in Block 204
17 South 100 feet of Lot B and South 100 feet
18 of Lot 9 in Block 213
19 Lots 26 to 33 inclusive and Lots 50 to 57
20 inclusive in Block 213
21 South 100 feet of Lot 1 in Block 214
22 Lots 13 to 16 inclusive in Block 215
23 Lots 13 to 20 inclusive in Block 216
24 Lots 13 to 20 inclusive in Block 217
25 North 63.22 feet of Lot 7 in Block 218
26 North 133 feet of Block 219
27 Lots 1 to 14 inclusive in Block 418
28 Lots 1 to 14 inclusive in Block 419
29 Lots 1 to 14 inclusive in Block 420
30 Lots 15 to 28 inclusive in Block 421
31 Lots 15 to 28 inclusive in Block 422
32 Lots 15 to 28 inclusive in Block 423
33 Lots 11 to 14 inclusive in Block 433

- 1 Lots 1 to 14 inclusive in Block 434
- 2 Lots 1 to 14 inclusive in Block 435
- 3 All of Block 436
- 4 All of Block 437
- 5 All of Lot 15 in Block 438
- 6 Lots 1 to 14 inclusive in Block 439
- 7 Lots 1 and 2 in Block 440
- 8 All of Block 441
- 9 Lots 11 to 22 inclusive in Block 506
- 10 Lots 15 to 22 inclusive in Block 509
- 11 Lots 15 to 22 inclusive in Block 510
- 12 Lots 15 to 22 inclusive in Block 515
- 13 Lots 16 to 22 inclusive in Block 516
- 14 Lots 15 to 23 inclusive in Block 527
- 15 Lots 15 to 20 inclusive in Block 528
- 16 The Graceada Park Portion in Block 533
- 17 Lots 14 to 21 inclusive in Block 534
- 18 Lots 14 to 21 in Block 549
- 19 Lots 14 to 34 inclusive in Block 550
- 20 Lots 17 to 32 inclusive in Block 551
- 21 Lots 11 to 20 inclusive in Block 552
- 22 Lots 1 to 12 inclusive in Block 553
- 23 Lots 3 to 6 inclusive and Lot 24 in Block 554
- 24 The East 157 feet of Block 555
- 25 Lots 1 and Lots 39 to 41 inclusive in Block 556
- 26 Lots 18 to 27 inclusive in Block 558
- 27 The west 151 feet of Lots 1 to 4 inclusive in Block 559
- 28 The west 150 feet of Lots 17 to 20 inclusive in
29 block 562
- 30 Lots 20 to 23 inclusive and Lots 57 and 58
31 inclusive in Block 563 and the westerly 145 feet
of Lot 56
- 32 Lots 21 to 24 inclusive in Block 564
- 32 Lots 21 to 24 inclusive in Block 565

1 Lots 25 and 40, West 30 feet of Lot 26,
2 and west 50 feet of Lot 39 in Block-566

3 West 118 feet of Lot 2 in Block 567

4 Lots 1 to 25 inclusive and Lots 46 to 49
5 inclusive in Block 568

6 Lots 6 to 9 inclusive in Block 569

7 Lots 1 to 11 inclusive in Block 579

8 Lots 14 to 25 inclusive in Block 580

9 Lots 7 to 18 inclusive in Block 587

10 Lots 1 to 12 inclusive in Block 588

11 Lots 1 to 13 inclusive in Block 589

12 Lots 23 to 37 inclusive in Block 590

13 All of Block 595 except northerly 566.75 feet

14 Lots 1 to 6 inclusive in Block 596

15 West 140 feet of Lots 50 and 51 in Block 618

16 West 140 feet of Lots 35 to 37 in Block 619

17 East 140 feet of Block 701

18 Lots 1 and 22, and East 35 feet of Lots 2
19 and 21 in Block 707

20 Lots 1 to 12 inclusive in Block 4095

21 FIRE ZONE NO. 3 shall include and comprise all of the
22 territory within the corporate limits of the City of Modesto not
23 included in either Fire Zone No. 1 or Fire Zone No. 2.

24 In event any lot or parcel of land within said City
25 lies partly within two or more of said fire zones, it shall be
26 considered as lying wholly in the zone within which the greater
27 portion thereof is situated.

28 SECTION 2. All ordinances in conflict herewith and
29 specifically Ordinances No. 386^{U.S.} and 431 N. S. are hereby repealed.

30 SECTION 3. This Ordinance shall go into full force and
31 effect from and after fifteen days after its final passage and
32 adoption.

 SECTION 4. This Ordinance shall be published in full
at least once at least three days prior to its final passage

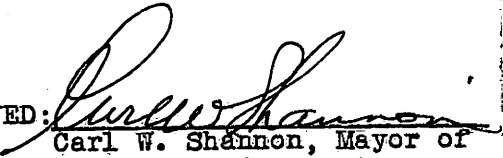
1 and adoption in the Modesto Bee, the official newspaper of the
2 City of Modesto.

3 The foregoing Ordinance was introduced at a regular
4 meeting of the Council of the City of Modesto held on the 25th
5 day of June, 1947, by Councilman Stanley who
6 moved its adoption and passage to print, which motion being duly
7 seconded by Councilman Wilson, was upon roll call
8 carried by the following votes:


9 AYES: Councilmen: Benson, Wilson, Stanley, Morris, Mayor Shannon

10 NOES: Councilmen: None

11 ABSENT: Councilmen: None

12 APPROVED: 
13 Carl W. Shannon, Mayor of
14 the City of Modesto

15 ATTEST:

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17 Rex E. Gailfus, City Clerk
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FINAL ADOPTION CLAUSE

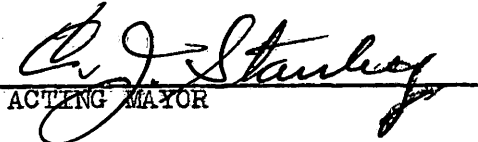
The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 9, 1947, it was upon roll call so finally adopted by the following vote:

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

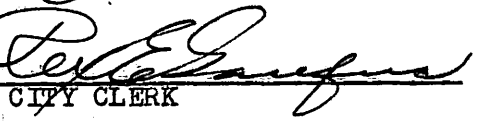
Noes: Councilmen: None

Absent: Councilmen: Mayor Shannon

APPROVED:


ACTING MAYOR

ATTEST:


CITY CLERK

1 AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT,
 2 ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCU-
 3 PANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS
 4 OR STRUCTURES WITHIN THE CITY OF MODESTO: PROVIDING FOR THE ISSU-
 5 ANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND
 6 ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION
 7 THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN
 8 CONFLICT THEREWITH.

9
 10 The Council of the City of Modesto do ordain as
 11 follows:

12 SECTION 1. That certain document, three copies of
 13 which are on file in the office of the City Clerk of the City of
 14 Modesto being marked and designated as "Uniform Building Code,
 15 1946 Edition, adopted by the Pacific Coast Building Officials
 16 Conference", which said code provides for proper regulations for
 17 erecting, constructing, enlarging, altering, repairing, removing,
 18 conversion, demolition, occupancy, equipment, use, height, area
 19 and maintenance of buildings or structures in the City of Modesto
 20 and providing for the issuance of permits and collection of fees
 21 therefor, declaring and establishing fire districts, providing
 22 penalties for the violation thereof and repealing conflicting
 23 ordinances as hereinafter amended, deleted and added to, be and
 24 the same is hereby adopted as the Building Code of the City of
 25 Modesto.

26 SECTION 2. Ordinance No. 387 of the City of Modesto
 27 and all other ordinances and parts of ordinances in conflict here-
 28 with are hereby repealed.

29 SECTION 3. That the name "MODESTO" and/or "CALIFORNIA"
 30 be inserted in the appropriate places provided therefor in each
 31 and every section of said code wherein the City or the State is
 32 left blank.

1 SECTION 4. That Section 1802 of said Code be
2 amended to read as follows: "The height of type I buildings as
3 defined herein and as set forth in Tables No. 5 C and 5 D of
4 Section 506 shall be limited to 150 feet. See Section 507 for
5 additional height limitations."

6 SECTION 5. That a new section 505 D be added to said
7 Code which Section 505 D shall read as follows: "The area
8 specified in Section 505 may be increased 100 per cent (100 %)
9 in area for one-story buildings of group G occupancies, providing
10 the construction of the floor is type I."

11 SECTION 6. That Section 401 (a) of said code be
12 amended to read as follows: "Alley is any public space, public
13 park or thoroughfare less than 26 feet but not less than 10
14 feet in width which has been dedicated or deeded for the public
15 for public use."

16 SECTION 7. That Section 602 of said code be amended
17 to read as follows: "Buildings housing Group A occupancies shall
18 front directly upon at least one public street not less than
19 twenty six (26) feet in width in which front shall be located the
20 main entrance and exit of such building. The main assembly floor
21 shall be located at or near the adjacent ground level.

22 Exterior walls or parts of walls, except on street
23 fronts, which are less than five feet (5) from adjacent
24 property lines shall have no openings therein. Openings in ex-
25 terior walls, except on street fronts, which are less than ten
26 (10) feet from adjacent property lines, shall be protected by
27 Class "E" or "F" fire doors or windows.

28 For regulating adjacent buildings on the same property
29 see Section 504."

30 SECTION 8. That Section 703 be amended to read as
31 follows:
32

1 "All buildings housing Group B occupancies shall
2 front directly upon at least one public street, not less than
3 twenty six (26) feet in width, in which front shall be located
4 the main entrance of such building.

5 Exterior walls or parts of walls except on street
6 fronts which are less than five feet (5) from adjacent property
7 lines, shall have no openings therein, shall be of not less than
8 four-hour fire-resistive construction, and shall be constructed as
9 specified in Parts V, VI and VII of this Code. Walls five feet
10 (5) or more but less than ten (10) feet from adjacent property
11 lines, except street fronts, shall be not less than two-hour fire-
12 resistive construction.

13 Exception: When any portion of a Division 4
14 occupancy is less than ten (10) feet from adjacent property lines,
15 such portion shall have exterior walls of not less than one-hour
16 fire-resistive construction, with openings protected by Class
17 "E" or "F" fire doors or windows.

18 Openings in exterior walls of Division 1, 2, and 3,
19 except on street fronts, which are less than ten (10) feet from
20 adjacent property lines, shall be protected by Class "E" or "F"
21 fire doors or windows.

22 For regulating adjacent buildings on the same
23 property, see Section 504."

24 SECTION 9. That Section 803 of said Code be amended
25 to read as follows:

26 "Group C occupancies shall front directly upon at
27 least one public street, not less than twenty six (26) feet
28 in width, in which front shall be located at least one required
29 exit.

30 Exterior walls or parts of walls, except on street
31 fronts, which are less than three feet (3) from adjacent property
32 lines shall have no openings therein and shall be of not less than

1 four-hour fire-resistive construction. Walls which are three
2 (3) feet or more but less than ten (10) feet from adjacent
3 property lines, except street fronts, shall be of not less than
4 two-hour fire resistive construction. All openings in exterior
5 walls, except on street fronts, which are less than ten (10) feet
6 from adjacent property lines shall be protected by Class "E" or
7 "F" fire doors or windows.

8 For regulating adjacent buildings on the same
9 property, see Section 504."

10 SECTION 10. That Section 1603, subdivision (a) 2
11 thereof is hereby deleted.

12 SECTION 11. That Section 1603 (b) is hereby amended
13 to read as follows: "Buildings or structures of type 4 or type 5
14 construction having an area greater than seventy-five hundred
15 (7500) square feet shall not be erected, constructed or moved
16 within or into fire zone No. 2 and such buildings shall have all
17 exterior walls of not less than one hour fire-resistive construction;
18 provided that when such ground floor area exceeds five thousand
19 (5000) square feet, a two-hour fire-resistive wall without openings
20 shall be constructed. When the exterior walls are less than
21 three (3) feet from adjacent property lines or less than six (6)
22 feet from buildings on the same property or less than six (6)
23 feet from alleys, the exterior walls shall be of not less than
24 four-hour fire-resistive construction. Roof covering shall be
25 of fire retarded roof covering as specified in Section 3204. "

26 SECTION 12. That Section 3205 of said Code be
27 amended to read as follows:

28 " All buildings shall have access provided to the attic
29 space by means of a stairway or permanent ladder or a scuttle.
30 The openings provided through the ceiling for such access into the
31 attic space shall be not less than twenty-two inches by thirty
32

1 inches (22 x 30) and shall be located in the hallway or corridor of
2 all type III and V buildings three stories or more in height.

3 Type III or V buildings, one or two stories in height
4 shall have scuttle holes into the attic space which are not less
5 than eighteen (18) inches square.

6 In wood frame or other types of incombustible roof con-
7 struction where ceilings occur the attic space or spaces between
8 ceilings and the underside of roofs shall be divided into
9 horizontal areas of not more than twenty five hundred (2500) square
10 feet with not less than one-hour fire-resistive construction of
11 approved incombustible materials where partitions are installed.
12 The separation shall be directly over the lower partition. All
13 openings through these partitions shall be protected by self-
14 closing doors of the same thickness and materials as the
15 partition."

16 SECTION 13. That a new section 909 be added to said
17 code which section 909 shall read as follows:

18 "(1) Transoms, over doors and doors in group D and H
19 buildings shall be of solid wall panel not less than one-half (1/2)
20 inch thickness. Glass is not permitted.

21 (2) No hallway, stairway and/or corridor in Group D
22 and H buildings shall be painted with oil paints or similar in-
23 flammable paints."

24 SECTION 14. That a new Section 1309 be added to said
25 code which Section 1309 shall read as follows:

26 "Audible fire warning signals shall be placed in all
27 halls and corridors in all Group H buildings. The warning signals
28 shall be constructed so as to be clearly heard throughout the floor
29 area it serves. No signal shall be installed until approved by
30 the Fire Chief. Alarm signals shall be run from each floor to the
31 main lobby desk. Employees shall be instructed in the use of fire
32 warning signals and fire extinguishing appliances."

1 SECTION 15. Section 6004 of said Code is hereby amended
2 to read as follows: This ordinance shall take effect and be in
3 full force from and after fifteen (15) days after its final
4 adoption.

5 SECTION 16. This ordinance shall be published in full
6 at least once at least three days prior to its final adoption in
7 the Modesto Bee, the official newspaper of the City of Modesto.

8 The foregoing Ordinance was introduced at a regular
9 meeting of the Council of the City of Modesto held on the 9th
10 day of July, 1947, by councilman Morris,

11 who moved its adoption and passage to print, which motion being
12 ^{by Commissioner Wilson} duly seconded/was upon roll call carried by the following vote:

13 AYES: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

14 NOES: Councilmen: None

15 ABSENT: ~~Mayor Shannon~~ ne

16 APPROVED

17 ATTEST

18 *C. J. Stanley*
MEMOR (ATTENDING)
Rex E. Gailfus
19 Rex E. Gailfus, City Clerk
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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 23, 1947, it was upon roll call so finally adopted by the following vote:

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

APPROVED: *Ralph Shannon*
MAYOR

ATTEST: *Teste Gausman*
CITY CLERK

1 AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 700 N. S. SETTING
2 FORTH REGULATIONS PERTAINING TO SINGLE FAMILY
3 RESIDENCE DISTRICT.

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

6 SECTION 1. That hearings having been duly held before
7 the Planning Commission of the City of Modesto and the recommenda-
8 tion of the Planning Commission having been regularly forwarded to
9 the City Council of the City of Modesto, and the City Council
10 having considered the recommendations of the Planning Commission
11 and public hearings having been held by the City Council as pro-
12 vided by law, the Zoning Ordinance of the City of Modesto, being
13 Ordinance No. 700 N. S., and particularly Section 3 thereof is
14 hereby amended to read as follows:

15 SECTION 3. - R-1. SINGLE FAMILY RESIDENCE DISTRICT
16 REGULATIONS (For convenience called Single-Family District:) In
17 single family residence districts, the following regulations shall
18 apply:

19 1. USES PERMITTED:

20 a. Detached single family dwellings of a permanent
21 character placed in a permanent location.

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

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

26 d. Crop and tree farming; truck gardening.

27 e. Home occupations, after securing a use permit
28 from the Planning Commission, provided that there shall be no
29 external evidence of any home occupation except a name plate not
30 exceeding one square foot in area placed within or flat against the
31 building, and provided further, there shall be no flickering or
32

1 red illumination of such name plate and any illumination shall be
2 so shielded that it illuminates only such name plate.

3 f. Accessory buildings or uses on the same lot or
4 grounds with any of the permitted uses, including one (1) private
5 garage, when located not less than fifty (50) feet from the front
6 lot line or as provided in Section 14, in cases where the lot abuts
7 on two or more streets, or a private garage constructed as part of
8 the main Building.

9 (1) It shall be unlawful to install, place or
10 maintain plumbing for kitchen or other cooking purposes, in any
11 accessory building or maintain or cause to be maintained any use
12 therein, which, in the opinion of the Planning Commission, is ob-
13 jectionable because of the emission of odor, dust, noise, smoke or
14 vibration, or an unwarranted increase of insurance rates to the
15 adjoining neighbors.

16 g. It shall be, also, unlawful to use any lot in the
17 Single Family District solely for the erection and maintenance
18 thereon of garages, accessory buildings, or other subordinate
19 structures.

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

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

28 2. LOT AREA REQUIRED.

29 a. Each single family dwelling with its accessory
30 building hereafter erected shall be located upon a lot having an
31 area of not less than five thousand (5,000) square feet and an
32 average width of not less than 50 feet; provided, however, that

1 any parcel of land recorded as a subdivision lot prior to the date
2 of the adoption of this ordinance with an area of less than five
3 thousand (5,000) square feet or with an average width of less than
4 50 feet which was under one ownership at the time of the adoption
5 of this ordinance, when the owner thereof owns no adjoining land, or
6 which parcel is shown as^a/lot on any subdivision map which is
7 hereafter recorded in the office of the County Recorder after
8 having been approved by the City Planning Commission, may be used
9 as a building site for single family dwelling by the owner of such
10 parcel of land or by his successor in interest, providing all other
11 regulations as prescribed in this ordinance shall be complied with.
12 There shall not be more than one dwelling on any one lot. (See
13 Section 1).

14 3. FRONT YARD REQUIRED:

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

19 b. Where lots comprising twenty-five (25) per cent or
20 more of the frontage in any block and located in the same district,
21 exclusive of the frontage along the side of a corner lot, have
22 been improved with buildings at the time of the passage of this
23 ordinance, which buildings are of the character permitted in the
24 single family district and the front yards on such lots vary in
25 depth to an extent not greater than six feet, than the required
26 front yard depth for such block shall be of a depth not less than
27 the average depth of the front yards on the lots on which are
28 located such existing buildings, to a maximum of forty (40) feet.

29 4. SIDE YARD REQUIRED:

30 a. There shall be two side yards upon each lot, either
31 one of which may have a width of not less than four feet, and the
32 aggregate width of both side yards on any lot shall be not less

1 than ten feet; provided, however, that on a corner lot not adja-
2 cent to a key lot the side street side yard shall have a width of
3 not less than six (6) feet; provided, however, that on a corner
4 lot adjacent to a key lot the side yard on the street side of such
5 corner lot shall have a width equal to not less than fifty (50)
6 per cent of the front yard depth required for the lots to the
7 rear of such corner lot, to a maximum width of ten feet, provided
8 further, that this regulation shall not be so applied as to reduce
9 the buildable width, after providing both required side yards, of
10 any such corner lot to less than 28 feet, nor to prohibit the
11 erection of any accessory building where this regulation cannot
12 be reasonably complied with.

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

17 5. REAR YARD REQUIRED:

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

24 6. PERCENTAGE OF LOT COVERAGE:

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

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

31 7. BUILDING HEIGHT:

32 a. Two and one-half stories but not exceeding thirty-five

1 (35) feet; provided, that the height limit for single family
2 dwellings may be increased not to exceed ten feet and to a total
3 height of not to exceed three stories, when two side yards, each
4 of a width of not less than one-third the height of the main
5 building are provided.

6 SECTION 2. This ordinance shall be in full force and
7 effect from and after fifteen (15) days after its final passage
8 and adoption.

9 SECTION 3. This ordinance shall be published in full at
10 least once at least three days prior to its final passage in the
11 Modesto Bee, the official newspaper of the City of Modesto.

12 The foregoing Ordinance was introduced at a regular
13 meeting of the Council of the City of Modesto held on July 9,
14 1947, by Councilman Morris who moved its adoption
15 and passage to print as aforesaid, which motion being duly
16 seconded by Councilman Wilson, was upon roll call
17 carried and the ordinance ordered published as above by the
18 following vote:

19 AYES: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

20 NOES: Councilmen: None

21 ABSENT: Mayor Shannon

22
23 APPROVED

C. J. Stanley
~~Carl W. Shannon, Mayor~~
C. J. Stanley, Acting Mayor

24
25
26 Attest:

27 *Rex E. Gailfus*
28 Rex E. Gailfus, City Clerk
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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 23, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Lawrence Shannon
MAYOR

ATTEST:

Patricia E. ...
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 829-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A THREE WHEEL
DISPATCH MOTORCYCLE FOR THE POLICE DEPARTMENT OF THE CITY OF
MODESTO

---oOo---

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

SECTION 1. The sum of Nine Hundred (\$900 00) Dollars,
or so much thereof as may be necessary is hereby appropriated
out of the Parking Meter Fund of the City of Modesto for the
purchase of a three wheel Dispatch Motorcycle to be used by the
Police Department of the City of Modesto.

SECTION 2. This ordinance shall go into effect from and
after fifteen (15) days after its final passage and adoption.
It shall be published in full at least once at least three days
prior to its final adoption in the Modesto Bee, the official news-
paper of the City of Modesto.

The foregoing ordinance was introduced at a regular meet-
ing of the Council of the City of Modesto held on the 23rd day of
July, 1947 by Commissioner Stanley, who moved its adoption, and
passage to print, which motion being duly seconded by Commissioner
Benson was upon roll call carried and the ordinance ordered printed
and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

ATTEST: Rex E. Gallfus
REX E. GALLFUS, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1947 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 13, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carroll Shannon
MAYOR

ATTEST:

Ray E. Sawyer
CITY CLERK

*Repealed by Ord
10669-115*

1 AN ORDINANCE PROVIDING FOR CERTAIN FEES TO BE PAID BY PERSONS IN
2 TERRITORIES HEREAFTER ANNEXED TO THE CITY OF MODESTO FOR CONNECT-
IONS TO THE CITY WATER SYSTEM.

3
4
5
6 The Council of the City of Modesto do ordain as
7 follows:

8 SECTION 1. Hereafter in all cases where territory is
9 annexed to the City of Modesto other than property belonging to
10 said City, the residents of said territory so annexed shall pay
11 to the City of Modesto the following sums for the privilege of
12 connecting their property to the water system of said City:

13
14 The minimum sum of Seventy five and no/100
15 (\$75.00) Dollars for each water connection
16 to service an area containing not more than
17 7,000 square feet and an additional one and
18 one-half cents for each square foot in ex-
cess of 7,000 square feet so serviced, to-
gether with the fees required to be paid as
set forth in Ordinance No. 432 N. S. as
amended.

19 In addition to the above fees and costs, the person de-
20 siring said water service shall pay all expenses incurred by
21 reason of running pipes and fittings from the property served to
22 the City water main or lateral.

23 SECTION 2. This Ordinance shall take effect and be in
24 full force from and after fifteen days after its final
25 adoption.

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

30 The foregoing Ordinance was introduced by Councilman
31 Morris at a regular meeting of the Council of the City

32

1 of Modesto held on the 23rd day of July, 1947, who moved its
2 adoption, which motion being duly seconded by Councilman
3 Stanley, was upon roll call carried and the Ordinance
4 ordered published as above by the following vote.

5
6 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon


7 NOES: Councilmen: None

8 ABSENT: Councilmen: None
9

10 APPROVED


11 Carl W. Shannon, Mayor

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13 Attest:

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15 Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of July, 1947 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 13, 1947, it was upon roll call so finally adopted by the following vote:

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

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *Robert E. Bassford*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 831 N.S.

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

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

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

- 7 City Clerk, who likewise occupies the offices of Auditor,
- 8 Assessor, Treasurer and Collector, the sum of \$5340.00 per annum
- 9 City Attorney, the sum of 4440 00 per annum
- 10 Chief of Police, the sum of 5640 00 per annum
- 11 Fire Chief, the sum of 5640 00 per annum
- 12 Health Officer, the sum of 5040 00 per annum
- 13 City Engineer, who likewise occupies the offices
- 14 of Street Superintendent, Building Inspector
- 15 Sewer Inspector, Water Superintendent and Park
- 16 Superintendent, the sum of 7440 00 per annum

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

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

23 SECTION 4 All ordinances or parts of ordinances in con-
24 flict herewith are hereby repealed.

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

28 The foregoing ordinance was introduced at a special meet-
29 ing of the Council of the City of Modesto held on the 6th day of
30 August, 1947, by Commissioner Wilson, who moved its adoption,
31 and passage to print as aforesaid, which motion being duly seconded
32 by Commissioner Stanley
it was upon roll call carried and the ordinance ordered published

1 as above by the following vote:

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

3 Noes: Councilmen: None

4 Absent: Councilmen: None

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 6th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 13, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Curlew Shannon*

MAYOR

ATTEST: *Rex C. Casper*

CITY CLERK

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

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

6 SECTION 1. That that certain area heretofore annexed
7 to the City of Modesto commonly referred to as the Brockett and
8 Valk Tract be, and the same is established as single family resi-
9 dence district.

10 SECTION 2. The Zoning Ordinance of the City of Modesto,
11 being Ordinance No. 700 N. S. is hereby amended by annexing there-
12 to that certain map titled "Use District Map 3-A" a copy of which
13 is hereto annexed and said map is hereby incorporated into said
14 Zoning Ordinance.

15 SECTION 3. This Ordinance shall go into effect and be in
16 full force and operation from and after 15 days after its final
17 passage and adoption.

18 SECTION 4. This Ordinance shall be published in full
19 at least once in The Modesto Bee, the official newspaper of the
20 City of Modesto, at least three days prior to its final passage
21 and adoption.

22 The foregoing Ordinance was introduced at a special meet-
23 ing of the Council of the City of Modesto, held on the 6th day
24 of August, 1947, by Councilman Morris who moved its
25 adoption and passage to print, which motion being duly seconded
26 by Councilman Benson was upon roll call carried by the
27 following vote.

28 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

29 NOES: Councilmen: None

30 ABSENT: Councilmen: None

31

Approved Rex E. Gailfus
Mayor of the City of Modesto

32

ATTEST
Rex E. Gailfus
Rex E. Gailfus, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 6th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 27, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Non

APPROVED:

Lawrence Shannon
MAYOR

ATTEST:

P. E. Gaudin
CITY CLERK



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1 ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 700 N. S. AND PRO-
2 VIDING FOR OPENINGS IN BUILDINGS FOR RECEIVING OR SHIPPING GOODS
3 AND MATERIALS.
4

5 WHEREAS, the City Planning Commission by Resolution
6 has initiated proceedings to amend Section 6 of the Modesto City
7 Zoning Ordinance, being Ordinance No. 700 N. S., and

8 WHEREAS, after two public hearings as required by the
9 City Ordinance and the State Planning Act and after due considera-
10 tion, the Modesto City Planning Commission has recommended to the City
11 Council the amending of the Zoning Ordinance of the City of Modesto
12 to effect the changes initiated by said Resolution, and

13 WHEREAS, public hearing has been had by the Council of
14 the City of Modesto as provided by law,

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

17 Section 1. Section 6 of the Zoning Ordinance of the
18 City of Modesto, being Ordinance No. 700 N. S. is hereby amended
19 to read as follows:

20 SECTION 6 - C.1, NEIGHBORHOOD BUSINESS DISTRICT
21 REGULATIONS (for convenience called C-1 District):

22 LOT AREA AND VEHICULAR STORAGE OR STANDING SPACE
23 REGULATIONS:

24 3. On every lot in any C-1 District on which is con-
25 ducted any use permitted in a C-1 District but not in a more restrict-
26 ed district or on which is conducted any hotel or institutional use
27 there shall be provided in each building an opening for the
28 purpose of receiving or shipping of goods and materials, which
29 opening shall be not less than four (4) feet wide by six (6)
30 feet, eight (8) inches in height, and which opening shall be
31

1 provided with access to an alley or street, but if the building
2 is served by an alley, the opening shall have access to the
3 alley.

4 Section 2. This ordinance shall go into effect from and
5 after fifteen days after its final passage and adoption.

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

10 The foregoing ordinance was introduced at a regular
11 meeting of the Council of the City of Modesto, held on the 13th
12 day of August, 1947, by Councilman Morris who moved
13 its adoption and passage to print, which motion being duly
14 seconded by Councilman Wilson, was upon roll call carried
15 and the ordinance ordered printed and passed as above by the
16 following vote.

17 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
18 NOES: Councilmen: None
19 ABSENT: Councilmen: ~~None~~

20
21 APPROVED Carl W. Shannon
22 CARL W. SHANNON, Mayor of the
23 City of Modesto

24 ATTEST:

25
26 Rex E. Gailfus
27 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 27, 1947, it was upon roll call so finally adopted by the following vote:

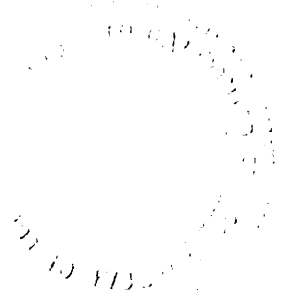
Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED:

Chew Shannon
MAYOR

ATTEST:

Patricia C. ...
CITY CLERK



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SPECIAL
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO

2
3
4 WHEREAS, a petition dated the 7th day of July, 1947,
5 was filed with the City Council by Ralph M. Brown, Lillian
6 Brown, Bruce Miner, Mary A. Sanders, Robert O. Becker, Raymond
7 Purdy, Karl Ross, Wilma McFarland, Wilhelmina Ross, George Mangué,
8 Ruth E. Miner, Richard Vander Wall, Ethel Vander Wall, Ruth A.
9 Hammond, Evelyn Mayman, Randolph Sanders, Phyllis L. Sanders,
10 Margaret Andrews, Agnes Mangué, Patricia Purdy and Carrie
11 DeBrady, which petition was for the annexation of uninhabited
12 territory under the Uninhabited Territory Act of 1939, and

13 WHEREAS, the City Council by Resolution passed on the
14 23rd day of July, 1947, set for hearing said petition for the
15 hour of 4 o'clock P. M. on the 6th day of August, 1947, in the
16 Council Chambers of the City Hall of the City of Modesto, and

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

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

21 Section 1. That the petition of Ralph M. Brown,
22 Lillian Brown, Bruce Miner, Mary A. Sanders, Robert O. Becker,
23 Raymond Purdy, Karl Ross, Wilma McFarland, Wilhelmina Ross,
24 George Mangué, Ruth E. Miner, Richard Vander Wall, Ethel Vander
25 Wall, Ruth A. Hammond, Evelyn Mayman, Randolph Sanders, Phyllis
26 L. Sanders, Margaret Andrews, Agnes Mangué, Patricia Purdy and
27 Carrie DeBrady be and the same is hereby granted and the
28 territory described in said petition is hereby annexed to and made
29 a part of the City of Modesto.

30 Section 2. That said annexation is subject to the re-
31 quirements of that certain Resolution heretofore passed on the
32

1 9th day of May, 1945, and entitled " A RESOLUTION ESTABLISHING
2 POLICY FOR ANNEXATION OF TERRITORY TO THE CITY OF MODESTO."

3 Section 3. That the area of territory so annexed is
4 located in the County of Stanislaus, State of California and
5 contiguous to the City of Modesto, described generally as
6 follows:

7 Those certain tracts of land portion of tracts
8 of land, roads and portions of roads wholly
9 within or adjacent to the tracts of land and
10 portions of tracts of land situated in the
11 County of Stanislaus, State of California,
12 known as the College Manor Tract No. 2 accord-
13 ing to the Map thereof filed for record in
14 the office of the County Recorder of Stanislaus
15 County, California, on January 9th, 1947, in
16 Volume 16 of Maps, Page 17; also Blocks 821
17 to 823 inclusive of the Campus Tract according
18 to the map thereof filed for record in the
19 office of the County Recorder of Stanislaus
20 County, California, on October 11, 1937, in
21 Volume 11 of Maps, Page 37; and also Lot 1
22 of the Ustick Tract according to the Map
23 thereof filed for record in the office of the
24 County Recorder of Stanislaus County, California,
25 on January 14, 1920, in Volume 9 of Maps, Page
26 22.

27 Said area of territory is particularly described as
28 follows:

29 All that certain real property located in the
30 County of Stanislaus, State of California, and
31 more particularly described as follows:

32 Commencing at the southwest corner of south-
east 1/4 of southwest 1/4 section 20, said
corner being the intersection of College
Avenue and Coldwell Avenue; thence in a
northerly direction along the 1/4 section line
in College Avenue; being also the corporate
city boundary line a distance of 1197 feet
more or less to the true point of beginning,
said point being the intersection of the 1/4
section line in College Avenue and the
northerly property line of Stanford Avenue
extended; continuing thence in a northerly
direction along the 1/4 section line in College
Avenue a distance of 752 feet more or less to
a point, said point being the intersection
of the south property line of Carla Avenue
produced and the 1/4 section line of College
Avenue; thence south 88° 48' east along the
south property line of Carla Avenue a distance
of 660 feet more or less to a point, said
point being the intersection of the center

1 line of Mills Avenue and the south property
2 line of Carla Avenue produced; thence north
3 0° 52' west a distance of 660 feet more or
4 less along the center line of Mills Avenue
5 to a point, said point being the intersection
6 of the center line of Mills Avenue and the
7 south property line of Roseburg Avenue pro-
8 duced; thence south 88° 52' east a distance
9 of 585 feet more or less along the south
10 property line of Roseburg Avenue to a point,
11 said point being the intersection of the south
12 property line of Roseburg Avenue and the East
13 property line of College Manor Tract No. 2
14 and being also the west boundary line of the
15 Tidewater Southern Railroad Right of Way;
16 thence south 0° 54' east a distance of 1650
17 feet more or less along the west boundary line
18 of the Tidewater Southern Railroad Right of
19 Way to a point, said point being the inter-
20 section of the west boundary line of the
21 Tidewater Southern Railroad Right of Way and south
22 property line of Griswold Avenue, said south
23 property line of Griswold Avenue being also the
24 corporate city boundary line; thence north
25 88° 54' west a distance of 585 feet more or
26 less along the south property line of Griswold
27 Avenue being also the corporate city boundary
28 line to a point, said point being the inter-
29 section of the center line of Mills Avenue and
30 the south property line of Griswold Avenue;
31 thence north 0° 53' west a distance of 336
32 feet more or less along the center line Mills
Avenue, said center line also being the corporate
city boundary line to a point, said point
being the intersection of the center line of
Mills Avenue and the northerly property line of
Stanford Avenue produced; thence westerly a
distance of 758 feet more or less along the
northerly property line of Stanford Avenue said
northerly property line being also the corporate
city boundary line to a point, said point being
the intersection of the northerly property line of
Stanford Avenue produced and the 1/4 section
line in College Avenue also said point being
the true point of beginning.

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

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

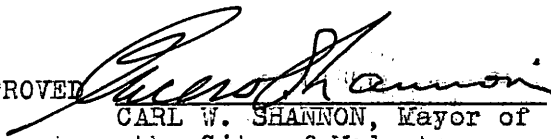
31 The foregoing Ordinance was introduced at a regular meeting
32

1 of the Council of the City of Modesto held on the 13th day
2 of August, 1947, by Councilman Morris who moved
3 its adoption and passage to print, which motion being duly
4 seconded by Councilman Benson, was upon roll call carried
5 by the following vote:

6 AYES: Councilmen: **Benson, Morris, Stanley, Wilson, Mayor Shannon**

7 NOES: Councilmen: **None**

8 ABSENT: Councilmen: **None**

9
10 APPROVED 
11 **CARL W. SHANNON, Mayor of**
12 **the City of Modesto.**

13 ATTEST:

14
15 
16 **REX E. GAILFUS, City Clerk**

17 **1 time-25 copies**

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 27, 1947, it was upon roll call so finally adopted by the following vote:

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

Nees: Councilmen: None

Absent: Councilmen: None

APPROVED: *Shannon*
MAYOR

ATTEST: *Paul G. ...*
CITY CLERK

3 AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS,
 4 EQUIPMENT, AND CONSTRUCTION, AND MAINTENANCE OF MUNICIPAL
 5 FACILITIES FOR THE CITY OF MODESTO, AND APPROPRIATING MONEY FOR
 6 PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS'
 7 OF MODESTO.

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

9 SECTION I. The sum of One Thousand Two Hundred Dollars
 10 (\$1,200.00) or so much thereof as may be necessary, is hereby
 11 appropriated out of that particular part of the General Fund of
 12 the City of Modesto supplied and created by the payment of the
 13 Ten Dollar (\$10.00) registration fee required of all persons
 14 doing business in the City of Modesto under and by virtue of the
 15 provisions of Section 101 of Ordinance No. 487 N. S., entitled
 16 "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING
 17 ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN
 18 THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH
 19 LICENSES AND REPEALING CERTAIN ORDINANCES." Said sum is hereby
 20 appropriated for the purpose of promotion and/or for the general
 21 welfare of the citizens of the City of Modesto, under and by
 22 virtue of the power conferred on said City Council by Section 67,
 23 Article 5, Charter of the City of Modesto.

24 SECTION II. The sum of One Thousand Two Hundred Dollars
 25 (\$1,200.00) or so much thereof as may be necessary, is hereby
 26 appropriated out of the General Fund for the maintenance of the
 27 Stanislaus County Boys' Band.

28 SECTION III. The sum of One Thousand Dollars (\$1,000.00)
 29 or so much thereof as may be necessary, is hereby appropriated
 30 out of the General Fund for promotion and general welfare.

31 SECTION IV. The sum of Three Thousand Three Hundred Dollars
 (\$3,300.00) or so much thereof as may be necessary, is hereby
 appropriated out of the General Fund for office equipment in the
 Clerk's office.

1 SECTION V. The sum of Five Hundred Dollars (\$500.00) or so
2 much thereof as may be necessary, is hereby appropriated out of
3 the General Fund for the Fourth of July Celebration.

4 SECTION VI. The sum of One Thousand Dollars (\$1,000.00)
5 or so much thereof as may be necessary, is hereby appropriated
6 out of the General Fund for the Annual Audit of City Records.

7 SECTION VII. The sum of Two Thousand Dollars (\$2,000.00)
8 or so much thereof as may be necessary, is hereby appropriated
9 out of the General Fund for Special Attorneys Fees and Court
10 Costs.

11 SECTION VIII. The sum of Ten Thousand Dollars (\$10,000.00)
12 or so much thereof as may be necessary is hereby appropriated
13 out of the General Fund for the purchase of a Fire Truck and
14 Appurtenances for the Fire Department.

15 SECTION IX. The sum of Two Thousand Five Hundred Dollars
16 (\$2,500.00) or so much thereof as may be necessary, is hereby
17 appropriated out of the General Fund for Radio Equipment for the
18 Police Department.

19 SECTION X. The sum of Twelve Thousand Dollars (\$12,000.00)
20 or so much thereof as may be necessary, is hereby appropriated
21 out of the General Fund to board City Prisoners in the County
22 Jail and Prison Camp.

23 SECTION XI. The sum of One Thousand Five Hundred Dollars
24 (\$1,500.00) or so much thereof as may be necessary, is hereby
25 appropriated out of the General Fund for the purchase of an
26 Automobile for the Health Department.

27 SECTION XII. The sum of One Thousand Five Hundred Dollars
28 (\$1,500.00) or so much thereof as may be necessary, is hereby
29 appropriated out of the General Fund for the construction of
30 Rest Rooms in Enslin Park.

31

1 SECTION XIII. The sum of Seventeen Thousand Four Hundred
2 Dollars (\$17,400.00) or so much thereof as may be necessary, is
3 hereby appropriated out of the General Fund to match State Funds
4 for Plans and Specifications on Industrial and Sanitary Sewers
5 and Treatment Plants.

6 SECTION XIV. The sum of Twenty-Five Thousand Dollars
7 (\$25,000.00) or so much thereof as may be necessary, is hereby
8 appropriated out of the General Fund for Street Lighting
9 Extension.

10 SECTION XV. The sum of Seven Thousand Eight Hundred
11 Dollars (\$7,800.00) or so much thereof as may be necessary, is
12 hereby appropriated out of the General Fund for remodeling the
13 City Hall Building, the installation of cooling, heating, and
14 lighting systems, and floor covering.

15 SECTION XVI. The sum of One Thousand Dollars (\$1,000.00)
16 or so much thereof as may be necessary, is hereby appropriated
17 out of the General Fund for repairs to the River Park's
18 Breakwater.

19 SECTION XVII. The sum of Seven Hundred and Fifty Dollars
20 (\$750.00) or so much thereof as may be necessary, is hereby
21 appropriated out of the General Fund for one (1) Engineer's
22 Transit for the Public Works Department.

23 SECTION XVIII. The sum of One Thousand Five Hundred Dollars
24 (\$1,500.00) or so much thereof as may be necessary, is hereby
25 appropriated out of the General Fund for Incandescent Lamps
26 for City use.

27 SECTION XIX. The sum of Forty-Three Thousand Dollars
28 (\$43,000.00) or so much thereof as may be necessary, is hereby
29 appropriated out of the Water Fund for the purchase of Water Pipe,
30 Pipe Fittings, Fire Hydrants, and Water Meters for the Public
31 Works Department.

1 SECTION XX. The sum of Two Thousand Five Hundred Dollars
2 (\$2,500.00) or so much thereof as may be necessary, is hereby
3 appropriated out of the Water Fund for the purchase of One (1)
4 One and One-half ($1\frac{1}{2}$) ton Truck for the Water Department.

5 SECTION XXI. The sum of Thirty-One Thousand Six Hundred and
6 Five Dollars (\$31,605.00) or so much thereof as may be necessary,
7 is hereby appropriated out of the General Fund for the purchase
8 of Clay Pipe, Cement Concrete Sewer Pipe, and Sewer Farm
9 Improvements for the Public Works Department.

10 SECTION XXII. The sum of One Thousand Five Hundred Dollars
11 (\$1,500.00) or so much thereof as may be necessary, is hereby
12 appropriated out of the General Fund for the purchase of one (1)
13 Automobile for the Planning Commission.

14 SECTION XXIII. The sum of Seven Thousand Dollars (\$7,000.00)
15 or so much thereof as may be necessary, is hereby appropriated
16 out of the General Fund for the purchase of two (2) Trucks for
17 the Public Works Department.

18 SECTION XXIV. The sum of Fifty-Four Thousand Four Hundred
19 Dollars (\$54,400.00) or so much thereof as may be necessary, is
20 hereby appropriated out of the General Fund for Buildings, Water
21 Pump Station, Sewer Pipe, Grading and Paving, Petroleum Products,
22 and Land Purchase for the Municipal Airport.

23 SECTION XXV. The sum of Fifty-One Thousand Dollars
24 (\$51,000.00) or so much thereof as may be necessary, is hereby
25 appropriated out of the General Fund for the purchase of Rock,
26 Sand, Cement, and Petroleum Products for Repairing Streets.

27 SECTION XXVI. The sum of Five Thousand Five Hundred Dollars
28 (\$5,500.00) or so much thereof as may be necessary, is hereby
29 appropriated out of the General Fund for Traffic Signals on City
30 Streets.

31

1 SECTION XXVII. The sum of Thirty-Five Thousand Four
2 Hundred Dollars (\$35,400.00) or so much thereof as may be necessary,
3 is hereby appropriated out of the Streets of Major Importance,
4 $\frac{1}{4}$ Gas Tax Fund for Traffic Signals, and improving and maintaining
5 Streets and Bridges on Streets of Major Importance.

6 SECTION XXVIII. The sum of Sixty-Nine Thousand Six Hundred
7 and Fifty Dollars (\$69,650.00) or so much thereof as may be
8 necessary, is hereby appropriated out of the Highways, $\frac{1}{4}$ Gas
9 Tax Fund for Traffic Signals, Purchase of right-of-way, Widening
10 of J. Street, Paving of L. Street, and General Maintenance to
11 Highways.

12 SECTION XXIX. Reference is hereby made to the 1947-1948
13 Budget adopted by the City Council for more detailed expenditures
14 of the funds herein shown.

15 SECTION XXX. The City Engineer or any other Authorized
16 Official shall upon the adoption of this Ordinance, from time
17 to time as required by the Council of the City of Modesto, file
18 with the Council plans and specifications where necessary, for
19 the materials and/or equipment and/or construction work outlined
20 above; and the City Clerk shall, from time to time as directed
21 by the Council, advertise for bids for said materials and/or
22 equipment and/or construction work, when necessary, and bids shall
23 be received and accepted, and contracts awarded therefor as the
24 Council may hereafter by resolution determine and prescribe.

25 SECTION XXXI. This Ordinance shall go into effect from and
26 after fifteen days after its final passage and adoption. It shall
27 be published in full at least once, at least three days prior to
28 its final adoption in The Modesto Bee, the official newspaper of
29 the City of Modesto.

1 The foregoing ordinance was introduced at a regular meeting
2 of the Council of the City of Modesto held on August 13, 1947,
3 by Councilman Benson, who moved its adoption and
4 passage to print, which motion was duly seconded by Councilman
5 Wilson, was carried and the ordinance
6 ordered printed and published by the following vote.

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

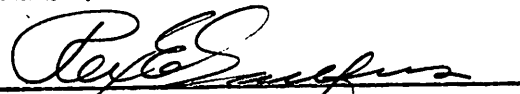
8 Noes: Councilmen: None

9 Absent: Councilmen: None

10 APPROVED:

11 
12 _____
13 Carl W. Shannon, Mayor

14 ATTEST:

15 
16 _____
17 Rex E. Gailfus, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 13th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 27, 1947, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
Nees: Councilmen: None
Absent: Councilmen: None

APPROVED: *William Shannon*
MAYOR

ATTEST: *Paul E. Gausman*
CITY CLERK

SPECIAL
NOTE IN CODE

ORDINANCE NO. 836 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1947-1948

---oOo---

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

SECTION 1

There is hereby levied upon the assessed valuation of
the property in the City of Modesto, County of Stanislaus, State of
California, for the fiscal year beginning July 1, 1947, and ending
June 30, 1948, the rates of taxation, hereinafter specified, said
rates being upon each One Hundred Dollars (\$100 00) of the valua-
tion according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND-----\$.90
on each One Hundred Dollars taxable valuation

FOR THE BOND REDEMPTION AND INTEREST FUND:

- (a) Municipal Improvement Bonds of 1910-----\$.013
- (b) Municipal Improvement Bonds of 1911 .005
- (c) Municipal Improvement Bonds of 1920 (Jan.) .050
- (d) Municipal Improvement Bonds of 1923 .012
- (e) Municipal Improvement Bonds of 1947 .12

BEING A TOTAL OF----- .20
For each One Hundred Dollars in valuation of property
taxable for the redemption of bonds and the payments of
interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND----- .10
On each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT----- \$1.20

On each One Hundred Dollars valuation as determined
by the equalized assessment roll for the year 1947-1948
on all property taxable in the City of Modesto for
said purpose is hereby levied and apportioned to and
shall be paid into the above funds respectively of said
City. The rates above specified shall be in addition
to those required to be levied under the general laws
of the State of California for the purpose of paying
principal and interest on street improvement and interest
on street improvement bonds in local improvement districts.

SECTION 2

BE IT FURTHER PROVIDED that anything to the contrary
heretofore set forth, there shall be and there is hereby declared
to be a different rate of taxation levied upon certain property

1 situate in the City of Modesto, to-wit, Southern Campus Tract,
2 Hawkins Tract, that portion of the Leslie-Hugh Tract annexed to
3 the City of Modesto, La Linda Tract, John Muir Park, Northwood
4 Tract, Esgar Tract, Crane Tract, and Campus Tract #2. Said tax
5 rate for said Southern Campus Tract, Hawkins Tract, that portion
6 of the Leslie-Hugh Tract annexed, La Linda Tract, John Muir Park,
7 Northwood Tract, Esgar Tract, Crane Tract and Campus Tract #2
8 as aforesaid shall be and is hereby declared to be as follows:

9	FOR THE GENERAL FUND-----	\$.90
	On each One Hundred Dollars taxable valuation	
10	FOR THE BOND REDEMPTION AND INTEREST FUND	
11	(a) Municipal Improvement Bonds of 1947-----	.12
12	For each One Hundred Dollars in valuation of property taxable for the redemption of bonds and the payments of interest thereon that shall accrue during said fiscal year:	
13	FOR THE LIBRARY FUND-----	.10
14	On each One Hundred Dollars of taxable valuation	
15	THE AGGREGATE OF SAID SUMS, TO-WIT: on each One Hundred Dollars valuation, as	\$1.12
16	determined by the equalized assessment roll for the year 1947-1948	

17
18 The tax rate upon said Southern Campus Tract, Hawkins
19 Tract, that portion of the Leslie-Hugh Tract now a portion of the
20 City of Modesto, La Linda Tract, John Muir Park, Northwood Tract,
21 Esgar Tract, Crane Tract, and Campus Tract #2 is different from
22 the tax rate herein set for the balance of the property within
23 the City of Modesto by reason of the fact that said territory
24 has recently been annexed to and made a part of the City of Modesto
25 under a provision of the State Law which does not permit the said
26 City to levy taxes upon said annexed property for any past bonded
27 indebtedness owed by said City and incurred before said territory
28 became a part of said City.

29 SECTION 3

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

32 SECTION 4

This ordinance shall be published in full at least

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

3 The foregoing ordinance was introduced at a ~~regular~~ ^{special}
4 meeting of the Council of the City of Modesto held on the ~~13th~~ ^{20th} day
5 of August, 1947, by Commissioner Wilson, who moved its adop-
6 tion and passage to print, which motion being duly seconded by
7 Commissioner Morris, the ordinance was upon roll call order-
8 ed printed and published as required by the Charter of the City of
9 Modesto by the following vote:

10 Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
11 Noes: Councilmen: None
12 Absent: Councilmen: None

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

15
16 ATTEST: *Rex E. Gailfus*
17 REX E. GAILFUS, CITY CLERK
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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 20th day of August, 1947, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of August 27, 1947, it was upon roll call so finally adopted
9 by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13
14 APPROVED: *Carroll Shannon*

MAYOR

15
16 ATTEST: *Taylor*

CITY CLERK

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NOT SPECIAL CODE

ORDINANCE NO. 837-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR PAYING OF SALARIES AND OTHER COSTS TO BE ACCRUED IN THE ACQUISITION OF OFF STREET PARKING FACILITIES IN THE CITY OF MODESTO

---oOo---

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

SECTION 1. The sum of Five Thousand Dollars(\$5000 00) or so much thereof as may be necessary, is hereby appropriated out of the Parking Meter Fund of the City of Modesto for paying of salaries and other costs to be accrued in the acquisition of off street parking facilities.

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

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on August 20, 1947 by Commissioner Wilson, who moved its adoption and passage to print, which motion was duly seconded by Commissioner Morris was carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST Rex E. Gaillus
REX E. GAILLUS, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 20th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 27, 1947, it was upon roll call so finally adopted by the following vote:

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

APPROVED: *Shannon*
MAYOR

ATTEST: *Ed [unclear]*
CITY CLERK



ORDINANCE NO. 838-N.S.

SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING
CHLORINE TO BE USED IN DISINFECTION OF INDUSTRIAL WASTE

---oOo---

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

SECTION 1-The sum of Ten Thousand (\$10,000 00) Dollars,
or so much thereof as may be necessary is hereby appropriated
out of the General Fund of the City of Modesto for the purpose
of purchasing Chlorine to be used in the disinfection of indus-
trial waste.

SECTION 2- This ordinance shall go into effect from and
after fifteen (15) days after its final passage and adoption. It
shall be published in full at least once at least three days prior
to its final adoption in the Modesto Bee, the official newspaper of
the City of Modesto.

The foregoing ordinance was introduced at a regular meet-
ing of the Council of the City of Modesto held on the 27th day of
August, 1947, by Commissioner Morris, who moved its adoption and
passage to print, which motion being duly seconded by Commissioner
Benson, was upon roll call carried and the ordinance ordered printed
and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

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

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15 copies

FINAL ADOPTION CLAUSE

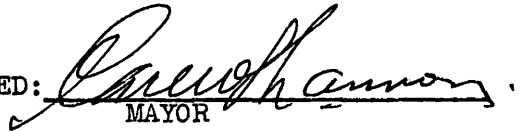
The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 10, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Repealed by
Ord. 1092-V.S.

ORDINANCE NO. 839 N.S.

2
3 AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 803 N. S.
4 ENTITLED "AN ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL
5 WASTES INTO THE INDUSTRIAL WASTE SYSTEM AND/OR THE SANITARY SEWAGE
6 SYSTEM OF THE CITY OF MODESTO AND PRESCRIBING RULES, REGULATIONS
7 AND SCHEDULE OR CHARGES FOR THE RECEIVING AND TREATMENT AND DIS-
8 POSAL OF INDUSTRIAL WASTES."

9
10 The City Council of the City of Modesto do ordain as
11 follows:

12 SECTION 1. Section 6 of Ordinance No. 803 N. S. of
13 the City of Modesto is hereby amended to read as follows:

14 Section 6. RATE SCHEDULES.

15 All persons to whom a permit shall have been granted
16 for the disposition of industrial waste into the sewer systems,
17 shall pay to the City of Modesto, as rental for the use of such
18 facilities in accordance with a rate schedule to be charged on the
19 following:

20 Raw or green tonnage of fruit or vegetables processed,
21 or,

22 Tonnage of milk or other fluid bottled or processed,
23 or

24 Thousand gallons of water or liquid waste discharged
25 into the sewer systems, or

26 Any other convenient unit,

27 and shall be based on the Biochemical Oxygen Demand of the dis-
28 charge, and/or the suspended solids in the discharge and/or the
29 volume of such discharge, and such charges shall be within the
30 following limits:

31 For food processing, maximum of fifteen (15) cents per
32

1 raw or green ton, minimum of five (5) cents per raw or green ton.

2 For milk bottling or processing, and creameries, minimum
3 of five (5) cents per raw ton.

4 For plants washing dried or dehydrated fruits where
5 such fruits are dried or dehydrated at some other location, a mini-
6 mum of five (5) cents per ton of dried or dehydrated fruit.

7 For chemical plants, a minimum of one (1) cent per 1000
8 gallons of discharge.

9 For clear waste water, a minimum of one half (1/2)
10 cent per 1000 gallons of discharge.

11 For laundries, a minimum of two (2) cents per 100
12 pounds of laundry.

13 For wineries, a minimum of ten (10) cents per ton of
14 raw or green fruit, and a maximum of fifteen (15) cents per ton of
15 raw or green fruit.

16 For vinegar plants, a minimum of five (5) cents per ton
17 of raw products, and a maximum of fifteen (15) cents per ton of
18 raw product.

19 For poultry killing and/or dressing, a minimum of one
20 half (1/2) cent per turkey, and a minimum of one eighth (1/8)
21 cent per chicken or other fowl.

22 For any other manufacturing or treatment process, or
23 for any other plant, works or place of business which discharges
24 wastes other than sanitary sewage, into the sewer systems, the
25 rates shall be on a comparable basis and shall be fixed by the
26 City Council.

27 When it is determined that the rate shall be charged on
28 gallonage of water or liquid waste, then the person holding the
29 permit at his expense shall install a meter, approved by the City
30 Engineer, which will accurately measure by a recording dial or de-
31 vice the flow into the sewer systems.

32

1 The schedule of rates within the rate limits herein set
2 forth shall be prepared by the City Engineer within fifteen days
3 after the effective date of this ordinance and shall be submitted
4 to the City Council for approval. Upon approval by said City
5 Council, the rates shall become effective at such time as may be
6 designated by said City Council. The City Engineer may from time
7 to time submit to the City Council for its consideration, or the
8 City Council may instruct the City Engineer to submit changes,
9 additions and amendments to the approved Rate Schedule, as may be
10 considered necessary and/or desirable. After considering such
11 changes, additions and/or amendments, the City Council may change
12 said rate schedule. The changes in rates shall thereupon become
13 effective at the first of the following month.

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

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

20 The foregoing Ordinance was introduced at a regular
21 meeting of the Council of the City of Modesto held on September
22 10, 1947, by Councilman Morris who moved its adoption
23 and passage to print as aforesaid, which motion being duly
24 seconded by Councilman Benson was upon roll call
25 carried and the ordinance ordered published as above by the
26 following vote:

27 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

28 NOES: Councilmen: None

29 ABSENT: Councilmen: None

30 APPROVED


CARL W. SHANNON, MAYOR

31 Attest:

32 
REX E. GAILFUS, CITY CLERK.

FINAL ADOPTION CLAUSE

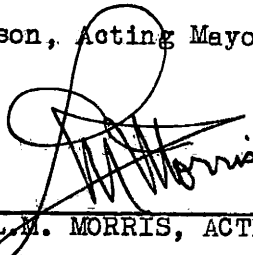
The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 24, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Mayor: Shannon

APPROVED:


L.M. MORRIS, ACTING MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 840-N.S.

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

---o0o---

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

SECTION 1. The Chief of the Fire Department or his authorized representative is hereby authorized and directed to sell the following personal property of the City of Modesto which said personal property has been found to be unfit or unnecessary for the use of the City to-wit:

1927 Seagrave Suburbanite 6 truck with 400 G.P.M. Hale pump, 65 gallons water tank capacity, equipped with 225 feet of 1 inch hose, one spot light, with hose body capacity of 1000 feet 2½ inch hose and 200 feet of 1½ inch hose, equipped with four new tires, two 12 foot hard suction hoses and one 12 foot soft suction hose.

1928 Seagrave 75 ft. Aerial Ladder Truck with one life net, one hose clamp, one jack, one aerial ladder nozzle, nozzle tips, two lanterns, one 12 foot ladder, one 16 foot extension ladder, one 24 foot extension ladder, one 45 foot extension ladder, one 16 foot ladder, one 30 foot ladder, one 21 foot ladder, one 18 foot ladder, one folding ladder, two Pyrene fire extinguishers

Sale shall be made at public auction at Fire Station No. 1 610 11th Street after advertising for bids for the sale thereof for two days in the Modesto Bee, the official newspaper of the City of Modesto.

SECTION II The City Engineer, or his authorized representative, is hereby authorized and directed to sell the following described personal property of the City of Modesto which said personal property has been found to be unfit or unnecessary for the use of the City to-wit:

1	450 pounds of copper	200 pounds of brass
2	1 Blue Print Wagenhorst machine	7 tons cast iron
3	2 Worthington mower frames	1 Mack motor
4	1 5 H.P. Wisconsin engine	1 Sterling truck chassis
5	1 heating furnace pump & motor	33 used tires
6	7 tons steel	1 LeRoy motor unit
7	93 storage batteries	1 Tractor power take-off ^{and} clutch
8	1 gas engine air pump	

9 Sale shall be made at public auction at the Corporation
10 yard of the City of Modesto, 1107 Eighth Street, after advertising
11 for bids for the sale thereof for two days in the Modesto Bee, the
12 official newspaper of the City of Modesto.

13 SECTION III Either oral or written bids may be
14 accepted. Any property remaining unsold after the date specified
15 in the Notice of Sale shall be offered for sale from day to day,
16 commencing at 10:00 o'clock in the morning at the office of said
17 Chief of ^{Fire Department} ~~Police~~ or City Engineer until the whole thereof is sold.

18 SECTION IV The foregoing ordinance shall go into
19 effect and be in full force and operation from and after fifteen
20 days after its final passage and adoption.

21 SECTION V The foregoing ordinance shall be published
22 in full at least once at least three days prior to its final
23 adoption in the Modesto Bee, the official newspaper of the City of
24 Modesto.

25 The foregoing ordinance was introduced at a regular
26 meeting of the Council of the City of Modesto held on the 8th day
27 of October, 1947 by Commissioner Wilson, who moved its adoption,
28 and passage to print as aforesaid, which motion being duly seconded
29 by Commissioner Morris, it was upon roll call carried and the
30 ordinance ordered printed and published as above by the following
31 vote:

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

4
5 APPROVED: *Carl W. Shannon*
6 CARL W. SHANNON, MAYOR

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of October, 1947, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 22, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Benson

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

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

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

7 SECTION 1. That certain area heretofore annexed to the
 8 City of Modesto commonly referred to as the Leonardo Tract be,
 9 and the same is established as an R-1 Single Family Residence
 10 District. Said territory is located in the City of Modesto, County
 11 of Stanislaus, State of California, and described as follows:

12 All of the Leonardo Tract according to the
 13 official map thereof filed in the office of
 14 the County Recorder of Stanislaus County
 on January 30, 1947, in Vol. 16 of Maps at
 page 20.

15 SECTION 2. The Zoning Ordinance of the City of Modesto
 16 being Ordinance No. 700 N. S. is hereby amended by annexing
 17 thereto that certain map titled "Use District Map 3-B, City of
 18 Modesto" a copy of which is hereto annexed, and said map is hereby
 19 incorporated into said Zoning Ordinance by reference.

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

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

26 This Ordinance was introduced at a special meeting of
 27 the City Council of the City of Modesto held on the 15th day of
 28 October, 1947, by Councilman Morris, who moved its adoption
 29 and passage to print, which motion being duly seconded by Councilman
 30 Stanley, it
 was upon roll call carried by the following vote.

31 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

32 NOES: Councilmen: None Approved

ABSENT: Councilmen: Benson

Carl W. Shannon
 Mayor of the City of Modesto

Attest:

City Clerk
 City Clerk

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 15th day of October, 1947, and
6 subsequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of November 12, 1947, it was upon roll call so finally
9 adopted by the following vote:

10 Ayes: Councilmen: Benson, Wilson, Acting Mayor Stanley

11 Nays: Councilmen: None

12 Absent: Councilmen: Morris, Mayor Shannon

13
14 APPROVED: *C. J. Stanley*
ACTING MAYOR C. J. STANLEY

15
16 ATTEST: *REX E. GAILFUS*
17 REX E. GAILFUS, CITY CLERK
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1 SPECIAL
2 NOT IN CODE

ORDINANCE NO. 842-N.S.

3 AN ORDINANCE APPROPRIATING MONEY FOR THE ACQUISITION OF OFF-STREET
4 PARKING LOT IN THE CITY OF MODESTO

5 ---oOo---

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

7 SECTION 1. The sum of Nine Thousand Dollars (\$9000 00)
8 or so much thereof as may be necessary is hereby appropriated out
9 of the Parking Meter Fund of the City of Modesto for the purchase
10 of Block 81, lots 19 and 20 from Marian St. Lawrence to be used for
11 off-street parking facilities.

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

17 The foregoing ordinance was introduced at a regular meeting
18 of the Council of the City of Modesto held on December 10, 1947 by
19 Commissioner Morris, who moved its adoption and passage to print,
20 which motion was duly seconded by Commissioner Wilson was carried
21 and the ordinance ordered printed and published by the following
22 vote:

23 Ayes: Councilmen: Merris, Stanley, Wilson, Mayor Shannon

24 Noes: Councilmen: None

25 Absent: Councilmen: Benson

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1947 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of December 24, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE PROHIBITING RIGHT TURNS BY VEHICLES AGAINST A RED OR
2 "STOP" SIGNAL AT INTERSECTION OF 9TH AND B STREETS.

3
4 The Council of the City of Modesto do ordain as follows:

5 SECTION 1. It shall be unlawful for the driver of any
6 vehicle to make a right turn against a red or "stop" signal at
7 the north, west and south corners of the intersection of 9th and
8 B Streets in the City of Modesto when a sign is erected at each
9 of said locations prohibiting such right turn.

10 SECTION 2. The provisions of this ordinance shall not
11 apply to emergency vehicles of the police or sheriff's office or
12 of the fire department or of a public utility while the driver of
13 such vehicle is engaged in the necessary performance of public
14 emergency duties.

15 SECTION 3. Any person violating any of the provisions
16 of this ordinance shall be guilty of a misdemeanor, and upon
17 conviction therefor shall be punishable for the first offense by
18 a fine not to exceed Fifty (\$50.00) Dollars or by imprisonment
19 in the city or county jail for not more than five (5) days; for a
20 second violation within a period of one (1) year by a fine not to
21 exceed One hundred (\$100.00) Dollars, or by imprisonment in the
22 city or county jail for not more than ten (10) days, or by both
23 such fine and imprisonment; for a third and each additional
24 offense committed within one (1) year by a fine not exceeding
25 Three hundred (\$300.00) Dollars, or by imprisonment in the city
26 or county jail for a period not to exceed three (3) months, or
27 by both such fine and imprisonment.

28 SECTION 4. This ordinance shall take effect and be in full
29 force and operation from and after fifteen days after its final
30 passage and adoption.

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

3 The foregoing ordinance was introduced at a regular
4 meeting of the Council of the City of Modesto held on the 10th day
5 of December, 1947, by Councilman Stanley, who moved its adoption
6 and passage to print which motion, being duly seconded by Council-
7 man Morris, was upon roll call carried and adopted by the
8 following vote:

9 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

10 NOES: Councilmen: None

11 ABSENT: Councilmen: Benson

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1947 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of December 24, 1947, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

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

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

5 SECTION 1. That that certain area heretofore annexed to
6 the City of Modesto commonly referred to as the College Manor
7 Tract No. 2, Block 821 to 833 inclusive of the Campus Tract, and
8 Lot 1 of the Ustick Tract be, and the same is established as
9 single family residence district.

10 SECTION 2. The Zoning Ordinance of the City of Modesto,
11 being Ordinance No. 700 N. S., is hereby amended by annexing
12 thereto that certain map titled "Use District Map 1-B" a copy of
13 which is hereto annexed and said map is hereby incorporated into
14 said Zoning Ordinance.

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

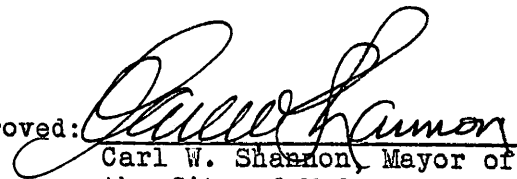
18 SECTION 4. This Ordinance shall be published in full at
19 least once in The Modesto Bee, the official newspaper of the City
20 of Modesto, at least three days prior to its final passage and
21 adoption.

22 The foregoing Ordinance was introduced at a special meeting
23 of the Council of the City of Modesto, held on the 21st day of
24 January, 1948, by Councilman Morris, who moved its adoption
25 and passage to print, which motion being duly seconded by Council-
26 man Wilson, was upon roll call carried by the following vote:

27 AYES: COUNCILMEN: Morris, Stanley, Wilson, Mayor Shannon


28 NOES: COUNCILMEN: None

29 ABSENT: COUNCILMEN: Benson

30 Approved: 

31 Carl W. Shannon, Mayor of
the City of Modesto

32 ATTEST:


Rex E. Gailfus, City Clerk

Ordinance 844 N.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 21st day of January, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 28, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED: 

MAYOR

ATTEST: 

CITY CLERK

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Repealed
by
Ord #893.0 S.

1 AN ORDINANCE AMENDING SECTION 4506 OF ORDINANCE NO. 827 N. S.
2 OF THE CITY OF MODESTO (BUILDING CODE)

3
4 The Council of the City of Modesto do ordain as
5 followed by

REPEALED BY
MUNICIPAL CODE

6 SECTION 1. Section 4506 of Ordinance No. 827 N. S.
7 the City of Modesto entitled: "AN ORDINANCE REGULATING THE
8 ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING,
9 REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE,
10 HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES WITHIN
11 THE CITY OF MODESTO; PROVIDING FOR THE ISSUANCE OF PERMITS AND
12 COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE
13 DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND
14 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
15 THEREWITH" is hereby amended to read as follows:

16 Section 4506. Movable awnings or hoods may have
17 combustible coverings supported on incombustible frames attached
18 to the building.

19 Such awning or hood may extend over the public
20 property not more than two-thirds the distance from the property
21 line to the nearest curb in front of the building site.

22 The lowest part of any movable awning or hood frame
23 shall be not less than eight feet (8') above the ground immediately
24 below, and the lowest part of any fringe attached to such awning
25 or hood shall be not less than seven feet (7') above the grade
26 immediately below. No immovable awning or hood shall be
27 installed.

28 SECTION 2. This Ordinance shall go into effect
29 and be in full force and operation from and after fifteen days
30 after its final passage and adoption.
31
32

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

4 The foregoing ordinance was introduced at a special
5 meeting of the Council of the City of Modesto held on the 4th
6 day of February, 1948, by Councilman Stanley,
7 who moved its adoption and passage to print, which motion, being
8 duly seconded by Councilman Wilson, was upon roll call
9 carried and adopted by the following vote:

10 AYES: Councilmen: Benson, Stanley, Wilson, Mayor Shannon

11 NOES: Councilmen: None

12 ABSENT: Councilmen: Morris

13
14 APPROVED: 

CARL W. SHANNON, Mayor

15
16 ATTEST:


17 REX E. GAILFUS, CITY CLERK

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 4th day of February, 1948
6 and subsequently printed and published as required by the Charter
7 of the City of Modesto, and coming on for final adoption at the
8 regular meeting of February 11, 1948, it was upon roll call so
9 finally adopted by the following vote:

10 Ayes: Councilmen: Benson, Stanley, Wilson, Mayor Shannon


11 Noes: Councilmen: None

12 Absent: Councilmen: Morris

13
14 APPROVED 

CARL W. SHANNON, MAYOR

15
16
17 ATTEST:

18 
19 REX E. GAILFUS, CITY CLERK

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1 AN ORDINANCE AMENDING SUBSECTION B (1) and B (2) OF SECTION 14 OF
2 ORDINANCE NO. 700 N. S.

3
4 The Council of the City of Modesto do ordain as
5 follows:

6 SECTION 1. That hearings having been duly held before
7 the Planning Commission of the City of Modesto and the recommenda-
8 tion of the Planning Commission having been regularly forwarded
9 to the City Council of the City of Modesto, and the City Council
10 having considered the recommendations of the Planning Commission
11 and a public hearing having been had by the City Council, all as
12 provided by law, the Zoning Ordinance of the City of Modesto,
13 being Ordinance No. 700 N. S., and particularly Section 14,
14 Subsection B (1) and Subsection B (2) is hereby amended to read
15 as follows:

16 SECTION 14

17 B. HEIGHT.

18 (1) Towers, gables, penthouses, scenery, lofts,
19 cupolas, water tanks, similar structures and necessary mechanical
20 appurtenances may be erected on a building to a height greater
21 than the limit established for the district in which the building
22 is located; provided that no such exception shall cover at any
23 level more than 15 per cent of the area of the lot or have an area
24 at the base greater than 1,600 square feet; provided, further,
25 that no such exception shall be used for sleeping or eating purposes
26 or for any commercial purpose other than such as may be incidental
27 to the permitted use of the main building; provided, further,
28 that no such structure shall be erected or altered to exceed a
29 height of one hundred and fifty (150) feet from the ground.

30 (2) The height limitations of this ordinance shall
31 not apply to chimneys, water tanks, church spires, flag poles,
32

1 monuments and commercial radio towers; provided, however, that
2 no such structure shall be erected or altered to exceed a height
3 of one hundred and fifty (150) feet.

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

7 SECTION 3. This Ordinance shall be published at least
8 once (1) at least three (3) days before its final passage and
9 adoption in the Modesto Bee, the official newspaper of the City
10 of Modesto.

11 This Ordinance was introduced at a special meeting of
12 the City Council of the City of Modesto held on the 4th day of
13 February, 1948, by Councilman Wilson, who moved its adoption and
14 passage to print, which motion being duly seconded by Councilman
15 Benson was upon roll call carried by the following vote.

16 AYES: Councilmen: Stanley, Wilson, Benson, Mayor Shannon

17 NOES: Councilmen: None

18 ABSENT: Councilmen: Morris

19
20 Approved Carl W. Shannon
21 CARL W. SHANNON, Mayor of the
22 City of Modesto

23 Attest;

24
25 Rex E. Gailfus
26 REX E. GAILFUS, City Clerk of
27 the City of Modesto
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1 FINAL ADOPTION CLAUSE ,

2
3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a special meeting of the Council
5 of the City of Modesto held on the 4th day of February, 1948, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of February 25, 1948 it was upon roll call so finally adopted
9 by the following vote:

10 Ayes: Councilmen: Benson, Stanley, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Morris

13
14 APPROVED: *Paul Shannon*

MAYOR

15
16
17 ATTEST: *P. E. Clausen*

CITY CLERK

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1 AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. AND REZONING FROM
2 R-2 TWO FAMILY RESIDENCE DISTRICT TO C-1 NEIGHBORHOOD BUSINESS
3 DISTRICT
4
5

6 WHEREAS, a request has been made to the Modesto Planning
7 Commission by means of a duly executed petition asking a change
8 in the use district, and

9 WHEREAS, after two public hearings as required by the
10 City Ordinance and the State Planning Act, and after due con-
11 sideration, the Modesto City Planning Commission has recommended
12 to the City Council the amending of the Zoning Ordinance of the
13 City of Modesto to effect the changes requested, and

14 WHEREAS, a public hearing has been held by the Council of
15 the City of Modesto as required by law,

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

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

21 SECTION 2. Ordinance 700 N. S., the Zoning Ordinance of
22 the City of Modesto, is hereby amended as follows:

23 All that portion of the east 250 feet of Block
24 204 of the City of Modesto which lies South
25 of La Loma Street, excluding the East 90 feet
of the South 50 feet of Lot 1

26 as said lots and blocks are shown in Volume 15 of Maps, at
27 page 204, said volume being on file and on record in the
28 office of the County Recorder of Stanislaus County, California,
29 are hereby taken and removed from the R-2 Two Family Residence
30 District use zone and placed in the C-1 Neighborhood Business
31 District use zone.
32

1 SECTION 3. This ordinance shall go into effect from
2 and after fifteen (15) days after its final passage and adoption.

3 SECTION 4. This ordinance shall be published in full at
4 least once at least three days prior to its final passage and
5 adoption.

6 The foregoing ordinance was introduced at a regular
7 meeting of the Council of the City of Modesto held on the 10th
8 day of March, 1948, by Councilman Morris, who moved
9 its adoption and passage to print. The motion being duly
10 seconded by Councilman Wilson, was, upon roll call, carried
11 and the ordinance ordered printed and published as above by the
12 following votes:

13 AYES: Councilmen: Benson, Morris, Wilson, Stanley, Mayor Shannon
14 NOES: Councilmen: None
15 ABSENT: Councilmen: None

16
17 APPROVED *Shannon*
MAYOR OF THE CITY OF MODESTO

18
19
20 ATTEST *DeLoach*
CITY CLERK OF THE CITY OF MODESTO

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 10th day of March, 1948 and subse-
6 quently printed and published as required by the Charter of the City
7 of Modesto and coming on for final adoption at the regular meeting
8 of March 24, 1948, it was upon roll call so finally adopted by the
9 following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13
14 APPROVED: 
CARL W. SHANNON, MAYOR

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17 ATTEST: 
REX E. GAILFUS, CITY CLERK

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1 Jennie Street

2 19 feet on east side of Burney Street between La Loma Street and
3 Walden Street and 2 feet on the east side of Burney Street between
4 Walden Street and Jennie Street.

5 SECTION 3. This ordinance shall go into effect and be in
6 force and operation from and after fifteen days after its final
7 passage and adoption.

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

11 The foregoing ordinance was introduced at a regular
12 meeting of the Council of the City of Modesto held on the 10th
13 day of March, 1948 by Councilman Benson, who moved its adoption and
14 passage to print, which motion being duly seconded by Councilman
15 Stanley, was upon roll call carried and the ordinance ordered
16 printed and passed as above by the following vote:

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

18 Noes: Councilmen: None

19 Absent: Councilmen: None

20
21 APPROVED

Charles Shannon
MAYOR OF THE CITY OF MODESTO

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23 ATTEST:

Paul G. ...
CITY CLERK OF THE CITY OF
MODESTO

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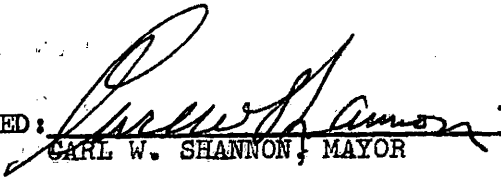
FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1948 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of March 24, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

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Repealed
Ord 1987-N.S

ORDINANCE NO. 849-N.S.

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

---o0o---

The Council of the City of Modesto do ordain as follows

SECTION I. Section 5 of Ordinance No. 602-N.S. of the City of Modesto entitled: "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL, PRESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF" as thereafter amended by Ordinance No. 639-N.S. Ordinance No. 687-N.S. Ordinance No. 766-N.S. and Ordinance No. 791-N.S. is hereby amended by including under this section as a civil service employee the "Telephone Operator and Receptionist". Said section as amended shall read as follows:

"SECTION 5, COMPETITIVE SERVICE. The provisions of this ordinance shall not apply to persons occupying the following offices, positions, and employments in the service of the city:

- (a) Elective offices
- (b) Positions on appellate boards, commissions and committees
- (c) Judge of the Police Court and Clerk thereof
- (d) Chief officials of City
- (e) Unclassified laborers
- (f) Persons having contracts with the City for rendition of services
- (g) Chief Deputy in General Administrative office

Within the meaning of this ordinance, an unclassified laborer is hereby declared to be an unskilled workman, unqualified to proceed independently to lay out and perform work and who prosecutes his duties under the immediate direction of a more highly qualified workman or foreman. Janitors are hereby declared

1 to be unclassified laborers.

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

6 DEPARTMENT OF PUBLIC WORKS

7 Assistant City Engineer

8 Secretary

9 Stenographer

10 Surveyor

11 Assistant Surveyor

12 Engineering Aids

13 Chief Draftsman

14 Junior Draftsman

15 Planning Engineer

16 Plumbing Inspector

17 Senior Engineering Aid

18 Under Engineering Aid

19 Draftsman

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

21 Street Repair Foreman

22 Assistant Superintendent of Electricity

23 Electrician

24 Lineman

25 Fire Alarm Technician

26 Electrical Inspector

27 Assistant Building Inspector

28 Water Service Foreman

29 Assistant Water Service Foreman

30 Pipe Fitters

31 Pump Operators (Grades 1 and 2)

32 Superintendent of Construction

Assistant Superintendent of Construction

X

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

- Captain
- Sergeants
- Secretary
- Clerk
- Traffic Officers
- Patrolmen

FIRE DEPARTMENT

- Assistant Chiefs
- Operators
- Drivers
- Relief Driver

DEPARTMENT OF PUBLIC HEALTH

- Food and Drink Inspector
- Sanitary Inspector

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of March, 1948 by Commissioner Wilson who moved its adoption and passage to print, which motion being duly seconded was carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Carl J. Shannon
CARL J. SHANNON

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

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 10th day of March, 1948 and subse-
6 quently printed and published as required by the Charter of the City
7 of Modesto and coming on for final adoption at the regular meeting
8 of March 24, 1948, it was upon roll call so finally adopted by the
9 following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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

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

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NOT SPECIAL
IN CODE

ORDINANCE NO. 850-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE ACQUISITION OF PORTION OF LOTS 6 and 13 OF BLOCK 814 OF THE CITY OF MODESTO FOR THE EXTENSION OF COLUMBIA WAY

---o0o---

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

SECTION 1 The sum of Two Thousand Dollars (\$2000 00) or so much thereof as may be necessary is hereby appropriated out of the general fund of the City of Modesto for the purchase of the following land:

The east 30 feet of lot 6 Block 814 and the easterly 50 feet of lot 13 of Block 814 of the College Manor Tract #2 recorded in volume 16 of Maps, page 17 of Stanislaus County Records to be used for the extension of Columbia Way.

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

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on March 31, 1948 by Commissioner Wilson, who moved its adoption and passage to print upon roll call which motion was duly seconded by Commissioner Benson was carried and the ordinance ordered printed and published by the following vote:

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

APPROVED: Carl W. Shannon
Mayor Carl W. Shannon

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

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 31 day of March, 1948, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of April, 14, 1948, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Morris, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: Benson and Mayor Shannon

APPROVED:

Parsons
MAYOR

ATTEST:

W. E. G. G.
CITY CLERK

SPECIAL
NOTY IN CODE

ORDINANCE NO. 851-N.S.

2 AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A MOTORCYCLE
3 FOR THE POLICE DEPARTMENT OF THE CITY OF MODESTO

4 ---oOo---

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

6 SECTION 1. The sum of SIX HUNDRED FIFTY AND NO/100.
7 (\$650 00) DOLLARS or so much thereof as may be necessary is here-
8 by appropriated out of the General Fund of the City of Modesto for
9 the purchase of a motorcycle to be used by the Police Department
10 of the City of Modesto.

11 SECTION 2. This ordinance shall go into effect from
12 and after fifteen (15) days after its final passage and adoption.
13 It shall be published in full at least once at least three days
14 prior to its final adoption in The Modesto Bee, the official news-
15 paper of the City of Modesto.

16 The foregoing ordinance was introduced at a regular
17 meeting of the Council of the City of Modesto held on the 12th day
18 of May, 1948 by Commissioner Stanley who moved its adoption and
19 passage to print, which motion being duly seconded by Commissioner
20 Morris was upon roll call carried and the ordinance ordered printed
21 and published by the following vote:

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

23 Noes: Councilmen: None

24 Absent: Councilmen: None

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

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

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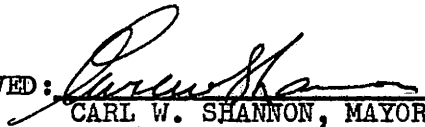
FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 26, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE REPEALING ORDINANCE NO. 678 N. S. OF THE CITY OF
2 MODESTO AND AMENDING SECTION 5 OF ORDINANCE NO. 550 N. S. OF THE
3 CITY OF MODESTO ENTITLED "AN ORDINANCE AMENDING SECTIONS 2, 3 and
4 5 OF ORDINANCE NO. 492 N. S. OF THE CITY OF MODESTO ENTITLED
5 "AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES
6 AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES" AS THERE-
7 AFTER AMENDED".

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

10 SECTION 1. Ordinance No. 678 N. S. of the City of
11 Modesto entitled "AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE
12 NO. 550 N. S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE
13 AMENDING SECTIONS 2, 3 and 5 OF ORDINANCE NO. 492 N. S. OF THE
14 CITY OF MODESTO ENTITLED 'AN ORDINANCE REGULATING AND LICENSING
15 CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND
16 GAMBLING DEVICES', " AS THEREAFTER AMENDED," is hereby repealed.

17 SECTION 2. Section 5 of Ordinance No. 550 N. S. of the
18 City of Modesto entitled "AN ORDINANCE AMENDING SECTIONS 2, 3 and
19 5 OF ORDINANCE NO. 492 N. S. OF THE CITY OF MODESTO, ENTITLED
20 'AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT
21 DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES',"
22 AS THEREAFTER AMENDED," is hereby amended to read as follows:

23 "Section 5. It shall be unlawful for any person, firm
24 or corporation, either as principal, agent, servant or employee,
25 to operate machines of the kind specified in Section 3 hereof
26 without having a license therefor, as herein specified.

27 "Applications for licenses shall be in writing, signed
28 by the applicant, giving his business address, business or
29 occupation, age, citizenship, and such other information as may be
30 required. They shall be filed with the City License and Tax
31 Collector, with the deposit of the license fee, shall be referred
32

Chief of Police

1 by him to the ~~Council on Law, Order, Public Health and Safety~~ for
2 investigation and examination and a report to the Council. ~~with his~~
3 ~~recommendation~~ If the Council finds from an examination of the
4 application and such report and such further facts as may be
5 officially brought to its attention that the application is in
6 proper form, the applicant of good moral character, and that the
7 business therein applied for may be carried on without danger
8 to the public peace, health and safety, the Council shall grant
9 the permit applied for and direct the Collector to issue the
10 license; but if it finds that the applicant is not a person of
11 good moral character or that the business cannot be carried on
12 without danger to the public peace, health and safety it may
13 deny the application.

14 The license fee shall be the sum of One thousand and
15 no/100 (\$1,000.00) Dollars per year payable in advance, and in
16 addition thereto the sum of Twenty and no/100 (\$20.00) Dollars
17 per year for each amusement device operated in the City of
18 Modesto for the period of a year or any fraction or portion
19 thereof. The yearly period for the purpose of this Ordinance
20 shall commence on the date the One thousand and no/100 (\$1,000.00)
21 Dollars license fee is paid and shall terminate at the end of
22 one year thereafter. Permits for additional amusement devices
23 obtained after the payment of the One thousand and no/100
24 (\$1,000.00) Dollar license fee shall expire on the same date
25 as the expiration of the license received by virtue of the payment
26 of the One thousand and no/100 (\$1,000.00) Dollar license fee at
27 which time in the event the applicant desires to renew his
28 license the fee of One thousand and no/100 (\$1,000.00) Dollars plus
29 Twenty and no/100 (\$20.00) Dollars for each machine then in
30 operation shall again become due and payable. No amusement device
31 shall be installed until the One thousand and no/100 (\$1,000.00)
32

1 Dollar license fee is paid and until a permit is secured for the
2 installation of said amusement device and the Twenty and no/100
3 (\$20.00) Dollar fee provided for herein is paid. No license fee
4 paid hereunder shall be cancelled or any part thereof refunded.
5 There shall not be placed, kept and/or maintained more than two
6 (2) such amusement devices in any one location. This restriction
7 shall not be construed to allow each licensee two (2) amusement
8 devices in any one location but is intended to limit the total
9 number of amusement devices to two (2) in any one location.
10 The Collector, or his deputies, shall securely affix or cause
11 to be affixed in a conspicuous place on each such machine
12 operated by a licensee a sticker or label legibly setting forth
13 the name and address of the licensee, the license number and the
14 year for which issued together with the words "City of Modesto,"
15 which sticker or label shall bear the genuine or a facsimile
16 signature of the Collector. It shall be unlawful to use or
17 operate any such machine to which a sticker or label is not
18 attached as aforesaid."

19 SECTION 2. This Ordinance shall go into effect from
20 and after fifteen (15) days after its final passage and adoption.
21 All ordinances or parts of Ordinances in conflict herewith and
22 in particular Ordinance No. 469 N. S. are hereby repealed.

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

26 The foregoing Ordinance was introduced at a special meeting
27 of the Council of the City of Modesto held on the 19th day of May,
28 1948, by Councilman Benson, who moved its adoption and passage
29 to print as aforesaid, which motion being duly seconded by Council-
30 man Wilson, was upon roll call carried and the ordinance
31 published as above by the following vote:

32 AYES: Councilmen: Benson, Wilson, Stanley, Morris, Mayor Shannon
NOES: Councilmen: None

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ABSENT: Councilmen: None

APPROVED Paul W. Hannon
MAYOR

ATTEST:

Paul E. Gausman
CITY CLERK

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 19th day of May, 1948 and sub-
5 sequently printed and published as required by the Charter of the
6 City of Modesto, and coming on for final adoption at the regular
7 meeting of May 26, 1948, it was upon roll call so finally adopted
8 by the following vote:


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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 APPROVED: 
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MAYOR

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16 ATTEST: 
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CITY CLERK

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NOT SPECIAL
IN CODE

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

3

4

WHEREAS a Petition dated the 28 day of April, 1948, was filed with the City Council by Frank A. Bliss and Eva L. Bliss, for the annexation of uninhabited territory under the Uninhabited Territory Act of 1939, and

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WHEREAS, the City Council, by Resolution passed on the 28th day of April, 1948, set said Petition for hearing for the hour of 4 o'clock P. M. on the 19th day of May, 1948, in the Council Chambers of the City Hall of the City of Modesto, and

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

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

SECTION 1. That the Petition of Frank A. Bliss and Eva L. Bliss be and the same is hereby granted and the territory described in said Petition is hereby annexed to and made a part of the City of Modesto.

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

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

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

All that portion of Lot 2 of RICE COLONY, according to the Map thereof, filed in the office of the County Recorder of Stanislaus County, California, on

1 February 19, 1904 in Vol. 1 of Maps at page 54,
2 described as follows:

3 Beginning at the Northwest corner of said Lot 2,
4 thence South 0° 48' 30" East and along the West
5 line of said Lot 2, a distance of 395.75 feet, more
6 or less, to a point on the North line of Melrose
7 Tract; thence South 89° 47' East, a distance of
8 164.68 feet; thence North 0° 48' 30" West, a
9 distance of 395.75 feet, more or less, to a point
10 on the North line of said Lot 2; thence West
11 and along the North line of said Lot 2, a distance
12 of 164.68 feet, more or less, to the point of be-
13 ginning.

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

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

21 The foregoing Ordinance was introduced at a special
22 meeting of the Council of the City of Modesto held on the 19th
23 day of May, 1948, by Councilman Benson, who moved its
24 adoption and passage to print, which motion being duly seconded
25 by Councilman Wilson was upon roll call carried by the
26 following vote:

27 AYES: Councilmen: Benson, Morris, Wilson, Stanley, Mayor Shannon

28 NOES: Councilmen: None

29 ABSENT: Councilmen: None

30 APPROVED

Carl W. Shannon
31 CARL W. SHANNON, MAYOR

32 ATTEST:

Rex E. Gaiffus
33 REX E. GAIFFUS, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 19th day of May, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of ~~May~~ June 9, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

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

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*Repealed
by 1053-15*

1 AN ORDINANCE AMENDING SECTION 8 OF ORDINANCE NO. 753 N. S. OF THE
2 CITY OF MODESTO ENTITLED "AN ORDINANCE REGULATING THE USE AND
3 OPERATION OF TAXICABS UPON THE PUBLIC STREETS OF THE CITY OF
4 MODESTO, PROVIDING FOR DRIVER'S PERMITS, AND AUTHORIZING THE COUNCIL
5 TO HOLD PUBLIC HEARINGS AND TO GRANT OR DENY APPLICATIONS FOR
6 OWNER'S PERMITS TO OPERATE TAXICABS; REGULATING THE RATES OF FARES
7 TO BE CHARGED FOR USE OF TAXICABS; PROVIDING A PENALTY FOR THE
8 VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; REPEALING ALL
9 ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH."

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

13 SECTION 1. Section 8 of Ordinance No. 753 N. S. of the
14 City of Modesto entitled "An Ordinance Regulating The Use And
15 Operation Of Taxicabs Upon The Public Streets Of The City Of
16 Modesto; Providing For Driver's Permits, And Authorizing The
17 Council To Hold Public Hearings And To Grant Or Deny Applications
18 For Owner's Permits To Operate Taxicabs; Regulating The Rates Of
19 Fares To Be Charged For Use Of Taxicabs; Providing A Penalty For
20 The Violation Of The Provisions Of This Ordinance; Repealing All
21 Ordinances or Parts Of Ordinances In Conflict Herewith," is hereby
22 amended to read as follows:

23 "SECTION 8. TAXICAB STANDS.

24 A. The City Council of the City of Modesto may by
25 Resolution locate and designate taxicab stands, which stands when
26 so established shall be appropriately designated "Taxis Only";
27 such stands and the permits heretofore issued and hereafter issued
28 to any person, individual, company or association are non-transferable.

29 The number of stands to which each person operating
30 taxicabs shall be entitled shall be in the discretion of the City
31 Council.
32

1 The fee to be paid to the City of Modesto for each
2 taxicab stand shall be as follows: There shall be no charge for
3 the first stand; for each additional stand there shall be paid
4 to the City of Modesto a fee of Fifteen and no/100 (\$15.00)
5 Dollars per month, payable in advance at the beginning of each
6 month.

7 Any person who is the owner of taxicabs operating under
8 different names or designations, but which taxicabs are in fact
9 under one ownership shall be entitled to only one free stand and
10 shall pay for each additional stand at the rate set forth herein.

11 B. It shall be unlawful for the owner, driver or operator
12 of any taxicab to park or leave standing or permit to leave
13 standing said taxicab except in a regularly established taxicab
14 stand on such streets of the City of Modesto as are provided with
15 parking spaces or to stop or leave said taxicab along the curb or
16 portion of street for the parking of vehicles on such streets as
17 have been designated as the parking space for the parking of
18 vehicles, for taking on or discharging passengers except in the
19 regularly established taxicab stand; providing further that
20 between the hours of 10 o'clock P. M. and 8 o'clock A. M. of the
21 following day, may stop, stand or park in any place where the
22 parking of vehicles is otherwise permitted; provided further,
23 however, that said right to park during said hours of 10 o'clock
24 P. M. to 8 O'clock A. M. of the following day shall not relieve
25 the persons so parking said taxicab or causing said taxicab to
26 be parked from liability for interference with the street
27 sweeper of the City of Modesto as set forth in Ordinance No.
28 193 N. S."

29 SECTION 2. This Ordinance shall take effect and be
30 in full force and operation from and after fifteen days after
31 its final passage and adoption.
32

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

4 The foregoing Ordinance was introduced at a regular
5 meeting of the Council of the City of Modesto held on the 26th
6 day of May, 1948, by Councilman Morris,
7 who moved its adoption and passage to print, which motion, being
8 duly seconded by Councilman Benson, was upon roll call
9 carried and adopted by the following vote:

10
11 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
12 NOES : Councilmen: None
13 ABSENT: Councilmen: None

14 Approved: Carl W. Shannon
CARL W. SHANNON, Mayor

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16 Attest:

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18 Rex E. Gailfus
19 REX E. GAILFUS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 26th day of May, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of June 9, 1948, it was upon roll call so finally adopted by the following vote:

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

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

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

SPECIAL
NOT IN CODE

ORDINANCE NO. 855-N.S.

2 AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN REAL
3 PROPERTY

4 WHEREAS, it appears to the Council of the City of
5 Modesto that the following described property:

6 All that portion of Lot 1 in Block 237 of the City of Modesto as
7 per Map filed December 21, 1942 in Vol. 15 of Maps, Stanislaus County
8 Records, described as follows:

9 Beginning at a point on the East boundary line of James Street
10 being the common corner of Blocks 206 and 207; running thence south
11 $89^{\circ} 30'$ East along the North line of Block 207 a distance of 513.49
12 feet to the Southeasterly line of Morton Boulevard and the point of
13 beginning of the herein described land; thence continue South 89°
14 $30'$ East 111.51 feet to the Southwest corner of the land conveyed to
15 B. R. Fitch and Julia H. Fitch, husband and wife, by Deed recorded
16 November 13, 1936 as Instrument No. 15468; thence Northeasterly along
17 Northwesterly line of said land to a point 25 feet at right angles
18 north of the South line of said Lot 1 of Block 237; thence North
19 $89^{\circ} 30'$ West parallel to South line of said Lot 1, 110 feet, more or
20 less, to the Southeasterly line of Morton Boulevard; thence South
21 $43^{\circ} 11'$ West to the point of beginning

22 is no longer needed and it will be beneficial to the City of Modesto
23 to dispose of the property hereinabove described, now owned by the
24 City of Modesto, and

25 WHEREAS, B. R. Fitch and Julia H. Fitch, as Joint
26 Tenants has paid to said City of Modesto the sum of Fifty Dollars
27 (\$50 00) as and for the purchase price for said property, which sum
28 the City Council finds to be a reasonable and proper sum under the
29 circumstances.

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

32 SECTION 1. That the City of Modesto sell and convey to
B. R. Fitch and Julia H. Fitch, as Joint Tenants, the above

1 and take in consideration therefor the sum of Fifty and no/100
2 (\$50.00) Dollars.

3 SECTION 2. The Mayor and the City Clerk of the City of
4 Modesto are hereby authorized and directed to execute a deed con-
5 veying all the right, title and interest of the said City of Modesto
6 in and to said property to B. R. Fitch and Julia H. Fitch, as Joint
7 Tenants.

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

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

14 The foregoing ordinance was introduced at a regular
15 meeting of the Council of the City of Modesto held on the 9th day
16 of June, 1948 by Councilman Morris, who moved its adoption, which
17 motion being duly seconded by Councilman Benson, was upon roll call
18 carried and the ordinance ordered printed and published as above
19 by the following vote:

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

21 Noes: Councilmen: None

22 Absent: Councilmen: None

23
24 APPROVED: 
CARL W. SHANNON, MAYOR

25
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27 ATTEST: 
Rex E. Gailfus, City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 9th day of June, 1948, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of June 23, 1948, it was upon roll call so finally adopted
8 by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 APPROVED: *Carroll Shannon*
14 MAYOR

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16 ATTEST: *R. E. [Signature]*
17 CITY CLERK

18 Effective date of Ordinance July 9, 1948.
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SPECIAL
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO

2
3 WHEREAS, a Petition dated the 21st day of May, 1948,
4 was filed with the City Council by R. E. Cadrett, Mary M. Cadrett,
5 Lawrence G. Englesby, Edythe S. Englesby, Erma R. Strangio,
6 John A. Strangio, Bernie K. Jones, Margaret Penney and R. E.
7 Penney, which petition was for the annexation of uninhabited
8 territory under the Uninhabited Territory Act of 1939, and

9 WHEREAS, the City Council by Resolution passed on the 16th
10 day of June, 1948, set for hearing said petition for the hour
11 of 4 o'clock P. M. on the 7th day of July, 1948, in the Council
12 Chambers of the City Hall of the City of Modesto, and

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

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

17 SECTION 1. That the petition of R. E. Cadrett, Mary
18 M. Cadrett, Lawrence G. Englesby, Edythe S. Englesby, Erma R.
19 Strangio, John A. Strangio, Bernie K. Jones, Margaret Penney
20 and R. E. Penney be and the same is hereby granted and the
21 territory described in said petition is hereby annexed to and
22 made a part of the City of Modesto.

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

27 SECTION 3. That the area of territory so annexed is
28 located in the County of Stanislaus, State of California, described
29 as follows:

30 Block 624 of "Lesliehugh Tract", according
31 to the Map thereof filed June 11, 1931, in
32 Volume 11 of Maps, page 20, Stanislaus County
Records, described as follows:

1 Beginning at a point in the center line of
2 Ila Way where the said line is intersected
3 by the center line of Hintze Avenue; thence
4 North along the center line of Ila Way,
5 213.47 feet to the South line of Lot 8 of
6 the Bussinger Tract, according to the Map
7 thereof filed December 13, 1920, in Volume
8 9 of Maps, page 48; thence North 88° 12' 15"
9 East along the South line of said Bussinger
10 Tract, 536.50 feet, more or less, to the
11 center line of Kimble Street; thence South,
12 along said center line, 154.33 feet to the
13 center line of Hintze Avenue; thence Westerly
14 along said center line to the point of
15 beginning.

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

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

16 The foregoing Ordinance was introduced at a special
17 meeting of the Council of the City of Modesto held on the 7th
18 day of July, 1948, by Councilman Benson, who moved
19 its adoption and passage to print, which motion being duly
20 seconded by Councilman Morris, was upon roll call carried
21 by the following vote:

22 AYES: Councilmen: Benson, Morris and Mayor Shannon

23 NOES: Councilmen: None

24 ABSENT: Councilmen: Stanley and Wilson

25 APPROVED: 

26 CARL W. SHANNON, Mayor of the
27 City of Modesto

28 ATTEST:

29 
30 REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 14, 1948, it was upon roll call so finally adopted by the following vote:

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

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *Patricia Sawyer*
CITY CLERK

effective date July 30-1948

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3 AN ORDINANCE AMENDING ORDINANCE NO. 700 N. S. BY ADOPTING
4 BUILDING LINES MAP RELATING TO "L" STREET BETWEEN MAZE ROAD
5 AND NINTH STREET IN THE CITY OF MODESTO.
6

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

8 SECTION 1: That the City Council finds that hearings
9 have been duly had before the Planning Commission of the City of
10 Modesto as required by the Zoning Ordinance and that a report of
11 the Planning Commission has been filed with the City Council
12 recommending the establishment of official building lines on
13 "L" Street between Maze Road and Ninth Street, and a public
14 hearing has been held by the City Council as provided by law.

15 SECTION 2. The Zoning Ordinance of the City of Modesto,
16 being Ordinance No. 700 N.S., is hereby amended as follows:
17 That certain proposed building line map relating to "L" Street
18 between Maze Road and Ninth Street, which is now and has been
19 on file in the office of the City Clerk during the period of
20 public hearing on the establishment of building lines on said
21 street, is hereby adopted and the lines shown on said map are
22 established as building lines and said map is made a part of the
23 City Zoning Ordinance, being Ordinance No. 700 N. S., and no
24 building or any part thereof (except as provided for in the
25 Modesto Building Code for projections into street areas) may
26 be constructed nearer the street than the established building
27 lines.

28 SECTION 3: This ordinance shall go into effect and
29 be in force and operation from and after fifteen days after its
30 final passage and adoption.

31 SECTION 4: This ordinance shall be published at
32 least once at least three days prior to its final adoption in

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

2 The foregoing ordinance was introduced at a special
3 meeting of the Council of the City of Modesto held on the 7th
4 day of July, 1948, by Councilman Morris who moved its adoption
5 and passage to print, which motion being duly seconded by
6 Councilman Benson was upon roll call carried and the ordinance
7 ordered printed and passed as above by the following vote:

8 AYES: Councilmen: Benson, Morris, Mayor Shannon.

9 NOES: Councilmen: None.

10 ABSENT: Councilmen: Wilson, Stanley.

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APPROVED 
MAYOR OF THE CITY OF MODESTO

ATTEST 
CITY CLERK OF THE CITY OF MODESTO

FINAL ADOPTION CLAUSE

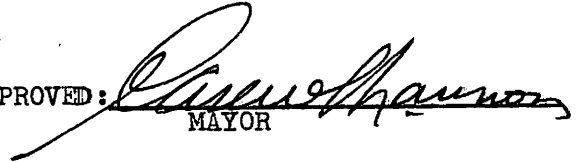
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The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 28, 1948 it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 700 N. S. OF
THE CITY OF MODESTO

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

5 SECTION 1. That hearings having been duly held before
6 the Planning Commission of the City of Modesto and the recommend-
7 ations of the Planning Commission having been regularly forward-
8 ed to the City Council of the City of Modesto, and the City
9 Council having considered the recommendations of the Planning
10 Commission proposing the amendment herein made, and a public
11 hearing having been held by the City Council all as provided by
12 law, the Zoning Ordinance of the City of Modesto, being Ordini-
13 nance No. 700 N.S., and particularly Section 7 thereof, is
14 hereby amended to read as follows:

15 SECTION 7

16 Section 7-C-2 CENTRAL BUSINESS DISTRICT REGULATIONS
17 (For convenience called C-2 District):

18 In Central Business Districts the following regulations
19 shall apply:

20 USES PERMITTED: In Central Business Districts all
21 buildings and land except as otherwise provided in this ordi-
22 nance may be used for any use permitted in the C-1 Neighborhood
23 Business District without regard to the securing of a use
24 permit for any such use.

25 1. All uses not otherwise prohibited by law are permitted
26 except the following: Automotive service stations, except
27 those designed and arranged in such manner that vehicles
28 being serviced will stand entirely on private property and
29 all inlets to storage tanks are so located that the equipment
30 discharging gasoline or other liquids, fluid or gas thereto
31 will stand entirely on private property. Automobile and automo-
32

1 tive assembly; automobile wrecking; building material yards;
2 carpet cleaning; chemical laboratory; clothing manufacture;
3 contractor's plant or storage yard; coal and wood yard; cooper-
4 age works; cosmetics manufacture; dairy, dyeing and cleaning
5 works, other than as permitted in C-1 districts; draying
6 terminal; electric welding; electroplating; feed and fuel yard,
7 except when conducted completely within an enclosed building;
8 feed manufacture; fender and body repair shops; fruit canning
9 or packing; funeral parlors, other than as permitted in C-1
10 districts; furniture manufacture; ice plant or ice storage of
11 more than fifteen tons capacity; junk yard, except when conducted
12 in a completely enclosed building; laundry, except hand laundries;
13 lumber yard; macaroni factory; machine shop; material or supply
14 storage yard; milk distribution or bottling station; manufactur-
15 ing, except for retail sales on the same premises only; olive
16 oil plant; paint mixing; poultry or rabbit or similar livestock
17 raising or slaughter or live storage; salvage yard; shooting
18 gallery; steam cleaning of tractors, trucks and farm implements;
19 stone cutting or polishing except as an accessory to a jewelry's
20 shop; storage of material or supplies, except when purely in-
21 cidental to retail sales on the same premises; truck carting,
22 express, hauling, equipment or materials, storage yard; ware-
23 house; any kind of manufacture or treatment other than manufacture
24 or treatment of products clearly incidental to the conduct of
25 retail business conducted on the premises, ^{and} other than light
26 service industries and laboratories employing ^{not} more than eight
27 persons provided that a use permit is first obtained from the
28 Planning Commission; and all uses excluded from Industrial
29 District by terms of this ordinance; and in general those uses
30 which in the opinion of the Planning Commission may be objection-
31 able, obnoxious or offensive by reason of the emission of odor,
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1 dust, fumes, noise, smoke, gas, or vibration, or would impose
2 hazard to health or property in the neighborhood.

3 LOT AREA AND VEHICULAR STORAGE OR STANDING SPACE
4 REGULATIONS:

- 5 1. Same as required for C-1 Districts.

6 FRONT SIDE AND REAR YARD REGULATIONS:

- 7 1. Same as required for C-1 Districts.

8 2. No main building or accessory buildings shall be
9 erected or constructed nearer to the center line of any alley
10 than ten (10) feet.

11 BUILDING HEIGHT LIMIT: In the C-2 District the height
12 of buildings shall be as follows, provided, however, that a
13 building erected or structurally altered for dwelling purposes
14 shall comply with the height regulations of the Multiple Family
15 District. For uses other than dwelling purposes no building
16 erected or structurally altered shall be higher at the vertical
17 plane of the street property line than the horizontal width of
18 the narrowest street upon which building abuts with a maximum
19 of seventy (70) feet at such street line. Above the height
20 permitted at the vertical plane of the street property line
21 two feet may be added to the height of the building for each
22 one foot that the building or portion thereof is set back from
23 such street line. (See Section 14).

24 Section 2. This Ordinance shall go into effect and be
25 in full force and operation fifteen (15) days after its final
26 passage and adoption.

27 SECTION 3. This Ordinance shall be published at least
28 once (1) at least three (3) days before its final passage and
29 adoption in the Modesto Bee, the official newspaper of the City
30 of Modesto.

31 This ordinance was introduced at a special meeting of
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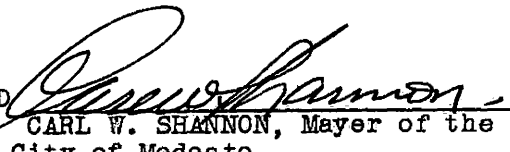
1 the City Council of the City of Modesto held on the 7th day
2 of July, 1948, by Councilman Morris, who moved its adoption
3 and passage to print, which motion being duly seconded by
4 Councilman Benson was upon roll call carried by the following
5 vote:

6 AYES: Councilmen: Benson, Morris, Mayor Shannon.

7 NOES: Councilmen: None.

8 ABSENT: Councilmen: Wilson, Stanley.

9
10
11 APPROVED


CARL W. SHANNON, Mayor of the
City of Modesto

12
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15 ATTEST:

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18 REX E. GAILFUS, City Clerk of the
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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 7th day of July, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 28, 1948 it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Morris

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Amended
by

Ord 890-ns.
Ord 958-17

Cancelled by Ord 958-17

1 AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATION OF THE WATER DEPART-
2 MENT OF THE CITY OF MODESTO, ESTABLISHING RULES AND REGULATIONS
3 AND FIXING THE RATES TO BE CHARGED FOR WATER SERVICE AND REPEALING
4 ORDINANCE NUMBERS 124 N. S., 432 N. S., 546 N. S., 618 N. S.,/and 732 N.S.
5 751 N. S.

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

8 SECTION 1. The management, control and care of the
9 municipal water system of the City of Modesto shall be vested in
10 the City Engineer, who shall, for the purposes specified in this
11 ordinance, be known and designated as the Superintendent of
12 the municipal water works. Notwithstanding the general powers
13 herein given to the Superintendent of municipal water works, he
14 shall nevertheless be subject to the general control of the
15 Council of the City of Modesto. The personnel of the water
16 department shall consist of such deputies, engineers and em-
17 ployees as have heretofore been designated for that purpose or
18 as may hereafter by resolutions or orders of the City Council be
19 designated therefor. All such employees shall be under the
20 control and direction of the Superintendent, who shall, with the
21 consent of the Council, have the power to discharge any officer
22 or employee under his control or cause.

23 SECTION 2. The City Clerk, or any other person authorized
24 by resolution of the City Council, shall be in charge of the
25 collection of all moneys that may become due the City by virtue
26 of this ordinance, and shall pay the same into the City Treasury
27 and account for the same in the same manner as he pays into the
28 City Treasury and accounts for all other sums received by him in
29 his official capacity.

30 SECTION 3. Water from the municipal water works shall be
31 delivered to consumers thereof, both within and without the corporate
32 limits of the City of Modesto, in accordance with the terms of

1 this ordinance and not otherwise. The City of Modesto will
2 furnish the service complete from its main to the property line
3 in case of an alley and to the curb line if the service is from
4 a street main. In case of metered services it will furnish all
5 meters from 5/8" to 2", inclusive, in size. If a meter larger
6 than 2" is required, it must be of a type approved by the
7 Superintendent, must be paid for by consumer, and installed at his
8 own expense, including a meter box and a steel cover. A valve
9 must be installed on the outlet side of all meters. Meters after
10 their installation, shall be maintained by the City.

11 SECTION 4. Installation Costs. The following schedule
12 of costs to be paid by consumers for service connections is
13 hereby established:

14	3/4" Service	\$12.50
	1 " Service	18.75
15	1 1/2 " Service	25.00
	2 " Service	31.25

16 For larger than 2" service, cost plus 10%. For all
17 services outside of the corporate limits the minimum sum of
18 One hundred fifty (\$150.00) Dollars for each water connection to
19 serve an area containing not more than 7,000 square feet and an
20 additional 1/2¢ for each square foot in excess of 7,000 square
21 feet so serviced, in addition to the above listed service charges,
22 must be paid.

23 SECTION 5. Charges for Water. Water will be delivered
24 either through meters as hereinafter specified or for a flat
25 charge as also hereinafter specified.

26 A. Meters. Subject to the minimum charges hereinafter
27 specified all water delivered through a meter shall be charged
28 and paid for as follows:

29 For the first three thousand cubic feet, \$1.35 per one
30 thousand cubic feet.

31 For the next thirty thousand cubic feet \$1.125 per one
32 thousand cubic feet.

1 For all over thirty three thousand cubic feet \$1.05 per
2 one thousand cubic feet; provided however that in any event the
3 following minimum rates shall be charged and paid:

			Cubic feet for minimum rate
4			
5	5/8 " meter	\$ 1.50 per month	1111
6	3/4 " meter	2.25 per month	1667
7	1 " meter	3.00 per month	2222
8	1 1/4 " meter	3.75 per month	2778
9	1 1/2 " meter	3.75 per month	2778
10	2 " meter	4.50 per month	3400
11	3 " meter	6.00 per month	4733
12	4 " meter	8.25 per month	6733
13	6 " meter	12.00 per month	10067
14	8 " meter	15.00 per month	12733

15 Independent fire sprinkler systems used as stand-by service
16 shall pay a minimum of 1/2 of the above minimum meter rates.

17 If a meter shall be found out of order the monthly charge
18 will be based upon 1/3 of the aggregate amount of water used as
19 shown by the meter during the preceding three months.

20 If a consumer has more than one meter a separate charge
21 will be made for each meter as well as the amount of water
22 registered for each meter. Compound meters however shall not be
23 construed to mean 2 meters. The owner shall furnish and install
24 all piping on his premises to the city meter connection.

25 The rate for any person, firm or corporation using tempo-
26 rary meters for any purpose which are installed for less than one
27 year shall be \$1.50 per one thousand cubic feet plus a \$3.00
28 installation charge. When a meter is not installed a minimum
29 rate of \$3.75 per month shall be charged.

30 All consumers outside of the city limits must have meters
31 installed and operating and pay the rates therefor hereinabove

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1 specified for service within the corporate limits.

2 All hotels, lodging houses, apartments, duplex houses,
3 camp grounds, office buildings, butcher shops, eating houses,
4 candy stores, ice plants, canneries, theatres, hospitals,
5 laundries, mills, dance halls, bakeries, warehouses, railroad
6 properties, bus line stations, creameries, milk plants,
7 manufacturing places, wash racks, service stations, cooling
8 systems, swimming or bathing pools and any other place of
9 business offering commodities for sale, as well as owners of
10 gardens using water for the irrigation of flowers and vegetables
11 produced commercially must be equipped with meters and shall be
12 charged with water on the meter rate as hereinabove specified.

13 Where swimming pools, bathing pools or wading pools
14 are now in existence or hereinafter constructed the entire premises
15 shall be metered. Each use may have a separate meter or the
16 entire premises may be served by one meter. Where any pool is
17 situated across the street or alley from the residence of the
18 owner only the pool shall be required to be metered. Minimum rates
19 for the meter as well as the rate for water used will be charged
20 for as a separate installation provided that where there are two
21 or more meters the minimum rate shall be charged only on the
22 largest meter.

23 The rate for all places of business or other places using
24 water for any purposes excepting those either hereinabove or
25 hereinafter in this ordinance mentioned will be established by
26 placing a temporary meter on such premises for determining the
27 amount to be charged; provided however that the minimum rate shall
28 not be less than \$1.50 per month.

29 B. Flat rates. Water will be delivered to dwelling houses
30 on flat or un-metered rate as follows:

31 For the use of water within the building \$2.25 per month
32 for each family occupying the same. For the use upon the lot

1 occupied by said dwelling the sum of \$.375 per month for each
2 3500 square feet of land or fraction thereof upon which water is
3 used up to 14,000 square feet. For each 3,500 square feet of
4 land or fraction thereof upon which water is used over 14,000
5 square feet the sum of \$.75 per month.

6 When water is turned on at any time between the 1st day
7 and the last day in the month the amount to be charged will be
8 as follows:

9 Between the 1st and 10th the full monthly water rate.

10 Between the 11th and 25th 1/2 of the full amount of
11 water rate.

12 Between the 26th and 1st the full monthly water rate which
13 is to be credited for the succeeding month.

14 C. Contracts. Anything to the contrary herein stated
15 notwithstanding the City Council of the City of Modesto shall and
16 does hereby have the power to enter into contracts with
17 governmental agencies including school districts and any person,
18 firm or corporation outside of the corporate limits of the
19 City of Modesto to supply water, water service and all things
20 pertaining to the furnishing of water to said agencies, person,
21 firm or corporation at rates different than those heretofore
22 set forth and on a basis that is fair and equitable to all the
23 parties concerned in said contracts.

24 D. Charges for circuses and carnivals. The rate to be
25 charged for circuses in the City of Modesto shall be \$25.00
26 per day for each day of any stay in the city.

27 The rate to be charged for carnivals in the City of
28 Modesto shall be \$15.00 per week or fraction thereof.

29 E. Miscellaneous. Any other rates already established and
30 not in conflict herewith may continue as now established or
31 fixed until a change of occupancy takes place or a meter is
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1 installed in which event the rates herein specified shall apply.

2 SECTION 6. Rules and regulations. The following
3 additional rules and regulations for the use of water are hereby
4 established:

5 1. Consumers on a flat or un-metered rate shall not be
6 permitted to waste water. The City shall have the right after
7 notifying the occupant in writing of such waste to install a
8 meter if waste continues.

9 2. All water services installed shall have an independent
10 wheel valve and an approved box and cover within 2 feet of the
11 city service valve, and a wheel valve where the service pipe
12 enters the house and/or structure. No water distribution system
13 shall be so connected so as to contaminate the city water
14 supply either by cross connection or otherwise.

15 3. All dwellings must have separate water services from
16 the City line and shall be separately charged therefor, except
17 that two dwellings on the same lot or pair of lots, as shown on
18 the official City Map, may be connected with the same metered
19 service.

20 4. Water bills for service on a flat rate must be paid
21 in advance by the 10th of each month, or a 10% penalty will be
22 added. If the bill is not paid by the 30th of the same month,
23 the water may be disconnected and shall not again be turned on un-
24 til the amount of the delinquent bill plus a charge of One Dollar
25 (\$1.00) for disconnecting and reconnecting is paid. A 2% discount
26 will be made on all bills on a flat rate paid six months in
27 advance, and a 5% discount on all bills on a flat rate paid one
28 year in advance.

29 5. Consumers on meters must pay their bills by the 10th
30 of the month following the date of the bill, or a 10% penalty
31 will be added. If the bill is not paid by the 30th of the month
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1 following the date of the bill, service may be discontinued and
2 will not be resumed until the delinquent charge plus a charge of
3 One Dollar (\$1.00) for disconnecting and reconnecting is paid.

4 6. No person, firm or corporation shall supply water in
5 any way for use outside of the premises to which the service is
6 assigned or appurtenant, unless by special permission from the
7 Superintendent.

8 7. The water charges herein specified will be charged
9 against vacant or untenanted buildings unless notice of the
10 vacancy and a request for discontinuance of service is made at
11 the office of the City Clerk.

12 8. All use of water for irrigation and sprinkling
13 must be discontinued during a fire. It shall be unlawful for
14 any person, firm, corporation or individual either as principal,
15 agent, master, servant or employee, to use water from the water
16 works system of the City of Modesto for irrigation of lawns, trees,
17 gardens, or other portions of the premises on the odd numbered side
18 of any street within said City of Modesto on Mondays, Wednesdays
19 and Fridays, between 8 o'clock A. M. and 8 o'clock P. M. of any of
20 said days, between the first day of June and the first day of
21 October of each year, and on the even numbered side of any street
22 on Tuesdays, Thursday and Saturdays between 8 o'clock A. M. and
23 8 o'clock P. M. of any of said days from June first to October
24 first of each year. By the terms "even numbered side of any street"
25 is meant that side of the street on which the house numbers end
26 in even figures, and by the term "odd numbered side of any street"
27 is meant that side of the street on which the house numbers end in
28 odd figures. The connection of any residence, piece of property
29 or premises with the water system of the City of Modesto shall
30 be presumptive evidence that the water used for irrigation on said
31 premises comes from the water works system of the City of Modesto.

1 9. Access to water meters must be provided at all times.

2 10. All persons, firms or corporations must keep the service
3 pipes in good order at their own expense and may be held liable
4 for damages which may result from their failure to do so. When
5 leaky faucets or fixtures are discovered and not immediately
6 repaired, the water service may be withdrawn. A city inspector
7 or authorized employee of the Water Department shall be admitted
8 at all reasonable hours to all parts of any premises supplied
9 with water, except the interior of dwellings, but including the
10 meter box, to see that the regulations contained in this
11 ordinance are observed and complied with.

12 11. It shall be unlawful for any person, firm or corporation
13 to interfere with the City service lines, valves or meters or to
14 construct a by-pass around a meter of service. Any person violating
15 this subsection of this ordinance shall be deemed guilty of a
16 misdemeanor and punished as hereinafter specified.

17 12. Owners of property will be held responsible for water
18 used on their premises, although payments will be accepted from
19 tenants. In case the tenants do not pay in accordance with
20 the provisions of this ordinance, the penalties herein specified
21 may be applied or the service may be discontinued and shall not
22 be restored until the delinquent water charges, including the cost
23 of water delivered, as well as the cost of disconnecting and re-
24 connecting the service, shall have been paid.

25 13. All unpaid accounts for water delivered at any premises
26 shall be a lien against the same.

27 14. All sprinkler systems installed for the irrigation of
28 lawns and flowers shall be so designed and installed that the water
29 shall not be sprayed or permitted to be sprayed over or upon a
30 sidewalk. Portable sprinklers will not be permitted on the sidewalk,
31 nor may they be placed in such a manner as to spray the water upon

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1 sidewalks or so as to prevent pedestrians from using the
2 sidewalks at all times without being struck or wet by the spray
3 from the sprinklers.

4 SECTION 7. The superintendent of water works is hereby
5 empowered to make interpretations of this ordinance whenever a
6 question may arise as to the meters or methods or manner in
7 which materials shall be installed. Said interpretation shall
8 be in writing, a copy thereof shall be filed in the office of the
9 Superintendent, and shall be final as to that class of
10 installation.

11 SECTION 8. The superintendent of the water works shall
12 keep complete records of all permits issued and other official work
13 performed under the provisions of this ordinance.

14 SECTION 9. Any person, firm or corporation violating any
15 of the provisions of this ordinance shall be deemed guilty of
16 a misdemeanor and upon conviction thereof shall be punished by a
17 fine not to exceed Five hundred Dollars (\$500.00) or by im-
18 prisonment in the City Jail for a period not to exceed 180 days,
19 or by both such fine and imprisonment.

20 Any person, firm or corporation violating any of the
21 provisions of this ordinance shall be deemed guilty of a separate
22 offense for each day or portion thereof during which such violating
23 continues and shall be punishable therefor as herein provided.

24 SECTION 10. All ordinances or parts of ordinances in
25 conflict with the terms and provisions of this ordinance are
26 repealed and specifically the following ordinances are repealed:
27 Ordinances numbers 124 N.S., 432 N.S., 546 N.S., 618 N.S., 723 N.S.,
28 and 751 N.S.

29 SECTION 11. This ordinance shall go into effect from and
30 after fifteen days after its final passage and adoption.

31 SECTION 12. This ordinance shall be published in full at
32 least once at least three days prior to its final adoption in the

1 The foregoing ordinance was introduced at a regular
2 meeting of the Council of the City of Modesto held on the 28
3 day of July, 1948, by Councilman Stanley
4 who moved its adoption and passage to print, which motion
5 being duly seconded by Councilman Benson was upon
6 roll call carried and the ordinance ordered printed and
7 published as above by the following vote:

8 AYES: Councilmen: Benson, Stanley Wilson, Mayor Shannon

9 NOES: Councilmen: none

10 ABSENT: Councilmen: MORRIS

11
12 APPROVED *Russ Shannon*
13 Mayor

14 ATTEST:

15
16 *Peter [unclear]*
17 City Clerk

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 28th day of July, 1948, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regu-
8 lar meeting of September 8, 1948, it was upon roll call so finally
9 adopted by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13
14 APPROVED: *Shannon*

MAYOR

15
16 ATTEST: *Robinson*

CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 860-N.S.

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

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

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

City Clerk, who likewise occupies the offices of Auditor, Assessor, Treasurer and Collector the sum of ^{6000.00} \$5622.00 per annum

City Attorney, the sum of ^{4800.00} \$4662.00 per annum

Chief of Police, the sum of ^{6000.00} \$5922.00 per annum

Fire Chief, the sum of ^{5550.00} \$5922.00 per annum.

Health Officer, the sum of ^{5700.00} \$5292.00 per annum

City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector, Sewer Inspector, Water Superintendent and Park Superintendent, the sum of ^{8400.00} \$7800.00 per annum.

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

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1948 by Commissioner Wilson, who moved its adoption and passage to print as aforesaid, which motion being duly seconded by

1 Commissioner Benson, it was upon roll call carried and the ordi-
2 nance ordered published as above by the following vote:
3 Ayes: Councilmen: Benson, Stanley, Wilson, Mayor Shannon
4 Noes: Councilmen: None
5 Absent: Councilmen: Morris

6
7 Approved, *Carl W. Shannon*
CARL W. SHANNON, MAYOR

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9 Attest; *Rex E. Gailfus*
REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 11, 1948, it was upon roll call so finally adopted by the following vote:

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

APPROVED: CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

effective date of Ordinance August 27, 1948

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SPECIAL
NOT IN CODE

ORDINANCE NO. 861-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF LAND AND THE IMPROVEMENT OF THE MUNICIPAL AIRPORT

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

SECTION 1 The sum of Fifty Seven Thousand Fifty Eight and no/100 (\$57,058 00) Dollars or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purchase of land and the improvement of the Municipal Airport of the City of Modesto as shown in C.A.A. project 9-04-027-7 Modesto, California on form ACA 1624.

SECTION 2 This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1948 by Commissioner Morris who moved its adoption and passage to print, which motion being duly seconded by Commissioner Benson, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED 
CARL W. SHANNON, MAYOR

ATTEST 
REX E. GAILFUS, CITY CLERK

1 time-20 copies

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 11, 1948, it was upon roll call so finally adopted by the following vote:

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

APPROVED


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

effective date of ordinance, August 27, 1948

1 AN ORDINANCE OF THE CITY OF MODESTO IMPOSING A LICENSE TAX FOR THE
 2 PRIVILEGE OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL, PRO-
 3 VIDING FOR PERMITS TO RETAILERS, PROVIDING FOR THE COLLECTING AND
 4 PAYING OF SUCH TAX, AND PRESCRIBING PENALTIES FOR VIOLATION OF THE
 5 PROVISIONS THEREOF.

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

9 SECTION 1. IMPOSITION AND RATE OF TAX. For the privilege
 10 of selling tangible personal property at retail a tax is hereby
 11 imposed upon all retailers at the rate of one-half of one per cent
 12 (1/2%) of the gross receipt of any retailer from the sale of all
 13 tangible personal property sold at retail in the City of Modesto
 14 on or after October 1, 1948. The license tax imposed by the
 15 provisions of this ordinance is in addition to any and all other
 16 taxes imposed by any other ordinance of the City of Modesto.

17 SECTION 2. TAX LEVIED IN SAME MANNER AS STATE TAX. The
 18 tax hereby levied, except as otherwise herein provided, is levied
 19 in the same manner, to the same extent and under the same conditions
 20 as sales taxes are levied pursuant to Part 1 of Division 2 of the
 21 California Revenue and Taxation Code, known as the "Sales and Use
 22 Tax Law," as amended and in force and effect on October 1, 1948.

23 SECTION 3. ADOPTION OF STATE SALES TAX LAW BY REFERENCE.
 24 EXCEPTIONS. All of the provisions of the "Sales and Use Tax
 25 Law," as amended and in force and effect on January 1, 1948,
 26 except the provisions thereof pertaining solely to the "Use Tax"
 27 and Sections 6006, 6051, 6052, 6053, 6066, 6067, 6068, 6069,
 28 6070, 6071, 6451, 7052, 7056, 7101, 7102, 7103, 7151, 7152, 7153,
 29 applicable to sales or purchases of property at retail, are hereby
 30 adopted and made a part of this ordinance as though fully set forth
 31 herein, and all provisions of any other ordinance in conflict
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1 therewith are inapplicable to this ordinance and the tax hereby
2 imposed; provided, however, the term "gross receipts," as used
3 herein, does not include the amount of any tax imposed by the
4 State of California upon or with respect to retail sales whether
5 imposed upon the retailer or upon the consumer.

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

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

16 The City Attorney of the City of Modesto shall be deemed
17 substituted for the Attorney General whenever the Attorney
18 General is referred to in said "Sales and Use Tax Law."

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

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

26 SECTION 4. SALE. The word "sale" means and includes:

27 (a) Any transfer, of title or possession, exchange,
28 barter, lease or rental, conditional or otherwise in any manner or
29 by any means whatsoever, of tangible personal property for a con-
30 sideration. "Transfer of possession," "lease," or "rental" includes
31 only transactions found by the City Auditor to be in lieu of a
32 transfer of title, exchange or barter.

1 (b) Any withdrawal of tangible personal property from a
2 point within the City of Modesto, except a withdrawal pursuant
3 to a transaction in foreign or interstate commerce which is immune
4 from local taxation by reason of the provisions of the United States
5 Constitution, for delivery to any place within or without the City,
6 for the purpose of the transfer of title or possession, exchange,
7 barter, lease or rental, conditional or otherwise, in any
8 manner or by any means whatsoever, of the property for a considera-
9 tion.

10 (c) The producing, fabricating, processing, printing, or
11 imprinting of tangible personal property for a consideration for
12 consumers who furnish either directly or indirectly the materials
13 used in the producing, fabricating, processing, printing or
14 imprinting.

15 (d) The furnishing and distributing of tangible personal
16 property for a consideration by social clubs and fraternal
17 organizations to their members or others.

18 (e) The furnishing, preparing, or serving for a considera-
19 tion of food, meals, or drinks.

20 (f) A transaction whereby the possession of property
21 is transferred but the seller retains the title as security for
22 the payment of the price.

23 (g) A transfer of the title or possession of tangible
24 personal property which has been produced, fabricated, or printed
25 to the special order of the customer, or of any publication.

26 SECTION 5. EXEMPTIONS.

27 In addition to the exemptions contained in Part 1 of
28 Division 2 of the Revenue and Taxation Code of California, there
29 shall be excluded from the computation of the tax the following:
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1 (1) Sales made to or by the State of California or any
2 agency, department, political subdivision, district or municipal
3 corporation thereof.

4 (2) Sales of meals, food and drinks sold or served on
5 common carriers operating into, through or out of the City
6 of Modesto from or to points outside the City of Modesto.

7 (3) Sales or purchases of property to be used in
8 connection with the erection, construction, repair or alteration
9 of either public works or buildings belonging to or being con-
10 structed by or on behalf of, or for the use of the United
11 States Government, State of California, or any agency,
12 department, political subdivision, district or public or
13 municipal corporation of the State.

14 (4) Sales or purchases made pursuant to contracts actually
15 executed in good faith prior to October 1, 1948.

1 SECTION 6. ADOPTION OF RULES AND REGULATIONS BY REFER-
2 ENCE. The rules and regulations of the State Board of Equalization
3 as amended and in force and effect October 1, 1948, pertaining to
4 the interpretation, administration and enforcement of the "Sales
5 and Use Tax Law," insofar as applicable shall apply in the
6 interpretation of this Ordinance until specifically abandoned by
7 the rules or regulations adopted by the City Council of the City
8 of Modesto pursuant to this ordinance.

9 SECTION 7. SAME. The inclusion of any clause,
10 portion or part of the "State Sales and Use Tax Law," Part 1,
11 Division 2 of the Revenue and Taxation Code of the State of
12 California, verbatim in this ordinance shall not in or of itself
13 be deemed to exclude any of the remaining provisions of said
14 "Sales and Use Tax Law" that are made a part hereof by reference
15 only.

16 SECTION 8. BURDEN OF PROOF UPON PERMITTEE. For the
17 purpose of the proper administration of this ordinance, and to
18 prevent evasion of the sales tax it shall be presumed that all
19 gross receipts are subject to the tax until the contrary is
20 established by the permittee.

21 SECTION 9. REGISTRATION OF AGENTS. Every retailer
22 selling tangible personal property for use or other consumption
23 in this city and which retailer maintains a place of business in
24 this city or acts through agents located in this city, and which
25 retailer is not otherwise registered under the provisions of this
26 ordinance shall register with the City Clerk and give the name and
27 address of such agent or agents and offices or other places of
28 business in the City.

29 SECTION 10. APPLICATION FOR PERMIT. Every person
30 desiring to engage in or conduct business as a seller within the
31 City of Modesto shall file with the City Auditor an application
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1 for a permit for each place of business. Every application for
2 a permit shall be made upon a form prescribed by the City
3 Auditor and shall set forth the name under which the applicant
4 transacts or intends to transact business, the location of
5 his place or places of business, and such other information as
6 the City Auditor may require. The application shall be signed
7 by the owner, if a natural person; in the case of an association
8 or partnership, by a member or partner; in the case of a
9 corporation, by an executive officer or some person specifically
10 authorized by the corporation to sign the application, to which
11 shall be attached the written evidence of his authority.

12 SECTION 11. ISSUANCE AND DISPLAY OF PERMIT. After
13 compliance with Section 10 of this ordinance by the applicant,
14 the City Auditor shall grant and issue to each applicant a
15 separate permit for each place of business. A permit is not
16 assignable and is valid only for the person in whose name it
17 is issued and for the transaction of business at the place
18 designated therein; provided, however, a change of location may
19 be endorsed upon the permit by the City Auditor upon the
20 payment of a fee of \$1.00. The permit shall at all times be
21 conspicuously displayed at the place for which issued.

22
23 SECTION 12. (a) REVOCATION OF PERMIT.

24 Whenever any person fails to comply with any provisions of
25 this ordinance or any rule or regulation adopted pursuant hereto,
26 the City Auditor of the City of Modesto, upon hearing, after
27 giving the person ten (10) days notice in writing specifying
28 the time and place of hearing
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1 and requiring him to show cause why his permit or permits should
2 not be revoked, may revoke or suspend any one or more of the permits
3 held by the person. The notice may be served personally or by
4 mail in the manner prescribed for the service of notice of a
5 deficiency determination under the "Sales and Use Tax Law".
6 The City Auditor shall not issue a new permit unless the City
7 Auditor of the City of Modesto is satisfied that the former
8 holder of a permit will comply with the provisions of this
9 ordinance and the rules and regulations adopted pursuant hereto.

10 (b) APPEAL. Any person aggrieved by any decision of
11 an administrative officer or agency with respect to the determina-
12 tion of the amount of tax due, or of the suspension or revocation
13 of any permit or permits, may appeal to the City Council by
14 filing a notice of appeal with the City Clerk within fifteen
15 days of such decision. The Council shall fix a time and place
16 for hearing such appeal and the City Clerk shall give notice
17 in writing to such person of the time and place of hearing by
18 serving it personally or by depositing it in the United States
19 Post Office at Modesto, California, postage prepaid, addressed
20 to such person at the address appearing on his last tax return or
21 permit.

22 The findings of the Council shall be final and conclusive,
23 and shall be served upon the appellant in the manner prescribed
24 above for service of notice of hearing.

25 SECTION 13. RENEWAL OF PERMIT. A seller whose permit
26 has been previously suspended or revoked shall pay the City
27 Auditor a fee of \$10.00 for the renewal or issuance of a permit.

28 SECTION 14. UNLAWFUL ACTS. A person who engages in
29 business as a seller in the City of Modesto without a permit or
30 permits, or after a permit has been suspended or revoked and before
31 the renewal or issuance of a permit, and each officer of any
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1 corporation which so engages in business, is guilty of a mis-
2 demeanor.

3 SECTION 15. DUE DATE. The taxes imposed by this ordinance
4 are due and payable to the City Auditor on or before the fifteenth
5 day of the month next succeeding each quarterly period, the first
6 quarterly payment to be due and payable under this ordinance on
7 the fifteenth day of January, 1949.

8 SECTION 16. DELINQUENT PAYMENTS - PENALTIES. All taxes
9 payable hereunder shall be deemed delinquent if not paid within
10 the time required. Whenever any tax required to be paid by this
11 ordinance is not paid on or before the date on which it becomes
12 delinquent, a penalty of ten per cent (10%) of the amount due,
13 plus interest at the rate of one-half of one per cent (1/2%) per
14 month or fraction thereof, shall be imposed. Every penalty
15 shall become a part of the tax imposed by this ordinance.

16 SECTION 17. EXTENSION OF DUE DATE. The City Auditor of
17 the City of Modesto for good cause may extend for not more than
18 thirty (30) days the time for making any return or paying any
19 sum required to be paid hereunder. The extension may be granted
20 at any time, provided a written request therefor is filed with
21 the City Auditor prior to the delinquency date.

22 SECTION 18. REIMBURSEMENT. The tax hereby imposed
23 shall be collected by the retailer from the consumer insofar as
24 it can be done.

25 SECTION 19. UNLAWFUL ADVERTISING. It is unlawful for any
26 retailer to advertise or hold out or state to the public or to
27 any customer, directly or indirectly, that the tax or any part
28 thereof will be assumed or absorbed by the retailer or that it
29 will not be added to the selling price of the property sold or
30 that, if added, it or any part thereof will be refunded. Any
31 person violating any provision of this section is guilty of
32 a misdemeanor.

1 SECTION 20. SUIT FOR TAX. All taxes hereby levied shall
2 be payable to the City Auditor and any civil suit for the collection
3 thereof may be filed in any Court of competent jurisdiction in the
4 State of California, and the City Attorney of said City shall
5 prosecute the action.

6 SECTION 21. RESALE CERTIFICATE. The City Auditor may at
7 his option accept a State of California Resale Certificate
8 as evidence that any sale is not a sale at retail, or he may in
9 his discretion require an affidavit from the seller setting forth
10 such information respecting such sale as he deems necessary to
11 determine the nature of such sale.

12 SECTION 22. DISPOSITION OF PROCEEDS. All moneys collected
13 under and pursuant to the provisions of this ordinance shall be
14 deposited and paid into the General Fund of the City of Modesto.

15 SECTION 23. DIVULGING OF INFORMATION FORBIDDEN. It is
16 unlawful for any officer or employee of the City of Modesto
17 having an administrative duty under this ordinance to make known
18 in any manner whatever the business affairs, operations or
19 information obtained by an investigation of records and equipment
20 of any retailer or any other person visited or examined in the
21 discharge of official duty, or the amount or source of income,
22 profits, losses, expenditures, or any particular thereof, set forth
23 or disclosed in any return, or to permit any return or copy
24 thereof or any book containing any abstract or particulars
25 thereof to be seen or examined by any person. However, the City
26 Council may, by resolution, authorize examination of the returns
27 by Federal or State officers or employees or by the tax officers
28 of this or any other city if a reciprocal arrangement exists.
29 Successors, receivers, trustees, executors, administrators,
30 assignees, and guarantors, if directly interested, may be given
31 information as to the items included in the measure and amounts of
32 any unpaid tax or amounts of tax required to be collected,

1 interest and penalties.

2 SECTION 24. PENALTIES. Any person required to make,
3 render, sign or verify any report under the provisions of this
4 ordinance, who makes any false or fraudulent return, with intent
5 to defeat or evade the determination of an amount due and re-
6 quired to be paid hereunder, is guilty of a misdemeanor, and
7 upon conviction thereof shall be punishable by a fine of not
8 more than \$500.00 or by imprisonment for a period of not more
9 than six (6) months, or by both such fine and imprisonment.

10 SECTION 25. SAME. Any person, firm or corporation
11 violating any of the terms of this ordinance shall be deemed
12 guilty of a misdemeanor, and upon conviction thereof shall be
13 punishable by a fine of not more than \$500.00 or by imprisonment
14 for a period of not more than six (6) months, or by both such
15 fine and imprisonment.

16 SECTION 26. SEVERABILITY. If any section, subsection,
17 sentence, clause, phrase, or portion of this ordinance is for
18 any reason held to be invalid or unconstitutional by the decision
19 of any court of competent jurisdiction, such decision shall not
20 affect the validity of the remaining portions of this ordinance.
21 The Council of this City hereby declares that it would have adopted
22 this ordinance and each section, subsection, sentence, clause,
23 phrase, or portion thereof, irrespective of the fact that any one
24 or more sections, subsections, clauses, phrases or portions
25 be declared invalid or unconstitutional.

26 SECTION 27. EFFECTIVE DATE. This ordinance shall take
27 effect and be in full force from and after October 1, 1948.

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 25, 19⁴8, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

MAYOR

ATTEST: 

CITY CLERK

1 AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF MATERIALS AND EQUIPMENT,
2 AND FOR THE CONSTRUCTION AND MAINTENANCE OF MUNICIPAL FACILITIES FOR THE CITY
3 OF MODESTO, AND APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL
4 WELFARE OF THE CITIZENS' OF MODESTO.

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

6 SECTION I. The sum of Ten Thousand Nine Hundred Dollars (\$10,900.00) or
7 so much thereof as may be necessary, is hereby appropriated out of the General
8 Fund for the purpose of promotion and general welfare of the citizens of the
9 City of Modesto and for the maintenance of the Stanislaus County Boys' Band.

10 SECTION II. The sum of Three Thousand Three Hundred Dollars (\$3,300.00)
11 or so much thereof as may be necessary, is hereby appropriated out of the
12 General Fund for office equipment in the Clerk's Office.

13 SECTION III. The sum of Five Hundred Dollars (\$500.00) or so much thereof
14 as may be necessary, is hereby appropriated out of the General Fund for the
15 Fourth of July Celebration.

16 SECTION IV. The sum of Six Hundred Dollars (\$600.00) or so much thereof
17 as may be necessary, is hereby appropriated out of the General Fund for the
18 Annual Audit of City Records.

19 SECTION V. The sum of Two Thousand Five Hundred Dollars (\$2,500.00) or
20 so much thereof as may be necessary, is hereby appropriated out of the General
21 Fund for Special Attorneys Fees and Court Costs.

22 SECTION VI. The sum of Nine Thousand Dollars (\$9,000.00) or so much
23 thereof as may be necessary, is hereby appropriated out of the General Fund
24 for the purchase of an Armory Site.

25 SECTION VII. The sum of One Thousand Seven Hundred Dollars (\$1,700.00)
26 or so much thereof as may be necessary, is hereby appropriated out of the
27 General Fund for Radio Equipment for the Police Department.

28 SECTION VIII. The sum of Four Thousand Eight Hundred and Thirty Eight
29 Dollars (\$4,838.00) or so much thereof as may be necessary, is hereby
30 appropriated out of the General Fund for Automotive Equipment for the Police
31 Department.

1 SECTION IX. The sum of Fifteen Thousand Dollars (\$15,000.00) or so much
2 thereof as may be necessary, is hereby appropriated out of the General Fund
3 to board City Prisoners in the County Jail and Prison Camp.

4 SECTION X. The sum of Two Thousand Dollars (\$2,000.00) or so much thereof
5 as may be necessary, is hereby appropriated out of the General Fund for
6 Incandescent and Fluorescent Lamps for Municipal Lighting.

7 SECTION XI. The sum of Twenty Eight Thousand One Hundred Dollars
8 (\$28,100.00) or so much thereof as may be necessary, is hereby appropriated out
9 of the Water Fund for the purchase of Water Pipe, Pipe Fittings, Fire Hydrants,
10 and Water Meters for the Public Works Department, Division of Water.

11 SECTION XII. The sum of Seven Thousand Dollars (\$7,000.00) or so much
12 thereof as may be necessary, is hereby appropriated out of the General Fund for
13 the purchase of sewer pipe for the Public Works Department, Division of Sewers.

14 SECTION XIII. The sum of One Thousand Eight Hundred Dollars (\$1,800.00)
15 or so much thereof as may be necessary, is hereby appropriated out of the
16 General Fund for the purchase of a one-half (1/2) ton Pickup for the Public
17 Works Department, Division of Sewers.

18 SECTION XIV. The sum of Ten Thousand Dollars (\$10,000.00) or so much
19 thereof as may be necessary, is hereby appropriated out of the General Fund
20 for the purchase of Cloroben for the Public Works Department, Division of
21 Sewers.

22 SECTION XV. The sum of Three Thousand Dollars(\$3,000.00) or so much
23 thereof as may be necessary, is hereby appropriated out of the General Fund
24 for the purchase of Chlorine for the Public Works Department, Division of
25 Sewers.

26 SECTION XVI. The sum of One Thousand Two Hundred Dollars (\$1,200.00)
27 or so much thereof as may be necessary, is hereby appropriated out of the
28 General Fund for the improvement and maintenance of the Modesto Municipal
29 Airport.

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1 SECTION XVII. The sum of Twenty Seven Thousand Six Hundred Dollars
2 (\$27,600.00) or so much thereof as may be necessary, is hereby appropriated
3 out of the General Fund for the purchase of Street Equipment and Supplies for
4 the purpose of repairing and maintaining the City Streets.

5 SECTION XVIII. The sum of Ten Thousand Dollars (\$10,000.00) or so much
6 thereof as may be necessary, is hereby appropriated out of the General Fund
7 for Traffic Signals on City Streets.

8 SECTION XIX. The sum of Two Thousand Dollars (\$2,000.00) or so much
9 thereof as may be necessary, is hereby appropriated out of the General Fund
10 for the purchase of a three-quarter (3/4) ton Pickup for the Public Works
11 Department, Division of Streets.

12 SECTION XX. The sum of Two Thousand Dollars (\$2,000.00) or so much
13 thereof as may be necessary, is hereby appropriated out of the General Fund
14 for the purchase of a Utility Spray Tank for the Public Works Department,
15 Division of Streets.

16 SECTION XXI. The sum of Two Thousand Dollars (\$2,000.00) or so much
17 thereof as may be necessary, is hereby appropriated out of the General Fund for
18 the purchase of Tree Spraying Material for the Parks Department.

19 SECTION XXII. The sum of Two Thousand Six Hundred Dollars (\$2,600.00)
20 or so much thereof as may be necessary, is hereby appropriated out of the
21 General Fund for the purchase of an automobile for the Public Works Department,
22 Division of Engineering.

23 SECTION XXIII. Reference is hereby made to the 1948-49 Budget adopted by
24 the City Council for more detailed expenditures of the funds herein shown.

25 SECTION XXIV. The City Engineer or any other Authorized Official shall
26 upon adoption of this Ordinance from time to time when required by the Council
27 of the City of Modesto, file with the Council plans and specifications for the
28 materials and/or equipment and/or construction work outlined above; and the
29 City Clerk shall from time to time as directed by the Council, advertise for bids
30 for said materials and/or equipment and/or construction work when necessary,
31 and bids shall be received and accepted, and contracts awarded therefor as

1 the Council may hereafter by resolution determine and prescribe.

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

6 The foregoing ordinance was introduced at a regular meeting of the
7 Council of the City of Modesto held on August 11, 1948, by Councilman
8 Wilson, who moved its adoption and passage to print, which
9 motion was duly seconded by Councilman Benson, was carried
10 and the ordinance ordered printed and published by the following vote.

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

12 Noes: Councilmen: None

13 Absent: Councilmen: None

14 APPROVED: 

15 Carl W. Shannon, Mayor

16 ATTEST: 

17 Rex E. Gailfus, City Clerk
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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 11th day of August, 1948 and sub-
6 sequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of August 25, 19⁴8, it was upon roll call so finally adopted
9 by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED: 
MAYOR

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17 ATTEST: 
CITY CLERK

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SPECIAL
NOT IN CODE

AN ORDINANCE PROVIDING FOR THE LEASING OF A CERTAIN PORTION OF
THE MODESTO MUNICIPAL AIRPORT.

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WHEREAS, there has been submitted to the City Council
of the City of Modesto a proposed lease to be entered into
between the City of Modesto, a municipal corporation of the
State of California; and the Modesto Hangar Association, a non-
profit corporation organized and existing under and by virtue
of the laws of the State of California, and

WHEREAS, by the terms of said proposed lease said
City of Modesto as Lessor leases to the Modesto Hangar
Association as Lessee a certain area of land situated on the
Modesto Municipal Airport for a term of eleven (11) years; and

WHEREAS, it is the intention of the City Council
to lease said premises as above set forth and to accept the
lease as proposed;

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

SECTION 1. That the City of Modesto shall lease to
Modesto Hangar Association a certain area of land situated on
the Modesto Municipal Airport for a term of eleven (11) years;

SECTION 2. That that certain lease, a copy of which
is on file with the City Clerk of the City of Modesto and is
hereby made a part hereof by reference as though set forth in
full herein, be and the same is hereby accepted and adopted;

SECTION 3. That the Mayor of the City of Modesto
and the City Clerk of the City of Modesto be, and they are
hereby, authorized and empowered to sign said Lease upon this
Ordinance becoming effective;

SECTION 4. This Ordinance shall be published at
least once at least three (3) days prior to the final adoption

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

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto on the 11th day of August, 1948 by Councilman Morris, who moved its adoption and passage to print, which motion being duly seconded by Councilman Wilson was upon roll call carried by the following vote:

AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED *Robert Shannon*
Mayor of the City of Modesto

ATTEST:

Paul E. G... ..
City Clerk of the City of Modesto

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 11th day of August, 1948 and sub-
6 sequently printed and published as required by the Charter of the
7 City of Modesto, and coming on for final adoption at the regular
8 meeting of August 25, 19⁴8, it was upon roll call so finally adopted
9 by the following votes:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED: *Carroll Shannon*

MAYOR

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17 ATTEST: *Robert E. ...*

CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 865 N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1948-1949

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

Section 1 There is hereby levied upon the assessed valuation of the property in the City of Modesto, County of Stanislaus State of California, for the fiscal year beginning July 1, 1948 and ending June 30, 1949, the rates of taxation, hereinafter specified, said rates being upon each One Hundred Dollars (\$100 00) of the valuation according to the equalized assessment roll, to-wit:

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

FOR THE BOND REDEMPTION AND INTEREST FUND

- (a) Municipal Improvement Bonds of 1910---\$.01
- (b) Municipal Improvement Bonds of 1911 .005
- (c) Municipal Improvement Bonds of 1920 (Jan) .045
- (d) Municipal Improvement Bonds of 1923 .01
- (e) Municipal Improvement Bonds of 1947 .18

BEING A TOTAL OF----- .25
for each One Hundred Dollars in valuation of property taxable for the redemption of bonds and the payments of interest thereon that shall accrue during said fiscal year:

FOR THE LIBRARY FUND----- .10
on each One Hundred Dollars of taxable valuation

THE AGGREGATE OF SAID SUMS TO-WIT-----\$ 1.35
on each One Hundred Dollars valuation as determined by the equalized assessment roll for the year 1948-1949 on all property taxable in the City of Modesto for said purpose is hereby levied and apportioned to and shall be paid into the above funds respectively of said City. The rates above specified shall be in addition to those required to be levied under the general laws of the State of California for the purpose of paying principal and interest on street improvement and interest on street improvement bonds in local improvement districts.

Section 2 BE IT FURTHER PROVIDED that anything to the contrary heretofore set forth, there shall be and there is hereby declared to be a different rate of taxation levied upon certain property situate in the City of Modesto, to-wit, Southern Campus Tract, Hawking Tract, that portion of the Leslie-Hugh Tract annexed to the City of Modesto, La Linda Tract, John Muir Park Tract, Northwood Tract, Esgar Tract, Crane Tract, and Campus Tract #2.

1 Said tax rate for said Southern Campus Tract, Hawkins Tract, that
2 portion of the Leslie-Hugh Tract annexed, LaLinda Tract, John Muir
3 Park, Northwood Tract, Esgar Tract, Crane Tract and Campus Tract #2
4 as aforesaid shall be and is hereby declared to be as follows:

5 FOR THE GENERAL FUND-----\$1.00
6 on each One Hundred Dollars taxable valuation

7 FOR THE BOND REDEMPTION AND INTEREST FUND
8 (a) Municipal Improvement Bonds of 1947----- .18
9 for each One Hundred Dollars in valuation of
10 property taxable for the redemption of bonds and
11 the payments of interest thereon that shall accrue
12 during the fiscal year:

13 FOR THE LIBRARY FUND----- .10
14 On each One Hundred Dollars of taxable valuation

15 THE AGGREGATE OF SAID SUMS, TO-WIT: \$1.28
16 On each One Hundred Dollars valuation, as
17 determined by the equalized assessment roll
18 for the year 1948-49

19 SECTION 3--BE IT FURTHER PROVIDED that anything to the
20 contrary heretofore set forth, there shall be and there is hereby
21 declared to be a differente rate of taxation levied upon certain
22 property situate in the City of Modesto, to-wit: Leonardo Tract,
23 Brockett & Valk Tract, College Manor Tract #2, Blocks 821 to 823
24 inclusive of Campus Tract and Lot 1 of the Ustick Tract, Said tax
25 rate for said Leonardo Tract, Brockett & Valk Tract, College Manor
26 Tract #2, Blocks 821 to 823 inclusive of Campus Tract and Lot 1 of
27 the Ustick Tract as aforesaid shall be and is hereby declared to be
28 as follows:

29 FOR THE GENERAL FUND-----\$1.00
30 on each One Hundred Dollars taxable valuation

31 FOR THE LIBRARY FUND----- .10
32 on each One Hundred Dollars of taxable valuation

33 THE AGGREGATE OF SAID SUMS, TO-WIT \$1.10
34 on each One Hundred Dollars valuation, as
35 determined by the equalized assessment roll
36 for the year 1948-1949

37 SECTION 4 The tax rate upon said Southern Campus
38 Tract, Hawkins Tract, that portion of the Leslie-Hugh Tract now a
39 portion of the City of Modesto, LaLinda Tract, John Muir Park, North-
40 wood Tract, Esgar Tract, Crane Tract, and Campus Tract #2, Leonardo

1 Tract, Brockett & Valk Tract, College Manor Tract #2, Blocks 821
2 to 823 inclusive of Campus Tract and Lot 1 of the Ustick Tract.
3 is different from the tax rate herein set for the balance of the
4 property within the City of Modesto by reason of the fact that
5 said territory has been annexed to and made a part of the City of
6 Modesto and under a provision of the State Law which does not per-
7 mit the said City to levy taxes upon said annexed property for any
8 past bonded indebtedness owed by said City and incurred before said
9 territory became a part of said City.

10 SECTION 5 This ordinance shall take effect immediately
11 upon its final passage and adoption.

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

15 The foregoing ordinance was introduced at a special
16 meeting of the Council of the City of Modesto held on the 18th
17 day of August, 1948 by Commissioner Wilson who moved its
18 adoption and passage to print, which motion being duly seconded by
19 Commissioner Stanley, the ordinance was upon roll call ordered
20 printed and published as required by the Charter of the City of
21 Modesto by the following vote:

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

23 Noes: Councilmen: None

24 Absent: Councilmen: None

25
26 APPROVED: Carl W. Shannon
27 CARL W. SHANNON, MAYOR

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

30 August 20, 1948.

31
32 10 copies

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 18th day of August, 1948, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of August 25, 1948, it was upon roll call so finally adopted by the following vote:

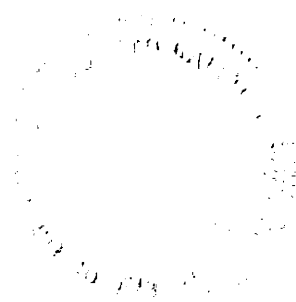
Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: _____

Parish Shannon
MAYOR

ATTEST: _____

Rateh...
CITY CLERK



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AUTHORIZING THE CONVEYANCE

1 AN ORDINANCE ~~BY~~ CERTAIN REAL PROPERTY TO THE STATE OF
 2 CALIFORNIA TO BE USED BY THE STATE OF CALIFORNIA FOR THE CON-
 3 STRUCTION OF AN ARMORY THEREON.

4
 5 WHEREAS, a request has been made by the State of Calif-
 6 ornia, through the Office of the Adjutant General of the California
 7 National Guard that the City of Modesto donate a site to the State
 8 of California for construction thereon by the State of California
 9 of an armory, and

10 WHEREAS, the State of California Public Works Board
 11 has approved the construction of an armory at Modesto at an
 12 estimated cost of \$111,500.00, and

13 WHEREAS, the armory will be available for use by other
 14 groups when not being used by the California National Guard and
 15 its construction will be for the public benefit,

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

18 SECTION I: The following described real property is
 19 hereby donated to the State of California to be used by the State
 20 of California for the purpose of constructing an armory thereon
 21 to-wit:

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

24 All of lots 1 to 17 inclusive of Block 3175 of
 25 the Durand Tract according to the map thereof
 26 filed in the office of the County Recorder of
 Stanislaus County, California, on January 21,
 1947, in Volume 16 of Maps at page 19.

27 SECTION II: The Mayor and City Clerk are hereby
 28 authorized to execute a grant deed conveying the above described
 29 real property to the State of California. Said conveyance shall be
 30 made upon condition that the State of California will commence
 31 construction of a State armory on the premises within three
 32 years from the date of said deed and will thereafter prosecute such

1 construction to completion with due diligence and upon failure
2 of the State of California to commence construction of such
3 State armory, title to said real property shall revert to the City
4 of Modesto.

5 SECTION III: This ordinance shall go into effect from and
6 after fifteen (15) days after its final passage and adoption.

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

10 The foregoing ordinance was introduced at a special
11 meeting of the Council of the City of Modesto, held on the 16th
12 day of September, 1948, by Councilman Wilson, who
13 moved its adoption and passage to print, which motion being duly
14 by Commissioner Morris seconded/was upon roll call carried and the ordinance ordered printed
15 and published as above by the following vote:

16 AYES: Councilmen: Morris, Wilson, Mayor Shannon

17 NOES: Councilmen: None

18 ABSENT: Councilmen: Stanley and Benson

19
20 APPROVED

Carl H. Shannon
MAYOR

21
22 ATTEST

23 *Carl H. Shannon*
24 CITY CLERK
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 16th day of September, 1948 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 22, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED:


CARL W. SHANNON, Mayor

ATTEST:


REX E. GAILFUS, CITY CLERK

effective date Oct 8-1948

SPECIAL
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO

WHEREAS, a petition dated the 25th day of August, 1948, was filed with the City Council by Ella M. Swanson for the annexation of uninhabited territory under the Uninhabited Territory Act of 1939, and

WHEREAS, the City Council by Resolution passed on the 25th day of August, 1948, set said petition for hearing for the hour of 4 o'clock P. M. on the 29th day of September, 1948, in the Council Chambers of the City Hall of the City of Modesto, and

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

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

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

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

SECTION 3. That the area of territory so annexed is located in the County of Stanislaus, State of California, and described as follows:

All that portion of the South one-half of West one-half of East one-half of Lot 3 of the RICE COLONY, a map of which is filed for record in Stanislaus County Recorder's office in Vol. 1 at page 54 of Maps except that land now lying within the boundaries of the corporate limits of the City of Modesto and more particularly described as follows, to-wit:

Beginning at a point on the North City Limits of the City of Modesto 30 feet West of the Northeast corner of said City Limits; thence, North 1.28 feet to the North line of the South one-half of West one-half of East

1 one-half of said Lot 3; thence, East along said North
2 lot line approximately 164.87 feet to the center line
3 of El Terino; thence, South along said center line of
4 El Terino 329.5 feet to the City Limits of the City of
5 Modesto; thence, along said City Limits the following
6 courses and distances

7 North 89°-57' West approximately 134.87 feet; N0°-47' West
8 329.44 feet; North 89°-57' West 30 feet to the point of
9 beginning.

10 SECTION 4. This Ordinance shall go into effect and be in
11 full force and operation fifteen (15) days after its final
12 passage and adoption.

13 SECTION 5. This Ordinance shall be published at least
14 once (1) at least three (3) days before its final passage and
15 adoption in the Modesto Bee, the official newspaper of the City
16 of Modesto.

17 This ordinance was introduced at a special meeting of the
18 City Council of the City of Modesto held on the 29th day
19 of September, 1948, by Councilman Benson, who moved
20 its adoption and passage to print, which motion being duly
21 seconded by Councilman Wilson, was upon roll call
22 carried by the following vote:

23 AYES: Councilmen: Benson, Stanley, Wilson, Mayor Shannon

24 NOES: Councilmen: None

25 ABSENT: Councilmen: Morris

26 APPROVED: 

27 CARL W. SHANNON, Mayor of the
28 City of Modesto

29 ATTEST:

30 
31 REX E. GAILFUS, City Clerk
32

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance, having been introduced
4 and ordered printed and published at a special meeting of the
5 Council of the City of Modesto held on the 29th day of September,
6 1948, and subsequently printed and published as required by the
7 Charter of the City of Modesto and coming on for final adoption at
8 the regular meeting of October 13, 1948, it was upon roll call so
9 finally adopted by the following vote:

10 Ayes: Councilmen: Benson, Morris, Wilson, Mayor Shannon

11 Noes: Councilmen: None

12 Absent: Councilmen: Stanley

13
14 APPROVED: 
CARL W. SHANNON, MAYOR

15
16 ATTEST: 
17 REX E. GAILFUS, CITY CLERK

18
19 effective date Oct. 29, 1948

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SPECIAL
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY TO THE CITY OF MODESTO.

2
3 WHEREAS, a Petition dated the 11th day of August, 1948, was
4 filed with the City Council by Wallace De Ve, Jack E. Brooks,
5 Beverly Laureen Brooks, Walter R. Anderson, Evelyn M. Anderson,
6 Richard William Kealm, Maxine Kealm, Helen L. De Ve, Betty June
7 Hibdon, O. B. Davis and John D. Messina, which petition was for
8 the annexation of uninhabited territory under the Uninhabited
9 Territory Act of 1939, and

10 WHEREAS, the City Council by Resolution passed on the 25th
11 day of August, 1948, set said petition for hearing for the hour
12 of 4 o'clock P. M. on the 29th day of September, 1948, in the
13 Council Chambers of the City Hall of the City of Modesto, and

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

16 THE CITY COUNCIL of the City of Modesto do ordain as
17 follows:

18 SECTION 1. That the petition of Wallace DeVe, Jack E.
19 Brooks, Beverly Laureen Brooks, Walter R. Anderson, Evelyn M.
20 Anderson, Richard William Kealm, Maxine Kealm, Helen L. De Ve,
21 Betty June Hibdon, O. B. Davis and John D. Messina be and the same
22 is hereby granted and the territory described in said petition
23 is hereby annexed to and made a part of the City of Modesto.

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

28 SECTION 3. That the area of territory so annexed is located
29 in the County of Stanislaus, State of California, and described as
30 follows:

31 Lots 2 and 3 of the APRICOT COLONY, as recorded
32 August 13, 1912 in Vol. 7 of Maps at page 5, in the
office of the Recorder of Stanislaus County, which

1 territory is more particularly described as follows:

2 Beginning at a point where the Northerly city limit
3 line intersects the West line of Orange Avenue; thence
4 Westerly along said city limit line to the West
5 boundary of Lot 3 of the APRICOT COLONY; thence
6 Northerly along said West boundary and along the West
7 boundary of Lot 2 of said Apricot Colony to the
8 Northerly boundary of Lot 2; thence Easterly along
9 said Northerly boundary to the Westerly boundary line
10 of Orange Avenue; thence Southerly along said Westerly
11 boundary line to the point of beginning.

12 SECTION 4. This Ordinance shall go into effect and be
13 in full force and operation fifteen (15) days after its final
14 passage and adoption.

15 SECTION 5. This Ordinance shall be published at least
16 once (1) at least three (3) days before its final passage and
17 adoption in the Modesto Bee, the official newspaper of the
18 City of Modesto.

19 This ordinance was introduced at a special meeting of
20 the City Council of the City of Modesto held on the 29th day
21 of September, 1948, by Councilman Stanley, who moved
22 its adoption and passage to print, which motion being duly
23 seconded by Councilman Wilson, was upon roll call
24 carried by the following vote:

25 AYES: Councilmen: Benson, Stanley, Wilson, Mayor Shannon
26 NOES: Councilmen: None
27 ABSENT: Councilmen: Morris

28 APPROVED Carl W. Shannon
29 CARL W. SHANNON, Mayor of the
30 City of Modesto

31 ATTEST:
32 Rex E. Gailfus
33 REX E. GAILFUS, City Clerk

Ordinance 868 N.S.
Exhibit A – Map

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

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced
3 and ordered printed and published at a special meeting of the
4 Council of the City of Modesto held on the 29th day of September,
5 1948, and subsequently printed and published as required by the
6 Charter of the City of Modesto and coming on for final adoption at
7 the regular meeting of October 13, 1948, it was upon roll call so
8 finally adopted by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: Stanley

12
13 APPROVED: 

CARL W. SHANNON, MAYOR

14
15
16 ATTEST: 

REX E. GAILFUS, CITY CLERK

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18 effective date Oct. 29, 1948
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CODE SEC¹
 NO. 5-1.501/2
 5-1.502

AN ORDINANCE MAKING IT UNLAWFUL TO INSTALL WELLS WITHIN THE CITY OF MODESTO AND PRESCRIBING PENALTIES FOR VIOLATION OF SAID ORDINANCE:

3

4

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

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SECTION 1. That it shall be unlawful to install wells in the City of Modesto for any purpose whatsoever without first securing the permission of the City Council of the City of Modesto.

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SECTION 2. No person, firm or corporation shall permit any water to be returned to wells now existing at the time of the passage of this Ordinance.

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SECTION 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than Three hundred and no/100 (\$300.00) Dollars or by imprisonment in the County Jail or the City Jail of said City for a term not exceeding three (3) months or by both such fine and imprisonment. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed, continued or permitted by such person, firm or corporation and shall be punishable as herein provided.

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SECTION 4. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto, held on the 29th day of September, 1948, by Councilman Stanley, who moved its adoption and passage to print, which motion being duly seconded by Councilman Benson was upon roll call

1 carried and the ordinance ordered printed and published as above
2 by the following vote:

3 AYES: Councilmen: Benson, Stanley, Wilson, Mayor Shannon

4 NOES: Councilmen: None

5 ABSENT: Councilmen: Morris

6
7 APPROVED:

Carroll Shannon
Mayor

8
9 ATTEST:

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11 Paula E. ...
12 City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 29th day of September, 1948, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of October 13, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Stanley

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

effective date Oct. 29, 1948

1 AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 302 N. S. AS
 2 AMENDED, ENTITLED "AN ORDINANCE REGULATING AND RELATING TO THE
 3 CONSTRUCTION, ERECTION, MAINTENANCE AND USE OF BILLBOARDS IN
 4 THE CITY OF MODESTO, AND LICENSING AND REGULATING THE OCCUPATION
 5 OF MAINTAINING BILLBOARDS AND OUTDOOR ADVERTISING, PROVIDING
 6 PENALTIES FOR THE VIOLATION OF THE SAME, AND REPEALING ALL
 7 ORDINANCES OR PARTS THEREOF IN CONFLICT THEREWITH."

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

11 SECTION 1. Section 7 of Ordinance No. 302 N. S. as
 12 amended is hereby amended to read as follows:

13 Section 7. All billboards hereafter constructed or
 14 erected in the City of Modesto shall be so designed, constructed
 15 and maintained in such a manner as to withstand the wear and
 16 tear of the elements and a thirty (30) pound lateral wind pressure
 17 per square foot of exposed surface and erected at an angle of
 18 bracing not greater than sixty (60) degrees from a horizontal plane
 19 and the braces shall be securely fastened by an anchor or other
 20 secured solid base. All billboards hereafter constructed within
 21 the Fire Limits of the City of Modesto as now or hereafter es-
 22 tablished by ordinance shall be built and constructed entirely
 23 of metal or other non-combustible materials in all parts thereof
 24 except the posts or standards upon which such structures rest and
 25 moulding strips of wood, provided, however, that the advertising
 26 surface of such structures shall be of non-combustible material
 27 not lighter than twenty-eight (28) gauge metal.

28 No person, firm or corporation shall erect or construct,
 29 or cause to be erected or constructed, any billboard or advertising
 30 sign upon any lot within the City of Modesto in such a manner
 31 that any portion of said billboard or advertising sign is nearer
 32 to the line of any public sidewalk, street, alley or other public

1 place than the front line of the nearest buildings in the same
2 block which face on any such public sidewalk, street, alley or
3 other public place; provided further, however, that when a bill-
4 board or advertising sign is erected or constructed between two
5 buildings, said billboard or advertising sign shall not be
6 erected closer to the line of any public sidewalk, street, alley or
7 any other public place than a line drawn from the nearest front cor-
8 ner of one building to the nearest front corner of the other
9 buildings.

10 There shall be placed and maintained at the top of each
11 billboard and advertising sign the name plainly painted of the
12 person, firm, corporation or association owning, or who is in
13 possession, charge or control of the same for advertising purposes.

14 An ornamental border, which shall contain no advertising
15 of any nature, not wider than one (1) foot may be added to surround
16 the advertising surface of any billboard or advertising sign.
17 There may be placed at the ends of said billboards appropriate
18 ornamental columns. There may be placed between the lower edge
19 of the billboard and the ground an ornamental lattice work or
20 baseboard not over thirty-six (36) inches in height, provided
21 that the lower edge of such lattice work or baseboard shall be at
22 least six (6) inches from the ground. All billboards hereafter
23 erected on the lot or lots between two buildings abutting the
24 sidewalk must be provided with some means of easy access to that
25 portion of the lot in the rear of such billboard. The height of
26 billboards hereafter erected or constructed in Modesto shall not
27 exceed eighteen (18) feet from the surface of the ground.

28 SECTION 2. This Ordinance shall be published in full at
29 least once (1) at least three (3) days prior to its final adoption
30 in the Modesto Bee, the official newspaper of the City of Modesto.

31 SECTION 3. This ordinance shall go into effect and be in
32 full force and operation from and after fifteen (15) days after

1 its final passage and adoption.

2 The foregoing ordinance was introduced at a regular
3 meeting of the Council of the City of Modesto held on the 27th
4 day of October, 1948, by Councilman Wilson, who moved
5 its adoption and passage to print, which motion being duly
6 seconded by Councilman Benson was upon roll call
7 carried and the ordinance ordered printed and ^{published} passed as above
8 by the following vote:

9 AYES: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

10 NOES: Councilmen: None

11 ABSENT: Councilmen: Mayor Shannon

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14 APPROVED: *Shannon*
MAYOR OF THE CITY OF MODESTO

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16 ATTEST: *P. E. ...*
17 CITY CLERK OF THE CITY OF MODESTO
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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 10, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

effective date Nov 26-1948

1 AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 830 N. S. OF THE
2 CITY OF MODESTO ENTITLED "AN ORDINANCE PROVIDING FOR CERTAIN FEES
3 TO BE PAID BY PERSONS IN TERRITORIES HEREAFTER ANNEXED TO THE CITY
4 OF MODESTO FOR CONNECTIONS TO THE CITY WATER SYSTEM."

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

8 SECTION 1. Section 1 of Ordinance No. 830 N. S. of the
9 City of Modesto is hereby amended to read as follows:

10 Section 1. Hereafter in all cases where territory is
11 annexed to the City of Modesto other than property belonging to said
12 City, the residents of said territory so annexed shall pay to the
13 City of Modesto the following sums for the privilege of connecting
14 their property to the water system of said City:

15 The minimum sum of Seventy five and no/100
16 (\$75.00) Dollars for each water connection to
17 service an area containing not more than 7,000
18 square feet and an additional one-half cent for
19 each square foot in excess of 7,000 square feet
20 so serviced, together with the fees required to
21 be paid as set forth in Ordinance No. 432 N. S.
22 as amended.

23 In addition to the above fees and costs, the person
24 desiring said water service shall pay all expenses incurred by
25 reason of running pipes and fittings from the property served to the
26 City water main or lateral.

27 SECTION 2. This Ordinance shall take effect and be in
28 full force ^{from} and after fifteen (15) days after its final adoption.

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

32 The foregoing Ordinance was introduced by Councilman
Morris at a regular meeting of the Council of the City of
Modesto held on the 27th day of October, 1948, who moved its adoption,
which motion being duly seconded by Councilman Wilson

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

3 AYES: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley

4 NOES: Councilmen: None

5 ABSENT: Councilmen: Mayor Shannon

6
7 APPROVED 
Mayor

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10 ATTEST 
City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 10, 1948, it was upon roll call so finally adopted by the following votes:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

CARL W. SHANNON, MAYOR

ATTEST: 

REX E. GAILFUS, CITY CLERK

effective date Nov 26-1948

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

3
4 The Council of the City of Modesto do ordain as follows:

5 SECTION 1. That certain area heretofore annexed to the
6 City of Modesto commonly referred to as Block 624 of "Lesliehugh
7 Tract" be and the same is established as an R-1 Single Family
8 Residence District. Said territory is located in the City of
9 Modesto, County of Stanislaus, State of California, and described
10 as follows:

11 Block 624 of "Lesliehugh Tract", according to the
12 Map thereof filed June 11, 1931, in Volume 11 of
13 Maps, page 20, Stanislaus County Records, described
14 as follows:

15 Beginning at a point in the center line of Ila Way
16 where the said line is intersected by the center line
17 of Hintze Avenue; thence North along the center line
18 of Ila Way, 213.47 feet to the South line of Lot 8 of
19 the Bussinger Tract, according to the Map thereof
20 filed December 13, 1920, in Volume 9 of Maps, page 48;
21 thence North 88° 12' 15" East along the South line of
22 said Bussinger Tract, 536.50 feet, more or less, to the
23 center line of Kimble Street; thence South, along said
24 center line, 154.33 feet to the center line of Hintze
25 Avenue; thence Westerly along said center line to the
26 point of beginning.

27 SECTION 2. That certain area heretofore annexed to the
28 City of Modesto commonly referred to as a portion of Lot 2 of
29 Rice Colony be and the same is established as an R-1 Single
30 Family Residence District. Said territory is located in the
31 City of Modesto, County of Stanislaus, State of California and
32 described as follows:

33 All that portion of Lot 2 of Rice Colony according
34 to the Map thereof, filed in the office of the County
35 Recorder of Stanislaus County, California, on
36 February 19, 1904, in Vol. 1 of Maps at page 54,
37 described as follows:

38 Beginning at the Northwest corner of said Lot 2,
39 thence South 0° 48' 30" East and along the West line
40 of said Lot 2, a distance of 395.75 feet, more or
41 less, to a point on the North line of Melrose Tract;
42 thence South 89° 47' East, a distance of 164.68 feet;
43 thence North 0° 48' 30" West, a distance of 395.75 feet,
44 more or less, to a point on the North line of said Lot 2

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 24, 1948, it was upon roll call so finally adopted by the following vote:

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

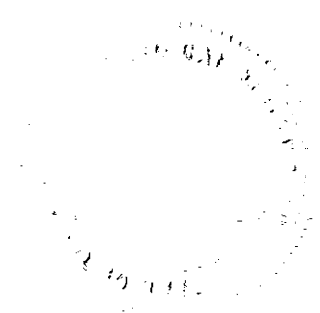
Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Shannon*
MAYOR

ATTEST: *[Signature]*
CITY CLERK

Effective date 12-10-48



1 AN ORDINANCE AMENDING SECTION 36 A OF ORDINANCE NO. 345 N. S. OF
2 THE CITY OF MODESTO ENTITLED: " AN ORDINANCE REGULATING TRAFFIC
3 UPON THE PUBLIC STREETS OF THE CITY OF MODESTO" AS THEREAFTER
4 AMENDED.

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

8 SECTION 1. Section 36 A. of Ordinance No. 345 N. S. of
9 the City of Modesto is hereby amended to read as follows:

10 Section 36A. The following streets within the City
11 of Modesto are hereby designated as 'Unrestricted Traffic Streets':

12 UNRESTRICTED TRAFFIC STREETS:

13 H Street from the easterly city limits to the inter-
14 section formed by said H Street and Kimble Street.

15 Downey Avenue from the intersection formed by said
16 Downey Avenue and Kimble Street to the intersection formed by
17 said Downey Avenue and McHenry Avenue.

18 Needham Avenue from the intersection formed by said
19 Needham Avenue and McHenry Avenue to the intersection formed by
20 said Needham Avenue and Ninth Street.

21 McHenry Avenue from the northerly city limits to the
22 intersection formed by said McHenry Avenue and Needham Avenue.

23 N Street from the intersection formed by said N Street
24 and Needham Avenue to the intersection formed by said N Street
25 and Ninth Street.

26 J Street from the intersection formed by J Street and
27 Fifteenth Street to the intersection formed by J Street and
28 Seventeenth Street.

29 Fifteenth Street from the intersection formed by said
30 Fifteenth Street and J Street to the intersection formed by said
31 Fifteenth Street and Jennie Street.

32

1 Burney Street from the intersection formed by said
2 Burney Street and H Street to the intersection formed by said
3 Burney Street and Jennie Street.

4 Grand Street from the intersection formed by said
5 Grand Street and Burney Street to the easterly city limits.

6 Fourteenth Street from the intersection formed by said
7 Fourteenth Street and D Street to the intersection formed by
8 said Fourteenth Street and Burney Street.

9 D Street from the intersection formed by said D
10 Street and Fifteenth Street to the intersection formed by said
11 D Street and Ninth Street.

12 Ninth Street from the intersection formed by said
13 Ninth Street and Tally Avenue to the southerly city limits.

14 B Street from the intersection formed by said B
15 Street and Ninth Street to the intersection formed by said B
16 Street and Seventh Street.

17 G Street from the intersection formed by said G Street
18 and Fifth Street to the intersection formed by said G Street and
19 Ninth Street.

20 Seventh Street from the intersection formed by said
21 Seventh Street and G Street to the southerly city limits.

22 Eighth Street from the intersection formed by said
23 Eighth Street and G Street to the intersection formed by said
24 Eighth Street and Arch Street.

25 Fifth Street from the intersection formed by said Fifth
26 Street and G Street to the intersection formed by said Fifth
27 Street and Washington Street.

28 Maze Boulevard from the intersection formed by said
29 Maze Boulevard and Washington Street to the westerly city limits.

30 H Street from the intersection formed by said H Street
31 and Fifth Street to the intersection formed by said H Street and
32 Franklin Street.

1 Tully Avenue from the intersection formed by said Tully
2 Avenue and Ninth Street to the intersection formed by said
3 Tully Avenue and Coldwell Avenue.

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

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

11 The foregoing Ordinance was introduced by Councilman
12 Wilson at a special meeting of the Council of the City
13 of Modesto held on the 3rd day of November, 1948, who moved
14 its adoption, which motion being duly seconded by Councilman
15 Benson was upon roll call carried and the Ordinance ordered
16 published as above by the following vote:

17 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

18 NOES: Councilmen: None

19 ABSENT: Councilmen: None

20 APPROVED


CARL W. SHANNON, Mayor

21
22
23 ATTEST


REX E. GALLFUS, City Clerk

24
25 1 T

26 250 copies
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 3rd day of November, 1948, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regu-
7 lar meeting of November 10, 1948, it was upon roll call so finally
8 adopted by the following vote:

9 Ayes: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon
10 Noes: Councilmen: None
11 Absent: Councilmen: None

12
13 APPROVED: 
14 CARL W. SHANNON, MAYOR

15
16 ATTEST: 
17 REX E. GAILFUS, CITY CLERK

18 effective date Nov 26-1948
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AN ORDINANCE AMENDING SECTION 16 OF ORDINANCE NO. 804 N. S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND REGULATING THE SALE, INSTALLATION, MAINTENANCE AND REPAIR OF APPLIANCES AND/OR GAS PIPING ON AN OUTLET SIDE OF GAS METERS FOR USE WITHIN THE CITY OF MODESTO, AND PROVIDING FOR INSPECTION THEREOF, ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR, LICENSING OF PERSONS ENGAGED IN THE BUSINESS THEREOF, IMPOSING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH."

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

SECTION 1. Section 16 of Ordinance No. 804 N. S. of the City of Modesto is hereby amended to read as follows:

Section 16. That Section 50 of said code be amended to read as follows:

All manually operated and/or automatic water heating appliances installed in the City of Modesto shall be provided with an approved automatic temperature and pressure relief valve. The outlet or discharge opening of such valve shall be piped full size of said opening in such manner that the hot water discharging therefrom will not injure persons or damage property.

All automatic storage water heaters and/or any gas burning device having automatic or remote control shall be equipped with an approved automatic device so designed that the supply of gas to the main burners in connection therewith will be automatically shut off when combustion is not taking place at the pilot.

The gas inlet to automatic storage water heaters shall be connected to the house gas piping by means of copper tubing not less in weight than 18 gauge and not over 18 inches in length and the outside diameter of such tubing shall be the same size as the opening to which it is connected. All copper tubing shall

have approved

1 / expansion joints. All gas appliances shall have an approved ground
2 in type shut off.

3 Persons who are in possession of a gas fitters certificate
4 of competency only shall not make any connections to the water
5 distribution system and/or drainage system except that any gas
6 appliance dealer or employee of such dealer, holding a certificate
7 of competency may install gas water heaters.

8 That such dealer and/or employee shall not run any water
9 pipe except to connect to the existing hot and cold water dis-
10 tributing system to and from the hot water heater. However, if
11 no hot and/or cold water system exists he or they shall be
12 limited to the piping not to exceed 12" below the floor on which
13 such water heater is installed.

14 SECTION 2. This Ordinance shall take effect and be in
15 full force from and after fifteen (15) days after its final
16 adoption.

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

21 The foregoing Ordinance was introduced by Councilman
22 Wilson at a special meeting of the Council of the City of
23 Modesto held on the 3rd day of November, 1948, who moved its
24 adoption, which motion being duly seconded by Councilman Benson
25 was upon roll call carried and the Ordinance ordered published
26 as above by the following vote:

27 AYES: Councilmen: Benson, Morris, Stanley, Wilson, Mayor Shannon

28 NOES: Councilmen: None

29 ABSENT: Councilmen: None

30 APPROVED 
CARL W. SHANNON, Mayor

31 ATTEST 
32 REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 3rd day of November, 1948, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of November 24, 1948, it was upon roll call so finally adopted by the following vote:

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

APPROVED: *Charles Shannon*
MAYOR

ATTEST: *Rebecca*
CITY CLERK

Effective date 12-10-48

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Repealed by
Ord. 1088-175

REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 15 OF ORDINANCE NO. 862 N.S. OF THE CITY OF MODESTO AND CHANGING THE DATE FOR PAYMENT OF TAXES IMPOSED BY SAID ORDINANCE.

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

SECTION 1. Section 15 of Ordinance No. 862 N. S. of the City of Modesto entitled "AN ORDINANCE OF THE CITY OF MODESTO IMPOSING A LICENSE TAX FOR THE PRIVILEGE OF SELLING TANGIBLE PERSONAL PROPERTY AT RETAIL, PROVIDING FOR PERMITS TO RETAILERS, PROVIDING FOR THE COLLECTING AND PAYMENT OF SUCH TAX, AND PRESCRIBING PENALTIES FOR VIOLATION OF THE PROVISIONS THEREOF" is hereby amended to read as follows:

SECTION 15. DUE DATE. The taxes imposed by this Ordinance are due and payable to the City of Modesto on or before the last day of the month next succeeding each quarterly period. The first quarterly payment to be due and payable on the 31st day of January, 1949.

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

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

The foregoing Ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1948, by Councilman Morris, who moved its adoption and passage to print, which motion being duly seconded by Councilman Wilson was upon roll call carried and the Ordinance ordered printed and passed as above by the following vote:

AYES: Councilmen: Morris, Wilson, Mayor Shannon

NOES: Councilmen: None

ABSENT: Councilmen: Stanley and Benson

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

ATTEST: Rex E. Gallfus
REX E. GALLFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1948 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of November 24, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

Reynolds
CITY CLERK

effective 12-10-48

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1 AN ORDINANCE REPEALING ORDINANCE NO. 786 N. S. OF THE CITY OF
2 MODESTO AND AMENDING ORDINANCE NO. 569 N. S. OF THE CITY OF MODESTO
3 AMENDED BY ADDING SECTION 10B WHICH AMENDS SECTION 10 OF
4 ARTICLE I OF THE STANDARD PLUMBING CODE ADDING THERETO A PROVISION
5 ALLOWING A SPECIAL PERMIT TO BE ISSUED TO ANY APPLIANCE DEALER
6 TO INSTALL CERTAIN APPLIANCES WHICH REQUIRE CONNECTION TO THE
7 WATER DISTRIBUTION SYSTEM AND BY ADDING SECTION 16A WHICH AMENDS
8 SECTION 100 OF THE STANDARD PLUMBING CODE TO PROHIBIT THE
9 CONNECTION OF GARBAGE DISPOSAL UNITS AND/OR GARBAGE GRINDERS TO THE
10 DRAINAGE SYSTEM OR SEWER OF THE CITY OF MODESTO.

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

14 Section 1. Ordinance No. 569 N. S. of the City of
15 Modesto entitled "AN ORDINANCE PROVIDING FOR THE PROTECTION OF
16 THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENS-
17 ING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING
18 AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION
19 OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE
20 OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRE-
21 SCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS, ESTABLISHING MINIMUM
22 REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING
23 AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES
24 FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES"
25 as thereafter amended is hereby amended by adding Sections 10B
26 and 16A to read as follows:

27 Section 10B: Section 10 of Article 1 of said Code be
28 amended to read as follows: No Permit shall be issued to any person
29 to construct, install, alter or change any new or existing Plumbing
30 or Drainage system in the City of Modesto, in whole or in part,
31 unless such person is a legal possessor of a valid Master Plumber's
32 License issued by said City; or, a person who is a Certified

1 Journeyman Plumber in the employ of the Federal, State, County,
2 City and County or City governments including any political sub-
3 divisions thereof, provided, however, that the work proposed to
4 be done is confined solely within the premises owned by them,
5 respectively; or, a person who is a Certified Journeyman Plumber,
6 steadily employed in a commercial or industrial establishment to
7 repair and maintain the plumbing and drainage system of such
8 establishment only.

9 A Special Permit may be issued to any Appliance
10 Dealer to install appliances which require connection to the water
11 distribution system; such as Evaporative Coolers, Air Conditioners,
12 Water Softeners, Automatic and Non-Automatic Clothes Washers,
13 Dish Washers or any other appliance (except Garbage Disposal
14 Units and/or Garbage Grinders) not regularly classed as
15 Plumbing Fixtures which are approved by the City Engineer and/or
16 the Plumbing Official, and which will not contaminate or pollute
17 the potable water system by reason of such installation; and
18 provided further that all such appliance dealers shall have
19 passed a satisfactory examination, or have in their employ such
20 person or persons who shall have passed such examination, and
21 have issued to them a Certificate of Competency by the Board of
22 Plumber Examiners. The issuance of such permit shall not be con-
23 strued as allowing the installation of any waste pipe beyond the
24 opening to receive the fixture trap, and no trap or piping shall
25 exceed a distance of two (2) feet from the vent pipe serving
26 such trap.

27 Section 16A: Section 100 of Article 8 of said Code be
28 amended to read as follows: Fixed wooden wash trays or sinks for
29 domestic use, shall not be installed or maintained, in any
30 building designed or used for human habitation. No sheet metal
31 lined wooden bath tub shall be installed or re-connected.

32 Pan and valve plunger, offset washout, long hopper,

1 or other type of water closet having invisible trap seals or
2 unventilated spaces, or surfaces not thoroughly washed at each
3 flush, shall not be installed. No dry, or chemical closet, shall
4 be installed in any building used for human habitation.

5 No garbage disposal units and/or garbage grinders
6 shall be connected to any drain or sewer line which feeds into
7 the sewer system of the City of Modesto.

8 SECTION 2. Ordinance No. 786 N. S. of the City of
9 Modesto is hereby repealed.

10 SECTION 3. This Ordinance shall take effect and be in
11 full force from and after fifteen (15) days after its final
12 adoption.

13 SECTION 4. This Ordinance shall be printed and published
14 in full at least once at least three days prior to its final adoption
15 in the Modesto Bee, the official newspaper of the City of Modesto.

16 The foregoing Ordinance was introduced at a special meeting
17 of the Council of the City of Modesto on the 17th day of November,
18 1948, by Councilmen Morris, who moved its adoption and
19 passage to print, which motion being duly seconded by Councilman
20 Wilson, was upon roll call, carried by the following

21 vote:

22 AYES: Councilmen: Morris, Wilson, Mayor Shannon

23 NOES: Councilmen: None

24 ABSENT: Councilmen: Benson and Stanley

25 APPROVED: Carl W. Shannon
26 CARL W. SHANNON, Mayor

27 1 T
28 150 copies

27 ATTEST: Rex E. Gailfus
28 REX E. GAILFUS, City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1948 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of November 24, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Paul Shannon
MAYOR

ATTEST:

Esther G. ...
CITY CLERK

effective 12-10-48

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REPEALED BY
MUNICIPAL CODE

AN ORDINANCE REPEALING ORDINANCE NO. 44 N. S. OF THE CITY OF
MODESTO.

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

SECTION 1. Ordinance No. 44 N. S. of the City of
Modesto entitled "AN ORDINANCE ESTABLISHING A PUBLIC MARKET IN
THE CITY OF MODESTO, FIXING THE TIME AT WHICH BUSINESS SHALL BE
DONE THEREIN, PROVIDING FOR FIXING THE PLACE AT WHICH SAID MARKET
SHALL BE CONDUCTED, PROVIDING FOR CERTAIN FEES TO BE PAID, PROVIDING
FOR A MARKET MASTER AND ESTABLISHING CERTAIN RULES AND REGULATIONS
FOR THE GOVERNMENT OF SAID PUBLIC MARKET" is hereby repealed.

SECTION 2. This Ordinance shall take effect and be
in full force from and after fifteen (15) days after its final
adoption.

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

The foregoing Ordinance was introduced at a special
meeting of the Council of the City of Modesto on the 17th day
of November, 1948, by Councilman Wilson, who moved its
adoption and passage to print, which motion being duly seconded
by Councilman Morris, was upon roll call carried by the
following vote:

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

NOES: Councilmen: None

ABSENT: Councilmen: Benson

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

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, City Clerk

REPEALED BY
MUNICIPAL CODE

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 17th day of November, 1948 and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of November 24, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Shannon
MAYOR

ATTEST:

Carroll
CITY CLERK

effective 12-10-48

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 878-N.S.

1 AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A THREE WHEEL
2 DISPATCH MOTORCYCLE FOR THE POLICE DEPARTMENT OF THE CITY OF
3 MODESTO

4 ---000---

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

6 SECTION 1. The sum of ONE THOUSAND (\$1000 00) DOLLARS
7 or so much thereof as may be necessary is hereby appropriated out
8 of the Parking Meter Fund of the City of Modesto for the purchase
9 of a three wheel dispatch motorcycle to be used by the Police De-
10 partment of the City of Modesto.

11 SECTION 2. This ordinance shall go into effect from and
12 after fifteen (15) days after its final passage and adoption. It
13 shall be published in full at least once at least three days prior
14 ~~to its final passage and adoption. It shall be published in full at~~
15 ~~least once at least three days prior to its final adoption in The~~
16 Modesto Bee, the official newspaper of the City of Modesto.

17 The foregoing ordinance was introduced at a regular
18 meeting of the Council of the City of Modesto held on the 8th day
19 of December, 1948 by Commissioner Wilson, who moved its adoption,
20 and passage to print, which motion being duly seconded by Commission-
21 er Benson, it was upon roll call carried and the ordinance ordered
22 printed and published by the following vote:

23 Ayes: Councilmen: Benson, Morris, Wilson, Acting Mayor Stanley
24 Noes: Councilmen: None
25 Absent: Councilmen: Mayor Shannon

26 APPROVED: C. J. Stanley
27 C. J. STANLEY, ACTING MAYOR
28 ATTEST: Rex E. Gailfus
29 REX E. GAILFUS, CITY CLERK

30 1 Time
31 15 copies
32

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1948, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of December 22, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *[Signature]*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 879-N.S.

AN ORDINANCE CREATING THE "INDUSTRIAL & SANITARY WORKS TREATMENT PLANTS FUND" AND APPROPRIATING \$158,828 94 FROM SAID FUND

---000---

Whereas the State of California has contributed to the City of MODESTO the sum of \$158,828 94 to be used for industrial and sanitary works treatment plants purposes, and

WHEREAS it is the intention of the City Council to place said funds in a special fund and to appropriate the same for the purposes for which it was given,

The City Council doe ordain as follows:

SECTION 1 That said sum of \$158,828 94 is hereby established in a special fund to be known as the "INDUSTRIAL AND SANITARY WORKS TREATMENT PLANTS FUND", and the said sum of \$158,828 94 is hereby appropriated to be expended for industrial and sanitary works treatment plants purposes.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1948 by Commissioner Wilson, who moved its adoption, and passage to print, which motion being duly seconded by Commissioner Morris, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED

C. J. Stanley
C. J. STANLEY, ACTING MAYOR

ATTEST:

REX E. GAILFUS
REX E. GAILFUS, CITY CLERK

1 Time 25 copies

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of December, 1948, and subsequently printed and published as required by the Charter of the City of Modesto and coming on for final adoption at the regular meeting of December 22, 1948, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Carroll Shannon*
MAYOR

ATTEST: *Patricia [unclear]*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 880-N.S.

2 AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 778-N.S. ENTITLED
3 "AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC
4 STREETS IN THE CITY OF MODESTO, DEFINING AND PROVIDING FOR THE
5 ESTABLISHMENT OF PARKING METER ZONES, REGULATING AND PROVIDING FOR
6 INSPECTION OF THE PARKING OF VEHICLES THEREIN BY THE USE OF PARKING
7 METERS: PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER
8 ZONES, PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND PROVIDING
9 PENALTIES FOR THE VIOLATION THEREOF." as thereafter AMENDED BY
10 ORDINANCE NO. 813-N.S.

---oOo---

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

13 SECTION 1. Section 2 of Ordinance No. 778-N.S. of
14 the City of Modesto is hereby amended to read as follows:

15 Section 2. The following portions of streets within
16 the City of Modesto are hereby established as parking meter zones:

- 17 Both sides of Tenth Street from "G" Street to "M" Street;
- 18 Both sides of Eleventh Street from "G" Street to "L" Street;
- 19 Both sides of Twelfth Street from "H" Street to "K" Street;
- 20 Both sides of "H" Street from Ninth Street to Twelfth Street;
- 21 Both sides of "I" Street from Ninth Street to Twelfth Street;
- 22 Both sides of "J" Street from Ninth Street to Thirteenth Street;
- 23 Both sides of "K" Street from Ninth Street to Twelfth Street;
- 24 East side only of Ninth Street from "H" Street to "J" Street;

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

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

31 The foregoing Ordinance was introduced at a regular
32 meeting of the Council of the City of Modesto held on the 22nd day
of December, 1948 by Councilman Benson, who moved its
adoption and passage to print as aforesaid, which motion being duly
seconded by Commissioner Morris, was upon roll call

1 carried and the ordinance ordered published as above by the follow-
2 ing vote:

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

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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

9
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11 ATTEST:

12 Rex E. Gailfus
13 REX E. GAILFUS, CLERK


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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 22nd day of December, 1948, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regular
8 meeting of January 12, 1949, it was upon roll call so finally
9 adopted by the following vote:

10 Ayes: Councilmen: Morris, Stanley, Wilson, Mayor Shannon
11 Noes: Councilmen: None
12 Absent: Councilmen: Benson

13 APPROVED: 
14 MAYOR

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16 ATTEST: 
17 CITY CLERK
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REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING ORDINANCE NO. 414 N. S. ENTITLED "AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF A PLANNING COMMISSION IN AND FOR THE CITY OF MODESTO" AS AMENDED BY MAKING PROVISION FOR THE CHOICE OF MEMBERS OF THE PLANNING COMMISSION.

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

SECTION 1. Section 1 of Ordinance No. 414 N. S. of the City of Modesto as amended is hereby amended to read as follows:

A Planning Commission in and for the City of Modesto is hereby created. Said commission shall consist of seven members, six of whom shall be appointed by the Mayor with the approval of the City Council. The other member of said commission shall be an ex-officio member and shall be a representative of the City Engineer's Office, to be appointed by the Mayor with the approval of the Council. The members of the Planning Commission, hereafter appointed, with the exception of the ex-officio member, shall be appointed for terms of four years each. If a vacancy shall occur otherwise than by the expiration of term, it shall be filled by appointment for the unexpired portion of the term. The term of the ex-officio member shall correspond to his respective official tenure.

SECTION 2. Those members of the City Planning Commission who are members at the time of the adoption of this Ordinance shall continue to be members of the City Planning Commission until their term shall expire, with the exception that a member of the City Council shall no longer be a member of said Commission.


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


SECTION 4. This Ordinance shall be published in full at

1 least once at least three days prior to its final adoption in the
2 esto Bee, the official newspaper of the City of Modesto.

3 The foregoing Ordinance was introduced at a special
4 meeting of the Council of the City of Modesto held on the 19th
5 day of January, 1949, by Councilman Wilson, who moved
6 its adoption and passage to print, which motion being duly
7 seconded by Councilman Stanley was upon roll call carried
8 and the Ordinance ordered printed and published as above by
9 the following vote:

- 10 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon
11 NOES: Councilmen: none
12 ABSENT: Councilmen: Benson

13 APPROVED: 
14 CARL W. SHANNON, Mayor of
15 the City of Modesto

16 ATTEST:

17 REX E. GAILFUS, City Clerk
18 of the City of Modesto

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20 1 T

21 50 copies

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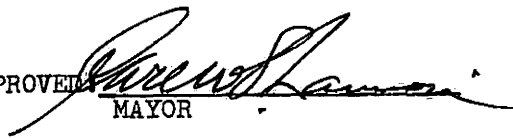
1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance, having been introduced and
3 ordered printed and published at a special meeting of the Council
4 of the City of Modesto held on the 19th day of January, 1949,
5 and subsequently printed and published as required by the Charter
6 of the City of Modesto, and coming on for final adoption at the
7 regular meeting of January 26, 1949, it was upon roll call
8 finally adopted by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

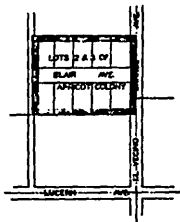
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13 APPROVED: 
MAYOR

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15 ATTEST: 
16 CITY CLERK
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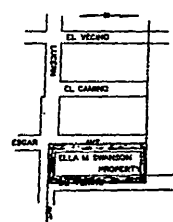
LAND USE DISTRICT MAP

NO. 06

PROPERTY AMENDED TO CITY OCT 28TH 1948
TO BE ZONED TO R-1 SINGLE FAMILY



PROPERTY AMENDED TO CITY OCT 28TH 1948
TO BE ZONED TO R-1 SINGLE FAMILY



APPROVED:
BY PLANNING COMMISSION
[Signature]
ADOPTED:
BY CITY COUNCIL
[Signature]

NO. 10 883 S.A.

ORDINANCE NO. 602 N.S.
ORDINANCE CLASSIFYING NEWLY ANNEXED TERRITORY AS TO USE DISTRICT AND
AMENDING ZONING ORDINANCE NO. 700 N.S. BY ADDING ADDITIONAL MAP.

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

SECTION 1. That certain area heretofore annexed to the City of Modesto commonly referred to as Lots 2 and 3 of the Apricot Colony be and the same is hereby established as an R-1 Single Family Residence District.

Said territory is located in the City of Modesto, County of Stanislaus, State of California, and described as follows:

Lots 2 and 3 of the Apricot Colony, as recorded August 13, 1912 in Vol. 7 of Maps at page 5, in the office of the Recorder of Stanislaus County, which territory is more particularly described as follows:

Beginning at a point where the Northerly city limit line intersects the West line of Orange Avenue; thence Westerly along said city limit line to the West boundary of Lot 3 of the Apricot Colony; thence Northerly along said West boundary and along the West boundary of Lot 2 of said Apricot Colony to the Northerly boundary of Lot 2; thence Easterly along said Northerly boundary to the Westerly boundary line of Orange Avenue; thence Southerly along said Westerly boundary line to the point of beginning.

SECTION 2. That certain area heretofore annexed to the City of Modesto commonly referred to as a portion of Lot 3 of Rice Colony be and the same is hereby established as an R-1 Single Family Residence District.

Said territory is located in the City of Modesto, County of Stanislaus, State of California, and described as follows:

All that portion of the South one-half of West one-half of East one-half of Lot 3 of the RICE COLONY, a map of which is filed for record in Stanislaus County Recorder's office in Vol. 1 at page 54 of Maps except that land now lying within the boundaries of the corporate limits of the City of Modesto and more particularly described as follows, to-wit:

Beginning at a point on the North City Limits of the City of Modesto 30 feet West of the Northeast corner of said City Limits; thence, North 1.28 feet to the North line of the South one-half of West one-half of East one-half of said Lot 3; thence, East along said North lot line approximately 164.87 feet to the center line of El Terino; thence, South along said center line of El Terino 329.5 feet to the City Limits of the City of Modesto; thence, along said City Limits the following courses and distances North 89° - 57' West approximately 134.87 feet; NO°-47' West 329.44 feet; North 89°-57' West 30 feet to the point of beginning.

1 SECTION 3. The Zoning Ordinance of the City of
2 Modesto, being Ordinance No. 700 N. S. is hereby amended by annex-
3 ing thereto that certain map titled "Use District Map 3C, City of
4 Modesto", a copy of which is hereto annexed and said map is hereby
5 incorporated into said Zoning Ordinance.

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

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

13 The foregoing Ordinance was introduced at a regular
14 meeting of the Council of the City of Modesto held on the 26th
15 day of January, 1949, by Councilman Morris, who moved
16 its adoption and passage to print, which motion being duly
17 seconded by Councilman Wilson was upon roll call carried
18 by the following vote:

19 AYES: Councilmen: Morris, Stanley, Wilson, Mayor Shannon

20 NOES: Councilmen: none

21 ABSENT: Councilmen: none

22
23 Approved: Paul W. Shannon
Mayor of the City of Modesto

24
25 Attest:

26
27 Paul E. Searles
City Clerk

1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 26th day of January, 1949, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regu-
7 lar meeting of February 9, 1949, it was upon roll call so finally
8 adopted by the following vote:

9 Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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

15
16 ATTEST: Rex E. Gailfus
17 REX E. GAILFUS, CITY CLERK
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Ord 1088-11-15
repealed by

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 862 N. S. BY PROVIDING FOR FURTHER EXEMPTION AND ADDING A NEW SECTION TO BE DESIGNATED AS SECTION 5a PROVIDING FOR FORMS TO BE SIGNED BY THE PURCHASER AND DELIVERED BY THE SELLER TO THE CITY AUDITOR TO JUSTIFY CLAIM FOR EXEMPTION AND MAKING IT A MISDEMEANOR FOR THE PURCHASER TO MAKE A KNOWINGLY FALSE STATEMENT ON SAID FORM.

REPEALED BY
MUNICIPAL CODE

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

SECTION 1. Section 5 of Ordinance No. 862 N. S. of the City of Modesto entitled "An Ordinance of the City of Modesto Imposing A License Tax for the Privilege of Selling Tangible Personal Property at Retail, Providing for Permits to Retailers, Providing for the Collecting and Paying of Such Tax, and Prescribing Penalties for Violation of the Provisions Thereof" is hereby amended to read as follows:

Section 5. Exemptions. In addition to the exemptions contained in Part 1 of Division 2 of the Revenue and Taxation Code of California, there shall be excluded from the computation of the tax the following:

(1) Sales made to or by the State of California, or any agency, department, political subdivision, district or municipal corporation thereof.

(2) Sales of meals, food and drinks sold or served on common carriers operating into, through or out of the City of Modesto from or to points outside the City of Modesto.

(3) Sales or purchases of property to be used in connection with the erection, construction, repair or alteration of either public works or buildings belonging to or being constructed by or on behalf of, or for the use of the United States Government, State of California, or any agency, department, political subdivision, district or public or municipal corporation of the State.

(4) Sales or purchases made pursuant to contracts actually

1 executed in good faith prior to October 1, 1948.

2 (5) Sales of property when said sales are made to purchasers
3 solely for use or consumption in the conduct of their business out-
4 side the City of Modesto.

5 SECTION 2. That Ordinance No. 862 N. S. be and the same is
6 hereby amended by adding a new section thereto to be designated
7 Section 5a, said new section to read as follows:

8 Section 5a. That the exemption from sales tax set forth in
9 Section 5, ~~Subdivision~~ ^{Subsection} 5 of this Ordinance shall not be applicable
10 unless the seller secures from the purchaser the signed certificate
11 described below. This certificate shall be held by the seller or
12 delivered to the City Auditor as the City Auditor may direct. If all
13 of the seller's sales to a particular purchaser are tax exempt
14 the seller need not procure a certificate signed by the purchaser
15 for each sale but with the permission of the City Auditor may
16 secure the exemption with one certificate covering multiple
17 sales. If it is impracticable for a particular seller to obtain
18 the required certificates from purchasers by reason of his volume
19 and type of sales the City Auditor may after inspection of the
20 books of the seller agree to recognize a fixed percentage of
21 the sales of the seller as tax exempt under Section 5, Subsection
22 5 without the requirement of certificates signed by the purchaser.
23 This percentage shall be computed according to an analysis of
24 the percentage of sales made by the seller during the six months
25 prior to the agreement which fall into the category of tax exempt
26 sales under Section 5, Subsection 5. The agreement shall be
27 effected by a letter from the City Auditor to the seller and is
28 revocable at the discretion of the City Auditor.

29 The certificate shall be in the following form:
30
31
32

1 NAME OF SELLER _____

2 ADDRESS OF SELLER _____

3 CITY _____

4 MODESTO SALES TAX EXEMPTION CERTIFICATE REQUIRED UNDER ORDINANCE
5 NO. 862 N. S. OF MODESTO.

6 Please sign and return.

7 I hereby certify that I am engaged in the business of

8
9 that the tangible personal property described herein which I shall
10 purchase from

11 is not subject to the Modesto Sales Tax by reason of the exemp-
12 tions stated in Section 5, Subsection 5 thereof, for the following
13 reason: The property to be purchased is solely for use or con-
14 sumption in the conduct of my business outside the City of Modesto.

15 Description of property purchased:

16
17 I understand (1) that the seller must pay to the City of Modesto
18 the tax on this sale (or sales) unless I sign this certificate,
19 and (2) that a knowingly false statement made by me on this
20 certificate will subject me to a \$500.00 fine and/or 6 months in
21 the County Jail, or both, according to Ordinance No. 862 N. S.
22 of the City of Modesto.

23 Purchaser _____

24 Address _____

25 Dated _____

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

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

1 The foregoing Ordinance was introduced at a regular meeting
2 of the Council of the City of Modesto held on the 26th day of
3 January, 1949, by Councilman Stanley, who moved its
4 adoption and passage to print which motion being duly seconded by
5 Councilmen Wilson, was upon roll call carried and
6 the Ordinance ordered printed and passed as above by the following
7 vote:

8 AYES: Councilmen: Merris, Stanley, Wilson, Mayor Shannon

9 NOES: Councilmen: None

10 ABSENT: Councilmen: None

11
12 APPROVED Carl W. Shannon
13 CARL W. SHANNON, Mayor of the
14 City of Modesto

15
16 ATTEST:

17 REX E. GAILFUS
18 REX E. GAILFUS, City Clerk of the
19 City of Modesto.

20 1000 copies
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 26th day of January, 1949, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regu-
7 lar meeting of February 9, 1949, it was upon roll call so finally
8 adopted by the following voter

9 Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

10 Noes: Councilmen: None

11 Absent: Councilmen: None

12
13 APPROVED: 

14 CARL W. SHANNON, MAYOR

15
16 ATTEST: 

17 REX E. GAILFUS, CITY CLERK
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SPECIAL
NOT IN CODE

ORDINANCE NO. 884-N.S.

AN ORDINANCE APPROPRIATING FUNDS FOR THE IMPROVEMENT OF THE MUNICIPAL BASEBALL FIELD

---000---


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

SECTION 1. The sum of Six Thousand and no/100 (\$6000 00) dollars is hereby appropriated out of the General Fund of the City of Modesto for the purpose of making improvements to the Municipal Baseball Field.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1949 by Commissioner Wilson, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

APPROVED: 
CARL W. SHANNON, Mayor

ATTEST 
REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 9, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GALLUS, CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 885-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE IMPROVEMENT OF THE MUNICIPAL DOG POUND OF THE CITY OF MODESTO

---000---

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

SECTION 1. The sum of Four Thousand Five Hundred (\$4500 00) Dollars or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the improvement of the Municipal Dog Pound.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1949 by Commissioner Wilson, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Morris, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

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

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

SPECIAL
NOT IN CODE

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 26th day of January, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 9, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

1 AN ORDINANCE REGULATING EATING AND DRINKING ESTABLISHMENTS, PRO-
2 VIDING PENALTIES FOR ITS VIOLATION AND REPEALING CONFLICTING
3 ORDINANCES
4

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

6 SECTION 1. For the purpose of this ordinance certain words are
7 defined as follows:

8 Eating and Drinking Establishment

9 All public establishments where food, either cooked or un-
10 cooked is prepared, sold, offered for sale or served for consumption
11 upon the premises, except soft drink establishments as herein defined.
12 Private dwellings or households where less than six (6) persons are
13 boarded as paying guests shall not be considered as coming within
14 this definition.

15 Utensils

16 All utensils and equipment used in the storage, processing,
17 preparation or serving of food intended for human consumption with
18 which food or drink comes into contact during such use.

19 Operator

20 Every person, as owner or agent conducting the business of an
21 eating and drinking establishment.

22 Employee

23 Any person who handles food or drink during the preparation or
24 serving, or who handles any of the utensils used in the preparation
25 or serving of food or drink or who is employed at any time in any
26 room in which food or drink is handled, prepared or served in any
27 eating and drinking establishment providing that no person whose
28 employment is temporary in nature and entirely unrelated to the
29 business of the eating and drinking establishment shall be deemed
30 to be an employee.

31 Health Officer

32 The health officer of the City of Modesto or his authorized

1 agent.

2 Person

3 Persons, firms, corporations or associations. The masculine
4 gender includes the feminine and neuter and the singular includes
5 the plural and the plural the singular.

6 SECTION 2. It shall be unlawful for any person, firm, or
7 corporation or agent or employee of any person, firm, or
8 corporation to operate an eating and drinking establishment in the
9 City of Modesto unless it conforms to standards and requirements
10 of the California Restaurant Act, Sections 28600-28665, Chapter
11 11, of the Health and Safety Code, Statutes of 1947 and amendments
12 thereto, and the rules and regulations of the State Department
13 of Health of California.

14 SECTION 3. Applications for Permits

15 Applications for restaurant permits shall be filed with the
16 health officer upon forms to be prescribed by him which shall
17 include:

18 The name and address of the applicant, and if a partnership,
19 corporation or association, the names and addresses of all partners
20 and names and addresses of the president, vice-president, secretary
21 or managing officer of the corporation or association, and the
22 location of the premises for which the permit is sought.

23 SECTION 4. Permits

24 It shall be unlawful for any person to open, operate or maintain
25 an eating and drinking establishment without first obtaining a
26 permit issued by the health officer. Said permit must be posted and
27 displayed at all times in a conspicuous place in the place of
28 business. No person shall be issued a license for the operation of
29 such business unless such person presents evidence of having^a valid,
30 unrevoked permit. Permits shall be valid for twelve (12) months
31 after the date of issue. Upon violation, a permit may be suspended
32 by the health officer, or may by him be revoked after the holder has

1 been given an opportunity for a hearing before the health officer.
2 Upon violation by the permit holder of any of the terms or pro-
3 visions of this ordinance, or of any rule or regulation of the
4 health officer issued pursuant thereto, an appeal may be taken
5 to the City Council from the order of the health officer revoking
6 or suspending any such permit. Any appeal may be taken not later
7 than ten (10) days from issuance of the order by serving a copy of
8 a written notice thereof on the health officer and filing the
9 original with the City Clerk. The establishment shall remain closed
10 pending the decision of the City Council.

11 Permits issued under this ordinance shall not be sold,
12 assigned or transferred.

13 SECTION 5. Any piece of equipment or any fixture in any
14 restaurant which has deteriorated to such an extent as to be no
15 longer satisfactory for use shall be replaced promptly by
16 acceptable equipment.

17 SECTION 6. The handling of cracked ice, butter pats,
18 bakery products, or any other food products with the hands, if such
19 article of food or such product can be mixed, prepared, handled or
20 served with some utensil which can be adequately subjected to
21 cleaning and bactericidal treatment shall be minimized.

22 SECTION 7. Contact of fingers and hands with the rim of any
23 cup or glass intended to be used in serving any patron shall not be
24 permitted. Carrying cups or glasses by inserting the fingers inside
25 is prohibited. Knives, forks and spoons intended to be used in
26 serving any patron shall be handled by their handle ends only and
27 touching any part that is used in cutting or conveying food to the
28 mouth is prohibited.

29 SECTION 8. The use of any chipped, cracked or broken cups,
30 glasses, plates or saucers in the serving of any food or drink is
31 prohibited.

1 SECTION 9. The use within any eating and drinking establish-
2 ment of any open sugar bowl or container is prohibited. If cube
3 sugar is served, it shall be individually wrapped in paper of other
4 approved material so as to protect it against contamination by dust,
5 flies, and manual handling.

6 SECTION 10. All males engaged in preparing food shall wear
7 caps and all females engaged in preparing or serving food or drink
8 shall wear some device which securely confines the hair.

9 SECTION 11. Bacterial examinations of eating and drinking
10 utensils shall be made from time to time by the health officer.
11 In any such test, a resulting bacterial count exceeding one hundred
12 (100) organisms per utensil surface examined shall be considered
13 as unsatisfactory. Any three (3) such unsatisfactory results from
14 such tests taken in any restaurant within any sixty (60) day
15 period shall warrant the closing of the restaurant concerned until
16 such time as it has been demonstrated that any condition or
17 conditions causing such unsatisfactory utensil sanitization have
18 been effectively corrected.

19 SECTION 12. It shall be the duty of any operator of an eating
✓ 20 and drinking establishment to keep an accurate up-to-date list
21 of all persons employed therein and to furnish a true copy of such
22 list to the health officer upon request.

23 SECTION 13. It shall be unlawful for any person to engage in
24 the handling, preparation, or storage of food or drink, or the
25 sanitizing of utensils in any eating and drinking establishment
26 for a period of time longer than thirty (30) working days, or for
27 any eating and drinking establishment operator to employ or permit
28 any person to engage in such activities, therein for longer than this
29 period of time unless such person holds a food handlers card issued
30 by the health officer.

31 All food handlers cards shall expire one (1) year from the
32 date of issuance. No person shall be issued a food handlers card

1 until he or she has completed satisfactorily a course in in-
2 struction which shall be provided by the health department of the
3 City of Modesto. A fee of one dollar (\$1.00) shall be charged
4 for each card issued.

5 As a prerequisite to the issuance of a food handlers card,
6 the health officer may impose any requirement, physical or
7 other tests, or examinations, which may be necessary for the pro-
8 tection of public health.

9 The health officer shall not give any treatment required for
10 any condition revealed by such examination or such test or tests,
11 and the department of health shall not be responsible in any
12 manner for the cost of any such treatments.

13 SECTION 14. Any portions of any Ordinance of the City of
14 Modesto in conflict herewith are hereby expressly repealed.

15 SECTION 15. Any person who violates any provisions of this
16 ordinance is guilty of a misdemeanor. Each offense shall be
17 punished by a fine of not less than twenty five dollars (\$25.00)
18 nor more than five hundred dollars (\$500.00) or by imprisonment
19 in the county jail for a term not exceeding six (6) months or by
20 both such fine and imprisonment. If any section, subsection,
21 sentence, clause or phrase of this ordinance is for any reason
22 held to be invalid such a decision shall not affect the validity of
23 the remaining portions of this ordinance. The Council of the
24 City of Modesto hereby declares that it would have passed this
25 ordinance and each section, subsection, sentence, clause and phrase
26 thereof irrespective of the fact that any one or more sections,
27 subsections, sentences, clauses or phrases are declared invalid.

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

31 SECTION 17. This ordinance shall be published in full at least
32

1 once at least three days prior to its final adoption in the
2 Modesto Bee, the official newspaper of the City of Modesto.
3 The foregoing ordinance was introduced at a ~~regular~~^{special} meeting of the
4 City Council of the City of Modesto held on the 2nd day of
5 February, 1949, by councilman Stanley, who
6 moved its adoption and passage to print which motion being
7 duly seconded by councilman Wilson, was upon roll call
8 carried, and the ordinance ordered printed and published as above
9 by the following vote:

10 AYES: Councilmen: Stanley, Wilson, Mayor Shannon
11 NOES: Councilmen: None
12 ABSENT: Councilmen: Morris

13
14 APPROVED Robert Shannon
Mayor of the City of Modesto

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17 ATTEST:
18 Paula Jenkins
City Clerk of the City of Modesto

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 2nd day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 9, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

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

SPECIAL
NOT IN CODE

ORDINANCE NO. 887-N.S.

AN ORDINANCE APPROPRIATING FUNDS FOR IMPROVEMENT OF MUNICIPAL
BASEBALL FIELD

000*

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

SECTION 1. The sum of One Thousand and no/100 (\$1000 00) dollars is hereby appropriated out of the General Fund of the City of Modesto for the purpose of making improvements to the Municipal Baseball Field.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1949 by Commissioner Wilson, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Stanley, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED

C. J. Stanley
ACTING MAYOR

ATTEST:

Robert E. ...
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 888-N.S.

2 AN ORDINANCE APPROPRIATING FUNDS FOR THE PURCHASE OF ONE MECHANICAL
3 SOIL PULVERIZER MACHINE

4 ---000---

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

7 SECTION 1. The sum of Three Thousand Six Hundred
8 and no/100 (\$3600 00) dollars is hereby appropriated out of the
9 General Fund of the City of Modesto for the purpose of purchasing
10 one Mechanical Soil Pulverizer Machine for the Public Works
11 Department of the City of Modesto.

12 SECTION 2. This ordinance shall go into effect from
13 and after fifteen (15) days after its final passage and adoption.
14 It shall be published in full at least once at least three days
15 prior to its final adoption in The Modesto Bee, the officials news-
16 paper of the City of Modesto.

17 The foregoing ordinance was introduced at a regular
18 meeting of the Council of the City of Modesto held on the 9th day
19 of February, 1949 by Commissioner Wilson, who moved its adoption,
20 and passage to print, which motion being duly seconded by Com-
21 missioner Stanley, it was upon roll call carried and the ordinance
22 ordered printed and published by the following vote:

23 Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

24 Noes: Councilmen: None

25 Absent: Councilmen: None

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: *C. J. Stanley*

ACTING MAYOR

ATTEST: *P. C. ...*

CITY CLERK

NO. 27 SPECIAL
IN CODE

ORDINANCE NO. 889-N.S.

AN ORDINANCE APPROPRIATING FUNDS FOR THE IMPROVEMENT AND REPAIR OF TENNIS COURTS IN THE PARKS OF THE CITY OF MODESTO

---oOo---

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

SECTION 1. The sum of Seven Thousand Five Hundred and no/100 (\$7500 00) Dollars is hereby appropriated out of the General Fund of the City of Modesto for the purpose of making improvements and repairs to the tennis courts in the parks of the City of Modesto.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in The Modesto Bee the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1949 by Commissioner Stanley, who moved its adoption and passage to print, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor Shannon

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

Carl W. Shannon
CARL W. SHANNON, MAYOR

ATTEST:

REV. E. GAILFUS
REV. E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of February 23, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Mayor Shannon

APPROVED: *E. J. Stanley*
ACTING MAYOR

ATTEST: *P. J. [Signature]*
CITY CLERK

1 AN ORDINANCE AMENDING SECTION 5 A of ORDINANCE NO. 859 N. S. OF
 2 THE CITY OF MODESTO AND CHANGING WATER RATES.

3

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

5 SECTION 1. Section 5 A of Ordinance No. 859 N. S. of
 6 the City of Modesto entitled: "An Ordinance To Provide For The
 7 Administration Of The Water Department Of The City of Modesto,
 8 Establishing Rules and Regulations and Fixing the Rates To Be
 9 Charged For Water Service and Repealing Ordinance Numbers 124 N. S.,
 10 432 N. S., 546 N. S., 618 N. S., 732 N. S. and 751 N. S." is
 11 hereby amended to read as follows:

12 SECTION 5. Charges for Water.

13 Water will be delivered either through meters as hereinafter
 14 specified or for a flat charge as also hereinafter specified.

15 A. Meters.

16 Subject to the minimum charges hereinafter specified all
 17 water delivered through a meter shall be charged and paid for as
 18 follows: For the first three thousand cubic feet \$1.35 per one
 19 thousand cubic feet. For the next thirty thousand cubic feet
 20 \$1.125 per thousand cubic feet. For the next seventeen thousand
 21 cubic feet \$1.05 per thousand cubic feet. For all over fifty
 22 thousand cubic feet \$.45 per one thousand cubic feet; provided
 23 however, that in any event the following minimum rates shall be
 24 charged and paid.

25 Cubic feet for minimum rate

26	5/8" meter	\$1.50 per month	1111
27	3/4" meter	2.25 per month	1667
28	1 " meter	3.00 per month	2222
29	1 1/4" meter	3.75 per month	2778
30	1 1/2" meter	3.75 per month	2778
31	2" meter	4.50 per month	3400
32	3" meter	6.00 per month	4733

1	4" meter	8.25 per month	6733
2	6" meter	12.00 per month	10067
3	8" meter	15.00 per month	12733

4 Independent fire sprinkler systems used as stand-by service
5 shall pay a minimum of 1/2 of the above minimum meter rates.

6 If a meter shall be found out of order the monthly charge will
7 be based upon 1/3 of the aggregate amount of water used as shown
8 by the meter during the preceding three months.

9 If a consumer has more than one meter a separate charge will
10 be made for each meter as well as the amount of water registered
11 for each meter. Compound meters however shall not be construed to
12 mean 2 meters. The owner shall furnish and install all piping on
13 his premises to the city meter connection.

14 The rate for any person, firm or corporation using temporary
15 meters for any purpose which are installed for less than one year
16 shall be \$1.50 per one thousand cubic feet plus a \$3.00 installation
17 charge. When a meter is not installed a minimum rate of \$3.75
18 per month shall be charged.

19 All consumers outside of the city limits must have meters
20 installed and operating and pay the rates therefor hereinabove
21 specified for service within the corporate limits

22 All hotels, lodging houses, apartments, duplex houses, camp
23 grounds, office buildings, butcher shops, eating houses, candy stores,
24 ice plants, canneries, theatres, hospitals, laundries, mills,
25 dance halls, bakeries, warehouses, railroad properties, bus line
26 stations, creameries, milk plants, manufacturing places, wash racks,
27 service stations, cooling systems, swimming or bathing pools and
28 any other place of business offering commodities for sale, as well
29 as owners of gardens using water for the irrigation of flowers and
30 vegetables produced commercially must be equipped with meters and
31 shall be charged with water on the meter rate as hereinabove
32 specified.

1 Where swimming pools, bathing pools or wading pools are now
2 in existence or hereinafter constructed the entire premises shall
3 be metered. Each use may have a separate meter or the entire
4 premises may be served by one meter. Where any pool is situated
5 across the street or alley from the residence of the owner only
6 the pool shall be required to be metered. Minimum rates for the
7 meter as well as the rate for water used will be charged for as a
8 separate installation provided that where there are two or more
9 meters the minimum rate shall be charged only on the largest meter.

10 The rate for all places of business or other places using
11 water for any purposes excepting those either hereinabove or
12 hereinafter in this ordinance mentioned will be established by
13 placing a temporary meter on such premises for determining the
14 amount to be charged; provided however that the minimum rate shall
15 not be less than \$1.50 per month.

16 SECTION 2. This ordinance shall go into effect from and
17 after fifteen days after its final passage and adoption.

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

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

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

29 NOES: Councilmen: None

30 ABSENT: Councilmen: Mayor Shannon

31 APPROVED: E. J. Stanley

Acting Mayor

32 ATTEST:

[Signature]
City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 9, 1949, it was upon roll call so finally adopted by the following votes:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST:


CITY CLERK

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Amended
By Ord 937 N.S.
Ord 978 N.S.
Ord 1078 N.S.

CODE SEC 2
NO.
7-3.101-7-3.112
7-3.201-7-3.214
7-3.301-7-3.310
7-3.401-7-3.418
7-3.501
7-3.502

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS FOR THE USE AND CONDUCT OF MODESTO MUNICIPAL AIRPORT, DECLARING VIOLATIONS OF SAID RULES AND REGULATIONS TO BE A MISDEMEANOR AND PROVIDING PUNISHMENT THEREFOR, AND FIXING LANDING, RENTAL AND OTHER FEES TO BE PAID FOR USING SAID AIRPORT AND PROVIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES NO. 321 N. S., 328 N. S., 519 N. S., 795 N. S. and 800 N. S. OF THE CITY OF MODESTO.

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

SECTION 1. The following rules and regulations for the use and conduct of Modesto Municipal Airport are hereby declared and adopted:

GENERAL REGULATIONS

(a) Modesto Municipal Airport shall be conducted as a terminal facility for the promotion and accommodation of air commerce, and as a public air terminal.

(b) The airport shall be under the supervision of an airport manager appointed by the City Council in accordance with the provisions of the Charter, Ordinances of the City of Modesto and Resolution 2857 N. S. It shall be his duty to enforce the provisions of this ordinance.

(c) The Modesto Municipal Airport shall be a division of the Department of Public Works of the City of Modesto. The Airport Manager shall carry out his duties under the supervision and direction of the City Engineer.

(d) The civil air regulations promulgated by the Civil Aeronautics Board and the Civil Aeronautics Administration of the United States of America, and the California Aeronautics Act of the State of California as now existing or hereafter amended are hereby referred to, adopted, and made a part of these regulations and this ordinance as fully in all respects as if set forth herein in full.

1 (e) The airport shall be open for public use at all
2 hours of the day and night subject to the rules and regulations
3 set forth herein, the payment of fees, and subject to such re-
4 strictions due to inclement weather, the condition of the landing
5 area, the presentation of special events and like causes, as may
6 be determined by the airport manager.

7 (f) Special services may be rendered or special facilities
8 may be provided thereat on such terms as the Council may pre-
9 scribe from time to time. No person shall use the airport for any
10 purpose or as a base for the carrying on of commercial activities,
11 for the carrying for hire of passengers, freight, express or mail,
12 for instruction in aviation in any of its branches, for the sale
13 of fuels, refreshments, aircraft, or any commodity, or for any
14 other commercial purpose unless a permit has been granted theretofore
15 by the Council, and the fees paid in accordance with Section 2
16 hereof. The Council may restrict the number of persons using said
17 airport to such number as the Council may deem necessary to protect
18 the public health, safety and welfare.

19 (g) The privilege of using the airport and its facilities
20 shall be conditioned on the assumption of full responsibility
21 and risk by the user thereof and he shall release, hold harmless
22 and indemnify the City, the Council, their officers and employees
23 from any liability or loss resulting from such use as well as
24 against claims of third persons against the person using the airport.

25 (h) All persons, firms or corporations at said airport
26 operating aircraft for instruction, commercial purposes and/or
27 carrying passengers or cargo for hire must file and deposit
28 with the City Auditor of the City of Modesto a policy of in-
29 surance or certificate of insurance executed and delivered by a
30 company authorized to carry on an insurance business in the State
31 of California, the financial responsibility of which company
32 shall theretofore have been approved by the City Auditor, by the

1 terms of which said insurance company assumes responsibility for
2 injuries to persons or property injured by the operation of air-
3 craft in the following amounts, to-wit:

4 Ten thousand (\$10,000.00) Dollars for death or injuries
5 to any one person in any one accident;

6 Twenty thousand (\$20,000.00) Dollars for death or injuries
7 to two or more persons in any one accident;

8 Ten thousand (\$10,000.00) Dollars for damage to property.

9 The policy of insurance shall contain a provision against
10 cancellation except upon ten days prior written notice thereof to
11 the City Council. No permit to use the airport shall be granted
12 without compliance with this section. In the event a permit to use
13 the airport is granted and thereafter the insurance carrier with-
14 draws its insurance or becomes insolvent or passes into re-
15 ceivership or the hands of the insurance commissioner or has its
16 license to do business revoked the permit previously granted
17 shall be suspended until there has been compliance with this
18 section.

19 (i) The airport manager shall have authority to take such
20 steps as he shall deem necessary and advisable to regulate
21 traffic of persons, vehicles and aircraft on the airport.

22 (j) No signs shall be placed upon said airport until
23 approved and permission therefor has been granted by the Airport
24 Manager.

25 (k) No person shall take, use, tamper with, or enter into
26 any aircraft, parts or accessories thereof, or tools or other
27 equipment owned or controlled by any other person and stored or
28 otherwise left at the airport, without the consent of the owner
29 or operator thereof, or other satisfactory evidence of his right
30 so to do.

31 (l) Damage beyond reasonable wear and reasonable depreciation
32 to municipal facilities, buildings and installations shall be paid
for by the person responsible for such damages.

GENERAL TRAFFIC RULES

1 (a) The use of the airport shall be governed by such
2 further rules and regulations as the Council may hereafter, from
3 time to time, establish by resolution, and such additional rules
4 shall be posted at the airport by the airport manager.

5 (b) The airport manager shall have printed and make
6 available field regulations regarding the parking, starting,
7 taxiing, take-off, landing and flight of aircraft within the
8 boundaries of the airport, and these regulations shall be followed
9 by all pilots and aircraft landing, taking off, or operating in
10 any way from the airport. Field regulations may also regulate for
11 the general health and safety the conduct of persons and direct
12 all activity at the airport in a reasonable manner in order to
13 insure safe and efficient operation of the airport. Said regula-
14 tions shall be subject to review by the City Council.

15 (c) The Traffic Patterns shall be to the left for
16 Southeast takeoffs, and to the right for Northwest takeoffs, or
17 to the east side of the runway and airport buildings at all times.

18 (d) All aircraft approaching the airport for landing
19 shall fall in the line of traffic and skirt the field to a point
20 where a landing can be made in the direction indicated by the
21 traffic direction indicator and with a straight glide beginning
22 at least 1,000 feet distant from the leeward end of the landing area.

23 (e) No aircraft shall land or take off in such manner as
24 to clear any public street at an altitude of less than 100 feet
25 nor land or take off on the taxiway or over hangars or other
26 structures, automobile parking areas or groups of spectators.

27 (f) So far as is practicable, no aircraft taking off
28 shall make any turn at a distance of less than 1000 feet horizontally
29 from the nearest edge of the airport.

30 (g) Aircraft carrying mail and regularly scheduled aircraft
31 shall be given right of way at all times.

32 (h) All aircraft shall have chocks in front of wheels
and a competent operator at controls before starting.

1 (i) Normally, aircraft shall be started on parking lines,
2 and at no time shall they be started while turned in such a
3 direction as to blow dust and dirt into the hangars or on
4 spectators.

5 (j) At no time shall an aircraft be left with engine
6 running unless a competent operator is at the controls.

7 (k) All aircraft shall be taxied at a slow and reasonable
8 speed, and when not equipped with adequate brakes, shall have an
9 attendant beside at least one wing when taxied in the vicinity of
10 a hangar or other building.

11 (l) When in the vicinity of aircraft landing or taking off,
12 an aircraft being taxied shall be brought to a complete stop.

13 (m) No aircraft shall be taxied in or out of hangars at
14 any time.

15 (n) Every aircraft owner, his pilot and agents, severally
16 shall be responsible for the prompt removal under the direction of
17 the airport manager, of wrecked aircraft.

18 (o) No aircraft shall be permitted to remain on any part
19 of the landing or take-off area for the purpose of repairs; and
20 all repairs shall be effected at the places designated therefor.

21 (p) The airport manager may refuse clearance to any
22 aircraft until all charges for storage, supplies or services rendered
23 to it shall have been paid.

24 FIRE REGULATIONS

25 (a) Every person using the airport or its facilities in
26 any way shall use the utmost caution to prevent fire. The
27 minimum amount of fire extinguishing equipment needed for each
28 building or structure shall be as specified by the Fire Chief of
29 the City of Modesto.

30 (b) No aircraft shall be fueled or drained while its
31 engine is running, or while in a hangar or other enclosed place.
32 Fueling shall be done in such manner and with such equipment that

1 adequate connections for the grounding of static electricity shall
2 be continuously maintained during such time.

3 (c) No cylinder or flask of compressed flammable gas
4 shall be kept or stored except at a place designated by the
5 airport manager and the Fire Chief of the City of Modesto for that
6 purpose.

7 (d) The cleaning of motors or other parts of aircraft shall
8 not be carried on in any hangar, except with nonflammable
9 substances. If flammable liquids shall be employed for this
10 purpose, the operation shall be carried on in the open air.

11 (e) No person shall smoke or ignite any match or
12 cigarette lighter around aircraft which are being filled with
13 gasoline or in any hangar or building except in offices, waiting
14 rooms or buildings in which smoking is authorized specifically by
15 the airport manager.

16 (f) Repairs on storage floors of hangars primarily used
17 for aircraft storage shall be limited to inspection and replacement
18 of parts. Changing of motors or major overhaul of motor is
19 prohibited.

20 (g) Hangar entrances shall be kept clear at all times.

21 (h) Floors shall be kept clean and free from oil, and no
22 volatile flammable solvent shall be used for cleaning floors.

23 (i) No boxes, crates, rubbish, paper or other litter
24 shall be permitted to accumulate in or about any hangar, and all
25 oil, paint and varnish cans, bottles or other containers shall be
26 removed from the hangar immediately upon being emptied.

27 (j) No solvents, paints, dopes or other highly
28 inflammable liquids shall be sprayed, stored, or used in any
29 hangar primarily used for the storage of aircraft, unless a
30 storage room is provided for said purpose.

31 SECTION 2. FEES

32 (a) Charges or fees shall be paid to the airport manager
for use of the airport and shall be as follows:

1 Item 1: For hangars or other buildings in which aircraft
2 are stored or kept, excepting individual space hangars, thirty-
3 five (35) cents per foot of wing span per month plus 10 feet;
4 providing, however, that no fee shall be less than \$15.00 per
5 aircraft per month.

6 Item 2: Aircraft stored in individual hangars:

7 Aircraft Wing span 38 feet or less - \$17.00 per month;

8 Aircraft wing span 39 feet to 48 feet- \$20.00 per month;

9 Aircraft wing span 49 feet to 58 feet - \$25.00 per month;

10 Item 3: Daily Storage:

11 Aircraft wing span 50 feet or less - \$1.50 per day;

12 Aircraft wing span 51 feet to 60 feet - \$1.80 per day;

13 Aircraft wing span 61 feet to 70 feet - \$2.10 per day;

14 Aircraft wing span over 70 feet, four (4) cents per
15 linear foot per day.

16 Item 4: Tie down for aircraft; There shall be no charge
17 for three days of each calendar month. Thereafter there shall be
18 a charge of \$1.00 per day, with a maximum charge of \$5.00
19 per month for aircraft with less than a 50 foot wing span. For
20 aircraft with over a 51 foot wing span, there shall be a maximum
21 charge of \$7.50 per month.

22 Item 5: Office Space:

23 Ten (10) cents per square foot per month. This shall
24 include all space used for office purposes regardless of location.

25 Item 6: Hangars and/or lean-tos:

26 Two (2) cents per square foot per month.

27 Item 7: Other Structures:

28 Rents for other structures not mentioned herein shall be
29 based upon the cost of the structure and determined by negotiation.

30 Item 8: Rent for land:

31 Land rented without City improvements thereon, for areas
32 less than one acre, one (1) cent per square foot per annum;

1 For areas greater than one acre, \$0.006 per square foot
2 per annum.

3 Item 9: Non-scheduled transient aircraft carrying
4 passengers and/or cargo for hire:

5 Aircraft landing at the airport shall pay \$2.00 per
6 landing plus 20¢ for each passenger boarded of the first 42
7 passengers; 10¢ for each boarded of the next 21 passengers; and
8 5¢ for each boarded after 63 passengers during any one calendar
9 month.

10 Aircraft landing at the airport carrying cargo or freight
11 shall pay \$2.00 per landing plus 15¢ per 100 pounds of freight
12 or cargo loaded for the first 25,000 pounds; 10¢ per 100 pounds
13 for the next 10,000 pounds and 5¢ per 100 pounds for all after
14 35,000 pounds loaded during any one calendar month.

15 Item 10: Scheduled Airlines:

16 (1) For each of the first three scheduled trip arrivals
17 \$45.00 per month.

18 (2) For each scheduled trip arrival from the fourth to
19 and including the sixth \$35.00 per month.

20 (3) For the seventh and each of all additional scheduled
21 trip arrivals \$25.00 per month.

22 (4) Aircraft making non-scheduled stops shall pay the
23 non-scheduled transient aircraft fees recited in Item 9 hereinabove.

24 (5) The fees mentioned above in Item 10 shall apply to
25 aircraft with a gross weight of between 20,000 and 26,000 pounds.
26 For aircraft weighing more than 26,000 pounds an additional fee
27 of \$1.00 per each additional 1000 pounds shall be assessed. For
28 aircraft weighing less than 20,000 pounds the fee shall be reduced
29 at the rate of \$1.00 per each 1,000 pounds less than 20,000
30 pounds provided that no deduction shall be made below 10,000
31 pounds.

32 (6) A scheduled airline may pay as an optional method of

1 payment (a) 2% of the gross income accruing from its operation at
2 the airport, or (b) a minimum of \$25.00 per schedule per month,
3 whichever is the greatest, with all aircraft making non-scheduled
4 stops paying the non-scheduled transient fees recited in Item 9
5 hereinabove. The basis of payment under this option must be
6 selected on a year to year basis and may not be selected on a
7 month to month basis.

8 Item 11. Oil company leases:

9 Oil Companies entering into leases with the City of Modesto
10 for the use of said airport or privileges thereon shall pay to
11 the City of Modesto \$5.00 per month, plus an additional charge of
12 at least two (2) cents per gallon for all gasoline or fuel stored,
13 delivered or sold at said airport, and an additional sum of five
14 (5) cents per gallon for all oil stored, delivered or sold at said
15 airport.

16 No gasoline, fuel or oil shall be delivered to or hauled or
17 carted or stored at said airport by any company, corporation,
18 co-partnership or individual unless said company, corporation, co-
19 partnership or individual has a lease or agreement with the City
20 of Modesto authorizing such to be done.

21 Item 12: All permanently based commercial services or
22 activities:

23 Any person, firm or corporation engaging in commercial
24 enterprise permanently based at the Modesto Municipal Airport shall
25 first pay to the City of Modesto a license fee of One hundred and
26 no/100 (\$100.00) Dollars per year. For aircraft used for any
27 commercial purpose other than aircraft sales and demonstration, and
28 dusting and/or spraying, each person, firm or corporation shall pay
29 Twenty and no/100 (\$20.00) Dollars per month for the first aircraft.
30 Fifteen and no/100 (\$15.00) Dollars per month for the second air-
31 craft and Ten and no/100 (\$10.00) Dollars per month for the third
32 and each of all additional aircraft.

1 Operators of pest control aircraft shall pay \$15.00 for the
2 first aircraft, \$10.00 for the second aircraft and \$5.00 for the
3 third and each additional aircraft operated commercially during any
4 one calendar month.

5 Operators of firms engaging in the sale of aircraft
6 including new and used shall pay the City of Modesto 1% of the
7 gross income from said sales.

8 Item 13: Operators of commercial services and concessions:
9 Operators of services or activities other than those
10 enumerated herein may be termed a concession upon Resolution of the
11 City Council. Operators of such concessions shall be subject to
12 all other rents herein provided and shall pay in addition to the
13 City of Modesto a minimum of 2½ % of the gross monthly income from
14 said concession.

15 Item 14: In addition to the fees herein mentioned, all
16 persons, firms or corporations shall pay for their own utilities.

17 Item 15: Any person, firm or corporation having a lease
18 with the City of Modesto shall pay the rentals accruing thereunder
19 to the office of the Airport Manager, City of Modesto.

20 Item 16: Any activity not specifically covered hereinabove
21 shall pay those fees established by negotiation between the operator
22 and the City of Modesto and shall be determined by the type of
23 undertaking, extent thereof, use of the field and services
24 required, and other factors applicable to the particular enterprise.

25 SECTION 3: LEASES

26 (a) The City Council may enter into agreements with airlines,
27 firms, individuals, corporations and partnerships to operate flying
28 schools, to use the airport as a base for the carrying on of
29 commercial activities, for the carrying for hire of passengers,
30 freight, express or mail, for instruction in aviation in any of its
31 branches, for private non-commercial flying, for the sale of fuels,
32 refreshments, aircraft, aircraft supplies, or any commodity and for

1 other commercial purposes, may lease land at said airport and may
2 lease buildings situated thereon.

3 SECTION 4: PENALTIES

4 (a) Any person operating or handling an aircraft in
5 violation of these rules, or additional rules established by
6 resolution of the City Council, or refusing to comply therewith
7 may be removed or ejected from the airport or may be temporarily
8 "grounded" by or under the authority of the airport manager;
9 and upon the order of the Council may be deprived of the further
10 use of the airport and its facilities for such length of time as
11 may be deemed necessary to insure the safeguarding of the same and the
12 public and its interest therein.

13 (b) Any person, firm or corporation who shall violate
14 or refuse to abide by any of the provisions of this ordinance or
15 any of the rules and regulations set forth in Section 1 of this
16 ordinance or such additional rules established by resolution of the
17 City Council or field regulations imposed by the Airport Manager,
18 or any of the provisions of law incorporated therein or herein,
19 shall be guilty of a misdemeanor and upon conviction thereof
20 shall be punishable by a fine not exceeding the sum of \$200.00
21 or by imprisonment in the County Jail in the County of Stanislaus,
22 State of California, for not more than 3 months, or by both such
23 fine and imprisonment.

24 SECTION 5: VALIDITY

25 (a) If any section, sentence, clause or phrase of
26 this ordinance is, for any reason, held to be unconstitutional,
27 such decision shall not affect the validity of the remaining
28 portions of this ordinance. The City Council of the City of
29 Modesto hereby declares that it would have passed this ordinance,
30 and each section, sentence, clause or phrase thereof, irrespective
31 of the fact that any one or more other sections, sentences, clauses
32 or phrases be declared unconstitutional.

1 SECTION 6: REPEALING

2 Ordinances No. 321 N. S., 328 N. S., 519 N. S., 795 N. S.
3 and 800 N. S. of the City of Modesto and all other ordinances
4 in conflict herewith are hereby repealed.

5 SECTION 7: EFFECTIVE

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

8 SECTION 8: PUBLICATION

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

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

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

20 NOES: Councilmen: None

21 ABSENT: Councilmen: Mayor Shannon

22 APPROVED C. J. Stanley
23 Acting Mayor of the City of Modesto

24 ATTEST Patricia [Signature]
25 City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 9, 1949, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *Sam Shannon*
MAYOR

ATTEST: *P. E. ...*
CITY CLERK

SPECIAL
NOT IN CODE

1 AN ORDINANCE ANNEXING UNINHABITED TERRITORY BEING PORTION OF THE
2 BODEM COLONY AND THE RICE COLONY TO THE CITY OF MODESTO.

3
4 WHEREAS, a petition dated the 2nd day of February, 1949,
5 was filed with the City Council by Herbert M. Brockett, Madge
6 Brockett, Minden Valk, Mabel Valk, Earl C. Melrose and Bertha G.
7 Melrose for the annexation of uninhabited territory under the
8 Uninhabited Territory Act of 1939, and

9 WHEREAS, the City Council by resolution passed on the 2nd
10 day of February, 1949, set said petition for hearing for the hour
11 of 7:30 o'clock P. M. on the 23rd day of February, 1949, in the
12 Council Chambers of the City Hall of the City of Modesto and
13 whereas at said time and place no objectors appeared to oppose said
14 petition, now therefore

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

17 SECTION 1. That the petition of Herbert M. Brockett,
18 Madge Brockett, Minden Valk, Mabel Valk, Earl C. Melrose and Bertha
19 G. Melrose be and the same is hereby granted and the territory
20 described in said petition is hereby annexed to and made a part
21 of the City of Modesto.

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

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

29 Beginning at a point on the existing city limits 20
30 ft. West of the intersection of Burke and Sunrise
31 Avenues; thence South 89°51' East along the center
32 line of Burke Avenue 680.26 ft; thence South 89°
48' 30" East 330.37 ft; thence South 0°48'30" East
330.10 ft. to the Northwest corner of Lot 1 of the
Apricot Colony; thence South 0° 52' 30" along the

1 West boundary of Lot 1 of the Apricot Colony 131.91
2 ft. more or less to a point on the north boundary of
3 the existing city limits; thence along the existing
4 city limits the following courses and distances: South 0°
5 52' 30" East 263.84 ft. more or less; thence North
6 89° 47' West 165.25 ft. more or less to the center
7 line of Ramona Avenue; thence North 0° 48' 30" West
8 along said center line 395.75 feet more or less to the
9 center line of Helen Avenue; thence along the center
10 line of Helen Avenue North 89° 51' 30" West 164.68 ft.
11 more or less; thence continuing along said center line
12 South 89° 55' 30" West 640.56 ft. more or less to a
13 point 20 ft. east of the center line of Sunrise
14 Avenue; thence South 0° 50' East 661.27 ft. to the
15 center line of Lucern Avenue; thence North 89° 57' 30"
16 West along said center line 40 ft; thence North 0° 50'
17 West 994.26 ft. more or less to the point of beginning.

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

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

25 The foregoing Ordinance was introduced at a regular meeting
26 of the Council of the City of Modesto held on the 23rd day of
27 February, 1949, by Councilman Wilson, who moved its
28 adoption and passage to print, which motion being duly seconded
29 by Councilman Burkner was upon roll call carried by the
30 following vote:

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

32 NOES: Councilmen: None

ABSENT: Councilmen: Mayor Shannon

APPROVED:


C. J. Stanley, Acting Mayor

ATTEST:


REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of February, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of March 9, 1949, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

REPEALED BY
MUNICIPAL CODE

1 AN ORDINANCE AMENDING SECTION 4506 OF ORDINANCE NO. 827 N. S. OF
2 THE CITY OF MODESTO (BUILDING CODE) AND REPEALING ORDINANCE NO.
3 845 N. S. OF THE CITY OF MODESTO.

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

6 SECTION 1. Section 4506 of Ordinance No. 827 N. S. of the
7 City of Modesto entitled "AN ORDINANCE REGULATING THE ERECTION,
8 CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL,
9 CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA
10 AND MAINTENANCE OF BUILDINGS OR STRUCTURES WITHIN THE CITY OF
11 MODESTO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF
12 FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PRO-
13 VIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL
14 ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" is
15 hereby amended to read as follows:

16 SECTION 4506. Movable or fixed awnings or hoods may have
17 combustible coverings supported on incombustible frames attached to
18 the building.

19 Such awning or hood may extend over the public property not
20 more than two-thirds the distance from the property line to the
21 nearest curb in front of the building site.

22 The lowest part of any movable or fixed awning or hood
23 frame shall be not less than eight feet (8') above the ground
24 immediately below, and the lowest part of any fringe attached to
25 such awning or hood shall be not less than seven feet (7') above
26 the grade immediately below.

27 SECTION 2. Ordinance No. 845 N. S. of the City of Modesto
28 is hereby repealed.

29 SECTION 3. This Ordinance shall go into effect and be in
30 full force and operation from and after fifteen days after its
31 final passage and adoption.

32

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

4 The foregoing ordinance was introduced at a regular
5 meeting of the Council of the City of Modesto held on the 9th day
6 of March, 1949, by Councilman Stanley, who moved its
7 adoption and passage to print, which motion, being duly
8 seconded by Councilman Wilson was upon roll call carried and
9 adopted by the following vote:

10 AYES: Councilmen: Burkner - Stanley - Wilson - Mayor Shannon

11 NOES: Councilmen: None

12 ABSENT: Councilmen: None

13
14 APPROVED: Carl W. Shannon
Carl W. Shannon, Mayor

15 ATTEST:

16 Rex E. Gailfus
17 Rex E. Gailfus, City Clerk
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1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance having been introduced and
4 ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 9th day of March, 1949, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the
8 regular meeting of March 23, 1949, it was upon roll call so finally
9 adopted by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13
14 APPROVED: 
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CARL W. SHANNON, MAYOR

16 ATTEST: 
17

18 REX E. GAILFUS, CITY CLERK
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SPECIAL
NOT IN CODE

ORDINANCE NO. 894-N.S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF REAL PROPERTY

---o0o---

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

SECTION 1. The sum of EIGHT THOUSAND TWO HUNDRED AND no/100 (\$8,200 00) DOLLARS, or so much thereof as may be necessary is hereby appropriated from the General Fund of the City of Modesto for the purchase from the owners thereof, of certain real property which is described as follows:


Block 81, lots 24 and south one-half of 25
in the City of Modesto, County of Stanislaus
State of California

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

~~SECTION 3.~~ The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 23rd day of March, 1949 by Councilman Wilson, who moved its adoption and passage to print, which motion being duly seconded by Councilman Stanley, was carried and the ordinance ordered printed and published by the following vote:

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

APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST:

REX E. GAILFUS, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 13, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

APPROVED:

C. J. Stanley
MAYOR (Acting)

ATTEST:

P. C. [Signature]
CITY CLERK

Repealed by Ord. 13-C.S.

1 AN ORDINANCE REPEALING ORDINANCES NO. 644 N. S., No. 650 N. S.,
2 No. 733 N. S. and No. 873 N. S. OF THE CITY OF MODESTO AND
3 AMENDING ORDINANCE NO. 345 N. S. OF THE CITY OF MODESTO
4 ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS
5 OF THE CITY OF MODESTO" AS THEREAFTER AMENDED, BY ADDING A NEW
6 SECTION TO BE NUMBERED 36A.

REPEALED BY
MUNICIPAL CODE

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

9 SECTION 1. Ordinance No. 345 N. S. of the City of
10 Modesto entitled "AN ORDINANCE REGULATING TRAFFIC UPON THE
11 PUBLIC STREETS OF THE CITY OF MODESTO" as thereafter amended is
12 hereby amended by adding a new section thereto to be numbered
13 36A which said section 36A shall read as follows:

14 SECTION 36A. The following streets within the City
15 of Modesto are hereby designated as "Unrestricted Traffic Streets":

16 UNRESTRICTED TRAFFIC STREETS

17 Scenic Drive from the easterly city limits westerly
18 to the intersection formed by said Scenic Drive and Burney Street.

19 Downey Avenue from the intersection formed by said
20 Downey Avenue and Burney Street to the intersection formed by
21 said Downey Avenue and McHenry Avenue.

22 Needham Street from the intersection formed by said
23 Needham Street and McHenry Avenue to the intersection formed by said
24 Needham Street and Ninth Street.

25 McHenry Avenue from the northerly city limits to the
26 intersection formed by said McHenry Avenue and Needham Street.

27 "N" Street from the intersection formed by said "N"
28 Street and Needham Street to the intersection formed by "N"
29 Street and Ninth Street.

30 "J" Street from the intersection formed by said "J"
31 Street and McHenry Avenue to the intersection formed by Ninth
32 Street and "J" Street.

REPEALED BY
MUNICIPAL CODE

1 Fourteenth Street from the intersection formed by said
2 Fourteenth Street, ~~Burney Street~~ and Grand Street to the inter-
3 section formed by Needham Street and Fourteenth Street.

4 "D" Street from the intersection formed by said "D"
5 Street and Burney Street to the intersection formed by said "D"
6 Street and Ninth Street.

7 Burney Street from the intersection formed by said
8 Burney Street and Scenic Drive to the intersection formed by said
9 Burney Street and "D" Street.

10 Grand Street from the intersection formed by said
11 Grand Street and Fourteenth Street to the easterly city limits
12 on Grand Street.

13 Tully Avenue from the intersection formed by said Tully
14 Avenue and Ninth Street to the intersection formed by said Tully
15 Avenue and Coldwell Avenue.

16 Ninth Street from the intersection formed by said
17 Ninth Street and Tully Avenue to the Southerly city limits on
18 Ninth Street.

19 "B" Street from the intersection formed by said "B"
20 Street and Ninth Street to the intersection formed by said "B"
21 Street and Crows Landing Road.

22 Seventh Street from the intersection formed by said
23 Seventh Street and "H" Street to the intersection formed by said
24 Seventh Street and Sierra Drive.

25 Crows Landing Road from the intersection formed by
26 said Crows Landing Road and Sierra Drive to the southerly city limit
27 line on Crows Landing Road.

28 Eighth Street from the intersection formed by said
29 Eighth Street and "H" Street to the intersection formed by said
30 Eighth Street and Kansas Avenue.

31 Maze Boulevard from the intersection formed by said Maze
32 Boulevard and Fifth Street to the westerly city limits on Maze
Boulevard.

1 "L" Street from the intersection formed by said "L"
2 Street and Fifth Street to the intersection formed by said "L"
3 Street and Ninth Street.

4 Kansas Avenue from the intersection formed by said
5 Kansas Avenue and Ninth Street to the intersection formed by said
6 Kansas Avenue and Eighth Street.

7 "H" Street from the intersection formed by said Ninth
8 Street and "H" Street to the intersection formed by said "H"
9 Street and California Avenue.

10 Paradise Avenue from the intersection formed by said
11 Paradise Avenue and California Avenue to the intersection formed
12 by said Paradise Avenue and Franklin Street.

13 First Street from the intersection formed by said
14 First Street and "H" Street to the intersection formed by said
15 First Street and Rosedale Avenue.

16 Rosedale Avenue from the intersection formed by said
17 Rosedale Avenue and First Street to the intersection formed by
18 said Rosedale Avenue and South Avenue.

19 South Avenue from its easterly terminus westerly to the
20 intersection formed by said South Avenue and Rosedale Avenue.

21 Tuolumne Boulevard from the intersection formed by
22 said Tuolumne Boulevard and Crows Landing Road to the intersection
23 formed by said Tuolumne Boulevard and Neece Drive.

24 Neece Drive from the intersection formed by said Neece
25 Drive and Tuolumne Boulevard to the westerly city limits at
26 Rouse Avenue.

27 SECTION 2. The term "unrestricted street" as used in
28 this ordinance is hereby defined to mean a street, avenue or
29 thoroughfare over and upon which vehicles designed or used for the
30 transportation of commodities or materials may be driven and operated
31 regardless of weight and size of said vehicles; provided said vehicles
32 do not exceed the size and weight of vehicles permitted by state

1 law to be driven upon and over highways and streets within the
2 State of California.

3 SECTION 2A. The compound word "pickup" as used in
4 this ordinance shall mean to take aboard a load or cargo of the
5 type or kind that said vehicle is designed to haul.

6 SECTION 3. It shall be unlawful for the operator of
7 any moving van, dump truck, tank truck, used or designed for the
8 purpose of transporting petroleum products, or any vehicle designed
9 or used for the transporting of commodities or materials, which
10 vehicle extends more than eight (8) feet to the rear of the driving
11 compartment of said vehicle, or any vehicle whose load extends more
12 than eight (8) feet to the rear of the driving compartment thereof,
13 to operate said vehicle upon any street other than unrestricted
14 streets, avenues or thoroughfares for any purpose other than to
15 make a "pick-up" or delivery, or to service or secure repairs to
16 said vehicle. In traveling to or from the point of delivery,
17 "pick-up", service to or repair of said vehicle, the operator of
18 said vehicle shall drive as far as possible upon and over an un-
19 restricted street, avenue or thoroughfare.

20 SECTION 4. It shall be unlawful for the operator of
21 any vehicle to tow or pull or push any other vehicle on any street
22 of the City of Modesto other than upon unrestricted streets, avenues
23 or thoroughfares, for any distance greater than is absolutely
24 necessary.

25 SECTION 5. Nothing herein shall be construed to prevent
26 the driving and operating of fire apparatus upon any streets of the
27 City of Modesto, nor shall this ordinance by its terms prevent
28 equipment owned by the City of Modesto from being operated upon any
29 of the streets of said City. Neither shall this ordinance by its
30 terms be construed to apply to the moving of houses, buildings or
31 structures upon and over the streets of said City.

1 SECTION 6. Nothing in this ordinance shall prevent
2 the operation of vehicles of the type and kind described in
3 Section 3 of this ordinance from any street, avenue or
4 thoroughfare in the City of Modesto where said vehicles constitute
5 a part of a duly permitted and legal parade or procession or while
6 said vehicles are being driven to a place in said city to take
7 part in said parade or procession.

8 SECTION 7. Ordinances No. 644 N. S., 650 N. S. 733
9 N. S., and 873 N. S. of the City of Modesto are hereby repealed.

10 SECTION 8. Violation of this Ordinance shall
11 constitute a misdemeanor punishable by a fine not to exceed
12 Fifty and no/100 (\$50.00) Dollars or twenty five (25) days in
13 jail or by both such fine and imprisonment.

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

17 SECTION 10. This ordinance shall be published in full
18 at least once at least three days prior to its final adoption in
19 the Modesto Bee, the official newspaper of the City of Modesto.

20 The foregoing ordinance was introduced at a regular
21 meeting of the Council of the City of Modesto held on the 23rd day
22 of March, 1949, by Councilman Wilson, who moved its
23 adoption and passage to print, which motion being duly seconded
24 by Councilman Burkner,
25 /was upon roll call carried, and the ordinance ordered printed and
26 published as above by the following vote:

26 AYES: Councilmen: Burkner, Stanley, Wilson Mayor Shannon
27 NOES: Councilmen: None
28 ABSENT: Councilmen: None

29 Approved: Carl W. Shannon
30 CARL W. SHANNON, Mayor

31 ATTEST:

32 Rex E. Gailfus
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of April 13, 1949, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Burkner, Wilson, Acting Mayor Stanley

Noes: Councilmen: None

Absent: Councilmen: None, Mayor Shannon

APPROVED:

G. J. Stanley
MAYOR (Acting)

ATTEST:

Robert G. ...
CITY CLERK

SPECIAL
NOT IN CODE

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS UNINHABITED TERRITORY TRACT NO. 1 TO THE CITY OF MODESTO.

3
4 WHEREAS, a petition dated the 5th day of April, 1949,
5 was filed with the City Council by William Falger, Paul H. Smith,
6 Mary Louis Falger and Gladys L. Ulrich for the annexation of
7 uninhabited territory under the Uninhabited Territory Act of
8 1939, and

9 WHEREAS, the City Council by Resolution passed on the 6th
10 day of April, 1949, set said petition for hearing for the hour of
11 7:30 o'clock P. M. on the 27th day of April, 1949, in the Council
12 Chambers of the City Hall of the City of Modesto, and

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

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

17 SECTION 1. That the petition of William Falger, Paul H.
18 Smith, Mary Louise Falger and Gladys L. Ulrich be and the same is
19 hereby granted and the territory described in said petition is
20 hereby annexed to and made a part of the City of Modesto.

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

25 SECTION 3. That the area of territory so annexed is
26 known as Uninhabited Territory Tract No. 1 and is located in the
27 County of Stanislaus, State of California, and contiguous to the
28 City of Modesto, described as follows, to-wit:

29 All that certain lot, piece or parcel of land
30 situate in the County of Stanislaus, State of
31 California, and bounded and particularly
32 described as follows:

1 The east 1/2 of the Southeast 1/4 of the Northwest
2 1/4 of Section 20, Township 3 South, Range 9 East,
3 M. D. B. & M. and the Northwest 1/4 of the Southeast
4 1/4 of the Northwest 1/4 of Section 20, Township 3
5 South, Range 9 East, M.D.B. & M. which area is more
6 precisely described as follows:

7 Beginning at a point on the existing city limits at the
8 intersection of the South boundary of Roseburg Avenue
9 and the West boundary of the Tidewater Southern
10 Railroad Right of Way; thence North 88° 52' West 554.8
11 ft. more or less along the existing city limit line
12 to the Northwest corner of Block 834 of the College
13 Manor Tract No. 2 as filed in the Office of the Re-
14 corder on January 9, 1947, Page 17, Vol. 16 of the
15 Maps of Stanislaus County; thence North 0° 50' 40"
16 West 50 ft. to a point on the projected East boundary
17 of Mills Avenue; thence North 88° 48' West 30 ft.
18 to the center line of Mills Avenue; thence North 0°
19 50' 40" West 599.44 feet to a point on the projected
20 South boundary of Ulrich Avenue; thence North 88° 49'
21 50" West 659.91 ft. to a point on the center line of
22 College Avenue; thence Northerly and along the center
23 line of College Avenue to a point on the projected
24 South boundary of Orangeburg Avenue; thence Easterly
25 and along the South boundary of Orangeburg Avenue to
26 the West boundary of the Tidewater Southern Railroad
27 Right of Way; thence Southerly and along said West
28 boundary to the point of beginning.

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

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

The foregoing Ordinance was introduced at a regular meeting
of the Council of the City of Modesto held on the 27th day of April
1949 by Councilman Wilson who moved its adoption and passage to
print, which motion being duly seconded by Councilman Stanley was
upon roll call carried by the following vote:

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

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

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, City Clerk

1 FINAL ADOPTION CLAUSE

2
3 The foregoing ordinance having been introduced
4 and ordered printed and published at a regular meeting of the Council
5 of the City of Modesto held on the 27th day of April, 1949, and
6 subsequently printed and published as required by the Charter of
7 the City of Modesto, and coming on for final adoption at the regu-
8 lar meeting of May 11, 1949, it was upon roll call so finally adopt-
9 ed by the following vote:

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

11 Noes: Councilmen: None

12 Absent: None

13 APPROVED: *Shannon*

MAYOR

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15 ATTEST: *W. E. G...*

CITY CLERK

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IN CODE

ORDINANCE NO. 897 N.S.

AN ORDINANCE APPROPRIATING FUNDS FOR THE CONSTRUCTION OF A SANITARY SEWER LINE IN THE CITY OF MODESTO

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

SECTION 1. The sum of Ten Thousand and no/100 (\$10 000 00) Dollars is hereby appropriated out of the General Fund of the City of Modesto for the construction of a Sanitary sewer line in the City of Modesto

SECTION 2. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of April, 1949 by Commissioner Stanley who moved its adoption and passage to print, which motion being duly seconded by Commissioner Wilson, it was upon roll call carried and the ordinance ordered printed and published by the following vote:

Ayes: Councilmen: Stanley, Wilson, Mayor. Shannon

Noes: Councilmen: None

Absent: Councilmen: Burkner

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

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

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FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of April, 1949, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of May 11, 1949, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: None

APPROVED: *Shannon*

MAYOR

ATTEST: *Patricia*

CITY CLERK

1 AN ORDINANCE PROHIBITING AND REGULATING THE INSTALLATION AND USE OF
2 RADIO RECEIVING SETS CAPABLE OF INTERCEPTING POLICE OR SHERIFF
3 MESSAGES.

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

5 SECTION 1. As used in this ordinance "short wave radio
6 receiver" means and includes any radio receiver or other device
7 capable of receiving messages or communications transmitted on any
8 radio transmission station operating on a frequency between 1600
9 kilocycles and 2500 kilocycles, or on a frequency between 30
10 megacycles and 40 megacycles.

11 SECTION 2. Except as provided in Section 4 of this
12 ordinance, every person who, without obtaining a permit authorizing
13 him to do so, equips any vehicle with, or operates any vehicle
14 equipped with a short wave radio receiver is guilty of a mis-
15 demeanor.

16 SECTION 3. A board consisting of three members, namely the
17 Sheriff of the County of Stanislaus, the Chief of Police of the
18 City of Modesto, and the County Fire Warden of the County of
19 Stanislaus, shall be appointed/and upon application being made shall
20 either grant or deny permission to equip a vehicle with a short
21 wave radio receiver.

22 SECTION 4. The board may issue permits for equipment of
23 vehicles with short wave radio receivers and for the operation of
24 vehicles so equipped in accordance with the terms and conditions
25 prescribed by such board, if it finds as a fact that the operation
26 of such vehicle so equipped will be of material aid to law enforce-
27 ment officers and divisions in enforcement of the laws.

28 SECTION 5. The provisions of Section 2 of this ordinance
29 do not apply to:

30 (a) A vehicle owned or operated by the United States, the
31 State of California, any county, city and county, or municipality
32 of this State, or any subdivision, agency, or instrumentality of the

1 foregoing if the department head or other governmental officer
2 in responsible control over the operation of such vehicle has
3 expressly ordered, authorized or approved the use of a short
4 wave radio receiver therein.

5 (b) Any vehicle owned or operated by a person or associa-
6 tion of persons licensed by the Federal Communications Commission
7 to operate a fixed or mobile short wave transmission station,
8 one of the authorized purposes of which is to communicate, by
9 radio with such vehicle or with other vehicles owned or operated
10 by such person or association. The owner of such vehicle coming
11 within the foregoing exemption shall inform the Board of such
12 use and give him the license number of the vehicle. Failure to do
13 so is a misdemeanor.

14 (c) Mobile telephone equipment for use in conjunction
15 with communication service furnished by public utilities under
16 the jurisdiction of the Public Utilities Commission of the State
17 of California, or the Federal Communications Commission.

18 SECTION 6. Every person who intercepts, overhears, or
19 receives any message or communication transmitted by any radio
20 transmission station operating upon a wave length or radio
21 frequency assigned by the Federal Communications Commission for
22 use by any police or law enforcement department and who, for the
23 financial benefit of himself or another, communicates such
24 message or communication to another or directly or indirectly
25 uses the information so obtained is guilty of a misdemeanor.

26 SECTION 7. If any provision of this ordinance, or the
27 application thereof to any person or circumstance is held invalid,
28 the remainder of the ordinance, and the application of such provision
29 to other persons or circumstances, shall not be affected thereby.

30 SECTION 8. Every violation of this ordinance is a misdemeanor
31 punishable by imprisonment in the county jail for not more than six
32 months or by a fine of not more than Five Hundred Dollars (\$500.00)

1 or by both such fine and imprisonment.

2 SECTION 9. This ordinance shall take effect and be in
3 full force and operation from and after fifteen (15) days after
4 its final passage and adoption.

5 SECTION 10. This ordinance shall be published in full
6 at least once at least three days prior to its final adoption in
7 the Modesto Bee, the official newspaper of the City of Modesto.

8 The foregoing ordinance was introduced at a regular
9 meeting of the Council of the City of Modesto held on the 25 th
10 day of May, 1949, by Councilman Stanley,
11 who moved its adoption and passage to print, which motion
12 being duly seconded by Councilman Wilson, was upon roll call
13 carried, and the ordinance ordered printed and published as above
14 by the following vote:

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

16 NOES: Councilmen: None

17 ABSENT: Councilmen: None

18 Approved: Carl W. Shannon
19 CARL W. SHANNON, Mayor

21 ATTEST:

22 Rex E. Gailfus
23 REX E. GAILFUS, City Clerk
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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 25th day of May, 1949 and sub-
5 sequently printed and published as required by the Charter of the
6 City of Modesto, and ~~subsequently printed and published as required~~
7 ~~by the Charter of the City of Modesto~~, and coming on for final
8 adopted^{tion} at the regular meeting of June 8, 1949, it was upon roll
9 call so finally adopted by the following vote:

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

11 Noes: Councilmen: None

12 Absent: Councilmen: None

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14 APPROVED: 
MAYOR

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16 ATTEST: 
CITY CLERK

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ORDINANCE NO. 899-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURPOSE OF PURCHASING CLOROBEN FOR THE PUBLIC WORKS DEPARTMENT, DIVISION OF SEWERS

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

SECTION 1. The sum of Fourteen Thousand (\$14,000-00) Dollars, or so much thereof as may be necessary is hereby appropriated out of the General Fund of the City of Modesto for the purpose of purchasing Cloroben for the Public Works Department, Division of Sewers.

SECTION 2. This ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption. It shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1949, by Commissioner Wilson, who moved its adoption and passage to print which motion being duly seconded by Commissioner Burkner, was upon roll call carried and the ordinance ordered printed and published by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


CARL W. SHANNON, MAYOR

ATTEST:


REX E. GAILFUS, CITY CLERK

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1 FINAL ADOPTION CLAUSE

2 The foregoing ordinance having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 8th day of June, 1949, and
5 subsequently printed and published as required by the Charter of
6 the City of Modesto, and coming on for final adoption at the regular
7 meeting of June 22, 1949, it was upon roll call so finally adopted
8 by the following vote:

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

10 Noes: Councilmen: None

11 Absent: Councilmen: None

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13 APPROVED

Paul Shannon
MAYOR

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16 ATTEST

W. E. Clavin
CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 900-N.S.

AN ORDINANCE PROVIDING FOR THE SALE OF USELESS PERSONAL PROPERTY

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WHEREAS, it appears to the Council of the City of Modesto that it will be for the benefit of the City of Modesto to sell and dispose of the interest of said City in and to the buildings on the real property owned by the City of Modesto hereinafter described to-wit, lots 17 to 32 inclusive in Block 121 in the City of Modesto, County of Stanislaus, State of California; and

WHEREAS, it appears that said property is no longer suited for the purposes for which it was originally purchased;

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

SECTION 1, The City Clerk when authorized by the Council of the City of Modesto shall advertise for sealed bids for the sale of said buildings. If it is determined that the price offered is fair and equitable and that the acceptance of the same will react to the benefit of the citizens of said City of Modesto, the City Council may accept or reject any or all bids or proposals.

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

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

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 6th day of July, 1949 by Councilman Burkner, who moved its adoption, which motion being duly seconded by Councilman Stanley it was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

1 Ayes: Councilmen: Burkner, Stanley, Mayor Shannon

2 Noes: Councilmen: None

3 Absent: Councilmen: Frad and Wilson

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APPROVED: 
CARL W. SHANNON, MAYOR

ATTEST: 
REX E. GAILFUS, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 6th day of July, 1949 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 13, 1949, it was upon roll call so finally adopted by the following vote:

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

Noes: Councilmen: None

Absent: Councilmen: Frad

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

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