

1 AN ORDINANCE REGULATING THE BUSINESS OF PAWN-BROKERS, SECOND-HAND
 2 DEALERS, JUNK DEALERS, AND AUTO WRECKERS REQUIRING SUCH DEALERS
 3 TO MAKE REPORTS, PROVIDING FOR A LICENSE, AND PRESCRIBING A
 4 PENALTY FOR THE VIOLATION THEREOF.

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

6 Section 1.

7 From and after the time that this ordinance goes into effect,
 8 it shall be unlawful for any person, firm or corporation, either
 9 as principal, agent, servant, or employee to engage in, carry on,
 10 operate, manage or conduct within the corporate limits of the City
 11 of Modesto, the business of pawn-broker, second-hand dealer, junk
 12 dealer, or auto wrecker unless such person, firm or corporation,
 13 or the principal or employer of such agent, servant or employee shall
 14 first have procured a license so to do as herein specified; but the
 15 provisions of this ordinance shall not apply to the following:
 16 any person, firm or corporation that buys new or second-hand goods,
 17 wares or merchandise from any dealer licensed under the Sales Tax
 18 law of the State of California to do business in the State of
 19 California, dealers in second-hand automobiles, nor to any person,
 20 firm or corporation engaged in the regular course of selling new
 21 goods, wares and merchandise to the general public and who receives
 22 any second-hand articles, goods, wares or merchandise in part pay-
 23 ment of new goods, wares and/or merchandise sold by said person,
 24 firm or corporation in the regular course of its business.

25 Section 2.

26 Any person, firm or corporation desiring to engage in, carry
 27 on or operate the business within the City of Modesto, as herein
 28 defined, of pawn-broker, second-hand dealer, junk dealer, or auto
 29 wrecker, shall first make application to the City Tax and License
 30 Collector for a license so to do. Said application shall be in
 31 substantially the following form:

1 Modesto, California.....19.....

2 Application is hereby made for a license to
3 conduct the business of (pawn-broker), (second-
4 hand dealer), (junk dealer), or (auto wrecker)
5 within the City of Modesto in accordance with
6 the provisions of Ordinance 501-N.S. of the
7 City of Modesto, and in that behalf applicant
8 makes the following statements:

9 (a) The name of applicant is.....

10 (b) Applicant is.....

Person, Firm or Corporation.

11 (c) If a firm, the following are the names of
12 the members thereof.....

13 and if a corporation, the following is the name
14 of the President and the name of the Manager,
15 respectively.....

16 (d) The premises at which it is proposed to con-
17 duct said business are numbered or described as
18 follows:.....

19 (e) Applicant agrees to pay to the City Tax and
20 License Collector the license fee, pursuant to
21 Ordinance No. 487-N.S., applicable to the business
22 for which a license is applied for.

23 (f) The applicant covenants and agrees to comply
24 with all of the ordinances of the City of Modesto
25 and the rules and orders of the Commissioner of
26 said City having charge of the Police Department
27 and the Chief of Police of said City in regard to
28 the requirements of this ordinance, or any other
29 ordinance of the City of Modesto, relating to the
30 business herein licensed, and further particularly
31 agrees that any violation by him of any of the
32 terms of this application, or of this ordinance, or
of any ordinance of the City of Modesto relating
to the business licensed by Ordinance 501 N.S., of
the City of Modesto, shall be sufficient grounds
for the revocation by the City Council of the
license herein provided.

Section 3.

23 Upon receipt of said application by the Collector, together
24 with the license fee, as specified in Ordinance No. 487-N.S., the
25 Collector shall refer the same to the Chief of Police for in-
26 vestigation and report. Said Chief of Police, after such in-
27 vestigation, shall make a report thereon and file the same with
28 the application with the Collector. In event the Chief of Police
29 shall determine that the applicant is not entitled to a license
30 under the terms of this ordinance, and so reports to the Collector,
31 the license fee shall be returned to the applicant.
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1 that purpose, a full, true and complete report of all goods,
2 wares and merchandise, or things received on deposit, pledged or
3 purchased during the day preceding the filing of such report.
4 Such report shall show the hour of the day when each article was
5 received on deposit, pledged or purchased and the true name and
6 genuine signature and address, as nearly as the same is known to,
7 or can be ascertained by such person, firm, association or corp-
8 oration, of the person or persons by whom such article was left
9 on deposit, pledged, or sold, together with a description of such
10 person or persons. The description to be given of every such per-
11 son shall show the style of dress, height, age, sex, complexion,
12 color of mustache or beard, or both, where the same are worn, and
13 if neither is worn, such fact shall be noted. Also make, type and
14 registration number of the vehicle used by the seller or pledgor.
15 Such report shall also show the number of the pawn ticket, amount
16 loaned, amount purchased, and a complete description of each
17 article left on deposit, pledged or purchased. If any article so
18 left on deposit, pledged or purchased has engraved thereon any
19 number, word or initials, or contains any settings of any kind, the
20 descriptions of such article and such report shall contain such
21 number, word or initial and shall show the kind of settings and
22 the number of each kind.

23 The Chief of Police shall deliver blanks for such purpose to
24 the person from whom such reports are required from time to time,
25 free of charge, and shall upon receipt of said detail reports,
26 file the same in some secure place in his office and the same shall
27 be open to inspection only to the Police Department of said City,
28 or upon the order of some court duly made for that purpose. Said
29 blanks shall bear a caption providing blank spaces in which shall
30 be written or printed the date of such report, the name and place
31 of business of the person or corporation making the same, and
32 the hour of the day when the same is received at the office of the

1 Chief of Police. Such blanks shall be so printed and subdivided
2 as to contain spaces with proper captions for the furnishing of
3 the information required by this ordinance.

4 Section 7.

5 Any person buying or receiving in pledge, or otherwise, any
6 second-hand goods, wares or merchandise of any description other
7 than rags, bottles, barrels, or cans or cast-off clothing or
8 shoes, shall not in any way dispose of the same, but shall keep
9 the same on the premises for 15 days after inspection by
10 the Chief of Police or any other police officer, except in cases
11 of conditional transactions when the true owner shall have redeemed
12 or repurchased or recovered the article. Any person, firm, asso-
13 ciation or corporation buying, receiving in pledge, or otherwise,
14 any second-hand goods shall affix to said article a tag, upon
15 which tag shall be inscribed a number in legible characters, which
16 number shall correspond to the number in the book required to be
17 kept as herein provided.

18 Section 8.

19 The provisions contained in this ordinance shall not be
20 deemed to apply to the purchase or sale by junk dealers of rags,
21 or bottles, or barrels, or cans, or cast off clothing or shoes.

22 Section 9.

23 In event of the violation by any licensees, as herein
24 provided for, of any of the terms of this ordinance, or of the
25 statutes of the State of California with reference to pawn-brokers,
26 it shall be the duty of the Chief of Police to serve upon said
27 licensee, or his agent, a notice to appear before the City
28 Council to show cause why the license should not be terminated and
29 cancelled. Said notice must be served not less than two days
30 before the time fixed by the Chief of Police for such hearing.
31 The City Council shall have the right, upon such hearing to take
32 sworn testimony in regard to the alleged violation, and to

1 determine whether or not the license shall be terminated and
2 cancelled. In the event of the termination or cancellation of
3 such license under the provisions of this section, no new license
4 shall be issued to such licensee or to any firm of which he is a
5 member, or to any corporation in which he is a stockholder, for a
6 period of three months thereafter.

7 Section 10.

8 Any person, whether corporation, firm or individual,
9 principal, agent or employee, violating any of the terms, pro-
10 visions or sections of this ordinance, shall be deemed guilty
11 of a misdemeanor, and upon conviction thereof, shall be punished
12 by fine not to exceed \$500.00 or by imprisonment in the County
13 Jail of Stanislaus County, California, not to exceed six months,
14 or by both such fine and imprisonment, and any judgment for the
15 payment of a fine shall provide that the defendant be imprisoned
16 until the fine shall have been paid, at the rate of one day's
17 imprisonment for every \$2.00 of the fine.

18 Section 11.

19 A license when issued shall continue in force until
20 terminated, as provided in Section 10 of this ordinance, or
21 until cancelled by the voluntary surrender thereof by the licensee,
22 or until the licensee shall have failed for a period of fifteen
23 days after the license tax becomes due to pay the same. Any
24 license issued in accordance with this ordinance may be trans-
25 ferred by the licensee to any other person upon filing a notice
26 to that effect with the Chief of Police, and a duplicate copy there-
27 of with the City License and Tax Collector, provided that such
28 other person shall be qualified under the terms of this ordinance
29 to receive the same.

30 Section 12.

31 The fees received by the City License and Tax Collector
32 for the issuance of licenses, and for the quarterly license

1 fees and taxes, shall be paid by him into the City Treasury
2 in the same manner as other funds received by him are paid into
3 the City Treasury, and shall be credited to the general fund.

4 Section 13.

5 If any section, subsection, sentence, clause or phrase of
6 this ordinance is for any reason held to be unconstitutional or
7 invalid, such decision shall not affect the validity of the
8 remaining portion of this ordinance. The City Council hereby
9 declares that it would have passed this ordinance, and each sec-
10 tion, sub-section, sentence, clause or phrase thereof irrespective
11 of the fact that any one or more sections, sub-sections, sentences,
12 clauses, or phrases be declared unconstitutional.

13 Section 14.

14 All ordinances, or parts of ordinances, in conflict with this
15 ordinance are hereby repealed.

16 Section 15.

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

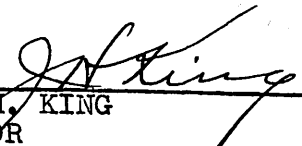
20 The foregoing ordinance was introduced by Councilman
21 Stanley at a regular meeting of the Council of the
22 City of Modesto, held on the 16th day of December, 1935,
23 who moved its adoption and passage to print, which motion being
24 duly seconded was upon roll call carried and the ordinance ordered
25 printed and published as above by the following vote:


26 Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King

27 Noes: Councilmen: none

28 Absent: Councilmen: none

29 Approved:

30 
J. H. KING
MAYOR

31 
H. E. GRAGG
32 CITY CLERK

1 FINAL ADOPTION CLAUSE

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3 The foregoing ordinance, having been
4 introduced and ordered printed and published at a special
5 meeting of the Council of the City of Modesto held on the
6 16th day of December, 1935, and subsequently printed and publish-
7 ed as required by the Charter of the City of Modesto, and coming
8 on for final adoption at the regular meeting of December 26, 1935
9 it was upon roll call so finally adopted by the following vote:

10 Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King

11 Noes: Councilmen: None

12 Absent: Councilmen: None

13 APPROVED: _____

14 *J. H. King*
MAYOR

15 ATTEST: _____

16 *H. C. Gray*
CITY CLERK
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ORDINANCE NO.502-N.S.

AN ORDINANCE RELATING TO THE CARE AND EXPENDITURE OF MONEYS RECEIVED FROM THE STATE OF CALIFORNIA UNDER THE PROVISIONS OF ARTICLE 5, CHAPTER 1, DIVISION 1 OF THE STREETS AND HIGHWAYS CODE

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

SECTION 1.

To comply with the provisions of Article 5 of Chapter 1 of Division 1 of the Streets and Highways Code, with particular reference to the amendments made thereto by Chapter 642, Statutes of 1935, there is hereby created in the City treasury a special fund to be known as the "Special Gas Tax Street Improvement Fund".

SECTION 2.

All moneys received by the City from the State of California under the provisions of the Streets and Highways Code for the acquisition of real property or interests therein for, or the construction, maintenance or improvement of streets or highways other than State highways shall be paid into said fund.

SECTION 3.

All moneys in said fund shall be expended exclusively for the purposes authorized by, and subject to all of the provisions of Article 5, Chapter 1, Division 1 of the Streets and Highways Code.

SECTION 4.

This ordinance shall take effect immediately upon 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.

1 The foregoing ordinance was introduced at
2 a regular meeting of the Council of the City of Modesto held on
3 the 25th day of September, 1935, by Commissioner Pack, who moved
4 its adoption and passage to print, which motion being duly second-
5 ed, the ordinance was upon roll call ordered printed and published
6 as above by the following vote:

7 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

8 Noes: Councilmen: None

9 Absent: Councilmen: None

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11 APPROVED: *J. H. King*
12 J. H. KING
13 MAYOR

14 ATTEST: *H. E. Grace*
15 H. E. GRACE
16 CITY CLERK
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FINAL ADOPTION CLAUSE

Ordinance No. 502-N.S., having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of September, 1935, and published as required by the Charter of the City of Modesto, coming on for final adoption this 9th day of October, 1935, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

J. H. King
MAYOR

ATTEST:

A. E. Gray
CITY CLERK

ORDINANCE NO. 503- N.S.

AN ORDINANCE REGULATING THE BUSINESS OF DEALING IN USED MOTOR VEHICLES, DEFINING A USED MOTOR VEHICLE DEALER, PROVIDING FOR THE LICENSING AND BONDING OF SUCH DEALERS AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

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Section 1. Definition. For the purpose of this ordinance a "used motor vehicle dealer" is defined to be any person, firm or corporation engaged in, conducting, managing or carrying on the business of buying, selling or offering for sale, consigning to be sold or otherwise deal in used motor vehicles (except bicycles) as the term "motor vehicle" is defined in the Statutes of 1926, chapter 266, as amended. Excepting, however, persons, firms or corporations so dealing in used motor vehicles in connection with and as a part of a regularly established business dealing in new motor vehicles at a fixed location in the City of Modesto. Excepting also persons, firms or corporations purchasing used motor vehicles for the purpose of wrecking and selling the parts thereof, but not for the purpose of resale of such used motor vehicles. "Person" shall include individuals, corporations, copartnerships, principals and agents. The masculine shall include the feminine and neuter gender, and the singular shall include the plural.

Section 2. It shall be unlawful for any person to engage in the business of a used motor vehicle dealer as hereinabove defined without having a license or permit so to do granted in the manner hereinafter specified.

Section 3. A person desiring to engage in, conduct or carry on the business of a used motor vehicle dealer shall file a verified application therefor with the City Clerk,

1 together with a bond and the license fee hereinafter specified.
2 Said application shall be referred to the City Council and the
3 license shall only be granted upon the order of the City Council
4 after the examination of the application and the supporting data,
5 and then only in event that the Council finds that the applicant
6 complies with the terms of this ordinance. Said application shall
7 be verified by the applicant and shall set forth the name of the
8 applicant and whether an individual, copartnership or a corpora-
9 tion, and if a copartner, the names and addresses of the applicants,
10 and if a corporation, the names and addresses of the principal
11 officers thereof; that the business will be conducted at a
12 fixed place where the vehicles will be displayed for sale, and
13 a description of the premises for which the application is made
14 and a statement showing when the business for which a license or
15 permit is applied for was established in the City of Modesto.
16 The bond, in the sum or penalty hereinafter specified, shall be
17 executed by a responsible surety company or two responsible personal
18 sureties, and must be approved by the Council as to form and
19 sufficiency of sureties. It must be conditioned for the payment
20 to any person injured of an amount not exceeding the sum specified
21 therein as the penalty thereof which such person may sustain by
22 reason of any misrepresentation or fraud practiced by the dealer,
23 or by the failure of the dealer to deliver clear title to any
24 automobile sold by said dealer to any person, firm or corporation
25 legally entitled thereto within twenty-one days after final payment
26 for said vehicle has been made. Said bond shall not be void upon
27 the first recovery, but may be used and recovered upon from time
28 to time by any person aggrieved until the whole penalty has been
29 exhausted. When, as and if any bond becomes void or expires
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1 or the penalty thereof becomes exhausted or the same becomes
2 invalid or ineffective for any reason, the licensee shall immediate-
3 ly file a new bond with the same penalty and the same conditions.
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5 The City Council may, before issuing a license, cause
6 such investigation and examination to be made of the applicant
7 for a license and of the premises at which he proposes to conduct
8 said business as may be necessary to determine whether or not the
9 license should be granted.

10 Section 4. The license fee shall be as follows: For an
11 applicant who has had a fixed place of business within the City
12 of Modesto, for which a license is required under the terms of this
13 ordinance, for a period of three months before this ordinance
14 goes into effect, the license fee shall be the sum of \$10.00 per
15 year. For an applicant who shall not have had a fixed place of
16 business in the City of Modesto, for which a license is required
17 under the terms of this ordinance, for at least a period of three
18 months prior to the time this ordinance goes into effect, the
19 license fee shall be the sum of \$200.00 for the first year, and
20 thereafter a renewal may be had upon the payment of a license fee
21 in the sum of \$10.00 per year; provided, however, that in event
22 a licensee who is required by the terms of this ordinance to pay
23 the first annual fee of \$200.00 shall continue in business in
24 the City of Modesto for a period of 18 months after the license
25 shall have been issued and shall comply with all the terms,
26 conditions and regulations of this ordinance, and shall have paid
27 all other license fees chargeable to him by the terms of this or
28 any other ordinance of the City of Modesto, the City Council shall
29 refund and repay to him at the expiration of 18 months the sum
30 of \$190.00. The location designated in the application and license
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1 may also be changed to another location upon the payment of a
2 fee of \$10.00. The license for the premises specified in the
3 application may be transferred to another licensee upon the payment
4 of a fee of \$10.00; provided, however, that the transferee is
5 already licensed as a dealer pursuant to the terms of this
6 ordinance. Any licensed dealer having at least one place of
7 business may secure a permit or license for an additional location
8 upon filing an application therefor with the City Clerk, and with-
9 out furnishing an additional bond, upon the payment of a license
10 fee of \$10.00 for each additional location applied for. Only one
11 person, firm or corporation may conduct a used motor vehicle
12 dealer's business at any specified established place of business
13 unless the other person, or persons, desiring to conduct a business
14 at the same location is also the holder of a valid, unrevoked
15 license issued pursuant hereto.
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17 The bond specified in this section to be filed by the
18 applicant or dealer shall be in the sum of \$10.00 for all appli-
19 cants who have had a fixed place of business requiring a license
20 hereunder for at least three months prior to the time that this
21 ordinance goes into effect. For all other applicants or dealers,
22 the bond shall be in the sum of \$2500.00.
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24 Section 5. Every used motor vehicle dealer must have in
25 addition to the license or permit herein provided for, a state
26 license, and the number assigned by the Motor Vehicle Department
27 of the State of California to said applicant must be filed with
28 the City Clerk prior to the issuance of a license or permit
29 hereunder, and in event the Motor Vehicle Department shall fail
30 or refuse to issue to any dealer a state license, the license
31 herein provided for may be denied or may be recalled or cancelled,
32 as the case may be.

1 Any person holding a license pursuant to this ordinance
2 who discontinues business for a period exceeding ninety days
3 shall be construed to have relinquished said license or permit,
4 and the same shall be terminated and become void upon the expira-
5 tion of said ninety days.

6 Section 6. Every used motor vehicle dealer shall keep
7 a record of the purchase, consignment, sales or exchange of each
8 and every motor vehicle purchased, sold, consigned to be sold, or
9 exchanged by him or them, and said record shall at all times be
10 open to the inspection of the Chief of Police or any peace officer,
11 and said used motor vehicle dealer shall within 48 hours of the
12 purchase or receipt of such vehicle, or vehicles, make out and
13 deliver to the Chief of Police a full and complete report of such
14 vehicle, or vehicles. Said report shall contain the name and
15 address of the person, firm or corporation from whom purchased
16 or received, the make, state license number, motor number, serial
17 number, style and seating capacity of any used motor vehicle
18 purchased or received. Said report shall be written in the
19 English language in a clear and legible manner. Provided, however,
20 that no motor vehicle shall be received or taken on consignment
21 by any licensed dealer unless the consignor thereof shall also
22 have a valid, unrevoked license or permit under this ordinance.

23 Section 7. Every person, firm or corporation operating
24 under the provisions of this ordinance shall be held strictly
25 responsible for the conduct of his or their employees in so far
26 as the sales or purchases of used motor vehicles are concerned.
27 It shall be his or their duty to see that no used motor vehicle
28 is sold or purchased by his or their agent, or agents, or any
29 other person, or persons, in and upon his or their premises or
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1 location, or locations, other than his or their own used motor
2 vehicles unless such person or persons has a permit or license as
3 provided for in this ordinance.

4 Section 8. It shall be unlawful for any used motor vehicle
5 dealer to sell any used motor vehicle from any place other than
6 a fixed or established place of business, for which a permit or
7 license has been granted to him as herein specified, or to sell
8 any motor vehicle consigned to him for sale by any person who does
9 not also hold an unrevoked license or permit issued pursuant to
10 this ordinance. In event that the holder of a license issued
11 pursuant hereto violates any of the terms, conditions or provis-
12 ions of this ordinance, the City Council may, upon written notice
13 to him of not less than five days to appear and show cause, either
14 suspend the license for such period as it may deem proper, or
15 may revoke and cancel the same. In event of revocation, no new
16 license shall be issued to such person or to a copartnership of
17 which he is a member, or a corporation of which he is an officer,
18 within six months after such revocation.

19
20 Section 9. Any person violating any of the provisions
21 of this ordinance shall be deemed guilty of a misdemeanor and upon
22 conviction thereof shall be punished by a fine of not more than
23 \$500.00, or by imprisonment in the County Jail of Stanislaus County
24 for a period of not more than six months, or by both such fine
25 and imprisonment. Each person shall be deemed guilty of a separate
26 offense for every day during any portion of which any violation
27 of this ordinance is continued or permitted by such person, and
28 shall be punishable therefor as provided in this ordinance.

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30 Section 10. Nothing herein contained shall be construed
31 to exempt any licensee from paying the license fee specified in
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1 Ordinance No. 487 N.S. of the City of Modesto in addition to the
2 license fees herein specified.

3 Section 11. If any section, subsection, sentence, clause
4 or phrase of this ordinance is held to be invalid or unconstitu-
5 tional, such decision shall not affect the validity of the
6 remaining portions of this ordinance. The Council of the City
7 of Modesto hereby declares that it would have passed this ordinance
8 and each section, subsection, sentence, clause or phrase irrespective
9 of the fact that any one or more sections, subsections, sentences,
10 clauses or phrases be declared invalid or unconstitutional.

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

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

18 The foregoing ordinance was introduced at a regular
19 meeting of the Council of the City of Modesto held on the 25th
20 day of September 1935, by Councilman Pack, who moved its
21 adoption and passage to print, which motion being duly seconded
22 was upon roll call carried, and the ordinance ordered printed
23 and published as above by the following vote:

24 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King
25 Noes: Councilmen: None
26 Absent: Councilmen: None

28 Approved: J. H. KING
29 MAYOR

30 Attest: _____
31 CITY CLERK

CODE SEC.
NO. 4-1.703
4-1.704¹

ORDINANCE NO. 504 N.S.

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AN ORDINANCE FIXING THE LICENSE FEE TO BE PAID FOR OPERATION OF BILLIARD TABLES.

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

Section 1. Beginning with January 1st, 1936, the fee to be paid to the City of Modesto for a license for the operation of pool and billiard tables in pool or billiard parlors, as defined in Ordinance 196 N.S., shall be the sum of Two and 50/100 Dollars (\$2.50) per quarter, payable in advance, for each table.

Section 2. This ordinance shall go into full force and effect from and after January 1st, 1936.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1935, by Councilman Oliver, who moved its adoption and passage to print, which motion being duly seconded was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST: *W. E. Gray*
CITY CLERK

FINAL ADOPTION CLAUSE

Ordinance No. 504-N.S. 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 October, 1935 and thereupon published as required by the Charter of the City of Modesto coming on for final adoption October 23, 1935, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King


Noes: Councilmen: None

Absent: Councilmen: Pack

APPROVED


Mayor

ATTEST


City Clerk

ORDINANCE NO. 505 N.S.

AN ORDINANCE REGULATING THE INSTALLATION, REPAIR, OPERATION, AND MAINTENANCE OF ELECTRICAL WIRING AND EQUIPMENT WITHIN THE CITY OF MODESTO, PROVIDING FOR LICENSES, REGISTRATIONS, PERMITS, INSPECTIONS AND APPROVAL OF ELECTRICAL WORK, THE PAYMENT OF FEES THEREFOR AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

NOT FINALLY ADOPTED

Ord 1035-N.S.

ORDINANCE NO. 506-N.S.

AN ORDINANCE REGULATING THE INSTALLATION, REPAIR, OPERATION, AND MAINTENANCE OF ELECTRICAL WIRING AND EQUIPMENT WITHIN THE CITY OF MODESTO, PROVIDING FOR LICENSES, REGISTRATIONS, PERMITS, INSPECTIONS AND APPROVAL OF ELECTRICAL WORK, THE PAYMENT OF FEES THEREFOR AND PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

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

SECTION 1.

The offices of City Electrician and Assistant City Electrician, in and for the City of Modesto, are hereby created. The Council may direct that the City Engineer shall also be the City Electrician. Unless the City Engineer possesses the qualifications hereinafter mentioned, an Assistant City Electrician shall also be appointed by the Council who shall be a competent electrician of good moral character, with at least four years' experience as a journeyman in the practice of his trade or two years training in a recognized college of electrical engineering, and in addition thereto, two years of practical experience in electrical construction, who shall be well versed in approved methods of electrical construction for safety to life and property, the statutes of the State of California relating to electrical work, the rules and regulations issued by the Industrial Accident Commission of the State of California under authority of the Statutes, the National Electrical Code, as approved by the American Engineering Standards Committee, other installation and safety rules and standards approved by the American Engineering Standards Committee and rules of the Board of Fire Underwriters of the Pacific.

The City Electrician, or his Assistant, shall under his direction, have charge of all electrical inspections, construction and maintenance within the City of Modesto, and of the construction, maintenance and operation of the fire and police alarm systems.

1 belonging to said city, and of all other electrical lighting,
2 power and communication systems or equipment now owned, or here-
3 after to be constructed or acquired by said city.

4 The City Electrician, under the control of the Council,
5 shall have the power to designate and appoint such inspectors as
6 may be necessary to enable him to carry out the direction of this
7 Ordinance.

8 Said City Electrician shall have the right during
9 reasonable hours to enter any building in the discharge of his
10 official duties, or for the purpose of making any inspection or
11 test of the installation of electric wiring, electric devices
12 and/or electrical material contained therein.

13 SECTION 2.

14 LICENSING AND REGISTRATION:

15 Before any person, firm or corporation shall engage in
16 the business of performing or doing electrical work in the City of
17 Modesto, he shall first procure the necessary license from the
18 City ^{License} Collector under Ordinance No. 487-N.S.

19 SECTION 3.

20 APPLICATIONS AND PERMITS:

21 Before any person except one holding a license pursuant
22 to Section 2 hereof, shall do any electrical work in the City of
23 Modesto he must file with the City Electrician an application for,
24 and obtain, from said Electrician, a permit to do such work, a
25 copy of which must be immediately transmitted to the office of the
26 City ^{License} Collector and must pay to ^{said License} ~~City~~ Collector the fee prescribed
27 in Section 6 of this Ordinance. Persons holding a license may
28 obtain a permit at the Collector's office upon payment of the fees
29 prescribed.

30 No alterations or additions shall be made in existing
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wiring, nor shall any wiring for the placing of any electric
1 lights, power or heating devices, or any apparatus which operates
2 with a voltage between any two points of more than twenty-five
3 (25) or which generates, transmits, transforms, or utilizes more
4 than fifty (50) watts be made or permitted, nor shall any
5 alterations be made in any wiring system after final inspection,
6 without first, in any of said events, notifying the City Electrician
7 and securing a permit therefor, except minor repair work, such as
8 repairing flush and snap switches, replacing fuses, changing
9 lamp sockets and receptacles, taping bare joints and repairing
10 drop cords. Applications for such permit, describing such work,
11 shall be made in writing by the person, firm or corporation
12 installing same and the permit when issued shall be to such
13 applicant. This paragraph shall not apply to maintenance and
14 repairs on the premises of a person, firm, or corporation regularly
15 employing journeymen electricians for that purpose. Each
16 applicant shall state the location by street and house number and
17 where possible, the block and lot numbers where such work is to be
18 done; the permit issued shall be valid only for the location so
19 stated and unless work is commenced within six (6) months after
20 issuance, ~~if~~ the permit shall become null and void.

21 No permit shall be issued to any person, firm, corporation or
22 political subdivision unless all fees therefor as hereinafter
23 specified are paid in full. Failure to take out a permit and pay
24 the fees therefor within 10 days after commencing work shall be
25 deemed prima facie evidence of violation of the provisions of this
26 ordinance.

27 PLANT AND MAINTENANCE ELECTRICIANS:

28 Any person, firm, or corporation, such as industrial
29 establishments and hotels, regularly employing one or more
30 journeymen electricians for the purpose of installation,
31 alteration, maintenance and/or repairs on his or their own
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1 premises, will not be required to pay the license fee ~~or take out~~
2 ~~a bond~~, as herein prescribed when their activities are wholly
3 confined within the plant or plants which they operate. Said
4 plant electricians must, however, obtain the necessary permits,
5 and pay the inspection fees, prescribed by Section 6 of this
6 Ordinance.

7 SECTION 4.

8 INSPECTION:

9 Upon the completion of the wiring in or on any building
10 or structure of any nature, or tent, or premises, the person, firm
11 or corporation installing the same shall notify the City
12 Electrician, who shall inspect the installation, and if it is
13 found to be fully in compliance with the Ordinance, he shall issue,
14 as provided herein, a certificate of inspection or approval tag
15 authorizing connection to the electrical service and the energizing
16 of the installation. All wires which are to be hidden from view
17 shall be inspected before concealment, and any person, firm, or
18 corporation installing such wires shall notify the City
19 Electrician to make the required inspection before such wires are
20 concealed, and shall not conceal same nor allow same to be
21 concealed until permission has been obtained in writing from the
22 City Electrician.

23 PERMISSION TO COVER WORK:

24 Permission to cover work to be concealed shall be on a
25 blue tag attached to the work in a suitable place and which shall
26 show the date, location, that such permission has been granted
27 and signature of the inspector.

28 WIRING APPROVAL:

29 Final approval of the wiring of any installation except
30 that of fixtures or other devices customarily or frequently
31 installed under separate contract, shall be by means of a yellow
32

1 tag attached to the work in a suitable place and showing the date,
2 location, approval and signature of the inspector.

3 **FIXTURE APPROVAL:**

4 Approval of fixtures, signs and/or any apparatus used
5 with electrical lamps or other forms of electrical lighting or other
6 devices such as ranges, water heaters, X-ray machines, customarily
7 or frequently installed under separate contract, shall be by means
8 of a green tag attached to the work in a suitable place and
9 showing the date, location, approval and signature of the inspector.

10 **FIXTURE ^{PERMIT} ~~PERMIT~~:**

11 Fixture permits will not be required when a screw base
12 lamp receptacle without fixture attachment is installed directly
13 in or on any outlet box, conduit, or metal moulding fitting.

14 **APPROVAL (O.K.) TAG:**

15 Upon the completion and approval of a job there shall be
16 a white tag attached to the service switch granting permission to
17 the power company or other serving agency to connect the
18 installation for use.

19 **SPECIAL OR TEMPORARY TAG:**

20 A special or temporary tag which may be issued for a
21 length of time not exceeding thirty (30) days shall be by means
22 of a white tag in red letters and this tag shall show the date,
23 location, approval permission, and the signature of the inspector.

24 When notified by the City Electrician, the electric
25 utility rendering service shall disconnect service on the date
26 given on special or temporary permits unless tag of completion has
27 been issued or unless extension has been granted in writing. On
28 all rewire jobs, old wire must be removed before the job will be
29 approved.

30 **DISAPPROVAL TAG:**

31 Where approval is withheld a red tag showing date,
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1 location, defects in the work, and signature of the inspector
2 shall be attached in a suitable place to the work. All defects
3 shall be corrected within ten days after inspection and notification,
4 or within reasonable time as allowed by the City Electrician.

5 CONNECTION:

6 No person, firm, or corporation or branch or department
7 of any city or other political sub-division shall furnish electrical
8 service or connect or cause, or allow connection to be made of any
9 wires or other equipment over which electricity may be conducted
10 or electrical energy dissipated or utilized, to any source of
11 wires or other equipment already connected to a source or to any
12 distributing system of electrical energy, until said wires or other
13 equipment shall have been inspected by the city inspector and said
14 certificate of inspection or white tag shall have been issued.
15 Provided, however, that the City Electrician may give temporary
16 permission to furnish electric current to or the use of the
17 electric current, through any wires or other equipment for a length
18 of time not exceeding thirty (30) days, if it appears to the City
19 Electrician that such wires, etc., may be used safely, and that
20 there exists an urgent necessity for such use and special
21 permission.

22 In this case a special temporary tag shall be attached
23 to a suitable place on the work and shall show the date, location,
24 such special approval, date of expiration of such permission, and
25 signature of the inspector.

26 SECTION 5.

27 RE-INSPECTION:

28 The City Electrician periodically shall make a thorough
29 reinspection of the installation in or on buildings and/or
30 premises of all electric wiring, electric devices and electric
31 material now installed or that may hereafter be installed, within

1 the City of Modesto and when the installation of any such wiring,
2 devices and/or material is found to be in a dangerous or unsafe
3 condition the person, firm, corporation, or political sub-division
4 owning, using or operating the same shall be notified in writing
5 and shall make the necessary repairs or changes required to place
6 such wiring, devices and material in a safe condition and have
7 such work completed within fifteen (15) days, or other reasonable
8 period specified by the City Electrician in said notice and shall
9 pay such fees as are required by this Ordinance. The City
10 Electrician is hereby empowered to disconnect or order the dis-
11 continuance of electrical service to such wiring, devices and/or
12 material so found to be defectively installed until the
13 installation of such wiring, devices, and material has been made
14 safe as specified in this Ordinance and as directed by the City
15 Electrician; and any person, firm, or corporation or political
16 subdivision ordered to discontinue such electrical service shall
17 do so within forty-eight (48) hours and shall not reconnect or
18 allow it to be reconnected until notified to do so by the City
19 Electrician. Provided, however, that no re-inspection shall be
20 made in any dwelling house, while the same is occupied as a dwelling,
21 without the consent of the occupant thereof. No person or persons
22 shall hinder or prevent the City Electrician or his deputies from
23 making any electrical inspection except in dwelling houses. The
24 City Electrician shall make monthly inspections of all theaters
25 and motion picture houses and if the electrical equipment is in
26 safe operating condition shall issue an approval notice. No
27 theater or motion picture house shall operate for more than ten
28 days without said approval notice.

29 SECTION 6.

30 FEES:

31 The City Clerk, or any other authorized person, shall

1 collect from any person, firm, or corporation or political sub-
 2 division to whom a permit for doing electrical work has been
 3 granted the following fees, at the time the permit is granted,
 4 to-wit:

5	For issuing permits, each (wiring ^{or} fixture or antenna).....	\$ 1.00
6	For each outlet, at which current is used or controlled not exceeding 18" apart.....	.05
7	For each socket or outlet at which current is used or 8 controlled which are installed at a distance 9 exceeding 18" apart for the first 15.....	Each .10
10	Excess.....	Each .05
11	For each motor of not more than $\frac{1}{2}$ h.p.....	.25
12	For each motor of not more than 2 h.p. but more than $\frac{1}{2}$ h.p..	.50
13	For each motor of not more than 5 h.p. but more than 2 h.p..	.75
14	For each motor of not more than 15 h.p. but more than 5 h.p.	1.25
15	For each motor of not more than 50 h.p. but more than 15 h.p.	1.75
16	For each motor of not more than 200 h.p. but more than 50 h.p.....	2.50
17	For each motor of more than 200 h.p.....	5.00
18	For each generator, each K.V.A. capacity shall be considered 19 as one (1) h.p. in a motor..	
20	For each motor-generator set, the fee charged shall be 50% greater than for the motor alone.	
21	For each moving of motors and/or generators upon which a 22 final certificate has formerly been issued by the City Electrician a fee of fifty (50%) per cent of the former fee shall be charged.	
23	For each temporary motor, the same fee as for moving.	
24	For each mercury arc and equipment.....	1.00
25	For each mercury arc lamp and equipment.....	1.00
26	For each projection machine, dissolver, etc.....	1.00
27	For each range, water heater or air heater installation.....	.10
28	For working lights in buildings in course of construction 29 or undergoing repairs, or where temporary lighting is to be used:	
30	100 lamps or less.....	.50
31	101 lamps and not over 300.....	.75
32	301 lamps and not over 600.....	1.00
	601 lamps and not over 1000.....	2.00
	1001 lamps and over, each, (two mills).....	.002

1	For electric sign, 10 lamps or less.....	\$.25
2	For electric sign, 11 lamps and not over 25 lamps.....	.50
3	For electric sign, 26 lamps and over, each lamp.....	.02
4	For electric sign, luminous gas type, with 1 to 4 transformers.....	1.00
5		
6	For electric sign, luminous gas type, with 5 or more transformers, per transformer.....	.25
7	For shop inspection of electric signs.....Each	1.00
8	For electric welder, per K.W.....	.25
9	For rectifier, per K.W.....	.25
10	For each inspection made necessary by defective workmanship or materials.....	1.00
11		
12	For each inspection trip, made necessary by failure to solder properly, to properly ream conduit ends, use the proper type of wire connections and/or properly tape joints in wires or due to a spliced wire in conduit.....	1.00
13		
14		
15	For the inspection of any electrical equipment for which no fees are herein prescribed there shall be charged a fee per hour of	2.00
16		
17	Upon failure to make application and take out a permit with- in one week after commencing work the permit fee, in- stead of \$1.00, shall be.....	2.00
18		

SECTION 7.

GENERAL CONSTRUCTION REQUIREMENTS AND REGULATIONS:

Except as provided otherwise herein, all installations whereby electrical energy is to be utilized shall be in strict conformity with the provisions of statutes of the State of California, the ^{latest} rules and regulations titled "Electrical Safety Orders Industrial Accident Commission State of California" under authority of the state statutes governing industrial installations, the regulations in the "National Electrical Code Regulations of the National Board of Fire Underwriters for Electric Wiring and Apparatus", and the "Regulations of the Board of Fire Underwriters of the Pacific for Electrical Equipment and Wiring of Theaters and Motion Picture Establishments."

1 Each of the above orders, hereby referred to, are adopted and
2 made a part of this Ordinance as fully as if set out at length
3 herein. Compliance therewith shall be prima facie evidence of
4 compliance with the most approved methods of construction.

5 Three copies of each of the above mentioned orders and
6 regulations shall be kept on file in the Office of the City Clerk,
7 and/or in the Office of the City Electrician of the City of
8 Modesto, California.

9 APPROVED MATERIALS:

10 When there are obtainable for any given purpose, materials,
11 fittings, devices, or appliances that have been examined by a
12 properly qualified and authorized body, and approved, listed and/or
13 labeled as conforming to the standards of the United States Bureau
14 of Standards, or other similar institution of recognized standing,
15 then only shall such be sold and/or used. Such approval shall
16 always be for a particular use and such approval and label does not
17 mean that the materials, etcetera, may be used indiscriminately,
18 but only for the purpose for which approved. For good cause, or
19 when public interest may require, or pending approval, the City
20 Electrician may waive, by writing in advance, the requirements of
21 this section, but such waiver shall apply only to the one particular
22 installation, and shall not set a precedent as to further use.

23 No person shall change, move, disturb, or otherwise
24 perform any work upon any electrical equipment belonging to the
25 City of Modesto except pursuant to a written permit, setting forth
26 the approximate nature, and extent of the work to be performed
27 thereunder, signed by the City Electrician or his authorized agent.
28 No such permit will be granted unless written application therefor
29 shall be filed in the office of the City Electrician not less than
30 twenty-four (24) hours prior to the time said permit is to be
31 exercised.

1 All electrical equipment disturbed, moved or otherwise
2 effected pursuant to such permit must be replaced by or at the
3 expense of the person so effecting same in as good condition in
4 every respect as before being disturbed, to the satisfaction of
5 the City Electrician.

6 The City Electrician shall have direct supervision of all
7 work done pursuant to the foregoing provisions of this section.
8 All expenses incurred by the City of Modesto on account of such
9 work must be charged to and collected from the person so affecting
10 the said equipment upon the completion of the work.

11 All materials must be approved by the Board of Fire
12 Underwriters or the City Electrician.

13 All open wiring, where permitted, shall be run in
14 straight lines and all turns made at right angles.

15 No screw base receptacle shall be used for attachment
16 plugs such as irons, toasters, etc., and no screw base receptacle
17 shall be installed within five (5) feet of the floor.

18 When lights are installed in clothes closets, they shall
19 be installed on the ceiling or on the wall above the door. Such
20 lights shall be controlled by approved wall or door switch, or
21 pull chain sockets. No drop cord light shall be installed in any
22 clothes closet.

23 All ranges, water heaters, and air heaters, shall be
24 wired in on a separate branch circuit, each circuit being fused
25 separately, except that more than one (1) built in air heater may
26 be installed on one circuit when the total load does not exceed
27 5000 watts.

28 All splices in open work shall be covered with an
29 insulating paint on the outside of the last layer of friction tape
30 except fixture joints.

31 All lights, fixtures and brackets within eight (8) feet
32

1 vertical and five (5) feet horizontal of a grounded surface must
2 be provided with porcelain sockets. Wall switches or receptacles
3 within five (5) feet of any grounded surface must have all exposed
4 metal parts permanently and effectively grounded. Flush type wall
5 switches and receptacles will be required on all concealed work.

6 Where two or more disconnect switches are grouped at one
7 location, each switch must be plainly and permanently marked or
8 stenciled showing load it disconnects.

9 The use of two or three pole switches with an improvised
10 neutral lug or strap will not be permitted. An approved switch
11 must be used.

12 All single circuit lighting jobs shall be fused inde-
13 pendently other than the entrance switch.

14 On all jobs in new buildings of over two circuits the
15 distribution center must be located inside of the building in a
16 dry and ~~easy~~^{easily} accessible place.

17 All Bell transformers must be installed in a metal box
18 inside of a meter box, or at distribution center.

19 Three-wire branch circuits will not be allowed in
20 residences, flats and apartments.

21 No convenience outlet shall be placed on any lighting
22 circuit.

23 Convenience outlets in domestic installations shall be
24 wired on circuits not smaller than No. 12 B. and S. wire with a
25 maximum of eight (8) outlets per circuit.

26 Convenience outlets on commercial installations shall be
27 wired on circuits not smaller than No. 12 B. and S. wire with a
28 maximum of six (6) outlets per circuit.

29 Enclosed commercial fixtures shall be equipped with
30 porcelain sockets.

31 The use of cleat receptacles for fixture work will not

1 be permitted.

2 All ceiling fixtures of five lights or over shall be put
3 up with slip canopies or machine screws.

4 All unused outlets shall be ^{taped}~~tapped~~ and capped.

5 Approved solderless connectors may be used for fixture
6 connections.

7 No current tap sockets will be permitted on any lighting
8 fixture.

9 All wiring within fire district or limits number one ex-
10 ceeding twenty-five (25) volts must be wired in conduit.

11 All wiring, over 25 volts outside of the fire district
12 or limits number one, must be wired in conduit, except in dwellings,
13 private garages of not more than two cars, small sheds, and
14 apartment houses of not more than four (4) apartments.

15 Where it is mechanically impossible to install rigid
16 conduit, or in the case of remodeling or repairs, approved metal
17 moulding or armored flex duct may be installed by special
18 permission, in writing, from the City Electrician.

19 Any circuit requiring wire or cable larger than number
20 ten (10) B. and S. gauge must be run in rigid conduit.

21 All service wires shall be installed in rigid conduit.

22 All wiring on the outer surface of any building or
23 structure, if exposed to the weather, shall be enclosed in rigid
24 conduit.

25 All buildings requiring emergency and exit lighting shall
26 be wired in conduit, and emergency lighting must be on an
27 independent circuit.

28 All sub-feeder circuits must be run in rigid conduit.

29 Wire damaged by fire not to exceed 50% may be replaced
30 with the same type of wiring.

31 Any wiring or electrical installations not provided for
32 in this Ordinance, will be deemed a special installation and must

1 be taken up with the City Electrician for a special ruling in
2 writing.

3 SECTION 8.

4 NUMBER OF OUTLETS, RECEPTACLES AND WATTAGE PER CIRCUIT; RESIDENCES,
5 FLATS AND APARTMENTS:

6 Not more than twelve (12) outlets nor more than one
7 thousand (1000) watts will be allowed on any lighting circuit on
8 No. 14 B. and S. gauge wire.

9 Not more than fifteen (15) outlets nor more than eighteen
10 hundred (1800) watts will be allowed on any lighting circuit on
11 No. 12 B. and S. gauge wire.

12 SECTION 9.

13 COMMERCIAL INSTALLATIONS:

14 Not more than twelve (12) outlets nor more than fifteen
15 (15) amperes will be allowed on a two-wire branch circuit or on
16 either side of a three-wire branch circuit of No. 14 B. and S.
17 gauge wire.

18 Not more than fifteen (15) outlets nor more than twenty
19 (20) amperes will be allowed on a two-wire branch circuit or on
20 either side of a three-wire branch circuit of No. 12 B. and S.
21 gauge wire.

22 SECTION 10.

23 ARTIFICIAL ILLUMINATION REQUIRED IN APARTMENT HOUSES AND HOTELS:

24 In every apartment house or hotel there shall be
25 installed and kept burning from sunrise to sunset (day time)
26 throughout the year artificial light sufficient in volume to
27 properly illuminate every public hallway, public stairway, fire
28 escape, elevator, public water closet compartment, or toilet room,
29 whenever there is insufficient natural light to permit a person to
30 read in any part thereof.

31 In every apartment house or hotel there shall be installed
32 and kept burning from sunset to sunrise (all night) throughout the

1 year artificial light sufficient in volume to properly illuminate
2 every public hallway, passageway, public stairway, fire escape
3 egress, elevator, public water closet compartment or toilet room.

4 The provisions of this section shall not apply to an
5 apartment house built with not more than two apartments above the
6 first floor thereof.

7 SECTION 11.

8 SIGNS:

9 No sign, electrical or electrically illuminated, shall be
10 erected without first obtaining a permit from the City Electrician.

11 All applications must be accompanied with a plan showing
12 the proposed location, weight, and the method of fastening to the
13 structure.

14 All signs, electrical or electrically illuminated, must
15 have a clearance of at least ten (10) feet above the sidewalk, and
16 no such sign shall extend over the sidewalk a greater distance
17 than three-fourths ($3/4$) of the width of the sidewalk from property
18 to curb face, excepting that signs over twenty-one (21) feet above
19 the sidewalk may extend to the curb line.

20 All signs projecting more than four (4) feet from the
21 structure shall be constructed so they can be swung back to the
22 building.

23 Signs constructed in the City of Modesto shall have shop
24 inspection before being installed. Existing signs may be moved
25 from one location to another within the City without shop
26 inspection providing no alterations or additions are made to the
27 existing sign and all other provisions of this Ordinance are
28 complied with. Signs constructed elsewhere than in this City may
29 be erected, provided signs have been inspected and approved by the
30 Underwriters' Laboratory, are so labeled, and conform to all other
31 requirements of this Ordinance.

Signs installed under marquise must clear the sidewalk at the nearest point 7' 6" and the same regulations as apply to other electric signs will govern.

SECTION 12.

SERVICES:

All service outlets, meter locations, and main entrance switches shall be in accordance with the regulations as shown on approved prints, marked "Service Equipment Prints Numbers 1, 2, and 3", three copies of which are on file in the Office of the City Clerk and/or City Electrician and made a part of this Ordinance, except that on all new domestic installations, print No. 3, familiarly known as sequence metering, shall be used in so far as it is permissible by the National Electrical Code with the following exceptions:

(A) All service and sub-feed wires shall be run in rigid conduit.

(B) All other wires larger than #10 B. & S. gauge shall be run in rigid conduit. On domestic alterations where it becomes necessary to move the service to another location on the same premises and the equipment is already in an approved metal enclosure, the same equipment may be used, providing it is in accordance with all other requirements of this Ordinance.

However, if a new service is required then Print No. 3 or sequence metering shall be used. Sequence metering may be installed on any class of service that is permissible by N.E.C. or E.S.O.

Under no condition shall a service be less than No. 8 B. and S. gauge wire or a service conduit smaller than 3/4".

On all remodel jobs or where additional wiring is installed, service and metering equipment shall be brought up to standard, and only black or red covered wire shall be used unless the identified wiring system has been carried out throughout the entire installation,

1 then the identified system shall be used.

2 SERVICE AND METER LOCATIONS:

3 All meters and main entrance switches shall be located in
4 an easily accessible place on the outside of the building served.
5 Except that in certain industrial installations where it is
6 impractical to have the meter on the outside, permission must be
7 obtained from the City Electrician to place ^{the} same on the inside,
8 where it shall be located in a suitable place accessible to all the
9 users of the service.

10 The outer end of service conduit shall be terminated
11 where it is accessible to the serving agency. Service conduit
12 shall not be terminated in an alley way or sub-alley where open
13 service wires would interfere with fire apparatus or ladders.

14 SECTION 13.

15 RADIO ORDINANCE - Installation:

16 Radios and antenna shall be installed in accordance
17 with ~~Section 13~~ ^{latest issues} of the National Electrical Code except that a
18 lightning arrester need not be installed on the lead in from the
19 antenna.

20 When plug receptacle for antenna and ground are
21 installed for radios, such receptacles shall be of the type used
22 exclusively for radio work. Approved lighting or power
23 receptacles will not be permitted for this class of work.

24 Radio Interference:

25 Any apparatus, motor, appliance, light, switch, x-ray,
26 wiring, or equipment of any kind that causes interference of radio
27 reception from any station of one Kilowatt or more within 100 miles
28 of the City of Modesto shall be deemed interference.

29 Locating interference:

30 Locating interference and the cost or expense of the
31 same shall be borne by the radio dealers and the power utilities

1 in the City of Modesto. After a case of interference has been
2 located by the radio dealers and/or the power ^{utilities} ~~companies~~, they
3 shall report to the City Electrician the specific cause together
4 with the location and owners of the apparatus causing the inter-
5 ference. The City Electrician or his deputies shall then inspect
6 the premises and the apparatus which causes the interference.
7 If it is found that radio interference is being caused the City
8 Electrician shall notify the owner or operator of the equipment
9 causing the same in writing to have the interference eliminated
10 within 3 days.

11 Failure of the owner or operator of apparatus causing
12 radio interference, to eliminate the same within three days after
13 receiving notice from the City ^{Electrician} ~~Engineer~~ shall constitute a
14 violation of this ordinance and the City Electrician shall have
15 the power to disconnect the electrical service from said
16 premises.

17 The City Electrician or his authorized deputies shall
18 have the right to enter the premises at any reasonable time to
19 inspect equipment reported to be causing interference.

20 SECTION 13.

21 RESPONSIBILITY:

22 This Ordinance shall not be construed to relieve from
23 or lessen the responsibility or liability of any party owning,
24 operating, controlling, or installing any electric wiring,
25 electric devices and/or electric material for damages to person or
26 property caused by any defect therein, nor shall the City be held
27 as assuming any such liability by reason of the inspection
28 authorized herein, or certificate of inspection issued as herein
29 provided.

30 SECTION 14.

31 INTERPRETATION CLAUSE:

32 The City Electrician is hereby empowered to make

1 interpretations of this Ordinance wherever there is a question as
2 to materials or methods or manner in which the materials shall be
3 installed. Said interpretations shall be in writing and shall be
4 final as to that class of installation.

5 Electricians or any other person may have a final
6 approved certificate on application, provided, however, the work
7 meets all requirements.

8 SECTION 15.

9 RECORDS OF PERMITS AND INSPECTIONS:

10 The City Electrician shall keep complete records of all
11 permits issued and inspections made and other official work
12 performed under the provisions of this Ordinance.

13 SECTION 16.

14 PAYMENTS TO CITY CLERK:

15 The City Clerk shall pay all moneys collected by him
16 into the city treasury daily.

17 SECTION 17.

18 PENALTIES:

19 Every person, firm or corporation, violating any of the
20 provisions of this Ordinance shall be deemed guilty of a
21 misdemeanor and upon conviction thereof shall be punishable by a
22 fine of not more than five hundred (\$500.00) dollars or by
23 imprisonment in the City Jail for a period of not more than one
24 hundred ~~and~~ eighty (180) days or by both such fine and
25 imprisonment.

26 Every person, firm, or corporation violating any of the
27 provisions of this Ordinance shall be deemed guilty of a separate
28 offense for each day or portion thereof during which such
29 violation continues and shall be punishable therefor as herein
30 provided.

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1 SECTION 18.

2 It shall be unlawful for any person, firm or corporation,
3 either as owner, architect, contractor, artisan or otherwise, to do
4 or cause or permit to be done any electrical wiring or any
5 installing of electrical apparatus or fixtures in such manner that
6 the same shall not conform to all of the provisions of this
7 Ordinance.

8 SECTION 19.

9 It shall be unlawful for any person, firm or corporation
10 to use or permit or cause to be used, any electrical apparatus or
11 fixtures when said apparatus or fixtures or the installation of
12 same does not conform to all the requirements of this Ordinance.

13 SECTION 20.

14 REPEAL OF CONFLICTING ORDINANCES:

15 All Ordinances or parts of Ordinances conflicting with
16 the provisions of this Ordinance are hereby repealed.

17 SECTION 21.

18 If any section, sub-section, sentence, clause or phrase
19 of this Ordinance shall for any reason be held to be
20 unconstitutional or otherwise invalid, such decision shall not
21 affect the validity of the remaining portions of this Ordinance.

22 The Council of the City of Modesto hereby declares that
23 it would have passed this Ordinance and each section, sub-section,
24 clause and phrase thereof irrespective of the fact that any one or
25 more sections, sub-sections, sentences, clauses or phrases be
26 declared unconstitutional or otherwise invalid.

27 SECTION 22.

28 This Ordinance shall take effect and be in full force
29 and operation from and after fifteen days after its final passage
30 and adoption.

31 SECTION 23.

32 This Ordinance shall be published in full at least once

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

3
4 The foregoing Ordinance was introduced at a regular
5 meeting of the Council of the City of Modesto held on the 27th
6 day of November, 1935, by Commissioner Pack, who moved its adoption
7 and passage to print, which motion being duly seconded, was
8 carried and the Ordinance ordered printed and published by the
9 following vote:

10 AYES: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

11 NOES: Councilmen: None

12 ABSENT: Councilmen: None

13
14 Approved:


J. H. KING
MAYOR

15
16 Attest:


H. E. GRAGG
CITY CLERK

FINAL ADOPTION CLAUSE

1
2 Ordinance No. 506-N.S. having been introduced and
3 ordered printed and published at a regular meeting of the Council
4 of the City of Modesto held on the 27th day of November 1935,
5 and thereupon printed and published as required by the Charter
6 of the City of Modesto, coming on for final adoption this 11th
7 day of December, 1935, it was upon roll call finally adopted
8 by the following vote:

9 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

10 Noes: Councilmen: None

11 Absent: Councilmen: None
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14 Approved: J. H. King
Mayor

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16 ATTEST W. E. Pugh
City Clerk
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Repealed by Ord 1051-N.S.

ORDINANCE NO.507-N.S.

AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF A BUREAU OF FIRE PREVENTION AND DEFINING THE POWERS AND DUTIES THEREOF

---oOo---

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

Section 1.

A Bureau of Fire Prevention in the Fire Department of the City of Modesto is hereby established. The Head of said Bureau of Fire Prevention shall be known as Fire Marshall and the office of Fire Marshall is hereby created and established.

The Chief of the Fire Department of the City of Modesto shall occupy said office of Fire Marshall and said Chief of the Fire Department is hereby appointed to said office of Fire Marshall.

The Fire Marshall may designate and appoint such members of the Bureau of Fire Prevention, as shall from time to time be authorized by the City Council. Said members of the Bureau of Fire Prevention so appointed shall be known as Inspectors. Said Inspectors and said Fire Marshall shall serve as members of the Bureau of Fire Prevention without compensation of any kind.

Section 2.

It shall be the duty of the officers of the Bureau of Fire Prevention to enforce all laws and ordinances covering the following:

1. The prevention of fires.
2. The storage and use of explosives and inflammables.
3. The installation and maintenance of automatic and other fire alarm systems, except the construction, maintenance and operation of the fire and police alarm systems belonging to the City, and other electrical power and communicating systems or equipment owned or hereafter to be constructed or operated by the City.

- 1 4. The installation and regular inspection of
2 fire extinguishing equipment.
- 3 5. The means and adequacy of exit, in cases of
4 fire, from factories, schools, hotels, lodg-
5 ing houses, asylums, hospitals, churches, halls,
6 theatres, amphitheatres, and all other places
7 in which numbers of persons work, live or con-
8 gregate from time to time for any purpose.
- 9 6. The maintenance and regulation of fire escapes.
- 10 7. The investigation of the cause, origin and
11 circumstances of fire.
- 12 8. The removal of all rubbish, trash or any ob-
13 jects whatsoever from alleys or streets that
14 in any way prevent or might prevent, the free
15 passage over or through said alleys or streets,
16 of vehicles belonging to the Fire Department
17 of the City of Modesto.
- 18 9. The enforcement of the provisions of the gar-
19 bage ordinance (Ordinance No. 424-N.S.) and
20 amendments thereto, in so far as removal of
21 garbage is concerned, and to prevent the
22 burning of any refuse, waste material or rubb-
23 ish on any streets, public or private lot, or
24 park or open space within the City, as specifi-
25 ed in Section 8 of said Ordinance 424-N.S.,
26 and to prevent the deposit or leaving of any
27 refuse, waste material or garbage on any street,
28 alley, way or public lot or park or open space
29 within the City.
- 30 10. Such other powers as are set forth in other
31 sections of this ordinance and as may be con-
32 ferred and imposed from time to time by law.

Section 3.

The Fire Marshall, or any Inspector, may at all reasonable hours enter any building or premises within his jurisdiction for the purpose of making any inspection, or investigation which, under the provisions of this ordinance, he, or they, may deem necessary to be made.

Section 4.

The Fire Marshall, or any Inspector specially designated thereto, shall inspect as often as may be necessary, but not less than four times a year in any event, all specially hazardous manufacturing processes, storages or installations of

1 gases, chemicals, oils, explosives and flammable materials, all
2 interior fire alarms and automatic sprinkler systems, and such other
3 hazards or appliances as the Fire Marshall shall designate, and
4 shall make such orders as may be necessary for the enforcement of
5 the laws and ordinances governing the same and for safeguarding of
6 life and property from fire.

7 Section 5.

8 It shall be the duty of the Fire Marshall to in-
9 spect, or cause to be inspected by the officers of the Bureau of
10 Fire Prevention, or by the Fire Department officers and members,
11 as often as may be necessary, but not less than twice a year in
12 outlying districts and four times a year in the closely built
13 portions of the City, all buildings and premises except the in-
14 terior of private dwellings, for the purpose of ascertaining and
15 causing to be corrected any conditions liable to cause fire, or
16 any violations of the provisions or intent of any ordinance of
17 the City affecting fire hazard.

18 Whenever any Inspector, as defined above, shall
19 find in any building or upon any premises, combustible or explos-
20 ive matter, or dangerous accumulations or rubbish or unnecessary
21 accumulation of waste paper, boxes, shavings, or any highly
22 flammable materials, and which is so situated as to endanger
23 stairs, passageways, doors or windows, liable to interfere with
24 the operations of the Fire Department or egress of occupants in
25 case of fire, he shall order the same to be removed or remedied.

26 Section 6.

27 The Fire Marshall or an Inspector of the Bureau
28 of Fire Prevention, upon the complaint of any person or whenever
29 he or they shall deem it necessary, shall inspect all buildings and
30 premises within their jurisdiction. Whenever any of said officers
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1 shall find any building or other structure which, for want of re-
2 pair, lack of sufficient fire escapes, automatic or other fire
3 alarm apparatus or fire extinguishing equipment, or by reason of
4 age or delapidated condition, or from any other cause is especially
5 liable to fire, and which is so situated as to enganger other prop-
6 erty or the occupants thereof, and whenever such officer shall find
7 in any building combustible or explosive matter or flammable con-
8 ditions dangerous to the safety of such building or the occupants
9 thereof, he or they shall order such dangerous conditions or mat-
10 erials to be removed or remedied.

11
12 Section 7.

13 The service of such orders as mentioned in Sections
14 4, 5 and 6 may be made upon the occupant of the premises to whom
15 it is directed, either by delivering a copy of the same to such
16 occupant personally or by delivering the same to and leaving it
17 with any person in charge of the premises, or in case no person
18 is found upon said premises, then by affixing a copy thereof in
19 a conspicuous place on the door to the entrance of the said
20 premises. Whenever it may be necessary to serve such order upon
21 the owner of premises such order may be served either by deliver-
22 ing to and leaving with the said person a copy of the said order,
23 or if such owner is absent from the jurisdiction of the officer
24 making or delivering said order, then by mailing such copy to the
25 owner's last known postoffice address.

26 Any such order shall forthwith be complied with by
27 the owner or occupant of such premises or building. If such order
28 is made by one of the Inspectors of the Bureau of Fire Prevention,
29 such owner or occupant may within twenty-four hours appeal to the
30 Fire Marshall, who shall within five days review such order and
31 file his decision thereon, and unless by his authority the order
32 is revoked or modified, it shall remain in full force and be complied

1 with within the time fixed in said order or decision of the Fire
2 Marshall. If the Fire Marshall shall make and serve an order on
3 the occupant or owner of a building to remove or remedy dangerous
4 conditions existing in said building, as set forth in Section 6 of
5 this ordinance, then the appeal of the said owner or occupant as
6 set forth in this section shall be made to the City Council. Said
7 Council within five days thereafter shall file a decision thereon,
8 and unless by its authority the order is revoked or modified, it
9 shall remain in full force and be complied with within the time
10 fixed in said decision of said City Council. Provided, however,
11 that any such owner or occupant may, within five days after the
12 making or affirming of any such order by the Fire Marshall or the
13 City Council, as provided in this Section, file his petition
14 with the Police Court, praying a review of such order and it shall *
15 be the duty of such Court to hear the same within not less than
16 five days nor more than ten days from the time the petition is
17 filed with said Court, and to make such order in the premises
18 as right and justice may require and such decision shall be final.
19 Such parties so appealing to the said Police Court shall file with
20 said court within two days a bond in an amount to be fixed by said
21 court, to be approved by said Court, conditioned to pay all costs
22 of such appeal in case such appellant fails to sustain his appeal
23 or the same is dismissed for any cause.

24 Section 8.

25 The Bureau of Fire Prevention shall investigate
26 the cause, origin and circumstances of every fire occurring in
27 the City by which property has been destroyed or damaged, and
28 so far as possible shall determine whether the fire is the
29 result of carelessness or design. Such investigations shall be
30 begun immediately upon the occurrence of such fire by the Inspector
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1 in whose district the fire occurs, and if it appear to the officer
2 making such an investigation that such fire is of suspicious
3 origin, the Fire Marshall shall be immediately notified of the
4 facts. Said Fire Marshall, upon such notice, shall take immediate
5 charge of the physical evidence revealed by the investigation of
6 said Inspector that shows or tends to show that said fire was of
7 suspicious origin, and shall notify the proper authorities design-
8 ated by law to pursue the investigation of such matters, and
9 shall further cooperate with the authorities in the collection
10 of evidence and in the prosecution of the case. Every fire shall
11 be reported in writing to the Bureau of Fire Prevention within
12 two days after the occurrence of the same, by the officer in
13 whose jurisdiction such fire occurred. Such report shall be in
14 such form as shall be prescribed by the Fire Marshall, and shall
15 contain a statement of all facts relating to the cause, origin
16 and circumstances of such fire, and extent of the damage thereof,
17 and the insurance upon such property, and such other information
18 as may be required.

19 Section 9.

20 The City Attorney, upon request of the Bureau of Fire
21 Prevention, shall assist the Inspectors in the investigation of
22 any fire which, in their opinion, is of suspicious origin.

23 Section 10.

24 It shall be the duty of the Fire Marshall to require
25 teachers of public, private and parochial schools and educational
26 institutions to have one fire drill each month and to keep all
27 doors and exits unlocked during school hours.

28 Section 11.

29 The Fire Marshall shall keep in his office a record
30 of all fires and of the facts concerning the same, including
31 statistics as to the extent of such fires and the damage caused
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1 thereby, and whether such losses were covered by insurance, and
2 if so, in what amount. Such record shall be made daily from the
3 reports made by the Inspectors under the provisions of this
4 ordinance. All such records shall be public.

5 The annual report of the Bureau of Fire Prevention
6 shall be made on or before the 1st day of August of each year
7 and transmitted to the Mayor of the City of Modesto. It shall
8 contain all proceedings under this ordinance, with such statistics
9 as the Fire Marshall may wish to include therein.

10 The Fire Marshall shall recommend any amendments
11 to this ordinance which in his judgment shall be desirable.

12 Section 12.

13 If any section, subsection, sentence, clause or
14 phrase of this ordinance is for any reason held to be invalid or
15 unconstitutional, such decision shall not affect the validity of
16 the remaining portions of this ordinance. The Council of the City
17 of Modesto hereby declares that it would have passed this ordinance
18 and each section, subsection, clause and phrase thereof irrespect-
19 ive of the fact that any one or more sections, subsections,
20 sentences, clauses or phrases be declared invalid or unconstitution-
21 al.

22 Section 13.

23 Any person violating any of the provisions of this
24 ordinance shall be deemed guilty of a misdemeanor and upon a first
25 conviction thereof shall be punished by a fine of not more than
26 \$ 25.00 or by imprisonment in the County Jail for a period of not
27 more than twelve and one-half days, and upon a second conviction
28 thereof, said person so convicted shall be punished by a fine of
29 not more than \$ 50.00 or by imprisonment in the County Jail for
30 a period of not more than twenty-five days, or by both such
31 fine and imprisonment.

1 Section 14.

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

5 Section 15.

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


9
10 The foregoing ordinance was introduced at a
11 regular meeting of the Council of the City of Modesto held on the
12 27th day of November, 1935, by Commissioner Stanley, who moved its
13 adoption and passage to print, which motion being duly seconded
14 was upon roll call carried and the ordinance ordered printed and
15 published as above by the following vote:

16 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King


17 Noes: Councilmen: None

18 Absent: Councilmen: None

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20 APPROVED:


J. H. KING
MAYOR

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23 ATTEST:


H. E. GAGO
CITY CLERK

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FINAL ADOPTION CLAUSE

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2
3 Ordinance No. 507-N.S. having been introduced and
4 ordered printed and published at a regular meeting of the
5 Council of the City of Modesto held on the 27th day of
6 November 1935, and thereupon printed and published as required
7 by the Charter of the City of Modesto, coming on for final
8 adoption this 11th day of December, 1935, it was upon roll call
9 finally adopted by the following vote:

10 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

11 Noes: Councilmen: None

12 Absent: Councilmen: None
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16 APPROVED: J. F. King
17 Mayor

18 ATTEST N. E. Gray
19 City Clerk
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ORDINANCE NO.508-N.S.

AN ORDINANCE AMENDING SECTION 8 OF ORDINANCE 487-N.S. OF THE CITY OF MODESTO (LICENSE ORDINANCE) RELATIVE TO DELINQUENT DATE OF LICENSES

--- oOo ---

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

Section 1.

Section 8 of Ordinance No. 487-N.S., entitled: AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES, is hereby amended so as to read as follows:

"Section 8. The collector shall, at the hour of 5:00 o'clock P.M. on the 30th day after licenses are payable, add to all licenses remaining unpaid a penalty of twenty-five percent of the amount of such delinquent license, and no license shall be issued to such delinquent until both the license and penalty shall have been paid.

The collector shall deposit daily with the City Treasurer all moneys collected by him for licenses issued and shall, on or before the 15th day of each month, report the amount thereof to the City Council."

Section 2.

This ordinance shall go into effect from and after its final passage and adoption.

Section 3.

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

See Ord
No. 549-175
Repealed by Ord 1149-N

REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

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1 The foregoing ordinance was introduced at a
2 regular meeting of the Council of the City of Modesto held on
3 the 27th day of November, 1935, by Councilman Oliver, who moved
4 its adoption and passage to print, which motion being duly second-
5 ed was upon roll call carried and the ordinance ordered printed
6 and published as above by the following vote:

7 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

8 Noes: Councilmen: None

9 Absent: Councilmen: None

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11 APPROVED:


J. H. KING
MAYOR

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14 ATTEST:


H. E. BRAGG
CITY CLERK

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FINAL ADOPTION CLAUSE

Ordinance No. 508-N.S. 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 1935, and thereupon printed and published as required by the City of Modesto, coming on for final adoption this 11th day of December, 1935, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: J. H. King
Mayor

ATTEST: V. E. Gandy
City Clerk

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ORDINANCE NO.509-N.S.

AN ORDINANCE AMENDING SECTION 111 OF ORDINANCE NO.487-N.S. OF THE
CITY OF MODESTO (LICENSE ORDINANCE)

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

Section 1.

Section 111 of Ordinance No. 487-N.S., entitled: AN
ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON
OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE
CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES,
AND REPEALING CERTAIN ORDINANCES, is hereby amended to read as
follows:

"Section 111. Every person conducting, carrying on
or managing an auto camp, in which there are four or less apart-
ments, shall pay a license of \$ 5.00 per year, and for each addit-
ional apartment the sum of \$ 1.00 per year."

Section 2.

All ordinances or parts of ordinances in conflict
with the terms and provisions of this ordinance are hereby repealed.

Section 3.

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

The foregoing ordinance was introduced at a reg-
ular meeting of the Council of the City of Modesto held on the 27th
day of November, 1935, by Commissioner Neece, who moved its adopt-
tion, and passage to print, which motion being duly seconded, was
upon roll call carried and the ordinance ordered printed and
published as above by the following vote:

1 Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

2 Noes: Councilmen: None

3 Absent: Councilmen: None

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APPROVED: 
J. H. KING
MAYOR

ATTEST: 
H. E. GRAZE
CITY CLERK

FINAL ADOPTION CLAUSE

Ordinance No. 509-N.S. 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 1935, and thereupon printed and published as required by the City of Modesto, coming on for final adoption this 11th day of December, 1935, it was upon roll call finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. H. King
Mayor

ATTEST: _____

H. E. King
City Clerk

SPECIAL
NOT IN CODE

ORDINANCE NO. 510 N.S.

2 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE
3 PURCHASE OF RIGHTS OF WAY ON LA LOMA AND 19TH STREETS;
4 APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A BRIDGE
5 ON SYCAMORE AVE. ACROSS M.I.D. LAT. NO. 4; APPROPRIATING MONEY AND
6 PROVIDING FOR THE CONSTRUCTION OF A NEW WELL; AND APPROPRIATING
7 MONEY AND PROVIDING FOR THE REPAIR AND IMPROVEMENT OF THE LAKE
8 MODESTO DAM.

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

10 SECTION I

11 The sum of Four Thousand Eight Hundred Fifty (\$4850.00)
12 Dollars, or so much thereof as may be necessary, is hereby
13 appropriated from the General Fund of the City of Modesto for the
14 purchase of Rights of Way on La Loma and 19th Streets.

15 SECTION II

16 The sum of Five Thousand (\$5000.00) Dollars, or so much
17 thereof as may be necessary, is hereby appropriated from the
18 General Fund of the City of Modesto for the construction of a
19 bridge on Sycamore Ave. across M.I.D. Lat. No. 4.

20 SECTION III

21 The sum of One Thousand Eight Hundred (\$1800.00) Dollars,
22 or so much thereof as may be necessary, is hereby appropriated
23 from the Water Fund of the City of Modesto for the construction of
24 a new well.

25 SECTION IV

26 The sum of Three Thousand (\$3000.00) Dollars, or so
27 much thereof as may be necessary, is hereby appropriated from the
28 General Fund of the City of Modesto for the repair and improvement
29 of the Lake Modesto Dam.

30 SECTION V

31 The City Engineer shall, upon the adoption of this
32 Ordinance, from time to time as required by the Council, file with
the Council plans and specifications of the labor and material
required in accordance with Sections I, II, III, and IV of this

1 Ordinance. Upon the approval of such plans and specifications by
2 the Council, the City Clerk shall from time to time, as directed
3 by the Council, advertise for bids for said construction, and
4 bids shall be received and accepted and contracts awarded there-
5 fore as the Council may hereafter by resolution determine and
6 prescribe.

7 SECTION VI

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

13 SECTION VII

14 The foregoing Ordinance was introduced at a regular
15 meeting of the Council of the City of Modesto held on the 11th
16 day of December, 1935 by Councilman Roy Pack, who moved
17 its adoption and passage to print, which motion being duly
18 seconded, was carried and the Ordinance ordered printed and
19 published by the following vote:

20 AYES: Councilmen: Neece, Oliver, Pack, Stanley and Mayor King

21 NOES: Councilmen: None

22 ABSENT: Councilmen: None

23
24 Approved

J. H. King
Mayor

25 Attest

W. E. Pack
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 11th day of December, 1935, 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, 1935, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: _____

J. King
MAYOR

ATTEST: _____

Stephenson
CITY CLERK

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1 ORDINANCE No. 511 N.S.

2 AN ORDINANCE AMENDING SECTION XXXIII of ORDINANCE No. 396-
3 N.S. of the City of Modesto, entitled "AN ORDINANCE PROVIDING FOR
4 PROPERTY TAXES IN AND FOR THE CITY OF MODESTO, AND PROVIDING A
5 SYSTEM FOR THE ASSESSMENT, LEVY AND COLLECTION THEREOF; AND FUR-
6 THER PROVIDING FOR THE LEVY AND COLLECTION OF PUBLIC IMPROVEMENT
7 ASSESSMENTS AND OTHER PURPOSES IN SAID CITY.

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

9 Section 1.

10 Section XXXIII of Ordinance No. 396-N.S. entitled "AN OR-
11 DINANCE PROVIDING FOR PROPERTY TAXES IN AND FOR THE CITY OF
12 MODESTO, AND PROVIDING A SYSTEM FOR THE ASSESSMENT, LEVY AND
13 COLLECTION THEREOF; AND FURTHER PROVIDING FOR THE LEVY AND
14 COLLECTION OF PUBLIC IMPROVEMENT ASSESSMENTS AND OTHER PURPOSES
15 IN SAID CITY, is hereby amended to read as follows: In all
16 cases where real estate has been sold for delinquent taxes or
17 charges to the City of Modesto, prior to the year 1935, and has
18 not been disposed of by said City, the person whose estate has
19 been so sold to said City, his heirs, executors, administrators
20 or other successors in interest, shall, before July 1st, 1936,
21 have the right to redeem such property by paying to the Treasurer
22 of the City of Modesto, the taxes and costs due thereon, at the time
23 of said sale to said City, with interest on the same at the rate
24 of 8% per annum from the date of said sale, of each year follow-
25 ing the one in which the taxes were levied and/or assessed, but
26 without any other delinquency or redemption penalty. In the event
27 the property shall not have been assessed for any of said years,
28 then the taxes for the year during which no assessment has been
29 made shall be upon the value of the property as assessed for the
30 fiscal year nearest the date of said sale to said City, with
31 interest thereon at 8% per annum from the first day of July
32 following the year in which the property escaped assessment.

1 specified in said certificate, and the giving of either of the
2 receipts aforesaid by the Treasurer, any deed that may have been
3 made to the City shall become null and void, and all right, title
4 and interest acquired by the City under and by virtue of said tax
5 sale shall cease and determine,

6 Nothing in this ordinance shall be construed as preventing
7 or prohibiting the redemptioner from paying any and all of the
8 taxes, costs and charges aforesaid --- at one time and in one
9 payment.

10 . Section 7.

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

14 Section 8.

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

18
19 The foregoing Ordinance was introduced at a regular meeting
20 of the Council of the City of Modesto held on the 16th
21 day of December, 1935, by Councilman Oliver,
22 who moved its adoption and passage to print, which motion being
23 duly seconded was upon roll call carried and adopted by the
24 following vote:

25 Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King

26 Noes: Councilmen: none

27 Absent: Councilmen: none

28 Passed 12-16-35
29 Final 12-26-35
Effective 1-11-36

Attest:

J. H. King
Mayor

W. E. Gung
City Clerk.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 16th day of December, 1935, 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, 1935, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King

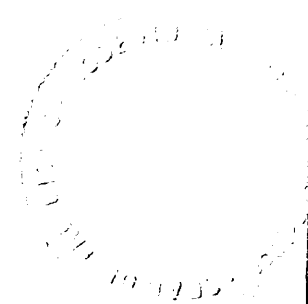
Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: Jst King
MAYOR

ATTEST: W E Gray
CITY CLERK

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ORDINANCE NO. 512-N.S.

AN ORDINANCE PROVIDING FOR THE LICENSING, CARE, AND MAINTENANCE
OF DOGS AND DOG KENNELS, AND PROVIDING A PENALTY
FOR THE VIOLATION THEREOF.

---o00o---

CODE SEC.

NO. 5
5-4.201
5-4.211

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

Section 1.

All persons who own, control, harbor, possess, or keep any dog over the age of three months in the City of Modesto, or in or upon any property belonging to said city shall procure a license from the City Clerk of the City of Modesto for said dog. The annual license fee for dogs over the age of three months shall be as follows: \$2.00 for a male and/or spayed dog and \$5.00 for a female dog.

Section 2

It is hereby made the duty of the City Clerk to annually procure and issue upon proper application therefor, by any person owning, controlling, harboring, or keeping any dog, a serial numbered metallic license tag, stamped with the name of the City of Modesto and the year of issuance, together with a number. The applicant for said license shall state the age, sex, color, and breed of the dog for which the license is desired, and the address of the owner of said dog. The Clerk, upon the issuance of said license, shall endorse upon the application, the number of the license tag issued, and all applications so endorsed shall be kept on file in the office of the City Clerk and shall be open to public inspection.

The person to whom said license is issued shall affix or cause to be affixed the metallic license tag hereina ove set forth, to the collar of said dog for whom said license is issued. and said dog shall thereafter, at any and all times, have attached to said dog's collar said license tag aforesaid.

1 The license issued by the Clerk in this section provided
2 shall not be transferable.

3 Section 3.

4 Whenever a metallic license tag, as provided for in section
5 2 hereof, issued for the current year, has been lost or taken
6 or stolen by parties unknown to the owner or person having con
7 trol of the dog for which the same was issued, such owner or
8 person having control of such dog, may on the payment of the
9 sum of Fifty (50) cents and on the making and subscribing to an
10 affidavit of such loss of said tag, receive from the City Clerk
11 a duplicate license tag for the remaining portion of the year for
12 which the original license was issued.

13 Section 4.

14 No dog shall be permitted in or upon any public street,
15 alley, park, park-way, or other public place in the City of Modesto
16 or in or upon any property belonging to said City, unless said dog
17 shall be on a leash and is under the complete control of the person
18 owning or at the time in possession of said dog. Said leash in
19 no event shall be of a length greater than eight feet.

20 Notwithstanding anything in this ordinance to the contrary,
21 no person shall be compelled to keep any dog in his possession on
22 a leash while in or upon any public street, alley, park, park-way,
23 or other public place in the City of Modesto if at the time said
24 dog is securely confined in an automobile.

25 Section 5

26 No person shall be compelled to muzzle any dog except in
27 cases of emergencies. Such emergencies shall be deemed to exist
28 when and if the Health Officer of the City of Modesto shall de-
29 termine and report to the City Council of said City that there is
30 in the city or country surrounding said City, an epidemic of rabies.
31 When and if said Health Officer reports as aforesaid, then all
32 persons in the City of Modesto owning, possessing, keeping or

1 harboring any dog or dogs shall cause the same to be muzzled and
2 to remain muzzled, except when said dog or dogs are eating,
3 until said Health Officer shall publicly and officially declare
4 that such epidemic is at an end.

5 Section 6.

6 Upon the ^{written} complaint of any citizen that there is in the
7 City of Modesto any dog licensed under the provisions of this
8 ordinance whose owner is violating any of the provisions of
9 said ordinance, or that said dog is a nuisance and/or disturbing
10 the peace and quiet of any of the citizens of the city, the
11 poundman of the city shall forthwith investigate said complaint
12 to determine the truth or falsity thereof. Following a fair
13 and impartial investigation into the truth or falsity of the
14 complaint aforesaid, and within five days thereafter, said
15 poundman shall make a written report of his findings, together
16 with his recommendation, to the City Council. Said City Council
17 shall thereafter cause a day or night to be named for the taking
18 of evidence to determine whether or not the license issued for
19 the dog about whom said complaint is made shall be revoked
20 at a time not less than seven days after written notice of said
21 hearing is served, as hereinafter set forth, on the owner or
22 person in possession of said dog. Said written notice shall
23 state the nature of said complaint and a summary of the report
24 of said poundman, together with his recommendation. In the event
25 that said City Council at the hearing aforesaid shall determine,
26 from the report of said poundman and/or from other evidence
27 presented to said Council, that the owner or person in possession
28 or control of said dog has violated any of the provisions of this
29 ordinance or that said dog is disturbing the peace and quiet of
30 any of the citizens of the city, said Council may revoke the
31 license issued by the Clerk of the City to the applicant for
32 said dog license.

1 or,

2 2. If he be absent from his place of residence, and from
3 his usual place of business, by leaving a copy with some
4 person of suitable age and discretion at either place, and sending
5 a copy through the mail addressed to the owner of said dog at his
6 place of residence; or,

7 3. If such place of residence and business cannot be
8 ascertained, or a person of suitable age or discretion there
9 cannot be found, then by sending a copy of said notice through
10 the mail addressed to the owner of said dog at the last known
11 address of said owner.

12 If no person appears and redeems said dog within five days
13 from the giving of notice as herein provided, said poundman shall
14 cause and direct said dog to be humanely killed.

15 Section 10.

16 All persons, firms, corporations, or associations keeping,
17 maintaining, or operating a kennel in the City of Modesto, shall
18 pay to the city a license fee of Ten (\$10.00) Dollars per
19 annum, in addition to the other license fees set forth in
20 section 1 of this ordinance. A kennel is herein defined as any
21 place where three or more dogs over the age of three months are
22 kept or maintained. No license shall be issued by the City
23 Clerk to any person, firm, corporation, or association to maintain
24 and/or operate any kennel unless and until the applicant for said
25 kennel license shall obtain the written consent of seventy-five
26 (75%) percent of the property owners within a radius of three
27 hundred feet of the proposed kennel. Any person who owns property
28 under contract, or the administrator or executor of any estate
29 shall be considered, for the purpose of this ordinance, the owner
30 of property.

31 Section 11.

32 Veterinary hospitals are excluded from the provisions of

1 this ordinance.

2 Section 12.

3 Any person violating any of the provisions of this
4 ordinance shall be deemed guilty of a misdemeanor, and upon a
5 conviction thereof shall be punished by a fine of not more than
6 Five Hundred (\$500.00) Dollars or by imprisonment in the county
7 jail for not more than six months, or by both such fine and
8 imprisonment.

9 Section 13.

10 If any section, sub-section, sentence, clause, or phrase
11 of this ordinance is for any reason held to be unconstitutional
12 or invalid, such decision shall not affect the validity of the
13 remaining portion of this ordinance. The City Council hereby
14 declares that it would have passed this ordinance, and each
15 section, sub-section, sentence, clause or phrase thereof irre-
16 spective of the fact that any one or more sections, sub-sections,
17 sentences, clauses, or phrases be declared unconstitutional.

18 Section 14.

19 All ordinances, or parts of ordinances, in conflict with
20 this ordinance are hereby repealed.

21 Section 15.

22 This ordinance shall go into effect and be in full force
23 and operation from and after fifteen days after its final
24 passage and adoption.

25 Section 16.

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

29 The foregoing ordinance was introduced at a regular
30 meeting of the Council of the City of Modesto held on the 26th
31 day of December, 1935, by Councilman Stanley,
32 who moved its adoption and passage to print, which motion being

1 duly seconded and upon roll call carried and the ordinance
2 ordered printed and published as above by the following vote:
3 Ayes: Councilmen: Stanley, Oliver, Pack and Mayor King
4 Noes: Councilmen: Neece,
5 Absent: Councilmen: None

7 APPROVED:

J. H. King

J. H. KING
MAYOR

10 ATTEST:

H. E. Grace

H. E. GRACE
CITY CLERK.

11 Passed Dec 26-1935
12 Final Jan 8-1936
13 Effective Jan 25-1936

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, 1935, 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, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Stanley, Pack, Oliver and Mayor King

Noes: Councilmen: Neece

Absent: Councilmen: None

APPROVED

J. H. King
MAYOR

ATTEST:

H. E. Gandy
CITY CLERK

REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 513 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 364 N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE CREATING RESIDENCE AND NON-RESIDENCE DISTRICTS IN THE CITY OF MODESTO, AND PROVIDING FOR THE USE OF PROPERTY IN THE CITY LIMITS AND ESTABLISHING SET BACK LINES AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREIN CONTAINED".

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

Section 1.

Section 1 of Ordinance No. 364 N.S. entitled "AN ORDINANCE CREATING RESIDENCE AND NON-RESIDENCE DISTRICTS IN THE CITY OF MODESTO, AND PROVIDING FOR THE USE OF PROPERTY IN THE CITY LIMITS AND ESTABLISHING SET BACK LINES AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE PROVISIONS HEREIN CONTAINED" is hereby amended by adding to and incorporating in section 1 thereof a new subdivision designated (4) and to read as follows:

Beginning at the intersection of the center lines of G and 18th streets, thence Northwesterly along the center line of 18th Street to the center line of H Street; thence continuing Northwesterly along the center line of 18th Street produced to the center line of the alley running Northeasterly and Southwesterly in Blocks 132 and K; thence running Northeasterly along the center line of the alley in Blocks 132 and K to the center line of Downey Avenue; thence East along the center line of Downey Avenue to the center line of Kimble Street; thence North along the center line of Kimble Street to the center line of the alley running East and West in Block 580; thence East along the center line of the alley running East and West in Block 580, to the center line of the alley running North and South in Block 580; thence North along the center line of the alley running North and South in Block 580, to the center line of the alley running East and West in Block 580; thence East along the center line of the alley running East and West in Block 580, to the center line of High Street; thence South along the center line of High Street to the center line of Downey Avenue; thence East along the center line of Downey Avenue to the center line of James Street; thence South along the center line of James Street to the intersection of the produced East and West center line of Block 204; thence West along the center line of Block 204 to the center line of Burney Street; thence South along the center line of Burney Street to the center line of G Street; thence Southwesterly along the center line of G Street to the point of beginning.

This description includes all of Block 133, the Southeasterly portion of Block 132, all of Block K, all of Block L, the South portion of Block 580, all of Block 200 and the North half of Block 204, as shown on the Official Map of the City of Modesto, adopted January 22, 1930.

1 The above described district is hereby designated as a
2 business district to permit the erection of buildings thereon
3 to be used for business purposes without complying with the
4 procedure required for erecting business buildings for business
5 purposes as required in residential districts.

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

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

12 The foregoing ordinance was introduced at a regular
13 meeting of the Council of the City of Modesto held on the 26th
14 day of December, 1935, by Councilman Pack,
15 who moved its adoption and passage to print, which motion being
16 duly seconded, was carried and the ordinance ordered printed and
17 published by the following vote:

18 AYES: Councilmen: Oliver, Pack, Neece, Stanley and Mayor King
19 NOES: Councilmen: None
20 ABSENT: Councilmen: None

21
22 Passed 12-26-35
23 Fused 1-8-36
Effective 1-25-36

Approved: _____

Mayor J. H. King

Attest: _____

City Clerk H. C. Crayg

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, 1935, 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, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:

J. H. King
MAYOR

ATTEST:

A. G. Gray
CITY CLERK

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Amended
by Ord. 1083 N.S.
CODE SEC.
NO. 6-7.30
6-7.312

ORDINANCE NO. 514 N.S.

AN ORDINANCE REGULATING THE BUSINESS OF DEALING
IN USED MOTOR VEHICLES, DEFINING A USED MOTOR
VEHICLE DEALER, PROVIDING FOR THE LICENSING OF
SUCH DEALERS, AND PROVIDING PENALTIES FOR THE
VIOLATION OF THIS ORDINANCE.

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

Section 1.

For the purpose of this ordinance, words and phrases in this ordinance shall be held to mean, unless the context shows a different meaning, the following: The word "person" shall mean and include natural persons, associations, corporations, and co-partnerships. The masculine shall include the feminine and neuter and the singular the plural. "Used motor vehicle" shall mean any second-hand vehicle which is self-propelled, whether designed for transportation of persons or property. "Used motor vehicle dealer" is defined to be any person, firm, corporation, or association engaged in, conducting, managing, or carrying on the business of buying, selling, or offering for sale, consigning to be sold, or otherwise dealing in used motor vehicles.

Section 2.

From and after the effective date of this ordinance, every person who begins the operation of the business of a used motor vehicle dealer shall, when he applies for a license, deposit with the collector, in addition to the sums set forth in section 101 of ordinance No. 487 N.S. of the City of Modesto entitled "An ordinance providing for licensing and regulating the carrying on of certain professions, trades, callings, and occupations in the City of Modesto, providing the method of collecting such licenses, and repealing certain ordinances" the sum of Five Hundred (\$500.00) Dollars. Said sum of Five Hundred (\$500.00) Dollars shall be paid at the same time that said proposed used motor vehicle dealer applies for a license and/or permit to carry on said business.

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Section 3.

All persons desiring to engage in, conduct, or carry on the business of a used motor vehicle dealer shall file a verified application with the City Clerk of the City of Modesto, together with the deposit fee provided in section 2 of this ordinance, together with the deposit and license fees provided for in section 101 of ordinance No. 487 N.S. of the City of Modesto. Said application shall be verified by the applicant and shall set forth the name of the applicant, whether said applicant is an individual, co-partnership, corporation, or association. Said verified application shall contain the name and address of said applicant or applicants, and if said applicant is a corporation the application aforesaid shall contain the name and address of the president and secretary of said corporation and its principal place of business; if said applicant is a co-partnership, said application shall contain the names and addresses of said co-partners. Said application shall contain a statement that said used motor vehicle business shall be carried on at a fixed place of business where said used motor vehicles will be displayed for sale, or trade, and a description of the premises wherein and/or whereon said business is sought to be conducted or maintained.

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Section 4.

Said application shall be referred to the City Council, which may order an investigation and examination to be made of the applicant for said license and of the premises at which said applicant proposes to conduct said business, and such further examination as the Council deems proper under the circumstances to determine whether or not said license should be granted.

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Section 5.

Said deposit of Five Hundred (\$500.00) Dollars as set forth in Section 2 of this ordinance shall constitute a guarantee that

1 the license fee for the first quarter following the commencement
2 of said business will be paid, and that all of the terms and
3 regulations herein set forth will be complied with by said
4 applicant. Said sum of Five Hundred (\$500.00) Dollars is to be
5 refunded to said applicant at the expiration of eighteen months
6 from the date of the issuance of the license for said applicant,
7 provided said business is still operating and all charges imposed
8 upon the same under the terms of this ordinance have been paid;
9 and providing further in this respect that every change of
10 ownership of said used motor vehicle dealer shall be construed
11 as the commencement of a new business by the owner and shall
12 require the deposit of Five Hundred (\$500.00) Dollars as above
13 stated, together with the deposit and license fees set forth in
14 section 101 of Ordinance No. 487 N.S. of the City of Modesto;
15 provided further that in the event that the transfer of ownership
16 is made to a person who has been licensed to carry on the
17 business of a used motor vehicle dealer in the City of Modesto,
18 for a period of three months prior to the final adoption of this
19 ordinance, said new owner shall be required to pay a deposit in
20 the amount set forth in section 101 of Ordinance No. 487 N.S.,
21 and no other deposit shall be required.

22 Section 6.

23 Applicants who are successful in securing a license and/or
24 permit to carry on in the City of Modesto the business of used
25 motor vehicle dealer shall maintain said business only upon the
26 premises described in said applicant's application for said
27 license and/or permit. Said applicant may change his place of
28 business from the premises described in said application to
29 premises described in a new application upon the payment to
30 the City Clerk of said city of the sum of Five (\$5.00) Dollars.

31 Section 7.

32 Any dealer licensed under and by virtue of the provisions

1 of this ordinance and maintaining and/or conducting the business
2 of used motor vehicle dealer in the City of Modesto may secure
3 a permit and/or license to operate and maintain one or more other
4 used motor vehicle dealer's places of business upon filing an
5 application therefor with the City Clerk, and in addition thereto
6 by paying to said City Clerk the license fee in the sum of Five
7 (\$5.00) Dollars for each additional location applied for. Any
8 person licensed pursuant to this ordinance who discontinues the
9 business of used motor vehicle dealer for a period exceeding
10 ninety days shall be construed to have relinquished said license
11 and/or permit and the same shall be terminated and become void
12 after the expiration of said period of time. Conducting business
13 under this section shall mean the maintenance of a place of
14 business for the sale, purchase, and/or exchange of used motor
15 vehicles with an employee or other person in attendance at said
16 place of business for not less than eight hours each regular
17 business day.

18 Section 8.

19 Every used motor vehicle dealer must have in addition to the
20 license permit herein provided for, a state license, and the
21 number assigned by the Motor Vehicle Department of California
22 to said applicant must be filed with the City Clerk prior to
23 the issuance of a license and/or permit hereunder. In the event
24 the Motor Vehicle Department shall fail or refuse to issue to any
25 used motor vehicle dealer such a state license, the license herein
26 provided for may be denied or may be recalled or cancelled as the
27 case may be.

28 Section 9.

29 Every used motor vehicle dealer shall keep a record of the
30 purchase, consignment, sale or exchange of each and every motor
31 vehicle purchased, sold, consigned to be sold, or exchanged by
32 him or them. Said record shall contain a complete description of

1 the official newspaper of the City of Modesto.

2 The foregoing ordinance was introduced at a ^{Special} regular meeting
3 of the Council of the City of Modesto held on January 10, 1936,
4 by Councilman Pack, who moved its adoption and
5 passage to print as aforesaid, which motion being duly seconded
6 was upon roll call carried, and the ordinance ordered published
7 as above by the following vote:

8 Ayes: Councilmen , Neece, Stanley, Pack, Oliver and Mayor King

9 Noes: Councilmen , None

10 Absent: Councilmen , None

11 *Passed 1-10-36*
12 *Final 1-22-36*
Effective 2-7-36

13
14 APPROVED: *J. H. King*
J. H. KING, MAYOR.

15
16 ATTEST: *H. E. Gragg*
H. E. GRAGG, 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 10th day of January, 1936, 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 22nd, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver and Mayor Pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

APPROVED: _____

J. H. King
Mayor

ATTEST _____

H. E. Gragg
City Clerk

ORDINANCE NO. 515-N.S.

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3 AN ordinance to Take Elk Park out of Park System was introduced
4 at a Special meeting of the Council held on March 4, 1936
5 The ordinance was not drafted by the City Attorney, nor published,
6 At the regular meeting of March 11, 1936 this ordinance was
7 voted down.and
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CODE SEC:
NO. 6-1.104

ORDINANCE NO. 516²N.S.

AN ORDINANCE AMENDING ORDINANCE NO 487-N.S. ENTITLED "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSE AND REPEALING CERTAIN ORDINANCES" BY ADDING A NEW SECTION THERETO TO BE NUMBERED 3A.

Section 1.

Ordinance No. 487-N.S. entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSE, AND REPEALING CERTAIN ORDINANCES", is hereby amended by adding a new section thereto to be numbered as follows: 3A.

Every person carrying on any profession, trade, calling or occupation shall keep at all times all records of accounts, invoices, receipts and other papers or documents showing the gross income of such person for the taxable quarter.

It shall be unlawful for any such person to fail, neglect or refuse to produce said records of accounts, invoices, receipts and other papers or documents for examination by any auditor, deputy auditor tax collector or deputy tax collector of the City of Modesto, when requested by said auditor, deputy auditor, tax collector or deputy tax collector, so to do.

Said Auditor, deputy auditor, tax collector or deputy tax collector, may by the issuance of a subpoena duly signed by the City Clerk of the City of Modesto, order any person carrying on any profession, trade, calling or occupation in the City of Modesto to produce all of said person's records of accounts, invoices, receipts or other papers or documents showing the gross income of such person for the taxable quarter, at the office of the City Clerk in the City of Modesto, for examination by said auditor, deputy auditor, tax collector or deputy tax collector.

Section 11

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

Section 111

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on March 11, 1936, by Councilman Oliver, 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: Neece, Pack, Stanley Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Passed 3-11-36
Final 3-25-36
Effective 4-10-36

APPROVED:

J. N. King
Mayor

ATTEST

A. E. Gandy
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 11th day of March, 1936, 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 25, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. King

Mayor

ATTEST

W. E. ...

City Clerk

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SPECIAL
NOTS IN CODE

ORDINANCE NO. 517-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR AN EXTENSION TO REPAIR SHOP BELONGING TO CITY OF MODESTO

---oOo---

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

Section 1. The sum of \$2000 00 or so much thereof as may be necessary, is hereby appropriated out of the general funds of the City of Modesto not heretofore appropriated, for the construction of an addition or extension to that certain repair shop now situate in the Corporation Yard at the corner of Eighth and L Streets in the City of Modesto, County of Stanislaus, State of California.

Section 2. The City Engineer shall prepare and file with the City Council drawings and specifications for the construction of said improvement. Upon the approval of such plans and specifications by the Council, the City Clerk shall from time to time as directed by the Council advertise for bids for said construction and bids shall be received and accepted, and contracts awarded therefor as the Council may hereafter by resolution determine and prescribe.

Section 3. This ordinance shall go into effect from and after 15 days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1936 by Councilman Roy Paak, who moved its adoption and passage to print, which motion being duly seconded was carried and the ordinance ordered printed and published as

1 above by the following votes:

2 Ayes: Councilmen: Pack, Oliver, Neece, Stanley and Mayor King

3 Noes: Councilmen: None

4 Absent: Councilmen: None

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Passed 3-11-36
Final 3-25-36
Effective 4-10-36

APPROVED J. H. King
J. H. KING, MAYOR OF
THE CITY OF MODESTO

ATTEST H. E. Gragg
H. E. GRAGG, 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 March, 1936 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 25th, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Paak, Stanley, Oliver, and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


J. H. KING, MAYOR OF
THE CITY OF MODESTO

ATTEST:


H. E. GRAGG, CITY CLERK

ORDINANCE NO. 518 N.S.

AN ORDINANCE AMENDING ORDINANCE NO. 494--N.S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE PROVIDING FOR MILK INSPECTION DEPARTMENT OF THE CITY OF MODESTO" BY ADDING A NEW SUBDIVISION TO SECTION 5 THEREOF.

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

Section 1.

Ordinance No. 494--N.S. of the City of Modesto entitled "AN ORDINANCE PROVIDING FOR MILK INSPECTION DEPARTMENT OF THE CITY OF MODESTO" is hereby amended by adding to section 5 of said ordinance a new subdivision, bearing the letter "d", as follows:

No person, firm, corporation, association or co-partnership shall sell, deliver, give away, or permit to be sold, delivered or given away any pasteurized milk or cream within the corporate limits of the City of Modesto unless said pasteurized milk or cream was pasteurized within the said corporate limits of the said City of Modesto.

Section 2.

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

Section 3.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1936, by Commissioner Stanley, who moved its adoption and passage to print, which motion being duly seconded was upon roll call carried and the ordinance ordered

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printed and published as above by the following vote:

Ayes: Councilmen: necee, Stanley, Pack, Oliver and Mayor King
Noes: Councilmen: none
Absent: Councilmen: none

Passed 4-8-36
Filed 4-22-36
Effective 4-8-36

APPROVED: J. H. King
J. H. KING
MAYOR

ATTEST: H. E. Cragg
H. E. CRAGG
CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1936 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 22, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Pack and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. King

Mayor

ATTEST

H. G. Gray

City Clerk

Received
by [signature] 795-118

ORDINANCE NO. 519-N.S.

AN ORDINANCE PRESCRIBING THE RULES AND REGULATIONS FOR THE AIRPORT OF THE CITY OF MODESTO; PRESCRIBING THE RULES AND REGULATIONS FOR THE FLYING, TAKING OFF AND LANDING OF AIRCRAFT ON SAID MUNICIPAL AIRPORT AND THE FLYING OF AIRCRAFT OVER SAID CITY; FIXING THE LANDING AND RENTAL FEES TO BE PAID FOR USING SAID AIRPORT AND PROVIDING FOR THE COLLECTION OF SAID FEES AND REPEALING ORDINANCES NO. 321-N.S. and 328-N.S. OF THE CITY OF MODESTO.

The Council of the City of Modesto ordains as follows:

SECTION 1. DEFINITIONS: Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section.

ACROBATIC FLYING: The flying of any aircraft with intentional maneuvers not necessary to air navigation.

AIRCRAFT OF THE UNITED STATES: Any aircraft registered and licensed by the United States Government, excluding identified aircraft.

AIRMAN: Any individual who engages in the piloting or navigation of any aircraft while under way, and any individual who is in charge of the inspection, overhauling or repairing of aircraft, including the person in command and any pilot, mechanic or member of any crew.

FLY OR FLIGHT: Every kind of locomotion by an aircraft except taxiing.

AIRPORT: The real property held, leased or owned by the City of Modesto located in Sec. 4, T. 3 S. R. 9 E., M.D.B.M. and which is used for airport purposes; and which shall be officially known as the "Modesto Municipal Airport."

LICENSED AIRCRAFT: Any aircraft licensed by the United States Government and registered as such.

LICENSED PILOTS: Any pilot licensed by the United States Government.

STUDENT PILOTS: Any person who holds a valid permit from the United States Government allowing him or her to operate

REPEALED BY
MUNICIPAL CODE

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MUNICIPAL CODE

1 licensed aircraft while learning to fly.

2 PASSENGER: Any person riding in an aircraft but having no
3 part in its operation.

4 PILOT: Any person piloting or in command of any aircraft
5 in flight.

6 SOLO FLIGHT: The flight of any aircraft navigated by one
7 airman alone and carrying no passengers.

8 AIRPORT SUPERINTENDENT: The person appointed as
9 Superintendent of the Airport in accordance with the provisions of
10 Resolution 2857-N.S.

11 SECTION 2. NAVIGATION OVER THE CITY OF MODESTO AND THE
12 AIRPORT: Only aircraft and airmen licensed by the Secretary of
13 Commerce of the United States, shall operate on or over the Port
14 or Port Area of the City of Modesto; provided, however, this
15 restriction shall not apply to public aircraft of the Federal
16 Government or of a State, Territory or possession, or of a
17 political subdivision thereof, or to aircraft licensed by a
18 foreign country with which the United States has a reciprocal
19 agreement covering the operation of such licensed aircraft, except
20 as may be otherwise provided by the statutes of the State of
21 California.

22 The air traffic rules as established by the Secretary of
23 Commerce under the authority of said Air Commerce Act of 1934,
24 and now in effect, are hereby adopted by reference and made a
25 part of these rules as fully as if the same and each and all of
26 them were completely set forth herein.

27 No person shall use the airport as a base or terminal for
28 the carrying on of commercial aviation, or the carrying of
29 passengers, freight, express, or mail, or for student flying,
30 communications, or other commercial purpose or transportation
31 without first securing a permit from the Airport Manager.

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1 The Airport Manager shall issue permits of this nature after
2 obtaining the approval of the Airport Superintendent.

3 No student pilot shall take off or land on said Airport
4 for the purpose of making a solo flight over the City of Modesto.

5 SECTION 3. FIELD RULES: (a) Administration: Every
6 visiting pilot landing on the airport shall, immediately after
7 landing, register with the Airport Manager his or her name,
8 address, type of aircraft flown, license or military number of
9 said aircraft and the name of its owner, the time of arrival, the
10 expected time of departure, the service required and such other
11 information as may be required for record purposes.

12 No pilot other than a Transport Pilot shall, for hire or
13 reward, teach the art of flying on said Modesto Municipal Airport.
14 See Aeronautics Bulletin No. 7.

15 It shall be the duty of every person participating in or
16 witnessing any accident happening over or on said Airport to
17 promptly make a detailed report of such accident to the Airport
18 Superintendent which report shall include the names and addresses
19 of all available witnesses.

20 No person shall engage in the sale of refreshments or of
21 any other commodity or service within the confines of the Airport
22 without previously having secured a permit from the Airport
23 Manager of the City of Modesto, and having paid or made
24 satisfactory arrangements to pay such fees or other sums of money
25 as said Manager may determine for such privilege.

26 All pilots, mechanics, student pilots and other persons
27 stationed or employed upon said Airport shall register their names,
28 addresses, telephone numbers and their business or occupation with
29 the Airport Manager.

30 The Manager of the Airport shall, at all times, have
31 authority to take such action as may be necessary in the handling,
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1 conduct and management of the public while flying or in attendance
2 at the Airport.

3 Payment for storage, repairs, supplies and other services
4 rendered by the Airport shall be made before clearance will be
5 granted, unless other satisfactory arrangements have been made.

6 All repairs to aircraft and engines shall be made in the
7 spaces designated for the purpose and not on the area reserved for
8 landings and taking-off.

9 No persons shall take or use any aircraft, or any parts or
10 tools thereof, owned, controlled or operated by any other person,
11 while such aircraft, parts or tools are stored, housed or otherwise
12 left on the said airport or within its hangars, without the
13 written consent of the owner or operator thereof; or other
14 satisfactory evidence of the right to do so duly presented to the
15 Manager.

16 All pilots shall obey signals from the warning siren as
17 follows:

18 (1) When one (1) long blast of the siren is sounded, no
19 aircraft except arriving or departing transport or mail aircraft
20 shall land on or take off from said Airport until two (2) short
21 blasts of the siren are sounded.

22 (2) When two (2) short blasts of the siren are sounded
23 all flying operations may resume.

24 (3) Repeated long blasts of the siren shall constitute a
25 fire alarm.

26 (B) Taxiing: No aircraft shall be taxied into or out of
27 any hangar.

28 When aircraft without brakes is being taxied near hangars
29 or other structures or aircraft, there shall be a man at each wing tip.
30 The speed for such craft shall not exceed ten (10) miles per hour.

31 (C) Running Motors: Aircraft shall be started and warmed
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1 up only in the places designated for such purposes by the Airport
2 Manager. At no time shall any engines be tuned up in such position
3 that hangars, shops or other buildings, or any group of people in
4 the observation areas, shall be in the path of the propeller stream.

5 No aircraft motor shall be run inside of any hangar.

6 No aircraft shall be supplied with fuel while located in
7 any hangar or other enclosed place or while the motor of such
8 aircraft is running.

9 Blocks, equipped with ropes or other suitable means of
10 pulling them, shall always be placed in front of the wheels before
11 starting the engine or engines.

12 No aircraft engine shall be started or run unless licensed
13 airmen are in attendance.

14 All unhoused aircraft shall be parked in the space
15 designated for this purpose and shall be at the owner's risk.

16 The parking line shall be designated by the Airport Manager.

17 All persons instructing student pilots in flying on the
18 airport shall fully acquaint such students with the rules and
19 regulations in effect on the airport.

20 A dead line shall also be designated by the Airport Manager
21 and no person, excepting the pilot or mechanic attached to the
22 airport or employed by the owner of a plane or an operator on said
23 airport or an owner of such plane, or duly authorized officers or
24 officials charged with the duty of enforcing local, state or
25 federal laws or regulations, shall cross the dead line or enter
26 upon the flying field unless he is to participate in a flight. If
27 such person is to participate in a flight he shall not cross the
28 dead line until the plane in which he is to fly has come to a full
29 stop and the pilot thereof has signalled that he is ready. Such
30 person shall, upon alighting from the plane, leave the landing area
31 by the shortest possible route.

1 A dead line is indicated at the airport by a fence and
2 other suitable markers. It may be changed from time to time as
3 conditions require.

4 Aircraft owners, his pilot, or agent, shall be responsible
5 for the prompt disposal, under the direction of the Manager of the
6 Airport, of wrecked aircraft and the parts thereof to avoid all
7 interference with field operations, unless directed to delay such
8 action pending investigation of the accident.

9 No rubbish shall be thrown or scattered upon said Airport.

10 Parking spaces and drives are provided, and automobiles
11 and other vehicles shall stay within these limits.

12 No person shall operate any motor vehicles in excess of
13 fifteen miles per hour upon any roadway or portion of any area
14 upon the airport used for the traffic or parking of automobiles.

15 SECTION 4. FIRE: No person shall smoke in any hangar or
16 any room or building on the airport, except offices, waiting rooms,
17 or buildings in which smoking is specifically authorized.

18 Repairs on storage floors of hangars shall be limited to
19 inspections and replacement of parts and repairs incident thereto,
20 provided such repairs do not involve appliances using open flames
21 or highly heated parts other than electric soldering irons.

22 Each hangar on said Airport shall have placed therein one
23 carbon tetrachloride fire extinguisher with a minimum capacity of
24 one and one-half ($1\frac{1}{2}$) quarts, one two and one-half ($2\frac{1}{2}$) gallon
25 foam type fire extinguisher for each 3,500 square feet or fraction
26 thereof of floor area, and also two barrels containing clean dry
27 sand and scoops. Each building, other than a hangar, shall have
28 placed therein, one two and one-half ($2\frac{1}{2}$) gallon soda and acid
29 fire extinguisher. The City of Modesto shall furnish and be the
30 owner of all the fire apparatus mentioned herein.

31 No automobiles, motor trucks or tractors shall enter
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1 hangars except in connection with operations on the Airport.

2 SECTION 5. FEEs: The charges or fees to be paid to the
3 Airport Manager for use of the Airport shall be as follows:

4 Item 1: For hangars or other buildings, to store or keep
5 aircraft, twenty-five (25) cents per month per front foot of space
6 occupied, measured along the front line of same, when such space
7 is leased for one or more months. The space occupied by a single
8 airplane shall, for the purposes of this Section, be the total wing
9 spread plus ten feet, providing, however, that no fee shall be less
10 than \$10.00 per plane per month.

11 Item 2: Field storage of aircraft shall be at the owners
12 risk.

13 Hangar Rentals Daily

14 Min. rate \$1.50 per day under 50 wing span

15 Aircraft wing span from 51 to 60 ft. \$1.75 per day

16 Aircraft wing span from 61 to 70 ft. 2.00 per day

17 Aircraft wing span over 70 ft. 3.00 per day

18 Item 3: For aircraft not operated by lessees of ground
19 space for use of field for commercial purposes, the following fees,
20 in addition to hangar rentals, shall be charged:

21 Aircraft of 4 places or less shall pay \$10.00 per month.

22 For all planes over 4 places, arrangements shall be made
23 with the Airport Manager and Superintendent.

24 Rates for all transient planes operated commercially shall
25 be determined by the Airport Manager.

26 Planes operating on a regular daily schedule from said
27 Airport shall pay the following fees:

28 For one landing per day \$ 7.50 per month

29 For two landings per day 10.00 per month

30 For three landings per day 15.00 per month

31 For four landings per day 20.00 per month

32 For each additional landing per day, at the rate of \$2.50
per month. For the purposes of this Section, a month shall be

1 deemed to consist of thirty days and portions of a month shall be
2 paid for on a pro-rata basis.

3 Item 4. For the use of one bank of flood or landing lights
4 for each separate take-off and/or landing, fifty (50¢) cents each.

5 Item 5. For the privilege of installing a station for
6 the supplying of aircraft with aircraft fuel and oils and the use
7 of the necessary ground space for such station the fees to be paid
8 shall be as follows:

9 A minimum of Five (\$5.00) Dollars per month plus the
10 following amounts per gallon of gasoline or other aircraft fuel
11 dispensed through the service station equipment to be placed upon
12 said parcel of land:

13 1. One-quarter ($\frac{1}{4}$) cent per gallon over One Thousand
14 (1000) gallons and less than Three Thousand One (3001) gallons per
15 month;

16 2. One-half ($\frac{1}{2}$) cent per gallon over Three Thousand (3000)
17 gallons and less than Five Thousand One (5001) gallons per month;

18 3. One (1) cent per gallon over Five Thousand (5000)
19 gallons per month.

20 Retail prices for aviation gasoline, auto gasoline, oils
21 or similar products sold to consumers shall at all times be the
22 same as those posted by the major oil companies.

23 Fees for ground space under the provisions of Item 1 of
24 this section shall be paid monthly in advance. Fees for the
25 privilege under the provisions of Item 5 of this Section shall be
26 paid each month for the next preceding month. All other fees shall
27 be paid in advance.

28 Delivery of aircraft fuel to aircraft on the Airport shall
29 not be made by tank trucks or out of drums by any person, firm or
30 corporation supplying such fuel who or which does not have
31 installed on the Airport a service station for which fees are paid
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1 in accordance with the provisions of Item 5 of this Section. Any
2 person, firm or corporation supplying aircraft fuel and having a
3 service station established on the Airport and paying the fees
4 required by Item 5 of this Section may supply fuel to aircraft by
5 tank trucks only in case of emergency or at such times as the
6 Airport Superintendent may permit.

7 SECTION 6. When there is no wind or a wind of less than
8 five miles an hour, airplanes shall land and take off into the
9 Northwest or as designated by the Airport Manager.

10 So far as practicable, any airplane taking off shall not
11 turn at less than 1,000 feet horizontally beyond the nearest edge
12 of the landing area, and if a turn is made it shall be to the left.
13 This rule shall apply up to a horizontal distance of 3,000 feet
14 beyond the nearest edge of the landing area unless the plane is
15 flying at a height in excess of 2,000 feet.

16 Except in the case of scheduled operators, or aircraft
17 operated by the Federal Government or other public authorities,
18 the Manager shall have authority to suspend flying operations on or
19 from the airport when, in his opinion, the condition of the landing
20 area and/or local meteorological conditions might make such
21 operations unsafe.

22 (a) Planes taking off should start the take-off from the
23 right of circle, near the end of the runway or landing area. The
24 take-off shall not be commenced until the pilot is assured that
25 there is no plane coming in for landing. During consultation
26 between student and instructor, the plane shall park off the
27 runway. All ground traffic shall keep on the right hand side of
28 the runway.

29 Aircraft landing or taking off shall proceed to and from
30 the operating line with the least delay consistent with safety.

31 Upon landing on the Airport, a pilot shall assure himself
32 that there is no danger of collision with other aircraft taking-off

1 landing, or taxiing before and while taxiing to the line or other
2 part of the Airport. All aircraft shall be taxied at a slow and
3 reasonable speed, not to exceed fifteen (15) miles per hour. When
4 in the vicinity of hangars and other buildings, the speed shall
5 not exceed ten (10) miles per hour, and shall be brought to a full
6 stop when in the vicinity of landing airplanes.

7 No person shall take any aircraft from the landing area or
8 hangars or operate same or ride as a passenger in the same while
9 under the influence of, or using intoxicating liquor or drugs.

10 Aircraft carrying the United States Mail, or operating in
11 connection with any regular schedules, passenger or other transport
12 line shall be given the right of way on landings and take-offs.

13 SECTION 6 A. All officers and members of the United States
14 Army, Navy, Marine Corps and Department of Commerce while actively
15 engaged in the service of the United States, and all aircraft
16 owned by and operated exclusively under the direction and authority
17 of the above mentioned branches of the United States Government,
18 shall be subject to the provisions contained in this ordinance
19 except as to licensing of aircraft and airmen. However, the fees
20 paid shall be one-half ($\frac{1}{2}$) the rates included herein.

21 SECTION 7. AIRPORT SUPERINTENDENT: There shall be an
22 Airport Superintendent appointed by the Commissioner of Public
23 Works in accordance with the provisions of the Charter and
24 ordinances of the City of Modesto. It shall be his duty to enforce
25 the provisions of this ordinance.

26 In recognition of the fact that aviation is in a pioneering
27 stage of development subject to the hazards of weather, the
28 exercise of judgment, and the integrity of structure and
29 accessories which hazards cannot be foreseen, discovered or guarded
30 against by the exercise of due diligence, care and skill, the
31 privilege of using the said Airport and its facilities, and
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1 flying to, from or over the same, shall be at all times conditioned
2 upon the assumption of full responsibility and risks therefor by
3 every person exercising or taking advantage of such privilege, who
4 shall, furthermore, at all times, release, hold harmless and
5 indemnify the City of Modesto, a municipal corporation, its
6 officers, agents, and employees from any and all responsibility,
7 liability, loss or damage resulting to such persons or his
8 property or caused by or on his behalf and/or incident to the
9 manner in which the Airport is operated, constructed or maintained
10 or served from within or used from without.

11 SECTION 8. VALIDITY: If any section, sentence, clause
12 or phrase of this ordinance is, for any reason, held to be
13 unconstitutional, such decision shall not affect the validity of
14 the remaining portions of this ordinance. The City Council of
15 the City of Modesto hereby declares that it would have passed
16 this ordinance, and each section, sentence, clause or phrase
17 thereof, irrespective of the fact that any one or more other
18 sections, sentences, clauses or phrases be declared unconstitutional.

19 SECTION 9. PENALTY FOR VIOLATION: Any person operating
20 or handling any aircraft in violation of these rules, or refusing
21 to comply therewith, may be promptly removed or rejected from the
22 Airport or be temporarily "grounded" by or under the authority of
23 the Superintendent of the Airport, and upon the order of the City
24 Council of the City of Modesto, may be deprived of the further
25 use of the Airport and its facilities for such length of time as
26 may be required to insure the safeguarding of the same and of the
27 public and its interests therein.

28 Any person, firm or corporation that violates, disobeys,
29 omits, neglects or refuses to comply with, or that resists or
30 opposes the execution of any of the provisions of this ordinance,
31 shall be guilty of a misdemeanor and upon conviction thereof shall
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1 be punished by a fine not to exceed Two Hundred and Ninety-nine
2 (\$299.00) Dollars or by imprisonment for not more than ninety (90)
3 days or by both such fine and imprisonment; and every such person,
4 firm or corporation shall be deemed guilty of a separate offence
5 for every day such violation, disobedience, omission, neglect or
6 refusal shall continue and shall be subject to the penalty imposed
7 by this section for each and every separate offence.

8 SECTION 10. REPEALING: Ordinances No. 321-N.S. and
9 328-N.S. and all other ordinances in conflict herewith are hereby
10 repealed.

11 SECTION 11. EFFECTIVE: This ordinance shall be in full
12 force and effect fifteen (15) days from and after its final
13 passage and adoption.

14 SECTION 12. This ordinance 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 April 22,
19 1936, by Councilman Park, who moved its adoption and
20 passage to print as aforesaid, which motion being duly seconded,
21 was upon roll call carried, and the ordinance ordered published
22 as above by the following vote:

23 AYES: Councilmen: Nees, Park, Stanley, Oliver and Mayor King

24 NOES: Councilmen: none

25 ABSENT: Councilmen: none

26 Passed 4-22-36
27 Final 5-13-36
28 Effective 5-29-36

29 Approved: J. King Mayor.

30 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 22nd day of April, 1936, 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 13, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. H. King

ATTEST

H. E. Gruff

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AN ORDINANCE PROVIDING FOR THE REGISTRATION OF BICYCLES IN THE CITY OF MODESTO AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Amended by Ord 567-N.S.

CODE SEC. 4
NO. 3-3.01
3-3.08 6

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

Section 1. It shall be unlawful for any person to operate or use a bicycle propelled wholly or in part by muscular power upon any of the streets, alleys or public highway of the City of Modesto, without first obtaining from the Police Department a license therefor.

Section 2. The Police Department is hereby authorized and directed to issue upon written application, bicycle licenses which shall be effective from the ~~1st~~ day of June, 1936 to and including December 31, 1936, and thereafter said licenses shall be issued for the calendar year, commencing on the first day of January of each of said calendar years and ending on the thirty-first day of December of said calendar year. Said licenses when issued, shall entitle the licensee to operate such bicycle for which said license has been issued, upon all the streets, alleys and public highways, exclusive of the sidewalks thereof, in the City of Modesto.

Section 3. The City of Modesto shall provide each year metallic license plates and seals, together with registration cards and isinglass holders therefor, said metallic license plates and registration cards having numbers stamped thereon in numerical order, beginning with Number 1, and indicating the year for which the same are issued, and the letters MBL stamped thereon; such metallic license plates shall be suitable for attachment upon the frames of bicycles, and it shall be the duty of the Police Department to attach one such metallic license plate to the frame of each bicycle, and to issue a corresponding registration card to the licensee upon the payment of the license fee

Amended by Ord 567-N.S.

VIII - 3

1 herein provided for. Such metallic license plate shall remain
2 attached during the existence of such license. The Police De-
3 partment shall also keep a record of the date of issue of each
4 license, to whom issued, and the number thereof.

5 Section 4. All persons engaged in the business of buying
6 second-hand bicycles are hereby required to make a daily report
7 to the Police Department, giving the name and address of the
8 person from whom each bicycle is purchased, the description of
9 each bicycle purchased, the frame number thereof, and the number
10 of the metallic license plate found thereon, if any. All persons
11 engaged in the business of selling new or second-hand bicycles
12 are hereby required to make a daily report to the Police Depart-
13 ment, giving a list of all sales made by such dealers, which list
14 shall include the name and address of each person to whom sold,
15 the kind of bicycle sold, together with a description and frame
16 number thereof, and the number of the metallic license plate at-
17 tached thereto, if any.

18 Section 5. It shall be the duty of every person who sells
19 or transfers ownership of any bicycle, to report such sale or
20 transfer by returning to the Police Department the registration
21 card issued to such person as licensee thereof, together with the
22 name and address of the person to whom said bicycle was sold or
23 transferred, and such report shall be made within five days of the
24 date of said sale or transfer. It shall be the duty of the pur-
25 chaser or transferee of such bicycle to apply for a transfer of
26 registration therefor, within five days of said sale or transfer.

27 Section 6. It shall be unlawful for any person to wilfully
28 or maliciously remove, destroy, mutilate or alter the number of
29 any bicycle frame licensed pursuant to this ordinance. It shall
30 also be unlawful for any person to remove, destroy, mutilate or
31 alter any license plate, seal or registration card during the time
32 in which such license plate, seal or registration card is opera-

1 tive. Provided, however, that nothing in this ordinance shall
2 prohibit the Police Department from stamping numbers on the
3 frames of bicycles on which no serial number can be found, or
4 on which said number is illegible or insufficient for identifi-
5 cation purposes.

6 Section 7. The annual license fee to be paid for each
7 bicycle shall be 25¢ and shall be paid in
8 advance; and pursuant to Section 5 of this ordinance, such
9 license may be transferred when the ownership of said bicycles
10 is transferred, and a fee of 25¢ shall be paid
11 for the registration of such transfer. All license fees col-
12 lected under this ordinance shall be paid into the General Fund
13 of the City of Modesto.

14 *Amended by Ord 567* Section 8. Every person, firm or corporation violating any
15 of the provisions of this ordinance shall be deemed guilty of a
16 misdemeanor, and upon conviction shall be punishable by a fine of
17 not more than five hundred dollars (\$500.00), or by imprisonment
18 in the City Jail for a period of not more than six (6) months, or
19 by both such fine and imprisonment. In addition to the penalty
20 hereinabove set forth, the Police Department of the City of Modesto
21 or any of the members thereof, may impound and retain possession
22 of any bicycle operated in violation of any of the provisions of
23 this ordinance, and retain possession of the same until the license
24 provided for herein is obtained by the owner of said bicycle.

25 Section 9. This ordinance shall be published in full at
26 least once at least three days prior to its final adoption in the
27 Modesto Bee, the official newspaper of the City of Modesto.

28 The foregoing ordinance was introduced at a regular meeting
29 of the Council of the City of Modesto held on the 22nd day of
30 April, 1936, by Councilman Stanley, who
31 moved its adoption and passage to print as aforesaid, which
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motion being duly seconded, was upon roll call carried, and
the ordinance ordered published as above by the following vote:

Ayes: Councilmen: *Neece, Beck, Stanley, Oliver and Mayor King*

Noes: Councilmen: *None*

Absent: Councilmen: *None*

ATTEST:

APPROVED:

A. E. Grady

City Clerk

J. H. King

J. H. KING, MAYOR OF THE
CITY OF MODESTO.

Passed 5-13-36
Final 5-23-36
Effective 6-1-36

FINAL ADOPTION CLAUSE

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The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 22nd day of April 1936, 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 13, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED J. H. King
ATTEST N. E. Gray

ORDINANCE NO. 521 N.S.

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 430 N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, ETC., SECTION 15 OF ORDINANCE NO. 424 N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE, ETC., AND SECTION 18 OF ORDINANCE No. 430 N.S., WHICH IS AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE.

CODE SEC.
NO. 5-5.8
5-5.197

Ord 770-N.S.
Ord 955-N.S.
Ord 960-N.S.

8 The Council of the City of Modesto do ordain as follows:
9 SECTION 1. Section 5 of Ordinance No. 430--N.S., entitled
10 AN ORDINANCE AMENDING SECTION 5, SECTION 10 and SECTION 18 of
11 ORDINANCE NO. 424--N.S., WHICH IS AN ORDINANCE REGULATING THE
12 COLLECTION AND DISPOSAL OF GARBAGE, ETC., is hereby amended so as
13 to read as follows: No collection shall be made and no cart,
14 truck, wagon, or vehicle used in making such collections shall
15 be or remain within the limits of Fire Zone No. 1, as now de-
16 fined, or as may hereafter be defined, or in or upon any part of
17 that certain alley running in a northerly and southerly direction
18 situate between 9th and 10th Streets in the City of Modesto and
19 extending from H Street to K Street in said City, between the
20 hour of 9 A. M. of any day and the hour of 6:30 P. M. of the
21 same day. No cart, truck, vehicle or other conveyance shall be
22 used for the collection of refuse, including garbage and swill,
23 unless the same be so constructed as to prevent the contents
24 from falling or spilling therefrom, nor shall any such cart, truck,
25 vehicle or conveyance be overloaded. Vehicles used in the col-
26 lection of swill shall be of metal, shall be water tight and
27 shall be provided with a metal cover. All other vehicles shall
28 be provided with a canvas cover. Every vehicle used in the col-
29 lection of garbage and/or swill shall be well painted and shall
30 be kept in a clean and sanitary condition, and shall be properly
31 marked in a conspicuous place to show its classification and
32 number.

1 SECTION 2. Section 15 of Ordinance No. 424-N.S. entitled AN
2 ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF GARBAGE,
3 REFUSE, WASTE MATTER AND SWILL IN THE CITY OF MODESTO, PROVIDING
4 FOR LICENSES FOR GARBAGE COLLECTORS, PROVIDING PENALTIES FOR THE
5 VIOLATION OF THE ORDINANCE AND REPEALING CONFLICTING ORDINANCES,
6 IS HEREBY AMENDED SO AS TO READ AS FOLLOWS: The license fee for
7 collecting and transporting garbage, including waste matter,
8 refuse and rubbish, through the streets of Modesto, as defined in
9 Section 14 of this ordinance, shall be the sum of \$300.00 per
10 quarter; said license fee shall entitle the person, firm, co-
11 partnership, association or corporation paying the same to employ
12 not more than six trucks, vehicles, carts or wagons for the pur-
13 pose of transporting garbage, including waste matter, refuse,
14 and rubbish through and upon said streets. For each truck used
15 as aforesaid in excess of the number herein specified the license
16 fee shall be \$ 50.00 per quarter. No such vehicle shall have
17 a greater capacity than 14 cubic yards.

18 The license fee for the business of collecting swill and
19 hauling or transporting the same through and upon the public
20 streets, alleys and other public places of and in the City of
21 Modesto shall be the sum of \$25.00 per quarter.

22 SECTION 3. Section 18 of said Ordinance No. 430-N.S. en-
23 titled AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF
24 GARBAGE, ETC., is hereby amended to read as follows: Permits to
25 dump or deposit garbage at the City dumps of the City of Modesto
26 may be obtained as herein specified:

27 a. GARBAGE PRODUCED WITHIN THE CORPORATE LIMITS. For the
28 disposal or deposit at the City dumping grounds of garbage pro-
29 duced within the City of Modesto, application for a permit shall
30 be made in writing to the Department of Public Works, and shall be
31 first filed with the City Clerk. The application shall state
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1 whether it is made on behalf of the producers of such garbage or
2 by a person licensed to transport the same through the streets
3 pursuant to Section 15 of this Ordinance. In the former case,
4 the applicant shall also state whether the garbage is produced
5 from industrial or manufacturing plants or commercial premises,
6 or from premises used for domestic or household purposes, the
7 location of the premises within the City of Modesto where the
8 same is produced, the name of the producer thereof, the approxi-
9 mate or estimated quantity to be produced, and the period of time
10 for which a permit is sought, which shall be for a period not
11 exceeding one year. In event the application is made by a person,
12 firm or corporation who is licensed to transport garbage through
13 the streets of the City of Modesto, or who has made an applica-
14 tion for such license, it shall specify the equipment to be used
15 therefor (including the number and classification of the vehicle)
16 and shall be accompanied by the license fee required under the
17 terms of this Ordinance.

18 Upon the receipt of such application, a note of the same shall
19 be made by the City Clerk, and he shall thereupon refer to the
20 City Engineer the application with the notation of the payment
21 of any fee, and the City Engineer shall issue a permit to the
22 applicant if he finds that the facts stated in the application
23 are true and that the applicant is entitled, under the terms of
24 this Ordinance, to a permit authorizing him to dump at the
25 municipal dumping grounds.

26 The permit, in either event, shall contain such description
27 of the applicant as to enable him to be identified and shall be
28 exhibited by him to the employee of the City of Modesto at the
29 municipal dumping ground in charge thereof and authorized by him
30 to inspect the same. Such employee shall not permit any garbage
31 to be dumped except upon the production and exhibition of such
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1 permit, and shall designate the portion of the dumping grounds
2 where said garbage may be deposited.

3 No person residing in the City of Modesto shall hereafter
4 be allowed to dump garbage, refuse, or anything or substance of
5 any kind or character in or upon the municipal dump until the
6 following fees are paid, to-wit: The sum of 10 cents for each 30
7 gallon can or less of waste, or garbage, and 5 cents for each
8 additional 30 gallon can or fraction thereof, when and if more
9 than one 30 gallon can is dumped at one time.

10 b. GARBAGE PRODUCED OUTSIDE OF THE CORPORATE LIMITS. Any
11 person who produces garbage, as defined in Section 1 of this
12 Ordinance outside the corporate limits of the City of Modesto may
13 deposit or dispose of the same at the City Dumps of the City of
14 Modesto upon obtaining a permit and paying the fees herein speci-
15 fied. Application therefor may be made to the employee of the
16 City of Modesto in charge of the City Dumps ~~located south of the~~
17 ~~airport.~~

18 A receipt for the fee or fees herein specified shall operate
19 as a permit, provided that the garbage proposed to be dumped or
20 deposited is of the kind that may be dumped or deposited under
21 the terms of this Ordinance. The fee for the use of the dumping
22 grounds for garbage produced beyond the corporate limits of the
23 City shall be as follows: A minimum of twenty-five cents (25¢)
24 for two 30 gallon cans, the equivalent of .3 of a cubic yard, and
25 ten cents (10¢) for each 30 gallon can, or .15 cubic yard in ad-
26 dition thereto, or sixty cents (60¢) per cubic yard or fraction
27 thereof. The payment of said fees is required for each deposit
28 at the dumping grounds. For a collector of garbage licensed under
29 this Ordinance who uses said dumping grounds for the disposal of
30 garbage collected beyond the City Limits, an additional fee of
31 Five Dollars (\$5.00) per quarter for each wagon or vehicle so
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1 employed, in addition to the license fees specified in Section 2
2 herein shall be paid to the City Clerk.

3 c. All garbage taken to the City dumping grounds shall be
4 deposited as and where directed by the City employee in charge
5 thereof. Bulk materials such as packing cases, automobile bodies
6 and other articles of a similar nature shall be broken up to a
7 reasonable size, so as to occupy as little space as is reasonably
8 necessary, before being deposited at the City dumping grounds.

9 The regulations contained in this sub-section c, shall apply to
10 garbage produced within as well as garbage produced outside of
11 the corporate limits of the City.

12 d. It is hereby made a misdemeanor for any person, firm or
13 corporation to dump or deposit refuse, waste matter, garbage or
14 rubbish on any part of the said dumping ground unless a permit
15 shall have been issued or the fee therefor paid, as in this
16 Ordinance specified, or to dump the same at said dumping ground
17 except as directed by the employee of the City of Modesto in
18 charge thereof.

19 e. There is hereby fixed by the City Council of the City of
20 Modesto, the rates that may be charged and collected by licensed
21 collectors of garbage from residents of the City of Modesto living
22 and residing in dwelling houses, apartment houses, duplex houses,
23 flats or from any other places of collection:

24 One (1) collection per week--50 cents (50¢) per month--each
25 collection consisting of one 30 gallon can of garbage.

26 Two (2) collections per week--75 cents (75¢) per month--each
27 collection consisting of not more than one 30 gallon can
of garbage.

28 In the event that more than the amount of garbage specified
29 above is collected each week by the collector, said collector
30 shall make his or their own financial arrangements with the pro-
31 ducer of said garbage for the collections of the same.

1 A different rate shall be charged and collected by a licensed
2 garbage collector for collections of garbage outside the corporate
3 limits of the City of Modesto as follows, to-wit:

4 Ten cents (10¢) per month for the collection of one 30
5 gallon can of waste or garbage, or fraction thereof,
6 per week.

7 Twenty cents (20¢) per month for the collection of two
8 30 gallon cans of waste or garbage, per week.

9 Thirty cents (30¢) per month for the collection of
10 three 30 gallon cans of waste or garbage, per week.

11 Forty cents (40¢) per month for the collection of four
12 30 gallon cans of waste or garbage, per week.

13 Ten cents (10¢) per month for the collection of each
14 30 gallon can per week in excess of the number herein
15 set forth.

16 Said rates herein set forth shall be in addition to the amounts
17 agreed upon by the collector and the producer for the collection
18 of garbage and waste by said licensed collector.

19 The collector shall make receipts in triplicate for all
20 moneys received from producers of garbage and waste matter outside
21 the corporate limits of the City of Modesto, one of which receipts
22 shall be given to the producer, one of which shall be deposited
23 with the City Clerk of the City of Modesto, and one of which shall
24 be retained by the collector. All moneys collected by the gar-
25 bage collector from persons residing outside of the corporate
26 limits of the City of Modesto as set forth in this Ordinance, and
27 which are in excess of the amount agreed upon by the collector
28 and the producer shall be deposited with the City Clerk of the
29 City of Modesto each quarter, together with a copy of receipt
30 given by said collector to said producer, and shall be and become
31 money belonging to the City of Modesto.

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

SECTION 5. This ordinance shall be published in full at

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 meeting
4 of the Council of the City of Modesto held on the 13th day of
5 May, 1936 by Councilman Stanley, who moved its adoption and
6 passage to print, which motion being duly seconded was upon roll
7 call carried and the Ordinance ordered printed and published as
8 above by the following vote:

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10 Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

11 Noes: Councilmen: None

12 Absent: Councilmen: none

13 Passed 5-13-36

14 Final 5-27-36

15 Effective 6-12-36

16 APPROVED:

J. V. King
MAYOR.

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18 ATTEST:

W. E. Grimes
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 May, 1936 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 27th, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. H. King
MAYOR

ATTEST

H. E. Quinn
CITY CLERK

*Amended by
Ord # 680-N.S.*

AN ORDINANCE AMENDING ORDINANCES 205 N. S. AND 146 N. S., BOTH BEING ORDINANCES RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXI-CABS IN THE CITY OF MODESTO, FIXING LICENSE FEE FOR THE OPERATION THEREOF, AND RELATING TO THE OPERATION OF THE SAME.

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

SECTION 1. That Section 2 of Ordinance No. 205 N.S. be, and the same is hereby amended so as to read as follows:

SECTION 2. In addition to the application required by this ordinance to be made by every person, firm, corporation or association for a license to operate the business of transporting passengers for hire in the City of Modesto, every person who desires to drive and operate any vehicle to be used in the City of Modesto for transporting passengers for hire shall pay a license fee to the City of Modesto in the sum of \$1.00 per annum, and shall make the following application to the City Collector:

Modesto, California, _____ (Date)

Application is hereby made for a license to drive and operate a vehicle in the City of Modesto to be used for the transportation of passengers for hire, and in that behalf applicant makes the following statements:

a. The name of applicant is _____

b. The address of applicant is _____

c. Applicant is a (sex) _____ (height) _____

Color of hair _____ color of eyes _____

Age _____ Weight _____

d. Applicant has complied with all of the laws of the State of California, governing the operation of vehicles for hire over and upon public highways in said state.

e. Applicant hereby tenders the sum of \$1.00, being the license fee for the right to drive and operate a passenger vehicle for hire, and agrees to pay to the City Tax and License Collector in advance a like sum annually.

f. Applicant covenants and agrees to comply with all the ordinances of the City of Modesto and the rules and regulations and ordinances of the Commissioner of said City having charge of the Police Department and the Chief of Police of said City in regard to traffic, and particularly agrees not to park or leave standing or permit to be parked or left standing any of

1 the vehicles used or driven by him under this license, ex-
2 cept in the parking spaces provided for the parking of ve-
3 hicles in the so-called down town section of the City of
4 Modesto, nor along the curb of any street where curb parking
5 is wholly or partially prohibited by any of the ordinances
6 of said City, except momentarily for the purpose of taking
7 on and/or discharging passengers.

8 g. Applicant further particularly agrees that any violation
9 by him of any of the terms of this application or of this
10 ordinance, or of any ordinance of the City of Modesto relat-
11 ing to traffic upon the public streets thereof, or for a
12 violation of any of the provisions of the California Vehicle
13 Code shall be sufficient grounds for the revocation by the
14 City Council of the City of Modesto of the license herein
15 applied for.

16 SECTION 2 $\frac{1}{2}$. Upon receipt of said application by the Col-
17 lector, together with the license fee herein specified, the Col-
18 lector shall refer the same to the Chief of Police for invest-
19 igation and report. Said Chief of Police, after such investi-
20 gation, shall make a report and file the same, with the applica-
21 tion, with the Collector. In the event the Chief of Police shall
22 determine that the applicant is not entitled to a license under
23 the terms of this ordinance because of the bad moral character
24 of said applicant, or because said applicant is unskilled in the
25 operation of a motor vehicle, and so reports to the Collector,
26 the license fee shall be returned to the applicant and the
27 license denied.

28 When and if said Chief of Police reports that said applicant
29 is of good moral character and is skilled in the operation of
30 motor vehicles and so reports to said Collector, the City Clerk
31 shall issue a license to said applicant, giving the date of the
32 issuance thereof, the name, address, the number of the license,
description of licensee, and a statement thereon that the same
may be revoked by the City Council upon two days' notice to show
cause to the licensee for failure to comply with the terms of this
ordinance or any other ordinance of the City of Modesto, or any
of the laws of the State of California relating to the driving

1 or operating of motor vehicles upon and over public highways in
2 said City and State.

3 The application for licenses herein provided for shall be
4 filed with the City Tax and License Collector at his office,
5 and each application numbered consecutively in order of filing.
6 Said license shall be entitled "CITY OF MODESTO'S OPERATOR'S
7 LICENSE." It must be signed by the licensee named therein and
8 shall be exhibited by said licensee to any officer upon demand.
Section 2 3/4 See Ord # 680-N.S.

9 SECTION 3. Section 6 of ordinance No. 146 N.S. entitled
10 "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXI-
11 CABS IN THE CITY OF MODESTO; FIXING LICENSE FEE TO BE PAID FOR
12 THE OPERATION THEREOF AND REGULATING THE OPERATION OF THE SAME,"
13 is hereby amended so as to read as follows: In event of the
14 violation by any licensee as herein provided for of any of the
15 terms of this ordinance, or of the application for a license,
16 or of the provisions of any other ordinance of the City of
17 Modesto relating to traffic, or any of the laws of the State of
18 California relating to traffic upon the public streets of said
19 city, or of the disobedience of said licensee of any of the
20 orders or directions of the Police Officers of the City of Mo-
21 desto with relation to traffic upon the public streets, or in
22 the event that such licensee drinks intoxicating liquor immediate-
23 ly prior to or while operating a passenger motor vehicle for hire,
24 or permits any passenger for hire to drive such vehicle, it shall
25 be the duty of the Chief of Police to serve upon said licensee
26 a notice to appear before the City Council to show cause why
27 the license should not be terminated and cancelled. Said notice
28 must be served not less than two days before the time fixed for
29 such hearing. The City Council shall have the right, upon such
30 hearing, to take sworn testimony in regard to the alleged viola-
31 tion and to determine whether or not the license shall be term-
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1 inated and cancelled. In the event of the termination and can-
2 cellation of such license under the provisions of this section
3 no new license shall be issued to such licensee for a period of
4 3 months thereafter, and in the discretion of said Council a
5 license to drive and operate a vehicle for the transportation
6 of passengers for hire may be withheld from said prior licensee
7 for all time thereafter.

8 SECTION 3 $\frac{1}{2}$. From and after the time that this ordinance
9 becomes effective, all persons, firms, corporations or associa-
10 tions engaged in the operation of or business of operating
11 motor vehicles for the purpose of transporting passengers, shall
12 present to the City Clerk of the City of Modesto and shall file
13 with said Clerk on the first day of each month a certificate
14 certifying that all of the taxi-cabs under his supervision and
15 control, and licensed to operate in the said City, are in good
16 mechanical condition, and that the same may be safely operated
17 upon and over the public streets of said City.

18 All taxi-cabs or other vehicles employed in the City of
19 Modesto for the purpose of transporting passengers for hire,
20 except vehicles operating from a fixed termini over regular
21 routes, shall be equipped with and carry a sign in the rear and
22 on the front part of said vehicle bearing the word "taxi", the
23 letters of which may be either Block or Gothic type and not ~~more~~
24 ~~ex~~ less than 5 inches in height and the stems of which letters
25 shall not be less than $\frac{3}{4}$ of an inch in width, together
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27 with the telephone number of the concern, company, corporation
28 or association owning said taxi-cab, which said telephone number
29 shall be in numerals either Block or Gothic type, not ~~more~~
30 less than 2 inches in height, with stems or lines $\frac{1}{4}$ of an
31 inch in width.

32 SECTION 4. This ordinance shall go into force and be in

1 effect from and after July 10th, 1936.

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

6 The foregoing ordinance was introduced by Councilman Stanley
7 at a regular meeting of the Council of the City of Modesto
8 held on the 10th day of June, 1936, and was adopted and passed
9 to print by the following vote:

10 Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King


11 Noes: Councilmen: None

12 Absent: Councilmen: None

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17 APPROVED:


18 _____
19 J. H. KING, MAYOR.

20
21 ATTEST:


22 _____
23 H. E. GRAGG, 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 June, 1936, 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 24, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. King
Mayor

ATTEST: _____

N. E. ...
City Clerk

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AN ORDINANCE AMENDING SUBDIVISION 1 OF SECTION 4 OF ORDINANCE NO. 482--N.S. ENTITLED "AN ORDINANCE REGULATING THE OPENING, CONDUCTING AND CARRYING ON OF DANCES IN PUBLIC DANCE HALLS IN THE CITY OF MODESTO, PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE SAME, AND A PENALTY FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF, AND DEFINING CERTAIN WORDS AND PHRASES.

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

Section I.

Subdivision 1 of section 4 of an ordinance of the City of Modesto, numbered 482--N.S. entitled "An Ordinance Regulating the Opening, Conducting and Carrying on of Dances in Public Dance Halls in the City of Modesto, Providing for the Issuance of Permits for the Same, and a Penalty for the Violation of any of the Provisions Hereof, and Defining Certain Words and Phrases", is hereby amended by omitting certain portions thereof, which said section as amended shall read as follows:

(1) No immoral, obscene or disorderly dance or dances shall be permitted thereat, nor shall any known prostitute, pimp, vagrant or procurer be permitted to be and remain at a public dance. No slot machine, wheels of chance, gambling device or paraphernalia shall be permitted upon the premises where a public dance is being held. The fee charged for admission to any public dance hall or ball room shall entitle the persons paying the same to participate in all dances or dancing exhibitions conducted thereat until two o'clock the next morning. No separate or individual fee shall be charged or collected for participation in any individual dance. No so-called jitney dances shall be allowed or permitted. The term "jitney dance" is defined to be a dance where a separate charge or fee is imposed and collected for single or individual dances. No dances shall be permitted where the owner, manager or proprietor of the dance hall or ball room undertakes to furnish or provide females for dancing partners or instructors.

1 Any member of the Police Department or the Commissioner of Health
2 and Safety or other properly constituted authority shall be ad-
3 mitted free of charge to any public dance hall in the said City
4 and they shall have the power and it shall be the duty of each of
5 them to cause any dance hall to be vacated whenever any provision
6 of this ordinance or any of any other ordinance, regulation or
7 law concerning dance halls has been or is violated, or whenever
8 any ordinance, regulation or law of any character shall be violated;
9 or whenever any indecent act shall be committed, or any vulgar
10 dance indulged in, or whenever any disorder or conduct of a gross,
11 violent or vulgar character shall take place therein, or any known
12 prostitute, pimp or procurer shall be found to be present in
13 such place.

14 Section II.

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

18 Section III.

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

22 The foregoing ordinance was introduced at a regular meeting of
23 the Council of the City of Modesto held on June 10th, 1936,
24 by Councilman Oliver, who moved its adoption and passage to
25 print as aforesaid, which motion being duly seconded was upon roll
26 call carried, and the ordinance ordered published as above by the
27 following vote:

28 Ayes: Councilmen: Oliver, Pack, Stanley, Neece and Mayor King

29 Noes: Councilmen: None

30 Absent: Councilmen: None

31 APPROVED:

J. H. King
J. H. KING, MAYOR.

32 ATTEST:

H. E. Gragg
H. E. GRAGG, 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 June, 1936, 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 24, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

Mayor

ATTEST: _____

City Clerk

1
SPECIAL
NOTES IN CODE
4

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO, A MUNICIPAL CORPORATION.

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

6 SECTION I. The sum of \$2500.00, or so much thereof as may
7 be necessary, is hereby appropriated out of the General Funds
8 of the City of Modesto not heretofore appropriated, for the
9 purchase from the owner thereof of Lots 14, 15 and 16 in Block
10 40 of the City of Modesto, Stanislaus County, California.

11 SECTION II. The sum of \$8500.00, or so much thereof as may
12 be necessary, is hereby appropriated out of the General Funds
13 of the City of Modesto not heretofore appropriated, for the
14 purchase from the owner thereof of the following described real
15 property:

16 All of that portion of Lots 1, 2 and 3
17 of the La Rio Park Tract, being located
18 in the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 34, Town-
19 ship 3 South, Range 9 East, and in the
20 N $\frac{1}{2}$ of Section 3, Township 4 South, Range
21 9 East, M.D.B. & M., as recorded in
22 Official Records, Volume 5, page 9 of
23 Maps, in the office of the County Recorder
24 of Stanislaus County, California; excepting
25 that certain strip of land, 150 feet in
26 width, extending across the Northerly end
27 of said lots, as deeded to the City of
28 Modesto, and recorded in Official Records,
29 Volume 555, page 10, in the office of the
30 County Recorder of Stanislaus County,
31 California.

Also any and all land lying between the
above described land and the center line
of the Tuolumne River.

32 SECTION III. The said property described in the preceding
section is to be used by said City of Modesto, or so much thereof
as is deemed necessary, as a part of and an addition to the
airport premises of the City of Modesto.

SECTION IV. The property described in Section I hereof, or
so much thereof as is deemed necessary is upon purchase by said

1 City of Modesto to be used and employed by said City as and
2 for the location of the Corporation Yards of said City of
3 Modesto.

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

7 SECTION V. This ordinance shall be published in full at
8 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 regular meeting
11 of the Council of the City of Modesto, held on June 10, 1936,
12 by Councilmen Pack, who moved its adoption and passage
13 to print as aforesaid, which motion being duly seconded was
14 upon roll call carried, and the ordinance ordered published as
15 above by the following vote:

16 Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King

17 Noes: Councilmen: None

18 Absent: Councilmen: None

20 APPROVED:

J. H. King

J. H. KING, MAYOR

23 ATTEST:

H. E. Grago

H. E. GRAGO, 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 June, 1936, 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 24, 1936, it was upon roll call so finally adopted by the

Following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. S. King
Mayor

ATTEST: _____

A. G. Ross
City Clerk

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AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 492--N.S. ENTITLED "AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES.

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

SECTION 1. Section 5 of an ordinance of the City of Modesto numbered 492--N. S., entitled "AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES," is hereby amended to read as follows:

"SECTION 5. It shall be unlawful for any person, firm or corporation, either as principal, agent, servant or employee, to operate machines or devices of the kind specified in Section 3 hereof without having a license therefor, as herein specified.

Applications for licenses shall be in writing, signed by the applicant, giving his business address, business or occupation, age, citizenship, and such other information as may be required. They shall be filed with the City License and Tax Collector, with the deposit of the license fee, shall be referred by him to the Commissioner of Public Health and Safety for investigation and examination and a report to the Council with his recommendation. If the Council finds from an examination of the application and such report and such further facts as may be officially brought to its attention that the application is in proper form, the applicant of good moral character, and that the business therein applied for may be carried on without danger to the public peace, health and safety, the Council shall grant the permit applied for and direct the Collector to issue the license; but if it finds that the applicant is not a person of good moral character or that the business cannot be carried on without danger to the public peace, health and safety, it may deny the application.

REPEALED BY
MUNICIPAL CODE

REPEALED BY
MUNICIPAL CODE

1 The license fee shall be the sum of One Thousand (\$1000.00)
2 Dollars per year, payable in advance, the year for the purpose
3 of this license commencing on July first, provided, however,
4 that the license fee for the year beginning July 1, 1935, shall
5 be in proportion to that part of the year remaining after this
6 ordinance goes into effect. Each license shall permit the
7 operation of not to exceed fifty (50) such devices or machines.
8 The Collector, or his deputies, shall securely affix or cause to
9 be affixed in a conspicuous place on each such machine operated
10 by a licensee a sticker or label legibly setting forth the name
11 and address of the licensee, the license number and the year for
12 which issued, together with the words "City of Modesto," which
13 sticker or label shall bear the genuine or a facsimile signature
14 of the Collector. It shall be unlawful to use or operate any
15 such machine or device to which a sticker or label is not
16 attached as aforesaid."

17 SECTION 2. This ordinance shall go into effect from and
18 after fifteen days after its final passage and adoption.

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

22 The foregoing ordinance was introduced at a regular meeting
23 of the Council of the City of Modesto held on June 24, 1936, by
24 Councilman Stanley, who moved its adoption and passage to
25 print as aforesaid, which motion being duly seconded was upon
26 roll call carried, and the ordinance ordered published as above
27 by the following vote:

28 Ayes: Councilmen: **Neece, Stanley, Pack, Oliver and Mayor King**

29 Noes: Councilmen: **None**

30 Absent: Councilmen: **None**

31 APPROVED:


J. H. KING, MAYOR

32 ATTEST:


CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1936 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 8, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. H. King
MAYOR

ATTEST

M. C. King
CITY CLERK

Passed June 24-1936
Final adoption 7-8-36
In effect 7-24-36



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1 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE
 2 OF NEW EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS AND PARKS,
 3 AND POLICE DEPARTMENT; AND APPROPRIATING MONEY AND PROVIDING FOR
 4 THE CONSTRUCTION OF TRICKLING FILTERS AND APPURTENANCES AT THE
 5 SEWER FARM; A NEW ROOF UPON THE AIRPORT HANGAR AT THE AIRPORT; A
 6 NEW PUMPING STATION, AND ADDITIONAL MONEY FOR THE RECONSTRUCTION
 7 OF THE LAKE MODESTO DAM AND FOR THE PURCHASE OF TWO AUTOMOBILES
 8 FOR THE MODESTO POLICE DEPARTMENT.

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

10 SECTION I. The sum of Six Hundred Ninety-Five Dollars
 11 (\$695.00), or so much thereof as may be necessary, is hereby ap-
 12 propriated from the General Fund of the City of Modesto for the
 13 purchase of an automobile for the Engineering Division of said
 14 City.

15 SECTION II. The sum of Four Thousand Five Hundred Dollars
 16 (\$4,500.00), or so much thereof as may be necessary, is hereby
 17 appropriated from the General Fund of the City of Modesto for the
 18 purchase of one motor grader; and the additional sum of One
 19 Thousand Dollars (\$1,000.00), or so much thereof as may be neces-
 20 sary, is hereby appropriated from said Fund for the purchase of
 21 one concrete mixer, both articles being for the Street Division
 22 of the City of Modesto.

23 SECTION III. The sum of Seven Hundred Fifty Dollars
 24 (\$750.00), or so much thereof as may be necessary, is hereby ap-
 25 propriated from the General Fund of the City of Modesto for the
 26 purchase of one automobile for the Electrical Division of said
 27 City, together with the sum of Seven Hundred Twenty-Five Dollars
 28 (\$725.00) for the purchase of an additional automobile, which
 29 sum or as much thereof as is necessary, is hereby appropriated
 30 from the General Fund of the City of Modesto, said automobile to
 31 be used by said Electrical Division of said City. And an ad-
 32 ditional sum of One Thousand Five Hundred Dollars (\$1,500.00),
 or as much thereof as may be necessary, is hereby appropriated
 from said Fund of said City for the purchase of lead covered

1 copper cable for said Electrical Division.

2 SECTION IV. The sum of Six Hundred Fifty Dollars (\$650.00),
3 or so much thereof as may be necessary, is hereby appropriated
4 from the General Fund of the City of Modesto for the purchase
5 of a milling machine for the Machine Shop belonging to said City.

6 SECTION V. The sum of Nine Hundred Fifty Dollars (\$950.00),
7 or so much thereof as may be necessary, is hereby appropriated
8 from the General Fund of the City of Modesto for the purchase of
9 a tractor for use on the municipal golf course of said City.

10 SECTION VI. The sum of Seven Hundred Fifty Dollars
11 (\$750.00), or so much thereof as may be necessary, is hereby ap-
12 propriated from the General Fund of the City of Modesto for the
13 purchase of one automobile for the Park Department of said City,
14 together with the sum of Six Hundred Twenty-Five Dollars
15 (\$625.00) hereby appropriated from said fund of said City for the
16 purchase of one power mower for the Park Department.

17 SECTION VII. The sum of Two Thousand Five Hundred Dollars
18 (\$2,500.00), or so much thereof as may be necessary, is hereby
19 appropriated from the General Fund of the City of Modesto for the
20 reconstruction of Lake Modesto dam.

21 SECTION VIII. The sum of One Thousand One Hundred Dollars
22 (\$1,100.00), or so much thereof as may be necessary, is hereby
23 appropriated for re-roofing the hangar at the municipal airport
24 of said City.

25 SECTION IX. The sum of Seven Hundred Fifty Dollars (\$750.00),
26 or so much thereof as may be necessary, is hereby appropriated
27 from the Water Fund of the City of Modesto for the purchase of
28 one automobile, and in addition thereto the following sums are
29 hereby appropriated from said Fund of said City for the following
30 purposes, to-wit: Eight Hundred Seventy-Five Dollars (\$875.00)
31 for a new starter for pump station No. 5; Two Thousand Five
32

1 Hundred Dollars (\$2,500.00) to construct pump station No. 10;
2 ~~Five Thousand Dollars (\$5000.00)~~
3 and ~~Five Hundred Dollars (\$500.00)~~ for the purchase of water pipe
4 and fittings for said Water Department.

5 SECTION X. The sum of Twelve Thousand Seven Hundred Fifty
6 Dollars (\$12,750.00), or so much thereof as may be necessary, is
7 hereby appropriated from the Septic Tank Fund of the City of
8 Modesto for the construction of trickling filters and appurtenances
9 at the Sewer Farm.

10 SECTION XI. The sum of Seven Hundred Fifty Dollars (\$750.00)
11 or so much thereof as may be necessary is hereby appropriated
12 from the General Fund of the City of Modesto for the purchase of
13 one automobile for the Police Department of said City, together
14 with the additional sum of Five Hundred Fifty Dollars (\$550.00),
15 or so much thereof as may be necessary, for a second automobile for
16 said Police Department of said City.

17 SECTION XII. The City Engineer shall, upon the adoption of
18 this ordinance, from time to time as required by the Council of
19 the City of Modesto, file with the Council plans and specifications,
20 where necessary, for the equipment and construction work outlined
21 above; and the City Clerk shall, from time to time, as directed
22 by the Council, advertise for bids for said equipment and
23 construction work, when necessary, and bids shall be received and
24 accepted and contracts awarded therefor as the Council may here-
25 after by resolution determine and prescribe.

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

31 SECTION XIV. The foregoing Ordinance was introduced at a
32 regular meeting of the Council of the City of Modesto held on

1. July 8, 1936 by Councilman Neece, who moved its adoption
2 and passage to print, which motion being duly seconded, was
3 carried and the Ordinance ordered printed and published by the
4 following vote:

5 AYES: COUNCILMEN: Neece, Stanley, Pack, Oliver and Mayor King

6 NOES: COUNCILMEN: None

7 ABSENT: COUNCILMEN: None

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9 APPROVED:

J.H. King
MAYOR

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11 ATTEST:

H.E. Grady
CITY CLERK.

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16 Passed July 8-1936
17 Final July 22-1936
18 In effect Aug 7-1936
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FINAL ADOPTION CLAUSE

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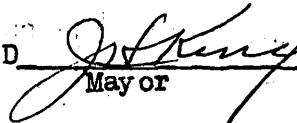
The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 8th day of July 1936 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of July 22, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Paack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED



Mayor

ATTEST



City Clerk

ORDINANCE NO. 527-N.S.

AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE
GENERAL WELFARE OF THE CITIZENS OF MODESTO

---oOo---

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

SECTION I. The sum of Two Thousand Four Hundred Dollars (\$2,400.00) or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the \$5.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487-N.S., entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES". Said sum is hereby appropriated for the purpose of promotion and/or for the general welfare of the citizens of the City of Modesto under and by virtue of the power conferred on said City Council by Section 67, Article 3, Charter of the City of Modesto.

SECTION II. This Ordinance shall go into effect from and after 15 days after its final passage and adoption.

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

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1936, by Councilman Oliver, who moved its adoption and passage to print, which motion being duly seconded was carried and the Ordinance ordered printed and published as above by the following votes:

1 Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King
2 Noes: Councilmen: None
3 Absent: Councilmen: None

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5 APPROVED: J. H. King
6 J. H. KING MAYOR

7
8 ATTEST H. E. Gragg
9 H. E. GRAGG, CITY CLERK

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1936 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the Adjourned regular meeting of August 14, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. V. King

Mayor

ATTEST

N. E. Gandy

City Clerk

Repealed by
Ord. 1113-N.S.

ORDINANCE NO 528-N.S.

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2
3 AN ORDINANCE AMENDING SECTIONS 1, 6, 7 and 18 OF ORDINANCE NO.
4 302-N.S. ENTITLED "AN ORDINANCE REGULATING AND RELATING TO THE
5 CONSTRUCTION, ERECTION, MAINTENANCE AND USE OF BILLBOARDS IN THE
6 CITY OF MODESTO, AND LICENSING AND REGULATING THE OCCUPATION OF
7 MAINTAINING BILLBOARDS AND OUTDOOR ADVERTISING AND PROVIDING
8 PENALTIES FOR THE VIOLATION OF THE SAME, AND REVOKING ALL ORDINANCES
9 OR PARTS THEREOF IN CONFLICT THEREWITH".

REPEALED BY
MUNICIPAL CODE

---COO---

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

11 Section 1. Section 1 of said Ordinance No. 302-N.S. is
12 hereby amended to read as follows;

13 Section 1. The term "billboard" as used in this Ordinance
14 is hereby defined to be any board, bulletin board, fence, sign,
15 or structure, or part thereof, temporary or permanent, erected,
16 maintained, or used primarily for advertising purposes, other
17 than electric signs as defined in, licensed and regulated by
18 Ordinance No. 487, New Series, which became effective on May
19 22nd, 1935, and excepting advertising structures inside buildings,
20 or upon which any advertisement is shown or whereon any poster,
21 bill, printing, painting, device or other advertising matter of any
22 kind whatsoever may be placed, stuck, tacked, posted, printed,
23 painted, pasted or fastened, but this definition shall not be held
24 to include any boards, sign or surface used to display official
25 notices, issued by any court or public office, or posted by any
26 public officers in the performance of a public duty, or used to
27 display announcement of meetings to be held upon premises whereon
28 such billboards or bulletin boards are displayed, or used to ad-
29 vertise the general businesses conducted on the premises where
30 such billboard or bulletin board is located, nor shall it be held
31 to include a real estate sign, advertising for sale or rent the
32 property upon which it stands.

33 The term "painted wall sign" as used in this Ordinance
34 shall be deemed to be the designation applied to a definite space on

1 the wall, sides or roof of a building, or on fences whereon the
2 advertisement is painted in any manner.

3 Section 2. Section 6 of said Ordinance is hereby amended
4 to read as follows:

5 Section 6. No billboard shall hereafter be erected in
6 the City of Modesto which has an advertising surface of more than
7 ten (10) feet six (6) inches from the lower edge thereof to the
8 upper edge thereof. Every application for a permit to erect a
9 billboard, or to paint a painted wall sign in the City of Modesto
10 shall be made to and filed with the City Council. Such applica-
11 tion shall contain the name of the applicant and shall set forth
12 the location upon which it is proposed to erect such billboard, or
13 to paint such painted wall sign, describing the lot and block, or
14 giving such other description by which the location may be readily
15 identified. It shall contain the specifications of the proposed
16 billboard or painted wall sign, which specifications must be ap-
17 proved by the City Engineer. Such application shall give the name
18 of the owner or agent in control of the property on which the pro-
19 posed billboard, or painted wall sign is to be erected. construct-
20 ed or painted and shall be accompanied by the written consent of
21 said owner or agent that such billboard or painted wall sign may be
22 erected or painted on the location or property. The applicant
23 shall accompany the application for such permit with a permit fee
24 of one Dollar (\$1.00) for each billboard or painted wall sign to
25 be erected. If the Council finds that the proposed billboard or
26 painted wall sign may be erected, constructed or painted or main-
27 tained on the proposed location without danger to the public health,
28 morals, safety, and/or general welfare, the Council may grant
29 the permit applied for.

30 Section 3. Section 7 of said Ordinance is hereby amended
31 to read as follows:
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1 Section 7. All billboards hereafter constructed or
2 erected in the City of Modesto shall be so designed, constructed
3 and maintained in such a manner as to withstand the wear and tear
4 of the elements and a thirty (30) pound lateral wind pressure per
5 square foot of exposed surface and erected at an angle of bracing
6 not greater than sixty (60) degrees from a horizontal plane and
7 the braces shall be securely fastened by an anchor or other secured
8 solid base. All billboards hereafter constructed within the Fire
9 Limits of the City of Modesto as now or hereafter established by
10 ordinance shall be built and constructed entirely of metal or
11 other non-combustible materials in all parts thereof except the
12 posts or standards upon which such structures rest and moulding
13 strips of wood, provided, however, that the advertising surface
14 of such structures shall be of non-combustible material not lighter
15 than twenty-eight (28) guage metal.

16 No person, firm or corporation shall erect or construct,
17 or cause to be erected or constructed, any billboard or advertising
18 sign upon any lot within the City of Modesto in such a manner
19 that any portion of said billboard or advertising sign is nearer
20 to the line of any public sidewalk, street, alley or other public
21 place than the front line of the nearest buildings in the same
22 block which face on any such public sidewalk, street, alley or
23 other public place; provided further, however, that when a bill-
24 board or advertising sign is erected or constructed between two
25 buildings, said billboard or advertising sign shall not be erected
26 closer to the line of any public sidewalk, street, alley or any
27 other public place than a line drawn from the nearest front corner
28 of one building to the nearest front corner of the other buildings.

29 There shall be placed and maintained at the top of each
30 billboard and advertising sign the name plainly painted of the
31 person, firm, corporation or association owning, or who is in
32 possession, charge or control of the same for advertising purposes.

1 An ornamental border, which shall contain no advertising
2 of any nature, not wider than one (1) foot may be added to surround
3 the advertising surface of any billboard or advertising sign.
4 There may be placed at the ends of said billboards appropriate
5 ornamental columns. There may be placed between the lower edge
6 of the billboard and the ground an ornamental lattice work or
7 baseboard not over thirty-six (36) inches in height, provided
8 that the lower edge of such lattice work or baseboard shall be at
9 least six (6) inches from the ground. All billboards hereafter
10 erected on the lot or lots between two buildings abutting the
11 sidewalk must be provided with some means of easy access to that
12 portion of the lot in the rear of such billboard. The height of
13 billboards hereafter erected or constructed in Modesto shall not
14 exceed fifteen (15) feet from the surface of the ground.

15 Section 4. Section 18 of said Ordinance is hereby amended
16 to read as follows:

17 Section 18. It shall, hereafter, be unlawful for any
18 person, firm, corporation or association to erect, construct or
19 maintain any billboard or to paint any painted wall sign in any
20 block on any public street where one-half of the buildings on both
21 sides of the street are used exclusively for residential purposes.

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

25 The foregoing ordinance was introduced at an adjourned
26 meeting of the City Council of the City of Modesto held on the
27 27th day of July, 1936, by Councilman Oliver, who moved its
28 adoption and publication as aforesaid, which motion being duly
29 seconded, was upon roll call carried and the ordinance ordered
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1 printed and published as above by the following vote:

2 Ayes: Councilmen: Pack, Oliver and Mayor King

3 Noes: Councilmen: Neece and Stanley

4 Absent: Councilmen: None

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APPROVED

J. H. King

Mayor

ATTEST

A. E. Guss

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 27th day of July, 1936 of the City of Modesto, and coming on for final adoption at the adjourned meeting of August 14, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: ~~Shaker~~, Stanley and Mayor King

Noes: Councilmen: Pack and Neece,

Absent: Councilmen: None

APPROVED

J. H. King
Mayor

ATTEST

N. E. Gandy
City Clerk

An Ordinance Prohibiting The Construction, Erection and Maintenance of Billboards, Wall Signs and Painted Wall Signs Within the Limits of the City of Modesto, and Prescribing Penalties for its Infraction and Violation.

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

Section 1. The term "billboard" as used in this Ordinance is hereby defined to be any board, bulletin board, fence, sign or structure, or any part thereof, temporary or permanent, erected, maintained or used primarily for advertising purposes, excepting advertising structures inside buildings, ~~and~~ upon which any advertisement is shown or whereon any poster, bill, printing, drawing, or other advertising matter of any kind whatever may be placed, stuck, tacked, posted, printed, painted, pasted or fastened

This definition shall not be held to include any boards, signs, or surface used to display official notices issued by any court or public office or posted by any public officers, in the performance of a public duty, or used in the display announcement of meetings to be held on the premises, whereon such billboards, or bulletin boards are displayed, or used to advertise the general business conducted on the premises where such billboards or bulletin board is located nor shall it be held to include a real estate sign advertising for sale or rent the property upon which it stands.

The term "painted wall sign", as used in this ordinance shall be deemed to be the designation applied to a definite ^{space} on the wall, sides or roof of a building or on fences, whereon the advertisement is painted in any manner.

Section No 2. It shall hereafter be unlawful in the City of Modesto for any person, firm, association or corporation to erect, construct or maintain any billboard in the city of Modesto or to paint ^{or maintain} any painted wall sign within the limits of said city.

Section No 3. Any person, firm, corporation or association, et-

1 ther as principle, agent or employee violating the provisions of
2 this ordinance or any provision thereof, shall be deemed guilty
3 of a misdemeanor and upon conviction shall be punished by a fine
4 not exceeding \$500.00, or by imprisonment in the county jail not
5 exceeding ninety days or by both fine and imprisonment. Each such
6 person, firm, corporation or association shall be deemed guilty
7 of a separate offense for each day during ^{any portion of} which any violation
8 of this ordinance is contioned or permitted by any such person,
9 firm, or coporation and shall be punished therefor as provided in
10 this ordinance.

11 Section No 3. This ordinance shall go into effect from and aft-
12 er fifteen days after its final adoption.

13 Section No.4 All provisoins of Ordinance No. 302-N.S. where not
14 in conflict with the provision of this ordinance shall continue
15 in full force and effect.

16 Section No.5 This ordinance shall be published at least once at
17 least three days prior to its final passage in The Modesto Bee,
18 the official paper of the city of Modesto.

19 This ordinance was introduced at an ~~an adjourned~~ ^{Special} regular meeting
20 of the Council of the City of Modesto on August 5-1936
21 by Commissioner Paek who moved its adoption to print which
22 motion was carried and the ordinance ordered printed and published
23 by the following vote.

24 Ays: Councilmen: Paek and Nece.
25 Nos: Councilmen: Olvey, Stanley and Mayor King
26 Absent: Councilmen: None

27
28 Attest

29 City Clerk
30
31
32

SPECIAL
NOT IN CODE

ORDINANCE NO. 530-N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR
1936-1937

---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 1st, 1936, and ending June 30th, 1937, 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-----\$.65
on each One Hundred Dollars
valuation;

FOR THE BOND REDEMPTION AND INTEREST FUND:

- (a) Municipal Improvement Bonds of 1910 -----\$.025
- (b) Municipal Improvement Bonds of 1912 ----- .01
- (c) Municipal Improvement Bonds of 1912 ----- .021
- (d) Municipal Improvement Bonds of 1919 ----- .022
- (e) Municipal Improvement Bonds of 1920 -Jan. ----- .093
- (f) Municipal Improvement Bonds of 1920 June ----- .017
- (g) Municipal Improvement Bonds of 1923 ----- .022

being a total of ----- .21
of 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----- .11

FOR THE SPECIAL FUND----- .03

on each One Hundred Dollars of said
taxable valuation for the purpose of
paying for lands purchased or to be
purchased at tax sales under the "
"Improvement Bond Act of 1915" in
accordance with section 16 of said act.

The aggregate of said sums, to-wit-----\$1.00
on each One Hundred Dollars valuation as determined by the

1 equalized assessment roll for the year 1936-1937 on all property
2 taxable in the City of Modesto for said purpose is hereby levied
3 and apportioned to and shall be paid into the above funds respect-
4 ively of said City. The rates above specified shall be in addition
5 to those required to be levied under the general laws of the State
6 of California for the purpose of paying principal and interest on
7 street improvement bonds in local improvement districts.

8
9 Section 2.

10 This Ordinance shall take effect immediately upon
11 its final passage and adoption.

12 Section 3.

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

16 The foregoing Ordinance was introduced at a
17 regular meeting of the Council of the City of Modesto held on the
18 26th day of August, 1936 by Commissioner Oliver who moved its
19 adoption and passage to print, which motion being duly seconded
20 the Ordinance was upon roll call ordered printed and published as
21 required by the Charter of the City of Modesto by the following vote:

22 Ayes: Councilmen: Oliver, ~~Theace~~, Stanley and Mayor King

23 Noes: Councilmen: None

24 Absent: Councilmen: Taak

25
26 APPROVED

J. H. King
H. H. KING, Mayor

27
28 ATTEST

H. E. Gragg
H. E. Gragg, 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 26th day of August, 1936 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular adjourned meeting of September 16, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Pack and Mayor pro tem Stanley
Noes: Councilmen: None
Absent: Mayor King

APPROVED C. J. Stanley
Mayor pro tem

ATTEST W. E. Gray
City Clerk

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SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF ONE AUTOMOBILE FOR THE MODESTO POLICE DEPARTMENT.

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

SECTION I. The sum of One Thousand (\$1000.00) Dollars

or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of one automobile for the Police Department of said City.

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

SECTION III. The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on August 26, 1936, by Councilman Oliver, 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: Neece, Oliver, ~~Rank~~, Stanky and Mayor King

NOES: Councilmen: None

ABSENT: Councilmen: Rank

Approved: _____

J. King
Mayor.

Attest: _____

H. G. Gray
City Clerk.

1
2 FINAL ADOPTION CLAUSE

3 The foregoing ordinance, having been introduced and
4 ordered printed and published at a regular meeting of the
5 Council of the City of Modesto held on the 26th day of August,
6 1936 and subsequently printed and published as required by the
7 Charter of the City of Modesto, and coming on for final adoption
8 at the regular/^{adjourned}meeting of September 16, 1936, it was upon roll
9 call so finally adopted by the following vote:

10 Ayes: Councilmen: Neece, Oliver, Pack and Acting Mayor Stanley

11 Noes: Councilmen: None

12 Absent: Mayor King

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14 APPROVED

C. J. Stanley
Mayor Pro Tem

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16 ATTEST:

N. E. Gandy
City Clerk

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repealed
by Ord 1129

ORDINANCE NO. 532 N. S.

AN ORDINANCE AMENDING SECTION 8 OF ORDINANCE NO. 487--
N. S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE
PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON
OF CERTAIN PROFESSIONS, TRADES, CALLINGS, AND OCCUPA-
TIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF
COLLECTING SAID LICENSES AND REPEALING CERTAIN ORDINANCES.

---oo0oo---

REPEALED
BY
MUNICIPAL CODE

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

SECTION 1. Section 8 of Ordinance No. 487--N. S. of the
City of Modesto entitled "AN ORDINANCE PROVIDING FOR LICENSING
AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
METHOD OF COLLECTING SAID LICENSES AND REPEALING CERTAIN OR-
DINANCES" is hereby amended to read as follows:

Section 8. The Collector shall at the hour of 5 o'clock
P. M. on the last day of the month in which licenses herein
specified are payable, add to all licenses remaining unpaid a
penalty of ^{10%}15% of the amount of such delinquent license. There-
after and on the 10th day of the month following, at the hour of
5 o'clock P. M. said Collector shall add to all licenses still
remaining unpaid an additional penalty of ^{15%}10% of the amount of
such delinquent license, and no license shall be issued to such
delinquent licensee until both the license and the penalty or
penalties shall have been paid.

The Collector shall deposit daily with the City Treasurer
of the City of Modesto all moneys collected by him for licenses
issued, and shall, on or before the 15th day of each month,
report the amount thereof to the City Council.

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

1 least once at least 3 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 meeting
4 of the Council of the City of Modesto held on the 26th day of
5 August, 1936, by Councilman Neece, who moved its
6 adoption and passage to print as aforesaid, which motion being
7 duly seconded was upon roll call carried, and the ordinance
8 ordered published as above by the following vote:

9 AYES: COUNCILMEN: Neece, Stanley, Oliver, ~~Peck~~ and Mayor King
10 NOES: COUNCILMEN: none
11 ABSENT: COUNCILMEN: Peck

13 APPROVED:

J. H. King
J. H. KING, MAYOR

16 ATTEST:

H. E. Gragg
H. E. GRAGG, CITY CLERK

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3 FINAL ADOPTION CLAUSE

4 The foregoing ordinance, having been introduced and
5 ordered printed and published at a regular meeting of the Council
6 of the City of Modesto held on the 26th day of August, 1936
7 and subsequently printed and published as required by the Charter
8 of the City of Modesto, and coming on for final adoption at the
9 adjourned meeting of September 16, 1936, it was upon roll call so
10 finally adopted by the following vote:

11 Ayes: Councilmen: Neece, Oliver, Pack and Mayor Pro tem Stanley

12 Noes: Councilmen: None

13 Absent: Mayor King

14 APPROVED

C. J. Stanley
Mayor pro tem

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17 ATTEST

N. E. Gray
City Clerk

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ORDINANCE NO. 533 N. S.

CODE SEC.
NO. 4-1.708

AN ORDINANCE AMENDING SECTION 8 of ORDINANCE NO. 196 N. S. OF THE CITY OF MODESTO ENTITLED "AN ORDINANCE REGULATING THE BUSINESS OF CONDUCTING A POOL OR BILLIARD PARLOR OR CARD ROOM IN THE CITY OF MODESTO."

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

SECTION 1. Section 8 of Ordinance No. 196 N. S. of the City of Modesto entitled "AN ORDINANCE REGULATING THE BUSINESS OF CONDUCTING A POOL OR BILLIARD PARLOR OR CARD ROOM IN THE CITY OF MODESTO" is hereby amended to read as follows:

SECTION 8. In the event of the violation by any licensee as herein provided for of any of the terms of this ordinance, or of the application for a license, or of the provisions of any other ordinance of the City of Modesto, relating to the conduct or maintenance of a pool room, billiard parlor or card room, it shall be the duty of the Chief ^{of} Police to serve upon said licensee or his agent a notice to appear before the City Council to show cause why the license should not be terminated and cancelled. Said notice must be served not less than two (2) days before the time fixed for such hearing. The City Council shall have the right upon such hearing to take sworn testimony relating to the alleged violation and to determine whether or not the license shall be terminated and cancelled. In the event of the termination, cancellation, or suspension of such license under the provisions of this section, no new license shall be issued to such ex-licen-see nor to any firm of which he is a member, nor to any corpora-tion in which he is a stockholder, nor to any person, firm or corporation seeking a license for the use or benefit of such ex- licensee, nor to any person, firm or corporation seeking a license to operate, conduct or maintain a billiard parlor, pool room, billiard and pool parlor or card room on or in the premises

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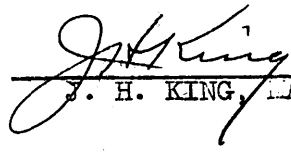
wherein the violation occurred for which said license was terminated, cancelled, suspended or revoked, for a period of one (1) year thereafter.

SECTION 2. This ordinance shall be in full force and effect from and after fifteen days after its final passage and adoption.

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

The foregoing ordinance was introduced by Councilman Stanley at a regular meeting of the Council held on the 23rd day of September, 1936, who moved its adoption, which motion being duly seconded, was adopted and passed to print by the following vote:

AYES: COUNCILLMEN: Stanley, Oliver, Beck, Neece and Mayor King
NOES: COUNCILLMEN: None
ABSENT: COUNCILLMEN: None


J. H. KING, MAYOR.

ATTEST:


H. E. GAGG, 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 September, 1936 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 14, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley, Pack and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED *J. H. King*
Mayor

ATTEST *N. E. Gray*
City Clerk

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SPECIAL
NOT IN CODE

ORDINANCE NO. 534 N. S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF A HEATING AND VENTILATING PLANT FOR THE FIRE DEPARTMENT, OFFICE OF THE CITY CLERK, AND COUNCIL CHAMBERS OF THE CITY OF MODESTO.

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

SECTION 1. The sum of ~~One Thousand Dollars~~ ^{Fifteen Hundred (\$1,500.00)} (~~\$1,000.00~~), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase and installation of a heating and ventilating plant or system to be installed in Fire Station No. 1, in the Office of the City Clerk and in the Council Chambers, all being situate in the City of Modesto.

SECTION 2. The City Engineer shall, upon the adoption of this ordinance, from time to time as required by the Council of the City of Modesto, file with the Council plans and specifications, where necessary, for the equipment and construction work outlined above; and the City Clerk shall, from time to time, as directed by the Council, advertise for bids for said equipment and construction work, when necessary, and bids shall be received and accepted and contracts awarded therefor as the Council may hereafter by resolution determine and prescribe.

SECTION 3. 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 4. The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1936, by Councilman Neece, who moved its adoption and passage to print, which motion being duly

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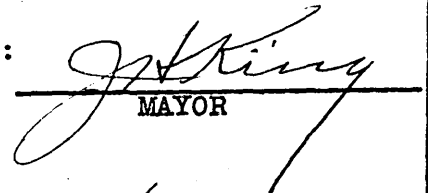
1 seconded, was carried and the Ordinance ordered printed and
2 published by the following vote:

3 AYES: COUNCILMEN: Oliver, Paek, Neece, Stanley and Mayor King

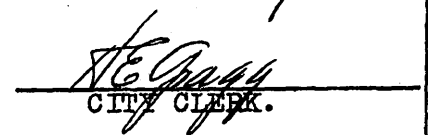
4 NOES: COUNCILMEN: None

5 ABSENT: COUNCILMEN: None

7 APPROVED:


MAYOR

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 23rd day of September, 1936 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 14, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Oliver, Stanley, Pack and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


Mayor

ATTEST


City Clerk

AN ORDINANCE PROVIDING FOR THE REGULATION OF VEHICULAR AND FOOT TRAFFIC IN THE CITY OF MODESTO, BY ELECTRICAL OR MECHANICAL SIGNALS, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

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

Section 1. It shall be unlawful for the operator of any vehicle, or for any pedestrian, to disobey the instructions of any mechanical or electrical traffic signal, now erected or to be erected hereafter in the City of Modesto. For the purposes of this ordinance, a bicycle shall be considered a vehicle.

Section 2. Whenever traffic at any intersection is regulated by a stop and go mechanical or electrical signal, the following colors shall be used, and none other, and those colors herein authorized shall indicate as follows:

1. Red, except in flashing signals, requires the traffic shall stop and remain standing.

2. Green, requires that traffic shall move and continue in motion, except when stopped for the purpose of avoiding an accident or in the event of other emergency, or when stopped at the command of a police officer.

3. Amber shall indicate preparation for a change in the direction of traffic movement. When amber is shown, except in flashing signals, no traffic shall enter the intersection until a green or "GO" signal is shown.

The ringing of a bell in connection with any mechanical or electric traffic signal shall indicate preparation for a change in the direction of traffic movement. When such bell is sounded no traffic shall enter the intersection until a green or "GO" signal is shown.

Section 3. At all intersections, or elsewhere, where traffic is directed by a traffic stop and go signal, it shall be unlawful for any pedestrian to cross the roadway other than with released traffic.

REPEALED ORD 234 CS REPEALED OR

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1 Section 4. Nothing contained herein shall be construed to
2 amend, change, modify or rescind any of the provisions of section
3 23 of Ordinance No. 453 N. S. of the City of Modesto, entitled
4 AN ORDINANCE AMENDING SECTION 23 OF ORDINANCE NO. 345 N. S. REGU-
5 LATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO,
6 which Ordinance declares certain streets in the City of Modesto
7 to be through streets and provides for the erection and mainten-
8 ance of Boulevard Stop signs at appropriate places, except when
9 said Boulevard Stop signs are placed at points where there are
10 also located electrical or mechanical stop and go signals, and
11 then only when and if said electrical or mechanical stop and
12 go signals are operating.

13 Section 5. A flashing red signal given by any mechanical
14 or electrical stop and go signal in the City of Modesto, requires
15 the driver or operator of any vehicle to come to a full and complete
16 stop before entering the intersection or cross street marked by
17 said electrical or mechanical signal.

18 Section 6. Any person violating any of the provisions of
19 this ordinance shall be deemed guilty of a misdemeanor, and upon
20 conviction thereof shall be punished by imprisonment in the County
21 Jail of Stanislaus County not exceeding six months, or by a fine
22 not exceeding \$500. , or by both such fine and imprisonment.

23 Section 7. This ordinance shall be published in full at
24 least once at least three days prior to its final adoption in the
25 Modesto Bee, the official newspaper of the City of Modesto.

26 The foregoing ordinance was introduced at an adjourned meet-
27 ing of the Council of the City of Modesto, held on the 30th day of
28 October, 1936, by Councilman Stanley, who moved its adoption
29 and passage to print, which motion being duly seconded, was upon
30 roll call carried and the ordinance ordered printed and published
31 as above by the following vote. APPROVED J. King
32 Mayor

Ayes-Councilmen: Neese, Beck, Stanley, Oliver and Mayor King
Noes-Councilmen: None
Absent: Councilmen: None

Attest:

H. E. Grady City Clerk.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at an adjourned meeting of the Council of the City of Modesto held on the 30th day of October, 1936 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the adjourned meeting of November 13th, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver, and Mayor King

Noes: Councilmen: None

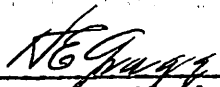
Absent: Councilmen: Stanley

APPROVED



Mayor

ATTEST:



City Clerk

AN ORDINANCE PROHIBITING LEFT TURNS AT THE INTER-SECTION FORMED BY I AND TENTH STREETS IN THE CITY OF MODESTO.

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

SECTION 1. Fifteen (15) days after the final adoption of this ordinance it shall be unlawful on any day between the hours of 5 A. M. and 7 P. M. for any person operating or driving any vehicle, entering or about to enter or within the intersection formed by Tenth and I Streets in the City of Modesto, to turn, drive, or operate said vehicle to the left, either from Tenth Street into or upon I Street, or from I Street into or upon Tenth Street.

SECTION 2. For the purpose of this ordinance a bicycle shall be deemed to be a vehicle.

SECTION 3. This ordinance shall also apply to persons riding upon animals.

SECTION 4. The Police Department of the City of Modesto is by this ordinance empowered, and it is made its duty, to erect or procure the erection of appropriate signs at said intersection calling to the attention of the public the fact that left turns at said intersection are prohibited as set forth in Section 1 hereof.

SECTION 5. Nothing in this ordinance contained shall apply to any vehicle operated by the Police or Fire Departments of the said City of Modesto.

SECTION 6. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding Three Hundred Dollars (\$300.00) or by imprisonment in the County Jail not exceeding six (6) months, or by both such fine and imprisonment.

1 SECTION 7. All ordinances or parts of ordinances in conflict
2 herewith are hereby repealed.

3 SECTION 8. This ordinance shall be published in full at
4 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 meeting
7 of the Council of the City of Modesto held on the 25th day of
8 November, 1936, by Councilman Stanley, who moved its
9 adoption and passage to print, which motion being duly seconded
10 was upon roll call carried and the ordinance ordered printed and
11 published as above by the following vote:

12 AYES: COUNCILMEN: Pack, Oliver, Stanley, Neece and Mayor King

13 NOES: COUNCILMEN: None

14 ABSENT: COUNCILMEN: None

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17 APPROVED:



J. H. KING, MAYOR

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19
20 ATTEST:



H. E. GRAGG, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1936 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 9, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: _____

J. King
MAYOR

ATTEST: _____

W. E. Gragg
CITY CLERK

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ORDINANCE NO. 537 N. S.

AN ORDINANCE PROVIDING FOR THE ERECTION AND MAINTENANCE
OF CERTAIN BOULEVARD STOP SIGNS AT THE INTER-
SECTION FORMED BY H AND FIFTH STREETS
IN THE CITY OF MODESTO.

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

SECTION. 1. The City Council of the City of Modesto by this ordinance hereby declares that by reason of an increase in vehicular traffic upon and over Fifth Street in the City of Modesto, it is deemed to be necessary to install certain boulevard stop signs at the intersection formed by Fifth and H Streets in said City.

SECTION 2. Within 30 days after the final passage and adoption of this ordinance, there shall be placed, erected and maintained at the intersection formed by Fifth and H Streets in the City of Modesto, appropriate signs, devices or markers, such signs, devices or markers to bear the word "STOP" or the words "BOULEVARD STOP", in such a position and with letters of a size to be clearly legible from a distance of fifty (50) feet from said signs, devices or markers.

One of said signs, devices or markers shall be placed and maintained at the east corner of said intersection, controlling traffic proceeding in a northerly direction on Fifth Street, and in such position as to command all vehicular traffic proceeding northerly on said Fifth Street, to come to a full and complete stop before entering said intersection. The other said sign, device or marker shall be placed and maintained on the south corner of said intersection, controlling traffic proceeding in a general easterly direction on H Street, and in such position as to command all vehicular traffic proceeding easterly on said H Street to come to a full and complete stop before entering said intersection.

1 SECTION 3. After 30 days from the final passage and adoption
2 of this ordinance all persons driving, operating or manipulating
3 any vehicle in a northerly direction on said Fifth Street, shall,
4 before entering the intersection formed by said Fifth and H
5 Streets, bring said vehicle to a full and complete stop.

6 After 30 days from the final passage and adoption of this
7 ordinance, all persons driving, operating or manipulating any
8 vehicle in an easterly direction on said H Street, shall before
9 entering the intersection formed by said Fifth and H Streets,
10 bring said vehicle to a full and complete stop.

11 The word "vehicle" as used in this ordinance includes
12 bicycles.

13 SECTION 4. Violation of this ordinance shall constitute a
14 misdemeanor, and any person convicted hereunder of said violation
15 shall be punishable by imprisonment in the County Jail for a
16 period not exceeding six (6) months or by a fine not exceeding
17 Five Hundred Dollars (\$500.00), or by both such fine and im-
18 prisonment.

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


22 The foregoing ordinance was introduced at a regular
23 meeting of the City Council of the City of Modesto, held on the
24 25th day of November, 1936, by Councilman Stanley, who moved
25 its adoption and publication as aforesaid, which motion being duly
26 seconded was upon roll call carried and the ordinance ordered
27 printed and published as above by the following vote:

28 AYES: COUNCILMEN: Neece, Oliver, Stanley, Pack and Mayor King

29 NOES: COUNCILMEN: None

30 ABSENT: COUNCILMEN: None

APPROVED:



Mayor

31 ATTEST:



City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1936 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 9, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: *J. King*
MAYOR

ATTEST *A. E. ...*
CITY CLERK

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ORDINANCE NO. 538 N. S.

AN ORDINANCE PROVIDING TEN MINUTE VEHICLE
PARKING PERIODS AT CERTAIN DESIGNATED PLACES.

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

SECTION 1. The City Engineer shall, not later than the 23rd day of December, 1936, mark and cause to be marked with orange colored paint certain automobile parking spaces within the City of Modesto in the following designated places, to-wit:

One of said parking spaces shall be on the northwesterly side of I Street in the City of Modesto, which parking space shall be located and established immediately adjacent to and extend northeasterly from the northeasterly cross-walk at the intersection of Tenth and I Streets;

One of said parking spaces shall be located and established on the southeasterly side of said I Street, which parking space shall be located and established immediately adjacent to and extend northeasterly from the northeasterly cross-walk at the intersection of Tenth and I Streets;

And one of said parking spaces shall be located and established on the northwesterly side of J Street, which parking space shall be located and established immediately adjacent to and extend southwesterly from the southwesterly cross-walk at the intersection of Tenth and J Streets.

SECTION 2. The driver of any vehicle shall not park the same for a period longer than ten (10) minutes between the hours of 9:00 o'clock A. M. and 6:00 o'clock P. M. on any day except Sunday at or in the spaces as set forth in Section 1 hereof.

SECTION 3. The City Engineer of the City of Modesto is hereby empowered, and it is made his duty, to erect or procure the erection of appropriate signs at or near said spaces, calling

1 to the attention of the public the fact that vehicles may be
2 lawfully parked in said spaces for a period of no more than ten
3 (10) minutes between the hours of 9:00 o'clock A. M. and
4 6:00 o'clock P. M. on any day except Sunday.

5 SECTION 4. Any person, violating any of the terms of this
6 ordinance, shall be deemed guilty of a misdemeanor, and upon
7 conviction thereof, shall be punished by fine not to exceed One
8 Hundred Dollars (\$100.00), or by imprisonment in the County Jail
9 of Stanislaus County, California, not to exceed fifty (50) days,
10 or by both such fine and imprisonment.

11 SECTION 5. All ordinances or parts of ordinances in conflict
12 herewith are hereby expressly repealed.

13 SECTION 6. Nothing herein, however, is intended to nor
14 shall it repeal any of the provisions of Section 32 of Ordinance
15 No. 345 N. S. entitled "AN ORDINANCE REGULATING TRAFFIC UPON THE
16 PUBLIC STREETS OF THE CITY OF MODESTO, AS AMENDED BY ORDINANCE NO.
17 404. N. S.", except as herein provided.

18 SECTION 7. This ordinance shall go into effect and be in
19 full force and operation from and after fifteen days after its
20 final passage and adoption.

21 SECTION 8. This ordinance shall be published in full at
22 least once at least three days prior to its final adoption in the
23 Modesto Bee, the official newspaper of the City of Modesto.

24 The foregoing ordinance was introduced at a regular meeting
25 of the Council of the City of Modesto held on the 25th day of
26 November, 1936, by Councilman Stanley, who moved its
27 adoption and passage to print, which motion being duly seconded
28 was upon roll call carried and the ordinance ordered printed and
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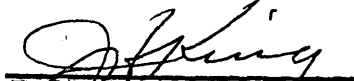
published as above by the following vote:

AYES: COUNCILMEN: Stanley, Oliver, Pack, Neece and ^Mayor King

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: None

APPROVED:



J. H. KING, MAYOR

ATTEST:



H. E. GRACE, CITY
CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1936 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 9, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED *J. V. King*
MAYOR

ATTEST: *N. E. Gray*
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 539 N. S.

AN ORDINANCE APPROPRIATING MONEY FOR IMPROVING
LIGHTING CONDITIONS AT MODESTO AIRPORT.

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

SECTION 1. The sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), or so much thereof as may be necessary, is hereby appropriated out of the General Fund of the City of Modesto, for the construction and maintenance of lights and lighting equipment at and on the Modesto Airport, Modesto, Stanislaus County, California.

SECTION 2. The City Engineer shall prepare and file with the City Council drawings and specifications for the construction of said improvement. Upon approval of such plans and specifications by the Council, the City Clerk shall from time to time as directed by the Council advertise for bids for materials only, to be used in said construction, and bids shall be received and accepted, and contracts awarded therefor as the Council may hereafter by resolution determine and prescribe.

SECTION 3. This ordinance shall go into effect from and after 15 days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1936 by Councilman Roy Pack, who moved its adoption and passage to print, which motion being duly seconded was carried and the ordinance ordered printed and published as above by the

1 following vote:

2

3 AYES: COUNCILMEN: Neece, Pack, Oliver, Stanley and Mayor King

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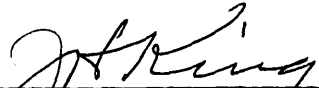
5 NOES: COUNCILMEN: None

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7 ABSENT: COUNCILMEN: None

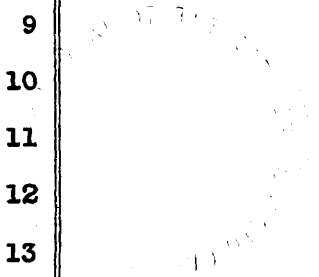
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APPROVED:



J. H. KING, MAYOR OF
THE CITY OF MODESTO.

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ATTEST:



H. E. GRAGG, CITY CLERK.

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FINAL ADOPTION CLAUSE

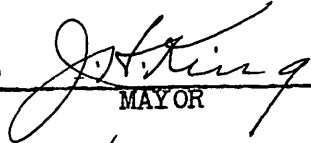
The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1936 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 23rd, 1936, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST


CITY CLERK

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Repealed
Ord 1129-574

ORDINANCE NO. 540 N. S.

1 AN ORDINANCE AMENDING SECTION 8 OF ORDINANCE NO. 487--N. S. OF
2 THE CITY OF MODESTO ENTITLED "AN ORDINANCE PROVIDING FOR LICEN-
3 SING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS,
4 TRADES, CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PRO-
5 VIDING THE METHOD OF COLLECTING SAID LICENSES AND REPEALING CER-
6 TAIN ORDINANCES", AS AMENDED BY ORDINANCE NO. 532 N. S. OF THE
7 CITY OF MODESTO.

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

REPEALED BY
MUNICIPAL CODE

9 SECTION 1. Section 8 of Ordinance No. 487--N. S. of the
10 City of Modesto entitled "AN ORDINANCE PROVIDING FOR LICENSING
11 AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
12 CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
13 METHOD OF COLLECTING SAID LICENSES AND REPEALING CERTAIN OR-
14 DINANCES" as amended by Ordinance No. 532 N. S. entitled "AN
15 ORDINANCE AMENDING SECTION 8 OF ORDINANCE NO. 487-N. S. OF THE
16 CITY OF MODESTO ENTITLED 'AN ORDINANCE PROVIDING FOR LICENSING
17 AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
18 CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
19 METHOD OF COLLECTING SAID LICENSES AND REPEALING CERTAIN ORDINAN-
20 CES" is hereby amended to read as follows:

21 Section 8. The Collector shall, at the hour of 5 o'clock
22 P. M. on the last day of the month in which licenses herein
23 specified are payable, add to all licenses remaining unpaid, after
24 deducting therefrom all credits said licensee is entitled to by
25 virtue of Section 101 of Ordinance No. 487-N. S. entitled "AN
26 ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON
27 OF CERTAIN PROFESSIONS, TRADES, CALLINGS, AND OCCUPATIONS IN THE
28 CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SAID LICENSES
29 AND REPEALING CERTAIN ORDINANCES", a penalty of 10% of the amount
30 of such delinquent license. Thereafter and on the 10th day of the
31 month following, at the hour of 5 o'clock P. M. said Collector
32 shall add to all licenses still remaining unpaid, after deducting
therefrom all credits said licensee is entitled to by virtue of

REPEALED BY
MUNICIPAL CODE

1 Section 101 of Ordinance No. 487-N. S., entitled "AN ORDINANCE
2 PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN
3 PROFESSIONS, TRADES, CALLINGS, AND OCCUPATIONS IN THE CITY OF
4 MODESTO, PROVIDING THE METHOD OF COLLECTING SAID LICENSES AND
5 REPEALING CERTAIN ORDINANCES", an additional penalty of 15% of
6 the amount of such delinquent license, and no license shall be
7 issued to such delinquent licensee until both the license and the
8 penalty or penalties shall have been paid.

9 The Collector shall deposit daily with the City Treasurer
10 of the City of Modesto all moneys collected by him for licenses
11 issued, and shall, on or before the 15th day of each month, report
12 the amount thereof to the City Council.

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

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

19 The foregoing ordinance was introduced at a regular meeting
20 of the Council of the City of Modesto held on the 13th day of
21 January, 1937, by Councilman Stanley, who moved its
22 adoption and passage to print as aforesaid, which motion being
23 duly seconded was upon roll call carried, and the ordinance order-
24 ed published as above by the following vote:

25 AYES: COUNCILMEN: ~~Neece~~, Stanley and Mayor King

26 NOES: COUNCILMEN: None

27 ABSENT: COUNCILMEN: Oliver and Rack

28 APPROVED:

29 
J. H. KING, MAYOR.

30 ATTEST:

31 
32 H. E. GRAGG, 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 January, 1937 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular adjourned meeting of January 29th, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Pack and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED *J. King*
Mayor

ATTEST *W. E. G. G.*

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Referred
by Ord # 161

ORDINANCE NO. 541 N. S.

1 AN ORDINANCE AMENDING SECTION 101 OF ORDINANCE NO. 487--N. S. OF
2 THE CITY OF MODESTO ENTITLED: "AN ORDINANCE PROVIDING FOR LICENSING
3 AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
4 CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
METHOD OF COLLECTING SAID LICENSES AND REPEALING CERTAIN ORDINANCES."

5 ---oo0oo---

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

7 SECTION 1. Section 101 of Ordinance No. 487--N. S. of the
8 City of Modesto, reading as follows, to-wit: "AN ORDINANCE PRO-
9 VIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN
10 PROFESSIONS, TRADES, CALLINGS, AND OCCUPATIONS IN THE CITY OF
11 MODESTO, PROVIDING THE METHOD OF COLLECTING SAID LICENSES AND RE-
12 PEALING CERTAIN ORDINANCES", ^{is hereby amended} to read as follows, to-wit:

13 SECTION 101

14 For every person conducting, carrying on or managing at a
15 fixed place of business in said City of Modesto any business as
16 in Section 1 hereof defined, the fee shall be the sum of \$5.00 per
17 year or a fraction thereof as a registration fee, the year begin-
18 ning on the first of each July, payable in advance, and in addi-
19 tion thereto a license fee equal to one and one-half mills of
20 each dollar of the gross income, receipts of sales resulting from
21 the operation of said business, payable quarterly, the first pay-
22 ment to be made within fifteen ^{days} after the expiration of the
23 first quarter.

24 Provided, however, that the provisions of this section shall
25 not extend to or include:

- 26 (1) Any business expressly defined or otherwise provided for
27 in subsequent sections of this ordinance.
- 28 (2) The business of merchandising at wholesale, except where
29 specifically mentioned herein.
- 30 (3) The business of manufacturing, provided the products are
31 sold at wholesale, unless specifically mentioned herein.

VII - 4

1 (4) Businesses carried on under licenses pursuant to or-
2 dinances not repealed by this ordinance.

3 (5) Any business exempt from the imposition of a license
4 fee by the Constitution of the State of California or the
5 Constitution of the United States.

6 (6) Persons employed by other persons for a fixed wage or
7 compensation, or who work for wages only.

8 Provided, further, that all license fees, except the \$5.00
9 registration fee, paid on account of any business in said City
10 of Modesto pursuant to this section shall be credited as a payment
11 against the personal property tax of the owner of said business
12 upon the fixtures, equipment and stock in trade of the business
13 so licensed; and provided further, that every person who begins
14 the operation of a new business which is subject to the terms of
15 this section shall, when he applies for a license, deposit with
16 the collector an additional sum in the amount of \$50.00 as a
17 guarantee that the license fee for the first two quarters follow-
18 ing the commencement of said business will be paid, said sum of
19 \$50.00 to be refunded to such person at the expiration of six
20 months from the first of the next ensuing quarter, provided said
21 business is still operating, and all charges imposed upon the
22 same under the terms of this ordinance have been paid; and pro-
23 vided further in this respect, that every change of ownership of
24 a business shall be construed as the commencement of a new
25 business by the owner, and shall require the deposit of the
26 \$50.00 as above stated.

27 The provisions of this ordinance requiring a deposit of
28 \$50.00 as aforesaid shall have no application to an applicant
29 for license to do business in the City of Modesto when and if said
30 applicant is the owner of the building in which or the property
31 upon which said applicant intends to carry on the business for
32

1 which said applicant seeks said license. Said provisions re-
2 quiring said deposit of \$50.00 as aforesaid shall not apply to
3 any applicant for license who is able to and does give to the
4 City Clerk satisfactory evidence of the fact that said applicant
5 is the valid lessee for the period of not less than ^{holding by written lease} one year ~~or~~
6 the property in and/or upon which he intends to carry on said
7 business for which said license is sought.

8 The word "owner" as used in this ordinance shall mean the
9 person, corporation, partnership, firm or association in whose
10 name said property is recorded in the Office of the County Re-
11 corder of Stanislaus County, California.

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

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

18 The foregoing ordinance was introduced at a regular meeting
19 of the Council of the City of Modesto held on the 10th day of
20 February, 1937, by Councilman Oliver, who moved its
21 adoption and passage to print as aforesaid, which motion being
22 duly seconded was upon roll call carried, and the ordinance
23 ordered published as above by the following vote:

24
25 AYES: COUNCILMEN: Oliver, Stanley, Neece, Pack and Mayor King
26 NOES: COUNCILMEN: None
27 ABSENT: COUNCILMEN: None

28
29 APPROVED:


J. W. KING, MAYOR

30
31 ATTEST:


H. E. BRAGG, 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 February, 1937, 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 24, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. V. King
Mayor

ATTEST: _____

A. E. ...
City Clerk

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SPECIAL
NOT IN CODE

ORDINANCE NO. 542 N. S.

1 AN ORDINANCE CALLING A SPECIAL ELECTION (TO BE HELD IN CONNECTION
2 WITH THE GENERAL MUNICIPAL ELECTION) TO SUBMIT TO THE QUALIFIED
3 VOTERS OF THE CITY OF MODESTO THE PROPOSITION OF INCURRING A
4 BONDED INDEBTEDNESS FOR THE ACQUISITION AND CONSTRUCTION OF CER-
5 TAIN MUNICIPAL IMPROVEMENTS, THE COST OF WHICH WILL BE TOO GREAT
6 TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF SAID
7 CITY: ESTABLISHING ELECTION PRECINCTS AND DESIGNATING ELECTION
8 OFFICERS FOR THE HOLDING OF SAID ELECTION: FIXING THE DATE ON
9 WHICH SAID ELECTION SHALL BE HELD: THE MANNER OF HOLDING THE
10 SAME, AND OF VOTING FOR OR AGAINST THE INCURRING OF SUCH
11 INDEBTEDNESS.

12 ---ooOoo---

13 WHEREAS, the Council of the City of Modesto being the legis-
14 lative branch of said City, did by a resolution duly introduced
15 and passed at a regular meeting of said Council on the 24th day
16 of February, 1937, which said resolution was passed by a
17 vote of two-thirds of all of its members and duly approved by
18 the executive of said municipality, to-wit, the Mayor of the
19 City of Modesto, declaring that the public interest and necessity
20 of the said City of Modesto and its inhabitants demand the ac-
21 quisition and construction of the following municipal improvements
22 by the City of Modesto, to-wit: Garbage trucks and any and all
23 equipment, real property and apparatus necessary to carry on the
24 business of the collection and disposal of garbage, swill, trash,
25 and refuse, as specified in the plans and specifications therefor
26 filed with the City Clerk by the City Engineer of the City of
27 Modesto; and

28 WHEREAS, said Council has in every respect proceeded as re-
29 quired by law and has done all the things and acts necessary inci-
30 dental and prior to the introduction and passage of this ordinance;

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

SECTION 1. A special election is hereby called to be held in
said City of Modesto on the 13th day of April, 1937, at which said
special election there shall be submitted to the qualified
electors of said City the proposition of the incurring of an in-

VII -

1 debtedness by said City in the sum of Forty Thousand Dollars
2 (\$40,000.00), for the purpose aforesaid, to-wit, the acquisition
3 and construction of garbage trucks and any and all equipment,
4 real property and apparatus necessary to carry on the business
5 of the collection and disposal of garbage, swill, trash, and
6 refuse, as specified in the plans and specifications therefor
7 filed with the City Clerk of the City of Modesto by the City
8 Engineer of said City.

9 SECTION 2. The estimated cost of the proposed public im-
10 provements above specified is Forty Thousand Dollars (\$40,000.00),
11 and the total amount of the principal indebtedness proposed to be
12 incurred therefor is the sum of Forty Thousand Dollars(\$40,000.00).

13 SECTION 3. It is hereby determined and declared that the
14 cost of the acquisition and construction and completion of the
15 municipal improvements for the purposes hereinabove specified
16 will be too great to be paid out of the ordinary annual revenue
17 and income of said City, and that it is necessary to incur a
18 municipal indebtedness therefor, and to issue bonds of said City
19 to evidence the same.

20 SECTION 4. If two-thirds (2/3) of the votes cast at said
21 special election shall be in favor of the proposition of incurring
22 a municipal indebtedness for said purpose, the bonds of said City
23 of Modesto shall be issued in the sum of Forty Thousand Dollars
24 (\$40,000.00) therefor in the form and manner as required by law.
25 The maximum rate of interest on said bonds when issued shall not
26 exceed six per cent (6%) per annum, payable semi-annually, but
27 such interest may, in the discretion of the Council of the City
28 of Modesto, be less than said amount.

29 SECTION 5. Said election shall be held on the 13th day of
30 April, 1937, and the polls for said election shall be opened at
31 6 o'clock in the morning of said day and must be kept open until
32

1 7 o'clock in the afternoon of said day, when the polls shall be
2 closed. The said election shall be consolidated with the general
3 municipal election to be held in and for said City of Modesto
4 on said 13th day of April, 1937, to the extent that the hours of
5 opening and closing the polls shall be the same; the polling
6 places shall be the same; the voting precincts shall be the same,
7 and the election officers and poll lists and tally lists shall be
8 the same, but the ballots shall be separate. In all particulars
9 not recited in this ordinance, said election shall be held as
10 provided by law and other ordinances of the City of Modesto for
11 holding municipal elections.

12 SECTION 6. The ballots, which shall be separate from those
13 to be used in voting for officers of the City of Modesto at the
14 general election to be held on the same day, shall be in sub-
15 stantially the following form:

16
17 MUNICIPAL TICKET.

18 Directions to Voters.

19 Each voter desiring to vote for the proposition of incurring
20 a municipal indebtedness specified on this ballot shall stamp a
21 cross (x) in the voting square after the printed word "Yes",
22 after the proposition. If an elector desires to vote against
23 the adoption of said proposition he shall stamp a cross (x) in
24 the voting square after the word "No" after the proposition. The
25 mark ^{MUST} ~~shall~~ be made with the rubber stamp and ink which will be
26 found in each booth, and the ballot shall not be marked in any
27 other manner.

28 For the incurring of an indebtedness
29 for the acquisition and construction
30 of certain municipal improvements.
31 by the City of Modesto, to-

1 wit, garbage trucks and any and all
2 equipment, real property and apparatus
3 necessary to carry on the business of the Yes ()
4 collection and disposal of garbage, swill,
5 trash, and refuse, as specified in the plans
6 and specifications therefor filed with the No ()
7 City Clerk of the City of Modesto by the
8 City Engineer of said City, \$40,000.00

9 SECTION 7. For the purpose of holding said special election
10 the entire incorporated City of Modesto shall be, and the same
11 is, hereby precincted and established into ten special election
12 or consolidated election precincts to be known and designated
13 as follows:

- 14 Special Election or Consolidated Election Precinct No. 1.
- 15 Special Election or Consolidated Election Precinct No. 2.
- 16 Special Election or Consolidated Election Precinct No. 3.
- 17 Special Election or Consolidated Election Precinct No. 4.
- 18 Special Election or Consolidated Election Precinct No. 5.
- 19 Special Election or Consolidated Election Precinct No. 6.
- 20 Special Election or Consolidated Election Precinct No. 7.
- 21 Special Election or Consolidated Election Precinct No. 8.
- 22 Special Election or Consolidated Election Precinct No. 9.
- 23 Special Election or Consolidated Election Precinct No. 10.

24 Said special election or consolidated election precincts
25 are established by consolidating the general election precincts
26 within the City of Modesto (except as hereinafter noted), as
27 established by the orders or resolutions of the Board of Super-
28 visors of Stanislaus County, California, now in force for general
29 election purposes within the City, (which said orders or resolu-
30 tions now on file and of record in the office of the Clerk of the
31 Board of Supervisors of Stanislaus County, California, are hereby
32 referred to and by such reference made a part hereof for greater
certainty and a more particular description of the boundaries

1 thereof) in the following manner, (said precincts so established
2 by said Board of Supervisors being herein referred to as General
3 Election Precincts):

4 Said General Election Precincts so designated by the said
5 Board of Supervisors as Modesto Nos. 1 and 2 have been consoli-
6 dated and established into "Consolidated Election Precinct No. 1."

7 Said General Election Precincts so designated by the said
8 Board of Supervisors as Modesto Nos. 3, 4 and 5 have been con-
9 solidated and established into "Consolidated Election Precinct
10 No. 2."

11 Said General Election Precincts so designated by the said
12 Board of Superivisors as Modesto Nos. 6, 7 and 8 have been con-
13 solidated and established into "Consolidated Election Precinct
14 No. 3."

15 Said General Election Precincts so designated by the said
16 Board of Supervisors as Modesto Nos. 9, 10 and 11 have been con-
17 solidated and established into "Consolidated Election Precinct
18 No. 4."

19 Said General Election Precincts so designated by the said
20 Board of Supervisors as Modesto Nos. 12, 13 and 15 have been con-
21 solidated and established into "Consolidated Election Precinct
22 No. 5."

23 Said General Election Precincts so designated by the said
24 Board of Supervisors as Modesto Nos. 14, 17 and 18 have been con-
25 solidated and established into "Consolidated Election Precinct
26 No. 6."

27 Said General Election Precincts so designated by the said
28 Board of Supervisors as Modesto Nos. 16, 19, 20 and 21 have been
29 consolidated and established into "Consolidated Election Precinct
30 No. 7."

31 Said General Election Precincts so designated by the said
32

1 Board of Supervisors as Modesto Nos. 22, 23 and 24 have been
2 consolidated and established into "Consolidated Election Precinct
3 No. 8."

4 Said General Election Precincts so designated by the said
5 Board of Supervisors as Modesto Nos. 25, 26 and 27 have been con-
6 solidated and established into "Consolidated Election Precinct
7 No. 9."

8 Said General Election Precincts so designated by the said
9 Board of Supervisors as Modesto Nos. 28, 29, 30 and 31 have been
10 consolidated and established into "Consolidated Election
11 Precinct No. 10."

12 SECTION 8. The following places are hereby fixed and desig-
13 nated as and for the places of holding said election within said
14 City of Modesto, and the following named persons are hereby named
15 and designated to act as officers for the holding of said
16 election and will conduct the same, to-wit:

19 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 1

20 Polling Place: Garage 102 Olive Street
21 Inspector: Mrs. Verna Menzies, 221 Poplar Ave.,
22 Judges: Mrs. Jessie Russell, 210 College Ave.,
23 Clerks: Mrs. *Margaret Coughlin* 121 Orange Ave.,
Mrs. A. H. Williams, 125 Orange Ave.,
Leslie Wallis, 111 Hackberry Ave.,
Mrs. Doris E. Hamilton, 232 Hackberry

24 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 2

25 Polling Place: Garage 102 Sycamore Avenue
Inspector: Mrs. *Wm. G. Cooper* 1611 50 Park Ave., Ave.
26 Judges: Mrs. Frances Arnold, 208 Elmwood Aven
John C. Cuneo, 427 Sycamore Avenue
27 Clerks: Mrs. Aura I Rader, 415 Hackberry Ave.,
Mrs. Lyndall Merrill, 229 Elmwood
Mrs. Marie Paxton, 1626 Achor Court

28 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 3

29 Polling Place: Garage 1715 Downey Avenue
30 Inspector: Mrs. Ora R. Bates, 1705 Downey Ave.,
Judges: Mrs. Alma M. Wallace, 1921 Downey Ave.
Mrs. Pearl Hays, 343 Semple St.
31 Clerks: Mrs. Frances M. Nunez, 1746 Lee St.,
32 Mrs. Myrtle Wells, 432 McHenry Ave.,
Mrs. Harriet F. Hooten, 1733 Jones St.

1 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 4

2 Polling Place: Garage 17 Bodem Street
3 Inspector: Josephine Ekstein, 245 High Street,
Judges: Mrs. Edith M. Rogers, 120 Redwood Ave.,
4 Mrs. Bessie E. Tobias, 115 Redwood Ave.,
Clerks: Mrs. Marie H. Weisner, 315 Melrose
5 Mrs. Virginia Morey, 15 Bodem St.,
Mrs. Romona Faifchilds, 2210 H St.

6 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 5

7 Polling Place: Hotel Covell
8 Inspector: Sidney W. Elliott, 1217 12th St.
Judges: Franke Craycroft, 1202 13th St.
9 Mrs. Alfreda Holetz, 1130 12th St.
Clerks: Mrs. Emilie Severin, 1014 M St.
10 Mrs. Myrtle F. Hanke, 1422 10th St.
Wm. H. Durham, 1309 11th St.

11 SPECIAL ELECTION OR CONSOLIDATED PRECINCT No. 6

12 Polling Place: Downey Street Firehouse #3
13 Inspector: Mrs. Pearl Gordon, 728 14th St.
Judges: Mrs. Mildred E. Lumsden, 623 16th St.
14 Mrs. Dorothy Todd, 115 Ross St.
Clerks: Mrs. Gertrude W. D. Meader, 701 18th St.
15 Mrs. Rose Ciccarelli, 823 17th St. Apt. 1
16 Mrs. Mathea Glover, 728 14th St.

17 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 7

18 Polling Place: City Hall, 717 10th Street
19 Inspector: Wm. O. Grunow, 415 14th St.
Judges: Mrs. Elsie E. Ring, 609 12th St.
Mrs. Mabel C. Love, 419 13th St.
20 Clerks: Mrs. Carrie Utterback, 632 12th St.
21 Mrs. Mabel Arata, 808 B St,
Mrs. Ellen V. Plummer, 526½ 14th St.

22 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 8

23 Polling Place: Harrington Store, Stanislaus & Madison Streets
24 Inspector: Mrs. Matilda M. Condit, 201 Locust St.
Judges: Mrs. Leonie R. Smith, 1127 Jefferson
25 Miss Agnes Dunn, 930 7th St.
26 Clerks: Mrs. Irma Karker, 126 Maple St.
Mrs. Alice Cavanaugh, 214 Laurel,
27 Mrs. Esther S. Ingham, 1106 5th St.

28 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 9

29 Polling Place: Alford's 602 I Street
Inspector: Mrs. Minna H. Damrell, 822 6th St.
30 Judges: Mrs. Gertrude Epperson, 702 4th St.
Mrs. Marguerite Ginotti, 629 5th St.
31 Clerks: Mrs. Jessie M. Shotwell, 117 Pine St.
32 Mrs. Ellen M. Harris, 302 H St.
Mrs. Ruby Ribera, 917 5th Street,

1 SPECIAL ELECTION OR CONSOLIDATED PRECINCT NO. 10

2 Polling Place: Fire Station #2 Second Street
3 Inspector: Mrs. Mary J. Blaine, 253 Sierra Drive
4 Judges: Mrs. Amy L. Mitchell, 220 Tuolumne Blvd.
Mrs. Mabel Prouty, 413 Leon Ave.,

5 Clerks: Mrs. Elma M. Ducker, 138 Sunset
6 Max L. Suiter, 131 Sierra Drive
Mrs. Olive C. Rasmussen, 115 Fresno

7 SECTION 9. This ordinance shall be printed and published

8 in full at least once in the Modesto Bee, at least three days
9 prior to its final passage and adoption, and after its final
10 passage and adoption shall be published once a day for at
11 least seven days in some newspaper published at least six days a
12 week within the City of Modesto.

13 The foregoing ordinance was introduced and ordered printed
14 and published as above at a regular meeting of the Council of
15 the City of Modesto held on the 24th day of February, 1937,
16 by the following vote:

17 Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

18 Noes: Councilmen: None

19 Absent: Councilmen: None

20
21 
22 CITY CLERK

23
24 The foregoing ordinance having been introduced and ordered
25 printed and published at a regular meeting of the City Council,
26 held on the 24th day of February, 1937, and having been
27 published as required by the Charter, coming on for final adoption
28 this 10th day of March, 1937, it was finally
29 adopted by the following vote:


30 Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King

31 Noes: Councilmen: None

Absent: Councilmen: None

APPROVED 

Mayor

ATTEST: 

City Clerk

AN ORDINANCE AMENDING SECTION 14 OF ORDINANCE NO. 10 N. S. ENTITLED: "AN ORDINANCE RELATING TO THE OFFENSE OF MISDEMEANOR; SPECIFYING ACTS AND OMISSIONS WHICH, WITHIN THE CITY OF MODESTO, CONSTITUTE THE SAME, AND FIXING THE PENALTY THEREOF."

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

SECTION 1. Section 14 of Ordinance No. 10 N. S. of the City of Modesto entitled : "AN ORDINANCE RELATING TO THE OFFENSE OF MISDEMEANOR; SPECIFYING ACTS AND OMISSIONS WHICH, WITHIN THE CITY OF MODESTO, CONSTITUTE THE SAME AND FIXING THE PENALTY THEREOF", is hereby amended to read as follows:

Section 14. It shall be unlawful and a misdemeanor for any person owning or operating a skating rink, where roller skates are used, to keep the same open for skating later than the hour of 10:00 o'clock P. M. and earlier than the hour of 8 o'clock A. M., save and except that on Wednesday and Saturday nights of each week, said skating rink may be operated and may remain open from the hour of 8 o'clock A. M. to the hour of 12:00 o'clock P. M. Further provided that in no case shall any skating rink be operated within 200 feet of any occupied dwelling house unless the written consent of the owner or lessee of such dwelling house is first obtained.

SECTION 2. This ordinance shall go into force and be in full force and effect from and after April 29th, 1937.

SECTION 3. This ordinance shall be printed and 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 by Councilman Stanley at a regular meeting of the Council of the City of Modesto held

VII -5


1 on the 24th day of March, 1937, and was adopted and passed to
2 print by the following vote:

3
4 Ayes: Councilmen: Pack, Stanley, Oliver, Neece and Mayor King

5 Noes: Councilmen: None

6 Absent: Councilmen: None
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10 APPROVED:



11 J. H. KING, MAYOR.

12 ATTEST:



13 H. E. GRAGG, CITY CLERK.
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of March, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Pack, Oliver and Mayor King


Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST


CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 544 N. S.

AN ORDINANCE AMENDING SECTION 32 OF ORDINANCE NO. 345 N. S.,
ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE
PUBLIC STREETS OF THE CITY OF MODESTO, AS A-
MENDED BY ORDINANCE NO. 404 N. S. OF
THE CITY OF MODESTO."

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

SECTION 1. Section 32 of Ordinance No. 345 N. S. of the
City of Modesto entitled: "AN ORDINANCE REGULATING TRAFFIC
UPON THE PUBLIC STREETS OF THE CITY OF MODESTO, AS AMENDED BY
ORDINANCE NO. 404 N. S. OF THE CITY OF MODESTO" is hereby amended
to read as follows:

The operator of a vehicle shall not park such vehicle for
longer than sixty (60) consecutive minutes within any business
district of the City of Modesto between the hours of 9:00 A. M.
and 6:00 P. M. of any day except Sunday, and subject to the
special restrictions imposed by Sections 30 and 31, nor shall the
operator of a vehicle park for a longer period than fifteen (15)
minutes on the northwesterly side of 11 Street between the alley
of Block 84 and the southwesterly line of Twelfth Street.

Signs shall be erected and maintained not more than one
hundred fifty (150) feet apart in each block, designating the
provisions of this section.

SECTION 2. Be it further provided that the City Council of
the City of Modesto may hereafter when and if the general welfare
and safety of the citizens of the City of Modesto so require it,
increase or diminish the time for which vehicles may be parked in
said area by resolution regularly adopted by said City Council, and
by posting appropriate signs in said area or any part thereof,
conveying the information as to the length of time which vehicles
may park in said area.

SECTION 3. Nothing herein contained shall be construed to
amend, change or modify the provisions of Ordinance No. 538 N.S.

544

1 entitled: "AN ORDINANCE PROVIDING TEN (10) MINUTE VEHICLE PARKING
2 PERIODS AT CERTAIN DESIGNATED PLACES."

3 SECTION 4. If any section, subsection, sentence, clause or
4 phrase of this ordinance is for any reason held to be invalid or
5 unconstitutional, such decision shall not affect the validity of
6 the remaining portions of the ordinance. The Council of the City
7 of Modesto hereby declares that it would have passed this ordinance
8 and each section, subsection, sentence, clause or phrase hereof,
9 irrespective of the fact that any one or more sections, subsections,
10 sentences, clauses or phrases be declared invalid or unconstitu-
11 tional.

12 SECTION 5. This ordinance shall go into effect and be in
13 full force and operation from and after 15 days after its final
14 passage and adoption.

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

18 The foregoing ordinance was introduced at a special meeting
19 of the Council of the City of Modesto held on the 31st day of
20 March, 1937, by Councilman Stanley, who moved its adoption and
21 passage to print as aforesaid, which motion being duly seconded
22 was upon roll call carried, and the ordinance ordered published
23 as above by the following vote.

24
25 Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
26 Noes: Councilmen: None
27 Absent: Councilmen: None
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APPROVED:

J. A. King

J. A. KING, MAYOR

ATTEST:

H. E. Cragg

H. E. CRAGG, 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 31st day of March, 1937, 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, 1937, it was upon roll call so finally adopted by the following vote:
Ayes: Councilmen: Neece, Pack, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: J. King
MAYOR

ATTEST: N. E. Gray
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 545 N. S.

AN ORDINANCE APPROPRIATING MONEY FOR THE PURCHASE OF A DIESEL TRACTOR FOR THE CITY OF MODESTO.

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

SECTION 1. The sum of Three Thousand Two Hundred Dollars (\$3,200.00), 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 a 35 horse-power track layer tractor powered by Diesel engine to be used by the City of Modesto, and particularly by the Engineering Department of said City.

SECTION 2. The City Engineer shall upon the adoption of this Ordinance from time to time, when and if required by the Council of the City of Modesto, file with the Council plans and specifications setting forth the type and kind of equipment for which the money herein is hereby appropriated; and the City Clerk shall, as directed by the Council, advertise for bids for said equipment and bids shall be received and accepted therefor as the Council may hereafter by resolution determine and prescribe.

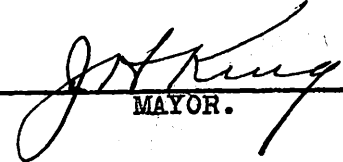
SECTION 3. This Ordinance shall go into effect from and after fifteen (15) days after its final passage and adoption, and shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

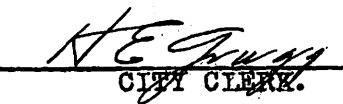
The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937, by Councilman Oliver, who moved its adoption and

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passage to print, which motion being duly seconded, was carried
and the Ordinance ordered printed and published by the following
vote:
AYES: COUNCILMEN: Neece, Bond, Stanley, Oliver and Mayor King
NOES: COUNCILMEN: None
ABSENT: COUNCILMEN: None

APPROVED: 
MAYOR.

ATTEST: 
CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. L. King
Mayor

ATTEST H. E. Quinn
City Clerk

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ORDINANCE NO. 546 N. S.

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 124 N. S. OF THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE REGULATING THE USE OF WATER FOR IRRIGATION PURPOSES WITHIN THE CITY OF MODESTO."

---oo0ee---

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

Section 1. Section 1 of Ordinance No. 124 N. S. of the City of Modesto entitled "AN ORDINANCE REGULATING THE USE OF WATER FOR IRRIGATION PURPOSES WITHIN THE CITY OF MODESTO" is hereby amended to read as follows, to-wit:

Section 1. It shall be unlawful for any person, firm, corporation or individual, either as principal, agent, master, servant or employee, to use water from the water works system of the City of Modesto for irrigation of lawns, trees, gardens, or other portions of the premises on the odd numbered side of any street within said City of Modesto on Mondays, Wednesdays and Fridays, between 8 o'clock A. M. and 8 o'clock P. M. of any of said days, between the first day of June and the first day of October of each year, and on the even numbered side of any street on Tuesdays, Thursdays and Saturdays, between 8 o'clock A. M. and 8 o'clock P. M. of any of said days from June first to October first of each year. By the term "even numbered side of any street" is meant that side of the street on which the house numbers end in even figures, and by the term "odd numbered side of any street" is meant that side of the street on which the house numbers end in odd figures. The connection of any residence, piece of property or premises with the water system of the City of Modesto shall be presumptive evidence that the water used for irrigation on said premises comes from the water works system of the City of Modesto.

Section 2. Any person convicted of violating any of the provisions of this ordinance shall be punished by a fine not ex-

1 ceeding Fifty (\$50.00) Dollars, or by imprisonment in the County
2 Jail not exceeding thirty (30) days, or by both such fine and
3 imprisonment.

4 Section 3. In addition to the penalty hereinabove pres-
5 cribed for violation of the terms of this ordinance, the Water
6 Superintendent of the City of Modesto is hereby authorized and
7 directed, in event of the violation of the terms of this
8 ordinance, to shut off the water supply from the premises upon
9 which the violation occurs, and the same shall thereafter be
10 reconnected only upon the payment of the sum of Two and 50-100ths
11 (\$2.50) Dollars.

12 Section 4. This ordinance shall take effect and be in full
13 force and operation from and after fifteen days after its final
14 passage and adoption.

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

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21 The foregoing ordinance was introduced and ordered printed
22 and published as above at a regular meeting of the Council of
23 the City of Modesto held on the 12th day of May, 1937, by the
24 following vote:

25 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
26 Nees: Councilmen: None
27 Absent: Councilmen: None

28
29
30 APPROVED:


J. H. KING, MAYOR

31 ATTEST:


H. E. GRAGG, CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of May, 1937 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, 1937, it was upon roll call do finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. King

Mayor

ATTEST

A. C. ...

City Clerk

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AN ORDINANCE AMENDING ORDINANCE NO. 146 N. S. ENTITLED "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME," AS THEREAFTER AMENDED BY ADDING NEW SECTIONS THERE TO.

---cc0cc---

The Council of the City of Modesto do ordain as follows:
Seven new sections are hereby added to Ordinance No. 146 N.S. of the City of Modesto, entitled "AN ORDINANCE RELATING TO AUTOMOBILE BUSES, JITNEYS AND TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME", as thereafter amended, to be numbered as follows, which said sections shall read as follows:

SECTION 13. It shall be unlawful for any person under the age of twenty-one years to drive and/or operate an automobile for hire within the City of Modesto.

SECTION 14. It shall be unlawful for any person to drive and/or operate a taxicab or any automobile for hire in the City of Modesto unless and until said applicant is finger printed by the Chief of Police of said City of Modesto or some one duly authorized by said Chief of Police.

SECTION 15. The City Council may deny the granting of any permit to operate or conduct a taxicab business in the City of Modesto if it appears to its satisfaction that the applicant is not a responsible person; that there is insufficient public need or demand for the operation of the vehicle or vehicles for which a permit has been applied, or for any reasonable cause which, within its sound discretion, renders the proposed operations undesirable to the City of Modesto or inadequate.

SECTION 16. The City Council of the City of Modesto shall deny the granting of the permit to operate any public taxicab in the City of Modesto or any taxicab business in the City of Modesto

Amended by Ord # 681-N.S.

1 if it shall appear to its satisfaction that the applicant is not
2 a citizen of the United States of America and an actual bona
3 fide resident of Modesto Township, County of Stanislaus, State
4 of California for at least six (6) months continuously preceding
5 the date of the filing of the application therefor; and if the
6 applicant be a partnership or association or corporation, a
7 majority of the members or stockholders thereof shall not possess
8 the residentiary and citizenship qualifications provided for
9 herein; that such vehicle proposed to be operated is inadequate
10 or unsafe; that the applicant has been convicted of a felony or
11 of a violation of any narcotic law, or of any penal law involving
12 moral turpitude.

13 SECTION 17. The residentiary qualifications of applicants
14 herein provided for are for the purpose of better enabling the
15 City Council of the City of Modesto to determine the fitness of
16 the applicants to carry on the business provided for by the terms
17 of this Ordinance, and to better and more efficiently regulate
18 the same.

19 SECTION 18. At the time that any license is granted to
20 operate a taxicab business in the City of Modesto, the City
21 Council shall designate one parking space on the public streets
22 of said City, which shall be known as the licensee's place of
23 business. Said parking space so designated shall be appropriately
24 marked and identified by the City Engineer of said City and shall
25 thereafter be used for the exclusive use of said licensee and be
26 of sufficient size to accommodate one taxicab. It shall be un-
27 lawful and a violation of this Ordinance for any taxicab owner
28 or driver licensed under this Ordinance to use any of the parking
29 spaces in that portion of the City of Modesto where time parking
30 is now in force between the hours of eight a. m. and ten p. m.,
31 other than the one space designated for his or her exclusive use.
32

*amended by
Ord 555-A.S*

1 SECTION 19. Nothing in this Ordinance is to be construed
2 as a modification or change in the requirements for the procure-
3 ment of a permit to engage in the taxicab business or to drive
4 taxicabs in the City of Modesto as set forth in Ordinance No. 146
5 N. S. as thereafter amended by Ordinance No. 205 N. S. and
6 Ordinance No. 522 N. S. of the City of Modesto. The City Council
7 hereby declares that the said requirements herein set forth are
8 in addition to those heretofore set forth in said Ordinances.

9 A violation of any of the sections of this Ordinance shall
10 be sufficient cause for the revocation of the license of said
11 licensee after hearing before the City Council as provided else-
12 where in this Ordinance.

13 SECTION 20. This Ordinance shall go into force and be in
14 effect from and after fifteen (15) days following its final
15 passage.

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

20 The foregoing Ordinance was introduced by Councilman Stanley
21 at a regular meeting of the Council of the City of Modesto held
22 on the 28th day of June, 1937, and was adopted and passed to
23 print by the following vote:

24
25 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

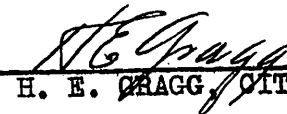
26 Noes: Councilmen: None

27 Absent: Councilmen: None

28
29 APPROVED:

30 
J.H. KING, MAYOR

31 ATTEST:

32 
H. E. DRAGG, 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 28th day of June, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: J. King
MAYOR

ATTEST: H. [Signature]
CITY CLERK



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REPEALED ORD 234 CS

ORDINANCE NO. 548 N. S.

AN ORDINANCE PROHIBITING "U-TURNS" AT INTERSECTION OF ALLEYS AND STREETS WITHIN CERTAIN AREAS IN THE CITY OF MODESTO AND PROVIDING A PENALTY FOR VIOLATION HEREOF.

---oo0oo---

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

SECTION 1. Fifteen (15) days after the final adoption of this Ordinance it shall be unlawful for any person driving or operating any vehicle to turn such vehicle in a complete circle or so as to proceed in the opposite direction, at the intersection of any alley with any street in the City of Modesto within the following area:

From and including Fifth Street to and including Fifteenth Street, and from and including G Street to and including L Street.

For the purpose of this Ordinance a bicycle is herein defined as a vehicle.

SECTION 2. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished for the first offense by a fine not to exceed \$50.00, or by imprisonment in the City Jail for a period not to exceed five days; for a second violation within a period of one year, by a fine not to exceed \$100.00, or by imprisonment in the City Jail for a period not to exceed ten days, or by both such fine and imprisonment; for a third and each additional offense committed within one year, by a fine not to exceed \$300.00, or by imprisonment in the City Jail for a period not to exceed thirty days, or by both such fine and imprisonment.

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.

7.2

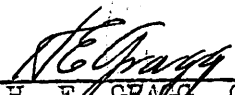
1 The foregoing Ordinance was introduced at a regular meeting
2 of the Council of the City of Modesto held on the 28th day of
3 June, 1937, by Councilman Stanley, who moved its adoption
4 and passage to print, which motion, being duly seconded was
5 upon roll call carried and adopted by the following vote:

6 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

7 Noes: Councilmen: None

8 Absent: Councilmen: None

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12 ATTEST:


13 H. E. GRAGG, 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 28th day of June, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

MAYOR

ATTEST _____

CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 549 N. S.

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

-oOo-

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

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

City Clerk	the sum of \$1500.00 per annum
City Auditor	the sum of \$ 900.00 per annum
City Assessor	the sum of \$ 600.00 per annum
City Treasurer	the sum of \$ 300.00 per annum
Collector	the sum of \$ 300.00 per annum
City Attorney	the sum of \$2400.00 per annum
Chief of Police	the sum of \$2880.00 per annum
Fire Chief	the sum of \$2880.00 per annum
Health Officer	the sum of \$ 1.00 per annum
City Engineer, who likewise occupies the offices of Street Superintendent, Building Inspector and Sewer Inspector	the sum of \$3900.00 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 once at least three days prior to its final adoption in the official newspaper of the City of Modesto, to-wit, the Modesto Bee, formerly the Modesto News-Herald.

The foregoing Ordinance was introduced at an adjourned meeting of the Council of the City of Modesto held on the 17th day of July, 1937, by Councilman NEECE, who moved its

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

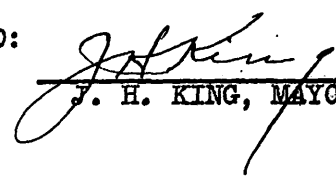
4 Ayes: Councilmen: Neece, Stanley, Bond and Mayor King

5 Noes: Councilmen: None

6 Absent: Councilmen: Oliver

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APPROVED:


J. H. KING, MAYOR.

ATTEST:


CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular adjourned meeting of the Council of the City of Modesto held on the 17th day of July, 1937, 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: J. H. King

MAYOR

ATTEST: W. C. Gray

CITY CLERK

NO. 4-1.102
4-1.103

ORDINANCE NO. 550 N. S.

AN ORDINANCE AMENDING SECTIONS 2, 3 and 5 OF ORDINANCE NO. 492, N. S. OF THE CITY OF MODESTO, ENTITLED "AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES," AS THEREAFTER AMENDED.

---oo0oo---

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

SECTION 1. Sections 2, 3 and 5 of Ordinance No. 492-N, S. of the City of Modesto entitled: "AN ORDINANCE REGULATING AND LICENSING CERTAIN AMUSEMENT DEVICES AND PROHIBITING SLOT MACHINES AND GAMBLING DEVICES" as thereafter amended by Ordinance No. 525 N. S. bearing the same title as hereinbefore set forth, are hereby amended to read as follows:

"Section 2. It shall be unlawful to have, possess, use and operate amusement machines as herein defined, under the terms and regulations herein specified.

"Section 3. An amusement machine within the meaning of Section 2 of this Ordinance shall constitute only a machine or mechanical apparatus designed and/or intended to be operated or used for amusement purposes only and/or playing a game (such as and including the machines or devices commonly known as "pin and ball machines", "duck-ray machines" and similar machines). Nothing herein contained is intended nor is to be construed as permitting the licensing or keeping of any mechanical games within the City of Modesto, the possession of which is illegal as a gambling device under and by virtue of the laws of the State of California.

"Section 5. It shall be unlawful for any person, firm or corporation, either as principal, agent, servant or employee, to operate machines of the kind specified in Section 3 hereof without having a license therefor, as herein specified.

"Applications for licenses shall be in writing, signed by the

8522-115

1 applicant, giving his business address, business or occupation,
2 age, citizenship, and such other information as may be required.
3 They shall be filed with the City License and Tax Collector, with
4 the deposit of the license fee, shall be referred by him to the
5 Commissioner of Public Health and Safety for investigation and
6 examination and a report to the Council with his recommendation.
7 If the Council finds from an examination of the application and
8 such report and such further facts as may be officially brought
9 to its attention that the application is in proper form, the
10 applicant of good moral character, and that the business therein
11 applied for may be carried on without danger to the public peace,
12 health and safety, the Council shall grant the permit applied
13 for and direct the Collector to issue the license; but if it
14 finds that the applicant is not a person of good moral character
15 or that the business cannot be carried on without danger to the
16 public peace, health and safety, it may deny the application.

17 "The license fee shall be the sum of Five Hundred (\$500.00)
18 Dollars per year, payable in advance, the year for the purpose
19 of this license commencing on July first, provided, however, that
20 the license fee for the year beginning July 1, 1937, shall be
21 in proportion to that of the year remaining after this ordinance
22 goes into effect. Each license shall permit the operation of
23 not to exceed thirty-five (35) such machines. The Collector, or
24 his deputies, shall securely affix or cause to be affixed in a
25 conspicuous place on each such machine operated by a licensee a
26 sticker or label legibly setting forth the name and address of
27 the licensee, the license number and the year for which issued,
28 together with the words "City of Modesto," which sticker or
29 label shall bear the genuine or a facsimile signature of the
30 Collector. It shall be unlawful to use or operate any such
31 machine to which a sticker or label is not attached as aforesaid."
32

1 SECTION 2. If any section, subsection, sentence, clause or
2 phrase of this ordinance is for any reason held to be unconsti-
3 tutional or void, such decision shall not affect the validity
4 of the remaining, separable portions of this ordinance. The
5 Council hereby declares that it would have passed this ordinance
6 and each section, subsection, sentence, clause or phrase
7 thereof irrespective of the fact that any one or more sections,
8 subsections, sentences, clauses or phrases be declared uncon-
9 stitutional or void.

10 SECTION 3. This ordinance shall go into effect from and
11 after fifteen days after its final passage and adoption. All
12 ordinances or parts of ordinances in conflict herewith, and in
13 particular Ordinance No. 469--N. S. are hereby repealed.

14 SECTION 4. This ordinance shall be published in full at
15 least once at least three days prior to its final adoption in
16 the Modesto Bee, the official newspaper of the City of Modesto.
17

18 The foregoing ordinance was introduced at a regular meeting
19 of the Council of the City of Modesto held on the 28th day of
20 ~~August~~ ^{July}, 1937, by Councilman Stanley, who moved its adoption
21 and passage to print as aforesaid, which motion being duly sec-
22 onded, was upon roll call carried, and the ordinance ordered
23 published as above by the following vote:

24 AYES: COUNCILMEN: Stanley, Neece, Bond and Mayor King

25 NOES: COUNCILMEN: None

26 ABSENT: COUNCILMEN: Oliver

28 APPROVED:

J. H. King
J. H. KING, MAYOR.

30 ATTEST:

H. E. Gragg
H. E. GRAGG CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 28th day of July, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neese, Oliver, Stanley, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. A. King
MAYOR

ATTEST: _____

N. E. Grass
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 551-N.S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1937-1938

---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 1st, 1937 and
ending June 30th, 1938, the rates of taxation, hereinafter speci-
fied, said rates being upon each One Hundred Dollars (\$100.00) of
the valuation according to the equalized assessment roll, to-wit:

FOR THE GENERAL FUND \$.80
on each One Hundred Dollars taxable
valuation

- FOR THE BOND REDEMPTION AND INTEREST FUND:
- (a) Municipal Improvement Bonds of 1910 \$.024
 - (b) Municipal Improvement Bonds of 1911 .007
 - (c) Municipal Improvement Bonds of 1912 .02
 - (d) Municipal Improvement Bonds of 1919 .022
 - (e) Municipal Improvement Bonds of 1920 .091
(January)
 - (f) Municipal Improvement Bonds of 1920 .016
(June)
 - (g) Municipal Improvement Bonds of 1923 .02

being a total of .20

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

FOR THE LIBRARY FUND .10
on each one Hundred Dollars of taxable valuation

The aggregate of said sums to-wit-----\$1.10

on each One Hundred Dollars valuation as determined by the equal-

1 ized assessment roll for the year 1937-1938 on all property taxable
2 in the City of Modesto for said purpose is hereby levied and
3 apportioned to and shall be paid in to the above funds respectively
4 of said City. The rates above specified shall be in addition to
5 those required to be levied under the general laws of the State of
6 California for the purpose of paying principal and interest on street
7 improvement and interest on street improvement bonds in local
8 improvement districts.

9 SECTION 2

10 This Ordinance shall take effect immediately
11 upon its final passage and adoption

12 SECTION 3

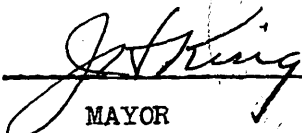
13 This ordinance shall be published in full at
14 least once at least three days prior to its final adoption in the
15 Modesto Bee, the official newspaper of the City of Modesto.

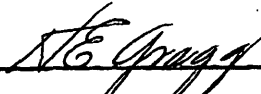
16 The foregoing Ordinance was introduced at a re-
17 gular meeting of the Council of the City of Modesto held on the
18 11th day of August, 1937 by Commissioner Neece who moved its
19 adoption and passage to print, which motion being duly seconded
20 the Ordinance was upon roll call ordered printed and published as
21 required by the Charter of the City of Modesto by the following vote:

22 Ayes: Councilmen: Neece, Oliver, Stanley, Bond and Mayor King

23 Noes: Councilmen: None

24 Absent: Councilmen: None

25 
26 _____
27 MAYOR

28 
29 _____
30 City Clerk

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. H. King
Mayor

ATTEST

A. G. Gray
City Clerk



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SPECIAL
NOT IN CODE

ORDINANCE NO. 552 N. S.

AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE GENERAL WELFARE OF THE CITIZENS OF MODESTO.

---oo0oo---

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

SECTION 1. The sum of Two Thousand Four Hundred Dollars (\$2,400.00), or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the \$5.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487--N. S., entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES." Said sum is hereby appropriated for the purpose of promotion and/or for the general welfare of the citizens of the City of Modesto under and by virtue of the power conferred on said City Council by Section 67, Article 3, Charter of the City of Modesto.

SECTION 2. This Ordinance shall go into effect from and after 15 days after its final passage and adoption.

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

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937, by Councilman Neece, who moved its adoption

1 and passage to print, which motion being duly seconded was
2 carried and the Ordinance ordered printed and published as
3 above by the following votes:

4
5 AYES: COUNCILMEN: Neece, Bond, Stanley, Oliver and Mayor King

6 NOES: COUNCILMEN: None

7 ABSENT: COUNCILMEN: None
8
9

10 APPROVED:

11 J. H. King
12 J. H. KING, MAYOR.

13 ATTEST:

14 H. E. Gragg
15 H. E. GRAGG, CITY CLERK.
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED

J. King

Mayor

ATTEST

N. E. ...

City Clerk

Dec 9 5 58 PM '37

ORDINANCE NO 553 N. S.

REPEALED BY
MUNICIPAL

1 AN ORDINANCE AMENDING SECTION 117 OF ORDINANCE NO. 487 N. S. OF
2 THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE PROVIDING FOR LICENS-
3 ING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
4 CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
5 METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES".

---ooOeo---

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

7 SECTION 1. Section 117 of Ordinance No. 487 N. S. of the
8 City of Modesto, entitled: "AN ORDINANCE PROVIDING FOR LICENSING
9 AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
10 CALLINGS, AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
11 METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN OR-
12 DINANCES", is hereby amended to read as follows:

13 "Section 117. For any person conducting, carrying on or
14 managing the business of advertising, by means of distributing
15 dodgers, hand bills, circulars, printed advertisements, cards,
16 tickets, or advertising samples of merchandise, the sum of
17 Seventy-Five (\$75.00) Dollars per year, or fraction thereof,
18 which said sum must be paid in its entirety before a license to
19 carry on said business may be issued.

20 "For the purpose of this section, the words "Conducting,"
21 "Carrying on" or "Managing the business" are defined to be and
22 are construed to mean the doing of any act or series of acts
23 of distributing or advertising by means or in any manner in this
24 section specified.

25 "Provided, however, that nothing herein contained shall be
26 construed to permit the carrying on of the business hereinabove
27 defined in violation of Ordinance No. 382 N. S. of the City of
28 Modesto."

29 SECTION 2. This ordinance shall go into effect and be in
30 full force and operation from the 1st day of October, 1937.

31 SECTION 3. This ordinance shall be published in full at
32

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

4
5 The foregoing ordinance was introduced at a regular meeting
6 of the Council of the City of Modesto held on the 11th day of
7 August, 1937, by Councilman Stanley 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 printed and published as above by the following vote:

11 Ayes: Councilmen: Neece, Bond, Oliver, Stanley and Mayor King

12 Noes: Councilmen: None

13 Absent: Councilmen: None

14 APPROVED: J. W. King

J. W. KING, MAYOR

15
16 ATTEST: H. E. Grace

H. E. GRACE 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 11th day of August, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED *J. King* Mayor
ATTEST *J. E. Gandy*
City Clerk

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CODE SEC
NO. 4-7.5053
4-7.5064
4-7.510
4-7.516

AN ORDINANCE TO REGULATE AND PROHIBIT PICKETING IN THE CITY OF MODESTO, AND OTHER MATTERS RELATING THERETO: FIXING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

SECTION I. It shall be unlawful within the City of Modesto for any person to watch, beset or picket the premises of another, where any person is employed, or any approach thereto, or any place where such employee lodges or resides, or approaches thereto, for the purpose of, or with the result of, inducing any such employee, by compulsion, threats, coercion, intimidation, or by any act of violence, or by putting such employee in fear, to quit his or her employment or to refrain from seeking or freely entering into employment,

SECTION II. It shall be unlawful within the City of Modesto for any person to watch, beset or picket the premises of another, or any approach thereto for the purpose of, or with the result of, inducing others to refrain from entering such premises or from patronizing, transacting business with, or negotiating with the owner or occupant of such premises.

SECTION III. It shall be unlawful within the City of Modesto for any person, in association or agreement with one or more persons, to assemble, congregate or meet together in the vicinity of any premises where other persons are employed, or upon the streets, approaches or places adjacent thereto, for the purpose of, or with the result of, inducing any such employees, by compulsion, threats, coercion, intimidation or by any act of violence, or by putting such employee in fear, to quit his or her employment therein, or to refrain from seeking or freely entering into employment therein.

SECTION IV. It shall be unlawful within the City of Modesto for any person in association or agreement with one or more per-

1 sons to assemble, congregate, or meet together in the vicinity
2 of the premises of another, or upon the street, approaches or
3 places adjacent thereto for the purpose of, or with the result
4 of, inducing others to refrain from entering such places or
5 from patronizing, transacting business with or negotiating with
6 the owner or occupant of such premises.

7 SECTION V. It shall be unlawful within the City of Modesto
8 for any person to utter to, or within the hearing of another, any
9 derogatory, profane, indecent, opprobrious epithets or language,
10 or to use any gestures, or to make demonstrations of any kind,
11 for the purpose of, or with the result of, inducing any person,
12 by means of compulsion, coercion, intimidations, threats, acts of
13 violence, or fear, to quit his or her employment or to refrain
14 from seeking or freely entering into employment, or to refrain
15 from patronizing, negotiating with or transacting business with
16 any other person .

17 SECTION VI. No person within the City of Modesto shall loiter with
18 intent to picket, threaten coerce or intimidate any person, or to
19 carry show or display any banner, transparency or sign which by
20 implication or otherwise advocates any threats, coercion or intimi-
21 dations or any other unlawful act in or upon any street or sidewalk
22 in front of or in the vicinity of any factory, works or place of
23 business or employment.

24 SECTION VII. It shall be unlawful within the City of Modesto
25 for any person to form or to aid in forming, or to ride in, any
26 parade, or procession of two or more vehicles, horses or mules,
27 formed or moving along any public street or highway for the pur-
28 pose of, or with the result of, inducing any person, by means of
29 compulsion, coercion, intimidation, or fear from entering into or
30 carrying on his employment, upon or about any place of business
31 packing shed, dwelling, office building, or any other premises or
32 place of employment.

1 SECTION VIII It shall be unlawful within the City of Modesto
2 for any person to loiter, stand or sit in or upon any public
3 highway, street alley, side walk or cross walk so as to in any
4 manner hinder or obstruct the free passage therein or thereon
5 of persons or vehicles passing or attempting to pass along or
6 over the same, or so as to in any manner annoy or molest persons
7 passing along or over the same.

8 SECTION IX. It shall be unlawful within the City of Modesto
9 for two or more persons to conspire to agree together to commit
10 any of the acts specified, defined or prohibited by Sections I,
11 II, III, IV, V, VI, VII or VIII of this Ordinance.

12 SECTION X Any person violating any of the provisions of
13 this ordinance shall be deemed guilty of a misdemeanor, and upon
14 conviction thereof shall be punished by imprisonment in the
15 County Jail of Stanislaus County not exceeding six months, or by
16 a fine not exceeding \$300.00, or by both such fine and imprison-
17 ment.

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

27 SECTION XII. The City Council hereby finds and declares that
28 this ordinance is necessary for the immediate preservation of
29 the public peace, health and safety of the citizens of Modesto
30 and persons therein, by reason of the following facts; there
31 now exists in the said City of Modesto and in parts of the
32

1 County of Stanislaus within which said City is situate, and in
2 that portion of said County adjacent to the City of Modesto,
3 which said adjacent territory is so closely interwoven with the
4 City of Modesto as to be indistinguishable therefrom, a serious
5 situation involving labor disputes and strikes and the interfer-
6 ence of labor agitators which threatens to interfere seriously
7 with the orderly conduct of business of all kinds, and to cause
8 great disorder and many breaches of the peace and to attract
9 criminal, vicious and other undesirable characters to said City
10 and community. This ordinance shall, therefore, take effect
11 immediately upon its final passage and adoption.

12 SECTION XIII. All ordinances or parts of ordinances in con-
13 flict herewith are hereby expressly repealed.

14 SECTION XIV This ordinance 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 special meeting
18 of the Council of the City of Modesto held on the 24th day of
19 August, 1937, by Councilman Stanley, who moved its adoption and
20 passage to print, which motion being duly seconded, was upon
21 roll call carried and the ordinance ordered printed and published
22 as above by the following vote:

23 Ayes: Councilmen: Bond, Stanley, Neece and Mayor King

24 Noes: Councilmen: None

25 Absent: Councilmen: Oliver

26
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28 APPROVED



Mayor

29
30 ATTEST



City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 24th day of August, 1937 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the adjourned meeting of August 30, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Stanley, Neece, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. H. King
Mayor

ATTEST V. E. Gray
City Clerk



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Repealed
by Ord 752

2 AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NO. 547 N.S.
3 ENTITLED AN ORDINANCE AMENDING ORDINANCE NO.146 N.S. ENTITLED
4 "AN ORDINANCE RELATING TO AUTOMOBILE BUSSES, JITNEYS AND TAXI-
5 CABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE
6 OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME"
7 AS THEREAFTER AMENDED BY ADDING NEW SECTIONS THERETO.

8 The Council of the City of Modesto do ordain as follows:
9 SECTION I. Section 18 of Ordinance No. 547 N.S. of the
10 City of Modesto, entitled "AN ORDINANCE AMENDING ORDINANCE NO.146N.S.

11 ENTITLED" AN ORDINANCE RELATING TO AUTOMOBILE BUSSES, JITNEYS AND
12 TAXICABS IN THE CITY OF MODESTO, FIXING A LICENSE FEE FOR THE
13 OPERATION THEREOF, AND REGULATING THE OPERATION OF THE SAME
14 THEREOF", as thereafter amended by adding new sections thereto,
15 is hereby amended to read as follows:

16 SECTION 18. At the time that any license is granted to
17 operate a taxicab business in the City of Modesto, the City
18 Council shall designate one parking space on the public streets
19 of said City, which shall be known as the licensee's place of
20 business. Said parking space so designated shall be appropriately
21 marked and identified by the City Engineer of said City, and
22 shall thereafter be used for the exclusive use of said licensee,
23 and be of sufficient size to accommodate one taxicab. Between the
24 hours of 8 A.M. and 10 P.M. of any day, including Sundays and
25 holidays, no taxicab owner, driver, or other person shall park or
26 allow a taxicab to stand in that portion of the City of Modesto
27 where there is now or may hereafter be a limitation placed on the
28 length of time for which vehicles may park, save and except in the
29 space designated for his use as aforesaid.

30 SECTION 2. This Ordinance shall go into force and be in
31 effect from and after fifteen (15) days following its final
32 passage.

SECTION 3. THIS Ordinance shall be printed and published in
full at least once at least three days prior to its final adoption,

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

3 The foregoing Ordinance was introduced by Councilman _____
4 Stanley at a regular meeting of the Council of the City of
5 Modesto held on the 25th day of August, 1937, and was adopted and
6 passed to print by the following vote:

7
8 Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King


9 Noes: Councilmen: None

10 Absent: Councilmen: None

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12 APPROVED


J. H. KING, MAYOR

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15 ATTEST:


H. E. GRAGG, 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 August, 1937, and subsequently printed and published as required by the Charter of the City of Modesto 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 8, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST:


CITY CLERK

SPECIAL
NOT IN CODE

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF NEW EQUIPMENT FOR THE DEPARTMENTS OF PUBLIC WORKS AND PARKS OF THE CITY OF MODESTO AND APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A NEW PUMPING STATION, A WADING POOL IN WEST SIDE PARK, AN ADDITION TO THE CLUB HOUSE AT THE GOLF COURSE, A STORM DRAIN ON SOUTH AVE., AND ADDITIONAL MONEY FOR IMPROVEMENTS AT THE SEWER FARM.

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

Section I. The sum of Seven Hundred Seventy-Five Dollars (\$775.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of an automobile for the Street Division.

Section II. The sum of Seven Hundred Fifty Dollars (\$750.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of an automobile for the Machine Shop.

Section III. The sum of Eight Hundred Seventy-Five Dollars (\$875.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of a Hoist for the Machine Shop.

Section IV. The sum of One Thousand Two Hundred Fifty Dollars (\$1250.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of an Industrial Tractor, with mower attachment, for the Parks.

Section V. The sum of Six Hundred Twenty-Five Dollars (\$625.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of a Power Mower for the Parks.

Section VI. The sum of One Thousand and Fifty Dollars (\$1050.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for an addition to the Golf Course Club House.

Section VII. The sum of Seven Hundred Fifty Dollars (\$750.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the construction of a Wading Pool in West Side Park.

Section VIII. The sum of One Thousand Five Hundred Dollars (\$1500.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of Sewer pipe and fittings.

Section IX. The sum of Three Thousand Five Hundred Dollars (\$3,500.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the construction of Storm Drains.

Section X. The sum of Five Hundred Nineteen Dollars and Sixty Three cents (\$519.63), or so much thereof as may be necessary, is hereby appropriated from the Septic Tank Fund of the City of Modesto for improvements at the Sewer Farm.

1 Section XI. The sum of Ten Thousand Four Hundred Eighty
2 Dollars and Thirty Seven cents (\$10,480.37), or so much thereof as
3 may be necessary, is hereby appropriated from the General Fund of
4 the City of Modesto for improvements at the Sewer Farm.

5 Section XII. The sum of Four Thousand Dollars (\$4,000.00),
6 or so much thereof as may be necessary, is hereby appropriated
7 from the Water Fund of the City of Modesto for the purchase of
8 water pipe and fittings.

9 Section XIII. The sum of Seven Thousand Dollars (\$7,000.00),
10 or so much thereof as may be necessary, is hereby appropriated
11 from the Water Fund of the City of Modesto for the construction
12 of a Pumping Station.

13 Section XIV. The City Engineer shall, upon the adoption of
14 this ordinance, from time to time as required by the Council of
15 the City of Modesto, file with the Council plans and specifications,
16 where necessary, for the equipment and construction work outlined
17 above; and the City Clerk shall, from time to time, as directed by
18 the Council, advertise for bids for said equipment and const-
19 ruction work, when necessary, and bids shall be received and
20 accepted and contracts awarded therefor as the Council may here-
21 after by resolution determine and prescribe.

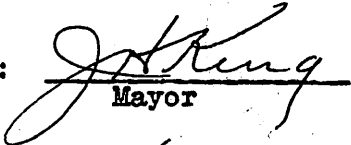
22 Section XV. This Ordinance shall go into effect from and
23 after fifteen days after its final passage and adoption. It shall
24 be published in full at least once, at least three days prior to
25 its final adoption in The Modesto Bee, the official newspaper of
26 the City of Modesto.

27 Section XVI. The foregoing Ordinance was introduced at a
28 regular meeting of the Council of the City of Modesto held on
29 September 22, 1937 by Councilman Bond who moved its adoption
30 and passage to print, which motion being duly seconded, was
31 carried and the Ordinance ordered printed and published by the
32 following vote:

Ayes: Councilmen: Neece, Bond, Oliver and Mayor Pro tem Stanley

Noes: Councilmen: None

Absent: Councilmen: Mayor King

Approved: 
Mayor

Attest: 
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 22nd day of September, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. H. King
MAYOR

ATTEST: _____

M. E. Gray
CITY CLERK

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REPEALED ORD 234CS

ORDINANCE NO. 557-N.S.

AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES FOR OVER TWO HOURS ON A PORTION OF THIRTEENTH STREET, BETWEEN I AND J STREETS

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

SECTION 1. The operator of a vehicle shall not park said vehicle for longer than two continuous hours between the hours of nine A. M. and six P.M. of any day, except Sunday, within the following area:

Commencing at the intersection of the property lines at the west corner of 13th and I Streets in the City of Modesto, thence northwesterly along the southwesterly side of 13th Street, a distance of 176 feet.

SECTION 2. The City Engineer of the City of Modesto is empowered, authorized and ordered to erect appropriate signs in said area setting forth the limitations prescribed upon parking in said area, as provided for in this Ordinance.

SECTION 3. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished for the first offense by a fine not to exceed \$50.00, or by imprisonment in the City Jail for not more than five days; for a second violation within a period of one year, by a fine not to exceed the sum of \$100.00, or by imprisonment in the City Jail for a period not less than ten days, or by both such fine and imprisonment; for a third and each additional offense committed within one year by a fine not exceeding \$300.00, or by imprisonment in the City Jail for a period not to exceed three months, or by both such fine and imprisonment.

SECTION 4. This Ordinance shall go into force and be in effect from and after fifteen (15) days following its final passage.

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

1 City of Modesto.

2 The foregoing Ordinance was introduced by Councilman
3 Oliver at a regular meeting of the Council of the City of Modesto
4 held on the 22nd day of September, 1937, and was adopted and passed
5 to print by the following vote:

6 Ayes: Councilmen: Neece, Oliver, Bond and Mayor pro tem Stanley


7 Noes: Councilmen: None

8 Absent: Mayor King
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10 APPROVED


MAYOR

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14 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 22nd day of September, 1937, 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayer King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST


CITY CLERK

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ORDINANCE NO. 558 N. S.

AN ORDINANCE AMENDING SECTION 23 OF ORDINANCE 345 N. S. OF THE CITY OF MODESTO, AS THEREAFTER AMENDED.

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

SECTION 1. Section 23 of Ordinance No. 345 N. S. of the City of Modesto, entitled "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," as thereafter amended by Ordinance No. 453 N. S. of the City of Modesto, entitled "AN ORDINANCE AMENDING SECTION 23 OF ORDINANCE NO. 345, N. S., REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF MODESTO," is hereby amended to read as follows:

"Section 23. Boulevard Stops. Subject to the provisions of Section 466 of the Vehicle Code of the State of California, and by virtue of the power vested in municipal corporations as set forth in subdivision b of Section 471 of said Vehicle Code, the Council of the City of Modesto does hereby declare and designate all of the streets, avenues and boulevards within the corporate limits of said City to be, and the same are hereby declared through highways."

SECTION 2. The City Council of said City of Modesto is hereby authorized to erect and maintain, or cause to be erected and maintained at specified entrances to said through highways stop signs, requiring all operators of vehicles to stop at said signs before entering said through highway.

SECTION 3. Every operator of a vehicle about to enter any through highway posted with a stop sign as in Section 2 hereof provided, at the place where said driver proposes to enter said through highway, shall bring such vehicle to a full stop at a point where the street he is traversing meets the property line of the through highway posted as aforesaid, provided said property line is clearly marked, or sign posted, as required in this Ordinance.

1 except such intersections where traffic is subject to "stop and
2 go" signals or directions.

3 SECTION 4. Nothing herein contained shall be construed as
4 changing or modifying in any way that portion of the ordinances
5 herein amended or any resolution appertaining thereto, by the
6 terms of which through highways or boulevards have been heretofore
7 created in the City of Modesto, and which are now posted with
8 stop signs.

9 SECTION 5. The stop signs herein referred to shall conform
10 to the specifications set forth in subdivision c of Section 471,
11 Vehicle Code of the State of California.

12 SECTION 6. Any person violating any of the provisions of this
13 ordinance shall be guilty of a misdemeanor, and upon conviction
14 thereof, shall be punished for ^{first} ~~the~~ offense by a fine not to exceed
15 \$50.00, or by imprisonment in the City Jail for not more than five
16 days; for a second violation within a period of one year by a fine
17 not to exceed \$100.00, or by imprisonment in the City Jail for
18 not more than ten days, or by both such fine and imprisonment;
19 for a third and each additional offense committed within one year
20 by a fine not exceeding \$300.00, or by imprisonment in said City
21 Jail for a period not to exceed three months, or by both such fine
22 and imprisonment.

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

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


30 The foregoing ordinance was introduced at a special meeting
31 of the Council of the City of Modesto, held on the 18th day of
32

1 October, 1937, by Councilman STANLEY, and was adopted
2 and passed to print by the following vote:

3 Ayes: Councilmen: **Neece, Stanley, Oliver, Bond and Mayor King**

4 Noes: ~~Noes:~~ ^{Councilmen} **None**

5 Absent: Councilmen: **None**

9 APPROVED: 
10 J. H. KING, MAYOR,

12 ATTEST: 
13 H. E. CRAGG, CITY CLERK.

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 18th day of October, 1937, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 27, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *J. King*
MAYOR

ATTEST: *H. E. Quinn*
CITY CLERK

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amended 022

AN ORDINANCE CREATING A PENSION BOARD AND ENUMERATING ITS POWERS AND DUTIES; PROVIDING FOR PENSION AND RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES OF DECEASED MEMBERS THEREOF; PROVIDING A PENSION AND RELIEF FUND AND FOR ITS ADMINISTRATION BY THE PENSION BOARD.

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REPEALED BY MUNICIPAL CODE

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

SECTION 1. The following words and phrases as used in this ordinance, unless a different meaning is plainly required by the context, shall have the following meaning:

- (a). "Pension System" shall mean "Modesto Fire and Police Department Pension System."
- (b). "Member" shall mean "Any person included in the membership of the pension system as hereinafter provided."
- (c). "Board" shall mean "The Pension Board."
- (d). "Pension Fund" shall mean "Modesto Fire and Police Department Pension Fund."
- (e). "Prior Service" as applied to members of the pension service shall mean "Service rendered by said member before the final adoption of this ordinance."
- (f). "Pension" shall mean "Equal monthly payments for life, derived from contributions made to the City as provided in this ordinance, together with contributions made by said City."
- (g). Words used herein in the masculine gender shall include the feminine and neuter genders, and the singular shall include the plural and the plural the singular.

REPEALED BY MUNICIPAL CODE

SECTION 2. A pension fund is hereby created and established for the members of the fire department and police department of the City of Modesto. The Mayor, City Attorney, City Treasurer, Chief of the Fire Department, and Chief of Police, and two other qualified persons, one to be elected by a vote of the members

1 of the fire department, and the other to be elected by a vote of
2 the members of the police department, and their successors in
3 office, shall constitute a Board of Trustees for the adminis-
4 tration of said fund, to be known as the "Pension Board." Said
5 Pension Board shall have charge of the disbursements from such
6 fund as hereinafter provided and such other and further duties
7 as are necessary or requisite for carrying out the purposes
8 intended by this ordinance, and all of the sections herein set
9 forth. The members of said Pension Board shall serve without
10 compensation, and shall hold office for a period of two years
11 from the date of their appointment or election and until their
12 successors are appointed or elected and qualified. The election
13 by the fire department and police department of one each,
14 respectively, of the two persons to act on said Pension Board
15 shall be by vote taken prior to the time it shall be necessary
16 for the two members to become members of said Pension Board, and
17 such vote by said departments shall be conducted at the time, and
18 in the form and manner as shall be provided by the rules promul-
19 gated by each of said departments of the City of Modesto from
20 time to time.

21 Vacancies in said Pension Board shall be filled for the unex-
22 pired term, except when caused by recall, by the persons who
23 succeed to the office held by the person mentioned herein, except
24 those members elected by the vote of the members of the fire or
25 police departments, in which event that person shall be elected
26 by a vote taken by the members of the fire or police departments
27 of the City of Modesto at the earliest possible convenience for
28 the purpose of filling the vacancy on said Board. A vacancy on
29 said Pension Board shall not impair the right of the remaining
30 members to perform all of the duties and exercise all powers and
31 authority of the said Pension Board.
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1 The Mayor shall be ex-officio Chairman of said Pension Board,
2 the City Attorney shall be ex-officio Secretary thereof, and the
3 City Treasurer shall be ex-officio Treasurer of said Board and
4 Fund. Five members of the Board shall constitute a quorum for
5 the transaction of its business. Said Board shall render an
6 annual report to the City Clerk of the City of Modesto, showing
7 the receipts and disbursements during the previous year, the
8 names of the beneficiaries, if any, and the amounts paid them,
9 and the balance remaining in said Fund. The Pension Board shall
10 have exclusive control of the administration and investment of
11 the Pension Fund or Funds which may be established as hereinafter
12 provided, and to make all needful rules and regulations for its
13 guidance in conformity with the provisions hereinafter mentioned.

14 *Amended* SECTION 3. Said Pension Board shall hold regular meetings
15 at least once each calendar month on a date to be selected by
16 said Board, and said Board is hereby authorized to execute
17 warrants upon the City of Modesto against the fund hereby created,
18 and to pay and discharge any of the obligations incurred hereby
19 or to be payable hereunder. Said Board may issue warrants upon
20 said fund, which must be signed by at least two of its members,
21 showing the amount and purpose for which payment is made. Said
22 Pension Board shall, in addition to the other powers herein
23 granted, have power to:

24
25 (a). Administer oaths, certify to all official acts and to
26 issue subpoenas for the attendance of witnesses and the production
27 of papers, books and accounts, documents, and all other physical
28 evidence, and testimony in any inquiry, investigation, hearing or
29 proceeding in any part of the State or the Superior Court in and
30 for the city and county or county in which any inquiry, investi-
31 gation, hearing, or proceeding may be held by the said Pension
32 Board or any member thereof;

1 (b). Compel the attendance of witnesses, the giving of
2 testimony and the production of papers, including books, accounts,
3 and documents or other physical evidence, as required by any sub-
4 poena issued by said Pension Board or any member thereof. The
5 Pension Board or any member thereof before whom the testimony is
6 to be given or produced, in case of refusal of any witness to at-
7 tend or testify or produce any paper or other physical evidence,
8 required by said subpoena, may report the refusal of said witness
9 to so testify or produce evidence to the Superior Court in and
10 for the county or city and county in which the proceeding is
11 pending; the petition setting forth that due notice has been given
12 of the time and place, that the witness has been subpoenaed in the
13 manner prescribed by this ordinance, that the testimony sought of
14 and from said witness or the physical evidence ordered by him to
15 be produced is material to the inquiry in question, that the
16 witness has failed and refused to attend or produce the papers or
17 other physical evidence required by the subpoena, or has refused
18 to answer questions propounded to him in the course of such pro-
19 ceeding, and asking for an order of said court compelling the
20 witness to attend and testify or to produce said papers or other
21 physical evidence before said Pension Board. Upon the petition
22 of said Pension Board or a member thereof, the Court shall enter
23 its order directing the witness to appear before the court at a
24 time and place to be fixed by the court in such order, the time not
25 to be more than ten days from the date of said order, and to then
26 and there show cause why he has not attended and testified or
27 produced said papers or other physical evidence before said
28 Pension Board or a member thereof, and to further show cause why
29 he should not be punished for contempt for his failure or refusal
30 to obey the subpoena or other order of said Pension Board. A
31 Copy of said order shall be served upon the person so cited to
32

1 appear. If it should appear to the court that said subpoena was
2 regularly issued by said Pension Board or a member thereof and that
3 said witness was legally bound to abide thereby, the court shall
4 thereupon enter an order that said witness shall appear before the
5 Pension Board or a member thereof at the time and place to be
6 fixed in said order and to testify or produce the required papers,
7 instruments, books, books of account, or other physical evidence,
8 and upon failure to obey said order said witness shall be dealt
9 with as for contempt of court. The remedy provided for herein is
10 cumulative and shall not be construed to impair or interfere with
11 the power of the Pension Board or a member thereof to enforce
12 the attendance of witnesses, and the production of papers or
13 other physical evidence, and to punish for contempt persons re-
14 fusing to obey the orders of said Board in the same manner and to
15 the same extent as courts of record;

16 (c). To regulate and provide the manner and by whom minors
17 and incompetent persons shall appear and be represented before it;

18 (d). To regulate and prescribe manner and giving of notice
19 where not otherwise prescribed by this ordinance and the service
20 thereof;

21 (e). To provide for the payment from said Fund of all of
22 its necessary expenses, provided, that no compensation shall be
23 paid to any member of said Board for any duty performed under
24 this ordinance;

25 (f). To make such revision in the rates of contribution
26 under the system as shall be deemed necessary;

27 (g) To retain and pay for the services of an actuary when
28 and if said Board deems it necessary;

29 (h). To do and perform any other act or thing necessary or
30 requisite to carrying out the terms, provisions and intentions
31 of this ordinance;
32

1 (i). To adopt for the pension system such interest rate, and
2 such mortality, service and other tables as shall be deemed
3 necessary;

4 (j). To make such revision in the rates of contributions
5 of the members of the police and fire departments of the City of
6 Modesto, and of the City of Modesto as shall be deemed necessary;

7 (k). To appoint a member of the fire or police department
8 to act at the Board's pleasure as Secretary of said Board, and to
9 provide for the maintenance of all records as set forth in this
10 ordinance.

11 SECTION 4. (a) For the purpose of the provisions contained
12 herein, a member of the fire department shall be a person duly
13 and regularly appointed for full time service in said department,
14 who is receiving compensation therefor from the City of Modesto,
15 Volunteer firemen under no circumstances may qualify for any of
16 the benefits provided by this ordinance.

17 (b). For the purpose of the provisions contained herein, a
18 member of the police department shall be construed to be a person
19 duly and regularly appointed for full time service in the police
20 department of the City of Modesto, receiving compensation therefor
21 from the City of Modesto. Special police or unpaid deputy police-
22 men under no circumstances may qualify for any of the benefits
23 provided by this ordinance.

24 SECTION 5. Any member of the police or fire department of
25 the City of Modesto who shall have served in either of such de-
26 partments for twenty years in the aggregate in any capacity or
27 rank whatsoever, upon attaining the age of fifty-five years, upon
28 his request or by order of the Pension Board, shall be retired
29 from further service in such department, and such member thereafter
30 during his lifetime shall be paid in equal monthly installments
31 a pension in a sum equal to one-half of his monthly salary based
32

1 upon his average monthly salary for the last three years of ser-
2 vice prior to said retirement. No payments by policemen or
3 firemen shall be required after reaching the retirement age
4 herein set forth.

5 The normal retirement age for members of the police and
6 fire departments of the City of Modesto shall be the age of fifty-
7 five years. No member of either of said departments, whatever be
8 the rank of said member, shall serve in the department of which
9 he is a member after he attains the age of sixty-two years.

10 SECTION 6. (a). In the event that a member of either the
11 fire or police department of the City of Modesto dies before
12 reaching the retirement age as herein set forth, from natural
13 causes, his beneficiary shall receive the lump sum of Five Hundred
14 (\$500.00) Dollars, if said member has served less than five years.

15 (b). In the event that a member of either the fire or
16 police department of the City of Modesto dies before reaching the
17 retirement age as herein set forth, from natural causes, his bene-
18 ficiary shall receive the lump sum of One Thousand (\$1000.00)
19 Dollars, if said member has served more than five years in said
20 department.

21 (c). In the event that a member of either the fire or
22 police department of the City of Modesto dies from accident in-
23 curred in the performance of his duty as a member of such de-
24 partment, or from illness so incurred, his beneficiary shall re-
25 ceive Five Hundred (\$500.00) Dollars, if said member has served
26 less than five years, and the sum of One Thousand (\$1000.00)
27 Dollars, if said member has served in said department for a
28 period longer than five years.

29 The provisions of the preceding subdivisions of Section 6
30 are not intended to nor shall they or any of them diminish the
31 amount said member or his beneficiary shall receive in the form
32 of a pension in the event said member has reached the retirement

age specified in this ordinance.

1 SECTION 7. The term "beneficiary" or beneficiaries" mention-
2 ed in the preceding section and subdivisions thereof, shall be
3 construed to mean the lawful widow, dependent mother, or the child
4 or children of said deceased member, under eighteen years of age,
5 and unmarried. Distribution of the amounts provided for by section
6 5 hereof shall be made to said beneficiary or beneficiaries in the
7 following order, and under the following provisions:

8 (a). To the surviving widow of the deceased member of said
9 department, providing further that said pension so payable to said
10 widow will be discontinued in the event said widow remarries.

11 (b). If the deceased member leaves no widow surviving him,
12 then to the child or children of said deceased, under the age of
13 eighteen years, unmarried. In the event the deceased member leaves
14 surviving him more than one child qualified to receive the pension
15 herein provided for, then said death benefit shall be paid to
16 said children, share and share alike.

17 (c). To the dependent mother of said deceased member.

18 Said death benefit shall not be paid to any minor child,
19 under the provisions of this section, who is married at the
20 time of the death of said deceased member, or who shall have
21 attained the age of eighteen years at the time of the death of
22 said member.

23 In the event that a deceased member of the police or fire
24 department of the City of Modesto shall die, leaving no
25 issue qualified to take under the provisions of this ordinance,
26 no widow and no dependent mother, the moneys deposited by said
27 member in the Pension Fund and all moneys deposited by the
28 City of Modesto in said Fund shall remain in said Pension
29 Fund, to be disbursed thereafter to such other members as are
30 qualified to receive said pension and/or their beneficiaries
31 as herein provided.

32 SECTION 8. No widow of any member who marries said member

1 after the allowance of the pension fund herein set forth shall be
2 entitled to share in the death benefit or benefits herein provided
3 for after his death.

4 SECTION 9. Whenever a member of the police or fire depart-
5 ment of the City of Modesto, who at said time is in active duty
6 in the department of which he is a member, in the sound discretion
7 of the Pension Board, has become disabled by reason of bodily
8 injury received in or by reason of sickness caused by the discharge
9 of the duties of said member in said department, or who shall
10 become so physically or mentally disabled as the result of such
11 sickness or injury as to render him unfit for active duty in the
12 department of which he is a member, the Pension Board at its
13 discretion may recommend that said person shall be carried on the
14 department pay roll of which ever department he at the time that
15 said disability arises is a member, at the full salary attached to
16 the position he held at the time said disability arose, for a
17 period not to exceed one year, subject in all events to the ap-
18 proval of the City Council.

19 SECTION 10. Under no circumstances shall any payments be
20 made to any member of the police or fire department of the City
21 of Modesto, disabled either by reason of illness incurred in
22 performance of his duty, or by injury sustained in the performance
23 of his duty until said member is incapacitated for at least
24 seven days.

25 SECTION 11. Whenever any member, who at the time is in active
26 duty in the fire or police department of the City of Modesto, in
27 the judgment of said Pension Board, becomes disabled by reason
28 of bodily injury received in, or by reason of sickness caused by
29 the discharge of the duties of said member in said department, or
30 who shall become so physically or mentally disabled as the result
31 of such injury or sickness as to render his retirement from active
32

1 service necessary, the Pension Board shall order and direct that
2 such member be retired from active service and there shall be paid
3 to said member thereafter during his lifetime, or for such period
4 as he shall be disabled, a pension in a sum equal to one-half of
5 his average monthly salary for the last three years of service.
6 Said pension shall be paid in equal monthly installments on the
7 first regular pay day of the month set aside for the payment of
8 the salaries earned by the members of the fire and police depart-
9 ments of the City of Modesto.

10 The pension hereinabove provided for shall cease and end
11 when and if the disability or sickness of said member ends; in
12 which event said member shall be restored in the fire or police
13 department of the City of Modesto to the same rank or position
14 which said member held at the time of retirement from duty. No
15 person shall be retired as provided in this section, nor shall
16 he receive any benefits under this section, unless said Pension
17 Board shall be satisfied from the evidence produced before it
18 that the physical disability occasioned by injury or sickness
19 arose out of and in the course of his employment with said fire
20 or police department. In its effort to determine whether or not
21 said sickness or injury causing said disability arose out of the
22 member's performance of his duties in the department in which he
23 was a member, the Pension Board may secure and employ the service
24 of three regularly qualified and licensed practicing physicians,
25 one of whom shall be the Health Officer of the City of Modesto,
26 one selected by the said Pension Board and one selected by the
27 person applying for said pension.
28

29 Nothing herein shall be construed to prevent said Pension
30 Board from securing the services of a specialist residing outside
31 of the City of Modesto, when and if said Board deems it proper
32 so to do.

1 SECTION 12. Any person retired for disability under this
2 ordinance may be summoned before the Pension Board at any time
3 after retirement, and shall submit himself thereto for examina-
4 tion as to his fitness for duty, and shall abide by the decision
5 and order of said Pension Board with reference thereto. Each
6 member of the police and fire departments retired under the pro-
7 visions of this ordinance, whether for service or disability,
8 shall, if able, report to the chief of his respective department
9 during the first fifteen days of January, April, July and October
10 of each year. In cases of public emergency such members may be
11 assigned to and shall perform such temporary duty as said chief
12 may direct; and such person shall have no claim against the City
13 of Modesto for payment of any duty so performed.

14 SECTION 15. Every person receiving any pension, whether a
15 disability pension or pension for service, shall obey the re-
16 quirements of this ordinance and of the Pension Board and every
17 rule or regulation promulgated by said Pension Board, or any rule
18 or regulation of the police or fire department of the City of
19 Modesto with reference to the discipline or moral conduct of its
20 members.

21 When and if the Pension Board determines to its satisfaction
22 that any member of the police or fire department of the City of
23 Modesto has made any fraudulent claim to any of the benefits pro-
24 vided for by this ordinance, or that any member of said depart-
25 ments, retired or otherwise, has been convicted of a felony, and
26 so certifies said finding to the head of the department in which
27 such member is or has been employed, said member shall thereafter
28 be expelled from said department, and all payments shall cease
29 and end.

30
31 For the failure to comply with the provisions of this section
32 the Pension Board may discontinue the pension allowance to said

1 offender, and all benefits accruing to him or his beneficiary,
2 Said Board shall also have the power to suspend for such time as
3 it deems fit the pension allowance to said offender for his
4 failure to comply with said provisions.

5 SECTION 14. In the event a member withdraws from the police
6 or fire department of the City of Modesto, or his service in
7 either of said departments is terminated for any cause other than
8 for disability growing out of illness or injury incurred in the
9 scope of his employment, before twenty years of service is rendered
10 by him, and in addition, before reaching the age of fifty-five
11 years, said member shall receive from said Pension Fund only the
12 moneys contributed by said member to said Fund without any interest
13 thereon.

14 SECTION 15. Nothing herein contained shall prevent an
15 amendment or amendments to this ordinance when and if such amend-
16 ment or amendments is or are deemed necessary by the City Council
17 of the City of Modesto, to the end that the pension plan hereby
18 created may be worked out equitably as to the members of the
19 police and fire department of the City of Modesto and to the
20 citizens of said City.

21 SECTION 16. No widow of a deceased member of the fire or
22 police department of the City of Modesto shall be entitled to any
23 of the death benefits hereinabove set forth unless said widow is
24 legally married to said member at least one year prior to his
25 death. No widow of a deceased member shall be entitled to any of
26 the death benefits herein set forth who married said member after
27 he becomes entitled to a pension, whether a pension payable for
28 service or disability.

29 SECTION 17. Rates of contributions of each member shall
30 depend upon the length of his service in the fire or police de-
31 partment of the City of Modesto prior to the effective date of
32

of member at
 active date
 payment of con-
 ditions

AGE IN YEARS AT DATE OF EMPLOYMENT

20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
5.74															
5.88	6.00														
5.91	6.08	6.27													
6.00	6.17	6.36	6.56												
6.09	6.26	6.46	6.66	6.88											
6.18	6.36	6.56	6.76	6.98	7.21										
6.27	6.46	6.66	6.86	7.09	7.32	7.58									
6.37	6.56	6.76	6.97	7.20	7.43	7.69	7.97								
6.47	6.66	6.86	7.08	7.31	7.55	7.81	8.09								
6.57	6.76	6.97	7.19	7.42	7.67	7.93	8.22	8.39							
6.67	6.87	7.08	7.30	7.54	7.79	8.06	8.35	8.52	8.85						
6.78	6.98	7.19	7.42	7.66	7.91	8.19	8.48	8.79	9.13	9.35					
6.89	7.10	7.31	7.54	7.78	8.04	8.32	8.62	8.94	9.28	9.65	9.89				
7.01	7.22	7.43	7.67	7.91	8.18	8.46	8.76	9.09	9.44	9.81	10.05	10.49			
7.13	7.34	7.56	7.80	8.04	8.32	8.60	8.91	9.24	9.60	9.98	10.39	10.85	11.15		
													11.34	11.88	
7.25	7.46	7.69	7.93	8.18	8.46	8.75	9.06	9.40	9.76	10.15	10.57	11.03	11.53	12.08	12.69
7.37	7.59	7.82	8.06	8.32	8.60	8.90	9.21	9.56	9.92	10.32	10.75	11.22	11.73	12.29	12.90
7.50	7.72	7.95	8.20	8.46	8.75	9.05	9.37	9.72	10.09	10.50	10.93	11.41	11.93	12.50	13.12
7.63	7.85	8.09	8.34	8.61	8.90	9.20	9.53	9.88	10.26	10.68	11.12	11.61	12.13	12.71	13.35
7.76	7.98	8.23	8.48	8.76	9.05	9.36	9.69	10.06	10.44	10.86	11.31	11.81	12.34	12.93	13.58
7.89	8.12	8.37	8.63	8.91	9.20	9.52	9.86	10.23	10.62	11.05	11.50	12.01	12.55	13.15	13.81
8.02	8.26	8.51	8.78	9.06	9.36	9.68	10.03	10.40	10.80	11.24	11.70	12.21	12.77	13.37	14.04
8.16	8.40	8.66	8.93	9.21	9.52	9.85	10.20	10.58	10.99	11.43	11.90	12.42	12.99	13.60	14.28
8.30	8.54	8.81	9.08	9.37	9.68	10.02	10.37	10.76	11.18	11.62	12.10	12.63	13.21	13.83	14.53
8.44	8.69	8.96	9.23	9.53	9.85	10.19	10.55	10.94	11.37	11.82	12.31	12.85	13.43	14.07	14.78
8.58	8.84	9.11	9.39	9.69	10.02	10.36	10.73	11.13	11.56	12.02	12.52	13.07	13.66	14.31	15.03
8.73	8.99	9.26	9.55	9.86	10.19	10.54	10.91	11.32	11.76	12.22	12.73	13.29	13.89	14.55	15.28
8.88	9.14	9.42	9.71	10.03	10.36	10.72	11.10	11.51	11.96	12.43	12.95	13.51	14.13	14.80	15.54
9.03	9.29	9.58	9.87	10.20	10.53	10.90	11.29	11.70	12.16	12.64	13.17	13.74	14.37	15.05	15.80
9.18	9.45	9.74	10.04	10.37	10.71	11.08	11.48	11.90	12.36	12.85	13.39	13.97	14.61	15.30	16.07
9.33	9.61	9.90	10.21	10.54	10.89	11.26	11.67	12.10	12.56	13.06	13.61	14.20	14.85	15.56	16.34
9.48	9.77	10.06	10.38	10.71	11.07	11.45	11.86	12.30	12.77	13.28	13.84	14.44	15.10	15.82	16.61
9.64	9.93	10.23	10.55	10.89	11.25	11.64	12.05	12.50	12.98	13.50	14.07	14.68	15.35	16.08	16.88
9.80	10.09	10.40	10.72	11.07	11.43	11.83	12.25	12.71	13.19	13.72	14.30	14.92	15.60	16.34	17.16
9.96	10.26	10.57	10.90	11.25	11.62	12.03	12.45	12.92	13.41	13.95	14.53	15.16	15.85	16.61	17.44

1 this ordinance, the age of such member at the time he entered
2 upon his service in the respective department, and his age at
3 the time his first monthly contribution becomes due. The monthly
4 contributions shall be payable on the 15th of each month, com-
5 mencing the first month after this ordinance becomes effective.
6 Each member shall contribute monthly to said fund the percentage
7 of his salary shown in the following table and schedule; the first
8 column read horizontally indicates the age of the member when he
9 commenced his employment in the department of which he is a member.
10 The first column on the left read vertically indicates the age of
11 the member participating in contributions to such fund at the time
12 this ordinance goes into effect. The other columns read both
13 vertically and horizontally show the percentage of the member's
14 monthly salary which he must contribute to the fund monthly, using
15 the table for age of commencement of service and age at time of
16 first payment. This payment will continue in this amount through-
17 out his service, unless changed by the Retirement Board.

18 The following is said table and schedule:
19
20
21
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32

1 It is the duty of the Clerk of the City of Modesto to deduct
2 from the salaries earned by the members of the police and fire
3 departments and to deposit in the Pension Fund of the City of
4 Modesto an amount equal to the sums computed and set forth in the
5 schedule of rates, as set forth in Section 17 of this ordinance,
6 and said figures so computed are applicable to the individual
7 members of said departments.

8 Each member of the police and fire departments of the City
9 of Modesto hereby agrees to make the payments hereinabove set
10 forth and agrees to make the payments in accordance with the
11 schedule hereinabove set forth as the same may apply to his age,
12 length of time he is in the department of which he is a member,
13 and age at the time of making the first contribution.

14 The City of Modesto shall place in said Pension Fund a sum
15 equal to the amount deposited by the members of the police and
16 fire departments of the City of Modesto.

17 SECTION 13. The Pension Board is hereby vested with the
18 authority to invest any moneys in the police and firemen's pension
19 fund in any security which may at the time of said investment be
20 a legal investment, or savings banks in the State of California,
21 or said moneys or all of them may be invested by said Board in the
22 purchase of bonds of the United States or the State of California,
23 or any of its political subdivisions. No portion of the said fund
24 shall ever be transferred to any other fund, or be used for any
25 other purpose than that specified in this ordinance.
26

27 SECTION 19. No member retired on pension shall be required
28 to work in any department of the City of Modesto other than the
29 one from which he is retired, and only then in case of public
30 emergency, as hereinabove set forth.

31 SECTION 20. Any and all payments made to disabled members
32 under the Workmen's Compensation Insurance and Safety Act of the

1 State of California shall be credited or applied toward the pay-
2 ments to be made hereunder as if provided for in this ordinance,
3 and whenever any member is receiving any moneys by reason of said
4 Workmen's Compensation Insurance and Safety Act, as aforesaid,
5 such moneys shall be deducted from the amount prescribed to be
6 paid such member in this ordinance, and the difference remaining,
7 if any, shall be paid as herein provided. However, in the
8 construction of this ordinance in the event no payment is made
9 by Workmen's Compensation Insurance and Safety Act as afore-
10 said, if the particular illness, injury or disability results
11 from and is compensatable under the provisions of this ordinance,
12 nevertheless, such employee shall be paid as herein provided.
13 The provisions of this section are not intended to, nor shall they
14 in any way alter, modify, change or abrogate any of the terms,
15 conditions or provisions of that certain act of the Legislature of
16 the State of California, known and referred to as "Workmen's
17 Compensation Insurance and Safety Act" or any of the amendments
18 thereto.
19

20 SECTION 21. The provisions of this ordinance are retroactive
21 insofar as it concerns members of the fire and police departments
22 of the City of Modesto in this, that the members of the police and
23 fire departments of said City shall receive credit for the years
24 of service rendered by them in their respective departments prior
25 to the final adoption of this ordinance, and said prior service
26 shall be credited to them in computing the number of years that
27 they must serve in said departments before becoming eligible to
28 receive the benefits herein set forth, their rate of contribution
29 to said Pension Fund being dependent upon age and length of time
30 in said department, as set forth in Section 17 hereof.
31

32 SECTION 22. If for any reason any word, phrase, clause or

1 section or subsection of this ordinance shall by any court be
2 declared unconstitutional, and therefore void; this shall not
3 invalidate the other parts of this ordinance, and the City Council
4 of the City of Modesto hereby expressly declares that it would
5 have passed said ordinance with all of the remaining provisions
6 thereof had it believed or known that the said portion thereof
7 declared null and void could not have been lawfully enacted by it.

8 SECTION 23. No act of the Pension Board involving any
9 court action, expenditure of pension funds, or change in the
10 amount of contributions to be made by members shall be valid
11 unless sanctioned and approved by the City Council of the City
12 of Modesto.

13 SECTION 24. This ordinance shall take effect and be in full
14 force from and after 65 days after its final adoption.

15 SECTION 25. This ordinance shall be printed and published
16 in full at least once at least three days prior to its final
17 adoption, in the Modesto Bee, the official newspaper of the City
18 of Modesto.

19
20 The foregoing ordinance was introduced by Councilman Stanley
21 at a regular meeting of the Council of the City of Modesto held
22 on the 18th day of October, 1937, and was adopted and passed to
23 print by the following vote:

24 AYES: COUNCILMEN: Neece, Stanley, Bond, Oliver and Mayor King
25 NOES: COUNCILMEN: None
26 ABSENT: COUNCILMEN: None
27

28 APPROVED:

29 J. H. King
J. H. KING, MAYOR.

30 ATTEST:

31 H. E. BRAGG
H. E. BRAGG, CITY CLERK
32

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 18th day of October, 1937, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 27, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

NOT SPECIAL
IN CODE

ORDINANCE NO. 560 N. S.

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

---oo0oo---

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

SECTION 1. The sum of One Thousand (\$1,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of an automobile for the Police Department of said City.

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.

SECTION 3. The foregoing Ordinance was introduced at a special meeting of the Council of the City of Modesto, held on the 18th day of October, 1937, by Councilman Stanley, 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: Neece, Stanley, Oliver, Band and Mayor King
NOES: COUNCILMEN: None
ABSENT: COUNCILMEN: None

APPROVED: J. H. King
J. H. KING, MAYOR.

ATTEST: H. E. Cragg
H. E. CRAGG, CITY CLERK

NOT SPECIAL
IN CODE

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 18th day of October, 1937 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 27, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

MAYOR

ATTEST _____

CITY CLERK

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1 SPECIAL
2 NOT IN CODE

ORDINANCE NO. 561-N.S.

3 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF
4 EQUIPMENT FOR THE FIRE DEPARTMENT OF THE CITY OF MODESTO

5 ---COO---

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

7 SECTION 1. The sum of One Thousand (\$1,000.00) Dollars,
8 or so much thereof as may be necessary, is hereby appropriated
9 from the General Fund of the City of Modesto for the purchase of
10 equipment for the Fire Department of said city.

11 SECTION 2. This Ordinance shall go into effect from and
12 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
15 newspaper of the City of Modesto.

16 SECTION 3. The foregoing Ordinance was introduced at a
17 regular meeting of the Council of the City of Modesto, held on the
18 27th day of October, 1937 by Councilman Stanley, who moved its
19 adoption and passage to print, which motion being duly seconded
20 was carried, and the Ordinance ordered printed and published by
21 the following vote:

22 Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

23 Noes: Councilmen: None

24 Absent: Councilmen: None

25 APPROVED

26 J. H. King
MAYOR

27 ATTEST

28 A. C. ...
CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of October, 1937, 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond, Oliver and Mayor King

Noes: Councilmen: None

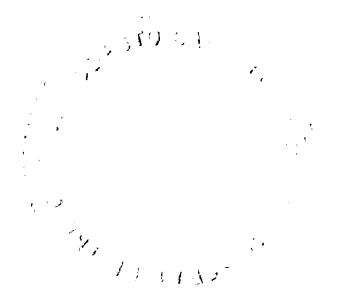
Absent: Councilmen: None

APPROVED

J. H. King
MAYOR

ATTEST

H. E. Quinn
CITY CLERK



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ORDINANCE NO. 562 N. S.

AN ORDINANCE PROHIBITING THE CONSTRUCTION, ERECTION AND MAINTENANCE OF ELECTRIFIED FENCES IN THE CITY OF MODESTO, AND PROVIDING -A PENALTY FOR THE VIOLATION THEREOF.

---oo0oo---

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

SECTION 1. It shall be unlawful for any person, firm, co-partnership, association, or corporation to construct, erect, keep, or maintain any electrified fence in the corporate limits of the City of Modesto.

SECTION 2. An "Electrified Fence" is hereby defined to be any fence or barricade, whether consisting of one or more strands of wire, or otherwise, that is charged with electricity and/or electric current.

SECTION 3. Violation of this ordinance shall constitute a misdemeanor. Any person convicted of a violation of said ordinance shall be punishable by a fine not exceeding the sum of \$500.00, or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment.

SECTION 4. This ordinance shall become effective fifteen (15) days after its final 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 regular meeting of the City Council of the City of Modesto held on the 8th day of December, 1937, by Councilman Stanley, who moved its adoption and publication as aforesaid, which motion being duly seconded, was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

AYES: COUNCILMEN: Stanley, Bond, Oliver, Neece and Mayor King
NOES: COUNCILMEN: None
ABSENT: COUNCILMEN: None

APPROVED: J. H. King
MAYOR.

ATTEST: A. E. Gandy
City Clerk.

FINAL ADOPTDN 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, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. King
MAYOR

ATTEST

N. G. ...
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

AN ORDINANCE CREATING A FUND TO BE KNOWN AS "PAYROLL FUND" OF CITY OF MODESTO AND AUTHORIZING CITY AUDITOR TO PAY CITY EMPLOYEES OUT OF SAID FUND

---e0e---

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

SECTION 1. There is hereby created a fund to be known as the "Payroll Fund" of the City of Modesto. Said fund is hereby created for the specific and sole purpose of providing a means for payment to the employees of the City of Modesto by check, warrant, or draft, for services rendered by said employees on behalf of said City, and for which said services the City of Modesto is at the time of payment indebted to said employee or employees.

SECTION 2. It shall be the duty of the City Auditor of the City of Modesto to present to the Mayor of said City the payroll of said City for his examination whenever moneys become due and owing and payable by said City to employees of said City. It is hereby made the duty of the Mayor of said City to audit and examine said payroll and to sign his name to the said payroll, in his capacity of Mayor, if said payroll is in order, and in addition thereto, to draw a check, in the manner prescribed by the Charter of the City of Modesto, against the General Fund, ^{or} Water Fund or Sewer Septic Fund, or Library Fund, or Beard Brook Improvement Fund or Gas Tax Fund, or all if need be, of said City, in an amount sufficient to pay the employees of said City to whom moneys are then and there due and owing by said City, for services rendered to said City, as shown by said payroll, and to deliver said check to said Auditor. It is hereby made the duty of said Auditor to deposit said check forthwith in the Payroll Fund of the City of Modesto.

Modesto, Ind. 5-10-1910 N.S.

SECTION 3. It is hereby made the duty of said Auditor to pay the employees of the City of Modesto by said Auditor's check,

1 draft, or warrant, drawn against said Payroll Fund of said City
2 of Modesto, moneys due and owing to said employees for services
3 rendered by said employees to said City, on the days regularly
4 provided for the payment of salaries or wages to the various
5 classes of employees of said City.

6 SECTION 4. The term "Payroll" as used herein shall be con-
7 strued to mean a written or typewritten statement containing the
8 names of the employees of said City to whom moneys are due and
9 owing by said City for services rendered said City, together with
10 the amounts then and there due and owing to said employees.

11 SECTION 5. This ordinance shall go into force and be in
12 effect from and after the 7th day of January, 1938.

13 SECTION 6. This ordinance shall be printed and published in
14 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 by Councilman Neece
17 at a regular meeting of the Council of the City of Modesto held
18 on the 8th day of December, 1937, and was adopted and passed to
19 print by the following vote:

20 AYES: COUNCILMEN: Neece, Oliver, Stanley, Bond and Mayor King

21 NOES: COUNCILMEN: None

22 ABSENT: COUNCILMEN: None

23
24
25 APPROVED:


26 J. H. KING, MAYOR.

27 ATTEST:


28 H. B. GRAGG, 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 December, 1937 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, 1937, it was upon roll call so finally adopted by the following vote:

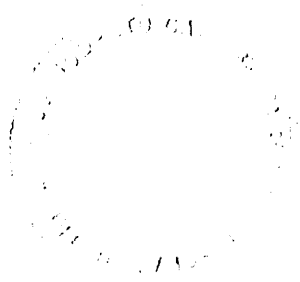
Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: J. V. King
MAYOR

ATTEST [Signature]
CITY CLERK



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SPECIAL
NOT IN CODE

ORDINANCE NO. 564-N.S.

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF
A MILLING MACHINE FOR THE MACHINE SHOP

---e0e---

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

The sum of Nine-Hundred dollars (\$900.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto for the purchase of a Milling Machine for the Machine Shop.

The City Engineer shall upon the adoption of this Ordinance, file with the Council the necessary specifications for the purchase of this equipment; and the City Clerk shall advertise for bids for the said equipment.

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

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on December 22, 1937, by Councilman Oliver, 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: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. King Mayor

ATTEST St. Gray 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 Modeste held on the 22nd day of December, 1937, and subsequently printed and published as required by the Charter of the City of Modeste, and coming on for final adoption at the regular meeting of January 12, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayer King

Nees: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: _____

J. H. King
MAYOR

ATTEST _____

A. C. Brown
CITY CLERK



REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 565 N. S.

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 559 N. S. KNOWN AS THE "PENSION ORDINANCE" OF THE CITY OF MODESTO, BY ADDING A NEW SUBDIVISION THERETO.

---oo0oo---

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

SECTION 1. Section 4 of Ordinance No. 559 N. S. of the City of Modesto entitled "AN ORDINANCE CREATING A PENSION BOARD AND ENUMERATING ITS POWERS AND DUTIES; PROVIDING FOR PENSION AND RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES OF DECEASED MEMBERS THEREOF; PROVIDING A PENSION AND RELIEF FUND AND FOR ITS ADMINISTRATION BY THE PENSION BOARD" is hereby amended by adding a new subdivision, to-wit, subdivision c, thereto:

Subd. c. No person retained by the City of Modesto as technical adviser to any department of said City, or as a radio technician, or for the purpose of maintaining and keeping in repair radio equipment employed in the Police or Fire Departments of said City, shall be construed to be a member of said Fire and/or Police Department of said City under the terms of this Ordinance.

SECTION 2. This ordinance shall take effect and be in full force from and after 15 days after its final adoption.

SECTION 3. This ordinance shall be printed and 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 by Councilman Stanley at a regular meeting of the Council of the City of Modesto held on the 22nd day of December, 1937, and was adopted and passed to print by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond, and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

ATTEST:

H. E. GREGG, CITY CLERK

APPROVED:

J. H. KING, MAYOR.

565

REPEALED BY
MUNICIPAL CODE

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modeste held on the 22nd day of December, 1937, and subsequently printed and published as required by the Charter of the City of Modeste, and coming on for final adoption at the regular meeting of January 12, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Bond and Mayer King

Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED

J. H. King
MAYOR

ATTEST

H. C. King
CITY CLERK

SPECIAL
NOT IN CODE

2 AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE
3 CITY OF MODESTO.

4 --oo0oo--

5 WHEREAS, on the 16th day of October, 1937, under and by
6 virtue of the terms of Section 1083D of the Political Code of
7 the State of California, there was printed and/or caused to be
8 printed in The Modesto Bee, a newspaper of general circulation
9 published in the City of Modesto, Stanislaus County, California,
10 by Reuben A. Sylva, Helen H. Sylva, and Ernest E. Kint, a notice
11 of intention to circulate petition for annexation of the territory
12 hereinafter described, said notice containing a statement not
13 exceeding five hundred words setting forth the reason for the
14 proposed petition; and

15 WHEREAS, thereafter, to-wit, on the 10th day of November,
16 1937, there was received by the City Council of the City of
17 Modesto, a municipal corporation, which said City Council is the
18 legislative body of said municipal corporation, a written petition
19 signed by not less than one fourth ¹⁰ number of all the qualified
20 electors residing within the territory therein and hereinafter
21 described, as shown by the registration of voters in the County
22 in which such territory is situated, asking that such territory
23 be annexed to the City of Modesto, and asking that the question
24 to be submitted to the electors residing in the territory pro-
25 posed by said petition to be annexed to said City of Modesto
26 shall be whether such new territory shall be annexed to, incor-
27 porated in, and made a part of said municipal corporation, and
28 the property therein be not, after such annexation, subject to
29 taxation equally with the property within such municipal corpora-
30 tion to pay the bonded indebtedness of said City of Modesto
31 outstanding at the date of the filing of such petition thereto-
32

1 fore authorized; and

2 WHEREAS, the petition for annexation of said territory as
3 filed with the City Council of the said City of Modesto was so
4 filed more than twenty-one days after the publication in said
5 The Modesto Bee of said notice of intention to circulate said
6 petition; and

7 WHEREAS, thereafter and pursuant to said petition, an
8 election was called to submit to the qualified electors in the
9 territory proposed by said petition and notice to be annexed to
10 the said City of Modesto the said question as hereinbefore
11 stated, which said election was thereafter, to-wit, on the 21st
12 day of December, 1937, held in accordance with the said order and
13 resolution herein referred to, and in accordance with the statutes
14 in such case made and provided; and

15 WHEREAS, the proper officers of said election did thereupon
16 and thereafter deliver the ballots, tally sheets and returns of
17 said election to and deposit the same with the Clerk of the
18 legislative body of said municipal corporation, to-wit: the Clerk
19 of the City Council of the City of Modesto, and the said City
20 Council did thereafter and at the time provided by law meet and
21 proceed to canvass said returns and did find therefrom that
22 within the said election precinct, which constituted the whole
23 of said territory proposed to be annexed, the total number of
24 votes cast was four votes, that the total number of votes cast
25 in favor of said proposition was four votes, and that the number
26 of votes cast against said proposition was none, and that said
27 proposition carried. The said City Council did thereupon immedi-
28 ately upon the completion of said canvass cause a record thereof
29 to be made and entered upon its minutes, stating the proposition
30 submitted, and showing the whole number of votes cast thereon in
31 the territory proposed to be annexed, the number of votes cast
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1 therein in favor of annexation and the number of votes cast
2 therein against annexation, and that all of the matters and
3 things required by law to be done in the premises have been done
4 and complied with, and that a majority of all the votes cast in
5 such outside territory on the question of annexation, as herein-
6 above stated, were cast in favor of such annexation:

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

9 Section 1. That the annexation of the following described
10 territory lying and being in the County of Stanislaus, State of
11 California, and contiguous to the City of Modesto, and particular-
12 ly described as follows, to-wit:

13 Beginning at College Avenue and
14 Coldwell Avenue where a 1" iron pipe marks
15 the Southwest corner of the Southeast
16 quarter of the Southwest quarter of Section
17 20, T. 3 S. R. 9 E., M.D.B. & M.; thence
18 Easterly along the line common to Sections
19 20 and 29, said line being the North cor-
20 porate limits of the City of Modesto a
21 distance of 660.33 feet; thence at an angle
22 to the left of 92°-12' in a Northerly
23 direction a distance of 833.69 feet; thence
24 at an angle to the left 110°-0' in a South-
25 westerly direction a distance of 361.93 feet;
26 thence at an angle to the right 20°-0' in a
27 Westerly direction a distance of 319.74
28 feet; thence at an angle to the left 90°-0' in
29 a Southerly direction a distance of 684.92
30 feet to the point of beginning,

31 be approved.

32 Section 2. That the said territory hereinabove described
be, and the same is, hereby annexed to, incorporated in and made
a part of the said City of Modesto, to be effective upon the
filing with the Secretary of State of the State of California of
a copy of the record of the canvass of the returns of said
election in such new territory and a certified copy of this
ordinance.

Section 3. The Clerk of the City of Modesto is hereby
authorized and directed to make and certify, under the seal of

1 the City of Modesto, and transmit to the Secretary of State of
2 the State of California, a copy of the record of the canvass of
3 the returns of said election in such new territory, and a copy
4 of this Ordinance, giving the date of its passage in accordance
5 with the Statutes providing therefor.

6 Section 4. That the said territory hereinabove described
7 shall not, after such annexation, be subject to taxation equally
8 with the property within such municipal corporation to pay
9 the bonded indebtedness of said municipal corporation outstanding
10 at the date of said annexation or indebtedness theretofore
11 authorized.

12 Section 5. This Ordinance shall take effect and be in full
13 force and operation upon the filing of a certified copy there-
14 of, together with a copy of the record of said canvass as
15 specified in Section 2 hereof, with the Secretary of State of
16 California, but in any event not less than fifteen days after
17 its final passage and adoption.

18 Section 6. It is further ordered that this ordinance be
19 published in full at least once at least three days prior to its
20 final passage and adoption in the The Modesto Bee, the official
21 newspaper of the City of Modesto.

22 The foregoing ordinance was introduced by Councilman
23 BOND, who moved its adoption and passage to print,
24 which motion being duly seconded, was upon roll call carried and
25 the ordinance ordered printed and published as above by the fol-
26 lowing vote:

27 AYES: COUNCILMEN: Neece, Stanley, Bond and Mayer King
28 NOES: COUNCILMEN: None
29 ABSENT: COUNCILMEN: Oliver

30 APPROVED:


J. H. KING, LAYOR.

31 ATTEST:

H. E. GRAGG, CITY CLERK

32

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 12th day of January, 1938, 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 26, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. King
MAYOR

ATTEST _____

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AN ORDINANCE AMENDING SECTIONS 2 and 8 OF ORDINANCE NO. 520
N. S. ENTITLED: "AN ORDINANCE PROVIDING FOR THE REGISTRATION OF
BICYCLES IN THE CITY OF MODESTO, AND PROVIDING A PENALTY FOR
VIOLATION THEREOF."

---ooOoo---

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

SECTION 1. Sections 2 and 8 of Ordinance No. 520 N. S.
of the City of Modesto entitled: "AN ORDINANCE PROVIDING FOR THE
REGISTRATION OF BICYCLES IN THE CITY OF MODESTO, AND PROVIDING A
PENALTY FOR VIOLATION THEREOF," are hereby ^{amended} to read as follows:

Section 2. The Police Department is hereby authorized and
directed to issue, upon written application, bicycle licenses
which shall be effective from the first day of January, 1938 to
and including the thirty-first day of December, 1938, and there-
after said licenses shall be issued for the calendar year, com-
mencing on the first day of January of each of said calendar
years and ending on the thirty-first day of December of said
calendar year. Said licenses must be procured on or before the
twenty-fifth day of February, 1938 and on or before the first day
of February of each and every year thereafter. Said licenses
when issued, shall entitle the licensee to operate such bicycle,
for which said license has been issued, upon all the streets,
alleys and public highways, exclusive of the sidewalks thereof,
in the City of Modesto.

Section 8. Every person, firm or corporation violating any
of the provisions of this ordinance shall be deemed guilty of a
misdemeanor, and upon conviction shall be punishable by a fine of
not more than five hundred dollars (\$500.00), or by imprisonment
in the City Jail for a period of not more than six (6) months, or
by both such fine and imprisonment. In addition to the penalty
hereinabove set forth, the Police Department of the City of
Modesto or any of the members thereof, may impound and retain

1 possession of any bicycle operated in violation of any of the
2 provisions of this ordinance, and retain possession of the same
3 until the license provided for herein is obtained by the owner
4 of said bicycle.

5 Neither of the penalties imposed by this section is
6 exclusive of the other and the enforcement of either of said
7 penalties is not dependent upon the enforcement of the other.

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

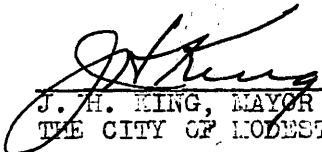
11 The foregoing ordinance was introduced at a regular meeting
12 of the Council of the City of Modesto held on the 26th day of
13 January, 1938, by Councilman Stanley, who moved its
14 adoption and passage to print as aforesaid, which motion being
15 duly seconded, was upon roll call carried, and the ordinance
16 ordered published as above by the following vote:

17
18 AYES: COUNCILMEN: Neece, Stanley, Oliver, Bond and Mayor King


19 NOES: COUNCILMEN: None

20 ABSENT: COUNCILMEN: None

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23 APPROVED:


24 J. H. KING, MAYOR OF
25 THE CITY OF MODESTO.

26
27 ATTEST:


28 H. E. GRAGG, 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, 1938 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, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST:


CITY CLERK



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AN ORDINANCE AMENDING ORDINANCE NO. 396 N. S. OF THE CITY OF MODESTO, ENTITLED "AN ORDINANCE PROVIDING FOR PROPERTY TAXES IN AND FOR THE CITY OF MODESTO, AND PROVIDING A SYSTEM FOR THE ASSESSMENT, LEVY AND COLLECTION THEREOF, AND FURTHER PROVIDING FOR THE COLLECTION OF PUBLIC IMPROVEMENT ASSESSMENTS AND OTHER PURPOSES IN SAID CITY.

---ooOoo---

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

SECTION 1. Section XXXV of Ordinance No. 396 N. S. of the City of Modesto entitled: "AN ORDINANCE PROVIDING FOR PROPERTY TAXES IN AND FOR THE CITY OF MODESTO, AND PROVIDING A SYSTEM FOR THE ASSESSMENT, LEVY AND COLLECTION THEREOF, AND FURTHER PROVIDING FOR THE COLLECTION OF PUBLIC IMPROVEMENT ASSESSMENTS AND OTHER PURPOSES IN SAID CITY", is hereby amended to read as follows, to-wit:

SECTION XXXV. Where property has been conveyed to the city, and the deed therefor executed by the Tax Collector to the City and recorded, the Council may thereupon by an order duly entered in its minutes direct the Tax Collector to sell such property, or any part thereof. The Tax Collector must thereafter give notice of the place, date and hour of sale, and describe the property to be sold, which notice must be published once a week for three successive weeks in the official newspaper of the City of Modesto. At the time of such sale, the Tax Collector must sell the property described in the notice at public auction to the highest bidder for cash in lawful money of the United States; but no bid shall be received or accepted for less than the amount of all taxes, charges, interest, penalties and expenses which have accrued up to the date of such sale by reason of any previous tax sale or delinquency, including any sums advanced on said property by the city since the date of the original sale to the city of such property; provided, however, that if the Council by resolu-

1 tion shall declare that in their judgment the property so owned by
2 the city and particularly described in said resolution, is not
3 at that time of value great enough so that it can be sold by the
4 city for a sum equal to the amount of the said taxes, interest,
5 costs, penalties, charges and expenses up to the date of such sale,
6 and that it would be for the best interests of the city to sell
7 said property for a sum at least equal to an amount to be stated
8 in said resolution, then the City Council may by such resolution
9 direct the Tax Collector to sell said property for a sum at least
10 equal to the amount so stated in said resolution, together with
11 the expenses of the sale, and such property may then be so sold,
12 but only to the highest bidder therefor. Upon the sale of any
13 property so owned by said city, in accordance with the provisions
14 of this section, and upon the receipt of the amount bid, and if
15 the property so offered for sale has not been redeemed, the Tax
16 Collector, or his successor in office, must make a deed to the
17 purchaser and the deed shall convey said property to said purchaser
18 and shall be substantially in the form provided in Section 3785b
19 of the Political Code. No charge shall be made by the Tax Collector
20 for making any such deed. The provisions of Section 3786 Political
21 Code shall apply to such deed.

22 It is hereby expressly provided, however, that if it shall
23 appear to the City Council that it be for the best interests and
24 welfare of the City that property acquired by the City under the
25 provisions of this ordinance be sold at private sale, the City
26 Council by resolution shall so find and in such resolution shall
27 direct that the collector sell at private sale for not less than
28 a sum to be set forth in the resolution, providing also that such
29 sale shall be confirmed by the City Council by resolution and
30 after such finding and such confirmation the City Tax Collector
31 shall execute a deed to the purchaser of such property.
32

1 It is further expressly provided that when and if property
2 is sold as in the preceding paragraph provided, no notice of
3 such intended sale need be published in any newspaper or other-
4 wise, prior to said sale.

5 SECTION 2. This ordinance shall be effective from and after
6 fifteen (15) days after its final passage and adoption.

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

10 The foregoing ordinance was introduced by Councilman Neece
11 at a ~~regular~~ ^{Special} meeting of the Council of the City of Modesto, held
12 on the 18th day of ~~January~~ ^{February}, 1938, said Councilman Neece
13 at said time moving its adoption and publication as aforesaid,
14 which motion being duly seconded was upon roll call carried, and
15 the ordinance ordered printed and published as above by the fol-
16 lowing vote:

17
18 AYES: COUNCILMEN: Neece, Stanley, Oliver, Bond and Mayor King

19 NOES: COUNCILMEN: None

20 ABSENT: COUNCILMEN: None

21
22
23 APPROVED:



J. H. KING, MAYOR

24
25
26 ATTEST:



H. E. BRAGG, 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 18th day of February, 1938, 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, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond

APPROVED: J. H. King
MAYOR

ATTEST: A. E. Gage
CITY CLERK

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AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS EN- GAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REGU- LATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENAL- TIES FOR THE VIOLATION THEREOF, AND REPEALING CONFLICTING ORDINANCES.

Amended Ord. 574- N.S. 579- N.S. 583- N.S. 587- N.S. 591- N.S. 595- N.S. 599- N.S. 603- N.S. 607- N.S. 611- N.S. 615- N.S. 619- N.S. 623- N.S. 627- N.S. 631- N.S. 635- N.S. 639- N.S. 643- N.S. 647- N.S. 651- N.S. 655- N.S. 659- N.S. 663- N.S. 667- N.S. 671- N.S. 675- N.S. 679- N.S. 683- N.S. 687- N.S. 691- N.S. 695- N.S. 699- N.S. 703- N.S. 707- N.S. 711- N.S. 715- N.S. 719- N.S. 723- N.S. 727- N.S. 731- N.S. 735- N.S. 739- N.S. 743- N.S. 747- N.S. 751- N.S. 755- N.S. 759- N.S. 763- N.S. 767- N.S. 771- N.S. 775- N.S. 779- N.S. 783- N.S. 787- N.S. 791- N.S. 795- N.S. 799- N.S. 803- N.S. 807- N.S. 811- N.S. 815- N.S. 819- N.S. 823- N.S. 827- N.S. 831- N.S. 835- N.S. 839- N.S. 843- N.S. 847- N.S. 851- N.S. 855- N.S. 859- N.S. 863- N.S. 867- N.S. 871- N.S. 875- N.S. 879- N.S. 883- N.S. 887- N.S. 891- N.S. 895- N.S. 899- N.S. 903- N.S. 907- N.S. 911- N.S. 915- N.S. 919- N.S. 923- N.S. 927- N.S. 931- N.S. 935- N.S. 939- N.S. 943- N.S. 947- N.S. 951- N.S. 955- N.S. 959- N.S. 963- N.S. 967- N.S. 971- N.S. 975- N.S. 979- N.S. 983- N.S. 987- N.S. 991- N.S. 995- N.S. 999- N.S.

See ord 796-N.S. 812-N.S. 876-N.S.

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

SECTION 1. That a certain document, three (3) copies of which are on file in the Office of the City Clerk of the City of Modesto, being marked and designated as "Standard Plumbing Code, 1934 Edition," drafted and sponsored by Pacific Coast Plumbing Inspectors Association, which said Standard Plumbing Code provides for the protection of the public health, and the examination, registration, and licensing of persons engaged in the business of plumbing, or laboring at the trade of plumbing; requiring a per- mit for the installation or alteration of plumbing and drainage systems; creating the office of plumbing inspector and a board of plumbing examiners, and prescribing their duties; defining cer- tain terms; establishing minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for the violation thereof, and repealing conflicting ordinances, as hereinafter amended, deleted and added to, be and the same is hereby adopted, as the Plumbing Code of the City of Modesto.

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

SECTION 3. That the words or title "Department of Public Health" as used in said Code to denote the department charged with

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1 the supervision and enforcement of said Code, be amended to read
2 "Department of Public Works."

3 SECTION 4. That paragraph 3 of Article 1, Section 3, of said
4 Code be amended to read as follows: Every applicant for a master
5 plumber's license shall furnish proof that he is the lawful
6 possessor of a valid plumber's Certificate of Competency, and be-
7 fore any person, partnership, firm, or corporation shall engage in
8 the business of plumbing in the City of Modesto, some bona fide
9 member or authorized agent thereof shall at all times be in actual
10 charge of the applicant's plumbing work, or he or they shall furnish
11 proof that he or they have in their employ such persons who are in
12 lawful possession of a Certificate of Competency. Every licensee
13 shall be held responsible for any work performed by him or it, or
14 his or its employees, regardless of the fact that he or it holds a
15 Certificate of Competency.

16 SECTION 5. That Article 1, Section 8 be deleted from said
17 Code as adopted by this Ordinance.

18 SECTION 6. That Article 1, Section 12 of said Code be amended
19 by this Ordinance to read as follows: Any person legally entitled
20 to apply for and receive a permit shall make application for the
21 same at the Office of the Plumbing Inspector of the City of
22 Modesto, on forms provided for that purpose. He shall give a
23 description of the character of the work proposed to be done, and
24 the location, ownership, occupancy and use of the premises in
25 connection therewith.

26 The Plumbing Inspector may require sketches, drawings, and/or
27 specifications and such other information as may be necessary to
28 enable him to determine whether or not the proposed work complies
29 with the requirements of this Ordinance, prior to the granting of
30 the permit.

31 If the Plumbing Inspector determines that the work proposed to
32 be done as shown by the sketches, drawings, descriptions, specifi-

1 cations and information furnished by the applicant, is in compliance
2 with this Ordinance, the laws, rules, and regulations of the State
3 of California pertaining to plumbers and plumbing and drainage
4 systems applicable in the City of Modesto, he shall issue the
5 permit applied for upon payment to the City Clerk of the required
6 fee as hereinafter fixed.

7 SECTION 7. That the schedule of fees to be paid to the City
8 Clerk of the City of Modesto upon receiving permits to do work as
9 the same are set forth in Article 1, Section 15 of said Code, be
10 amended to read as follows:

11	For each plumbing fixture and	
12	waste discharging device.25
13	For each house drain	\$.1.00
14	For each house sewer	1.00
15	For each leader to sewer or	
16	public gutter25
17	For each water distribution system50
18	Minimum fee for any permit for work	
19	requiring inspection	1.00
20	For any work condemned as not in ac-	
21	cordance with this Ordinance, and re-	
22	quiring reinspection	1.00

23 SECTION 8. That Section 16 of Article 1 of said Code be
24 amended to read as follows: To provide for the administration or
25 enforcement of this Ordinance, the office of Plumbing Inspector is
26 hereby created. The City Engineer of the City of Modesto shall be
27 the Plumbing Inspector, and shall have the power to appoint
28 assistants to assist him in the discharge of the duties of his
29 office.

30 SECTION 9. That Section 17, Article 1, be amended to read
31 as follows: All assistant plumbing inspectors appointed to assist
32 the City Engineer in his capacity as Plumbing Inspector shall be
practical plumbers, having not less than five (5) years actual
experience as journeyman and/or master plumbers. They shall be

1 appointed and shall hold office in accordance with the ordinance
2 or Charter provisions of the City of Modesto, or any ordinances or
3 resolutions hereafter regularly adopted by the City Council of the
4 City of Modesto.

5 SECTION 10. That paragraph 7 of Section 20, Article 1 be
6 amended to read as follows:

7 The City Clerk shall assist the Plumbing Inspector as follows:
8 All fees heretofore or hereinafter set forth in this Ordinance
9 shall be collected by the City Clerk. The Plumbing Inspector
10 shall not perform any duty for which a fee is required, unless an
11 application, in writing, has first been made at the Office of the
12 City Clerk and the fee collected by said Clerk and a receipt
13 issued therefor.

14 Said City Clerk shall make all receipts in triplicate, the
15 original receipt shall be given to the applicant, one copy shall
16 be transmitted to the Plumbing Inspector, and one copy shall be
17 retained by the City Clerk.

18 SECTION 11. At the next meeting of the Council of the City
19 of Modesto held after the effective date of this Ordinance, said
20 City Council shall appoint a Board of Plumbing Examiners, consisting
21 of five (5) members; one of the members of said Board shall be a
22 master plumber, one a journeyman plumber, and the third shall be
23 the Plumbing Inspector. The other two members of said Board, in
24 order to qualify therefor, need not be plumbers. The term "certi-
25 fied journeyman plumber" as used in this Ordinance shall mean
26 any journeyman plumber, after the formation of said Board, who can
27 successfully pass the examination or examinations prescribed for
28 them by the members of said Board of Plumbing Examiners appointed
29 by said City Council.

30 At the first regular meeting of said Board of Plumbing Exam-
31 iners all of the members of said Board, save and except said
32 Plumbing Inspector, shall draw lots for the purpose of determining

1 which member of said Board shall serve for 1 year, which
2 member shall serve for 2 years, which member shall serve
3 for 3 years, and which member shall serve for 4
4 years on said Board. After the expiration of the term of office
5 of any member of said Board first appointed, appointments
6 thereafter shall be made for a term of 3 years for each
7 member thereafter appointed to said Board of Plumbing Examiners.
8 All the members appointed to said Board of Plumbing Examiners
9 shall hold office for their respective terms, unless sooner re-
10 moved for malfeasance in office, neglect of duty, incapacity, or
11 for any reason that the City Council deems to the best interest
12 of the City of Modesto. Said removal may be made by the City
13 Council without granting to the person so removed a hearing,
14 either public or private, and without the necessity of there
15 being filed with said City Council or any other official or body
16 of officials in said City any written charges. The dismissal by
17 said Council of any member of said Board for any of the reasons
18 herein stated shall be final and conclusive.

19 SECTION 12. That Article 2, Section 32, subdivision 2 be
20 amended to read as follows: An apprentice or helper is hereby
21 construed to be a person who is registered as such, as required by
22 section 2 of this Ordinance, and who is undergoing an apprentice-
23 ship or course of training (not exceeding five (5) years) for the
24 purpose of learning the trade of plumbing. It shall be unlawful
25 for any apprentice or helper as hereby defined to perform any
26 work regulated by this Ordinance or amendments thereto, except as
27 an assistant, under the direct supervision of a licensed master
28 plumber or a certified journeyman plumber.

29 SECTION 13. That Article 3, Section 41 be amended to read
30 as follows: One-quarter ($\frac{1}{4}$) bends may be used only when the
31 direction of flow changes from horizontal to vertical, or when
32 used as closet bends or when used as vent fittings.

1 SECTION 14. That Article 4, Section 61 be amended to read
2 as follows: Clean-out fittings shall be composed of cast brass
3 or cast iron. The ferrule or body part shall be not less than
4 one-eighth (1/8) of an inch in thickness, and the flange or cover
5 part, not less than three-sixteenths (3/16ths) of an inch in
6 thickness. Clean-out covers shall have a solid cast head not less
7 than one and one-half (1½) inches square and three-fourths (3/4ths)
8 of an inch in height on all sizes over three (3) inches, and not
9 less than one and one-quarter (1¼) inches square and five-eighths
10 (5/8ths) of an inch in height on all sizes under four (4) inches.
11 The cover may be fitted with a counter-sunk opening in lieu of a
12 head, if the same is to be used where a head would be impracticable.

13 SECTION 15. That Article 6, Section 80-B be amended to read
14 as follows: (b). Traps--Where Required. A kitchen sink and a
15 one part wash tray set together so as to form one fixture, and
16 any one piece fixture having more than one outlet, may be classed
17 as one fixture and be served by one trap. Provided that they can
18 be installed so that not more than twenty-four (24) inches of un-
19 trapped waste pipe exists between the fixture outlets and the
20 trap seal.

21 SECTION 16. That Article 7, Section 91, paragraph 2, be
22 amended to read as follows: No water closet, urinal, or any
23 other fixture, appliance, appurtenance or device shall be directly
24 supplied from a water distribution system through a flushometer,
25 or other valve, faucet, bib, or device, unless such valve, faucet,
26 bib or device and outlet therefrom is provided with an approved
27 vacuum-breaker, set above the extreme overflow rim of the water
28 closet, urinal, fixture, appliance, appurtenance, or device, in
29 such a manner, and of such construction, as to prevent any possi-
30 bility of polluting or contaminating the water supply, either by
31 gravity flow, syphonage, back-pressure, or any means whatsoever.

1 SECTION 17. That Article 10, Section 108, subdivision C, be
2 amended to read as follows:

3 C. All vent pipes shall be cast iron pipe with cast iron
4 fittings, galvanized wrought iron or galvanized steel pipe with
5 galvanized malleable iron, or cast iron drainage fittings, lead,
6 brass, or copper pipe with galvanized malleable iron fittings,
7 except that no galvanized iron or galvanized steel pipe shall be
8 used underground.

9 SECTION 18. That Article 10, Section 110, paragraph 5, be
10 amended to read as follows: Every building in which plumbing
11 fixtures are installed shall have a soil or waste vent stack or
12 stacks extending through the roof and if water closets are
13 installed, at least one four (4) inch pipe extending through the
14 roof, such vent pipe to serve a water closet. Other water closets
15 in the same building may be vented with a two (2) inch pipe in
16 accordance with Table No. 3, Article 10. If the distance between
17 any two water closets or sets of water closets is greater than
18 twenty (20) feet horizontal developed length measured along the
19 center line of the soil pipe from the center of the trap outlets
20 another four (4) inch vent shall be required.

21 SECTION 19. That Article 10, Section 123, be amended to
22 read as follows: All vent and branch vent pipes, shall be free
23 from drops or sags and be so graded and connected as to drip back
24 to the soil or waste pipe by gravity. Where vent pipes connect
25 to a horizontal soil or waste pipe, the vent pipe shall be taken
26 off above the center line of such pipe, ahead of the trap being
27 served, and unless prohibited by structural conditions, shall rise
28 vertically to a point not less than six (6) inches above the ex-
29 treme overflow level of the fixture served, before off-setting
30 horizontally. All vents and branch vents so erected shall be
31 vertical, whenever practical so to do.
32

1 SECTION 20. In those cases where plumbing work may be done
2 without first securing a permit, it is hereby made the duty of the
3 person doing such work to communicate that fact to the Plumbing
4 Inspector by telephone or such other means as the person doing
5 such work desires to employ. Such notice must be given immediately
6 upon completion of said work. No inspection fee shall be charged
7 for any inspection of work not requiring a permit for the first
8 inspection thereof. If, however, the Plumbing Inspector requires
9 said work to be done over, or any changes or alterations to be
10 made therein, an inspection fee must be paid for the second
11 inspection of said work, as provided by Section 15 of said Code.

12 SECTION 21. 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 punish-
15 able by a fine not to exceed One Hundred (\$100.00) Dollars, or by
16 imprisonment in the County Jail of Stanislaus County, at Modesto,
17 California, for a period not to exceed one (1) day for each two
18 (\$2.00) Dollars of said fine remaining unpaid, or by both such
19 fine and imprisonment.

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

22 SECTION 23. This Ordinance shall be printed and published in
23 full at least once at least three days prior to its final adoption,
24 in the Modesto Bee, the official newspaper of the City of Modesto,
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26 The foregoing Ordinance was introduced by Councilman Bond
27 at a regular meeting of the Council of the City of Modesto held
28 on the 23rd day of March, 1938, and was adopted and passed to
29 print by the following vote:

30 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
31 Noes: Councilmen: None
32 Absent: Councilmen: None

ATTEST:

H. E. GRAGG
H. E. GRAGG, CITY CLERK

APPROVED:

J. H. KING
J. H. KING, MAYOR.

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, 1938 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, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

MAYOR

ATTEST _____

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REPEALED BY
MUNICIPAL CODE

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 563 N. S., OF THE CITY OF MODESTO, ENTITLED: "AN ORDINANCE CREATING A FUND TO BE KNOWN AS 'PAYROLL FUND' OF THE CITY OF MODESTO, AND AUTHORIZING CITY AUDITOR TO PAY CITY EMPLOYEES OUT OF SAID FUND."

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

SECTION 1. Section 3 of Ordinance No. 563, N. S. of the City of Modesto, entitled: "AN ORDINANCE CREATING A FUND TO BE KNOWN AS 'PAYROLL FUND' OF THE CITY OF MODESTO, AND AUTHORIZING CITY AUDITOR TO PAY CITY EMPLOYEES OUT OF SAID FUND," is hereby amended to read as follows:

Section 3. It is hereby made the duty of said Auditor to pay the employees of the City of Modesto by said Auditor's check, draft, or warrant, drawn against said payroll fund of said City of Modesto, moneys due and owing to said employees for services rendered by said employees to and on behalf of said City, on the days regularly provided for the payment of salaries or wages to the various classes of employees of said City. In the event that for any reason said Auditor is disqualified to make said checks, drafts, or warrants, or for any reason is unable so to do, the Mayor of the City of Modesto shall make said checks, drafts or warrants against said payroll fund of said City for the purpose of paying said employees. In the further event and if for any reason said Mayor is disqualified from performing said duty, or is unable so to do, the Mayor Pro Tempore shall have the duty and power to draw checks, drafts or warrants against said payroll fund for the purpose of paying said City employees, as herein set forth.

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 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.

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1 The foregoing ordinance was introduced at a regular meeting
2 of the Council of the City of Modesto held on the 23rd day of
3 March, 1938, by Councilman Neece, who moved its
4 adoption, which motion being duly seconded, it was upon roll call
5 carried, and the ordinance ordered printed and published as above
6 by the following vote:

7
8 Ayes: Councilmen: Oliver, Bond, Stanley, Neece and Mayor King

9 Noes: Councilmen: None

10 Absent: Councilmen: None

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14 APPROVED:

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16 J. H. KING, MAYOR.

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18 ATTEST:

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20 H. E. CRAGG, 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, 1938, 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, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: _____

J. H. King
MAYOR

ATTEST: _____

A. E. Gray
CITY CLERK

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 459 N. S. OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE DESIGNATING THE BASEBALL FIELD SOUTH OF THE MUNICIPAL GOLF COURSE AS ROOSEVELT FIELD, AND PROVIDING AND AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS FOR ITS USE.

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

SECTION 1. Section 1 of Ordinance No. 459 N. S. of the City of Modesto entitled "AN ORDINANCE DESIGNATING THE BASEBALL FIELD SOUTH OF THE MUNICIPAL GOLF COURSE AS ROOSEVELT FIELD, AND PROVIDING AND AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS FOR ITS USE", is hereby amended to read as follows:

Section 1. That piece or parcel of real property owned by the City of Modesto, and situate south of the property now used for the Modesto Municipal Golf Course, shall be hereafter known as and named "Modesto Municipal Ball Park. It shall be used and maintained for athletic sports and for the benefit and entertainment of that portion of the public which engages in or patronizes athletic sports, and particularly baseball; subject, however, to the restrictions and limitations contained in this ordinance, and to such further rules and regulations as the City Council of the City of Modesto may hereafter by resolution adopt. Whenever in any resolution or ordinance the name "Roosevelt Field" appears, it shall be understood that said name, to-wit, "Roosevelt Field" refers to the Modesto Municipal Baseball Park.

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 printed and 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 by Councilman Stanley at a regular meeting of the Council of the City of Modesto

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1 held on the 13th day of April, 1938, and was adopted and
2 passed to print by the following vote:

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Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: *J. H. King*
J. H. KING, MAYOR

ATTEST: *H. E. Gregg*
H. E. GREGG, 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 April, 1938, 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 27, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST


CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 572 N. S.

AN ORDINANCE AMENDING ORDINANCE NO. 237, N. S. OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE CONSOLIDATING CERTAIN OFFICES OF THE CITY WITH THAT OF CITY ENGINEER, PRESCRIBING THE DUTIES TO BE PERFORMED IN CONNECTION THEREWITH, AND FIXING THE SALARY OF THE CITY ENGINEER."

--oOo--

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

SECTION 1. Section 1 of Ordinance No. 237, N. S. of the City of Modesto, entitled: "AN ORDINANCE CONSOLIDATING CERTAIN OFFICES OF THE CITY WITH THAT OF CITY ENGINEER, PRESCRIBING THE DUTIES TO BE PERFORMED IN CONNECTION THEREWITH, AND FIXING THE SALARY OF THE CITY ENGINEER", is hereby amended to read as follows:

Section 1. The Council hereby finds that the interests of the City of Modesto demand the consolidation and placing in charge of one officer of the functions and duties of several offices of the City of Modesto. The said Council does, therefore, hereby consolidate and place in charge of the City Engineer the duties of the following officers in addition to those of City Engineer, to-wit; Street Superintendent, Building Inspector, Sewer Inspector and Superintendent of Parks. The official designation of the officer performing the functions and duties of said offices shall be that of City Engineer, except that in performing the duties and functions of any said offices imposed by the laws of the State of California, such as any of the street improvement acts, he shall for said purposes be known as Street Superintendent, Building Inspector, Sewer Inspector, or Superintendent of Parks, as said laws may require.

SECTION 2. Subdivision second of Section 2 of Ordinance No. 237, N. S. as above entitled is hereby amended to read as follows:

Second: For the purpose of carrying out the duties herein above specified, or such other duties as may be added as aforesaid, he shall prepare and submit to the Council, within ten days after

1 his appointment and qualification, a plan or outline of the scheme
2 and personnel of the organization required for the performance of
3 said duties, specifying the titles and prescribing the duties of
4 his subordinates, assistants and employees, and upon the approval
5 of the same by the Council he shall file a copy of the same with
6 the City Clerk. He shall have the power to appoint and employ
7 all subordinates, assistants and employees, required in connection
8 with the performance of said duties and to discipline and remove
9 the same. But without express sanction from the Council he shall
10 not be authorized to employ nor discharge, anything to the contrary
11 herein stated notwithstanding, the Assistant Park Superintendent,
12 Assistant Street Superintendent, Assistant City Electrician,
13 ~~Assistant~~ Golf Professional, Assistant City Engineer, Assistant
14 Superintendent of Machine Shop, or Assistant Superintendent of the
15 Municipal Airport.

16 SECTION 3. All ordinances or parts of ordinances in
17 conflict herewith are hereby repealed.

18 SECTION 4. 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.

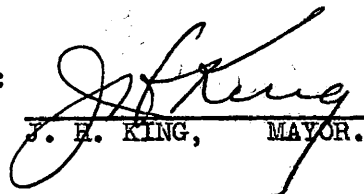
21 The foregoing ordinance was introduced at a regular
22 meeting of the Council of the City of Modesto held on the 11th
23 day of May, 1938, by Councilman Bend, who moved
24 its adoption, which motion being duly seconded, and a vote taken,
25 the ordinance was adopted and ordered printed by the following vote:

26 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayer King

27 Noes: Councilmen: None

28 Absent: Councilmen: None

29
30 APPROVED:


J. E. KING, MAYOR.

31 ATTEST:


32 H. E. CRAGG, CITY CLERK

FINAL ADOPTION CLAUSE

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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 May, 1938 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 25, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent; Councilmen: None

APPROVED: *J. H. King*
MAYOR

ATTEST *V. G. ...*
CITY CLERK



AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF A BOARD OF PARK COMMISSIONERS AND REPEALING ORDINANCES NO. 377 N. S., 439 N. S., AND ORDINANCE NO. 83 N. S. ENTITLED "AN ORDINANCE REGULATING THE PLANTING, REMOVAL AND CARING FOR TREES AND SHRUBS IN THE STREETS OF THE CITY OF MODESTO," AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. The office of Park Commissioner of the City of Modesto is hereby created. The Commissioner of Finance and Revenue shall be the Park Commissioner of said City, and said Commissioner of Finance and Revenue is hereby appointed as said Park Commissioner.

SECTION 2. The office of Superintendent of Parks is hereby created. The City Engineer of the City of Modesto shall in addition to his other duties occupy the position of Superintendent of Parks of the City of Modesto, and said City Engineer is hereby appointed Superintendent of parks of and for the City of Modesto.

SECTION 3. A Park Commission of and for the City of Modesto is hereby created. Said Park Commission shall consist of six (6) members. The Commissioner of Parks of the City of Modesto, the Superintendent of Parks of said City, and the City Clerk of said City shall be ex-officio members of said Commission. All of the members of said Commission shall be residents of the City of Modesto. Each member of said Commission, save and except the ex-officio members thereof shall hold office for three years. The City Council shall appoint the members of said Park Commission and designate the chairman thereof. Three members of said Commission shall constitute a quorum.

SECTION 4. At and during the first regular meeting of said Park Commission, the three members thereof who are not ex-officio members shall draw lots to determine which member shall serve on

1 said Commission for one year, which shall serve for two years, and
2 which member shall serve for three years. Thereafter, each person
3 appointed to said Commission, save and except the ex-officio
4 members thereof, shall serve for a full three years. Nothing
5 herein shall be construed to prevent the City Council of the City
6 of Modesto from removing any member of said Commission without a
7 public or private hearing, or without the filing of written charges
8 or prior notice to said member, whenever said City Council shall
9 determine that the removal of said member shall be for the best
10 interests of the City of Modesto.

11 SECTION 5. It shall be the duty of the Park Commission of
12 the City of Modesto to hold not less than one regular meeting each
13 quarter; the first meeting shall be held on August 5, 1938, and
14 thereafter regular meetings shall be held on the first Friday of
15 every third month. Said meetings shall be held at the City Hall
16 of the City of Modesto at the hour of two o'clock P. M. on said
17 meeting date. Other meetings than regular meetings may be called
18 by the chairman with the sanction of at least one other member
19 of said Commission. The City Clerk of the City of Modesto shall
20 act as ex-officio Clerk of said Commission.

21 It is hereby made the duty of the Park Commission to consider
22 and recommend to the City Council of the City of Modesto, rules
23 and regulations for the upkeep, maintenance and regulation of all
24 parks, and trees along parkways now owned by the City of Modesto
25 or hereafter acquired, and any and all playgrounds belonging to
26 said City or hereafter acquired.

27 SECTION 6. The Park Commission may sit with the Commissioner
28 of Parks and/or head of any department of the City of Modesto
29 whose duty it is to prepare and submit to the City Council of
30 Modesto the annual budget and/or estimate of moneys that should be
31 appropriated by said City Council for the control, upkeep and
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1 maintenance of all parks and street trees owned by said City or
2 controlled by it. The Park Commission shall at all times act in
3 only an advisory capacity, and shall have no power or right to
4 employ any person to work for any department of the City of
5 Modesto, nor to discharge any City employee, nor to contract or
6 incur any obligation on behalf of said City or any of its depart-
7 ments. Neither shall said Park Commission have any power to make
8 or enforce any regulations or rules for the use of said parks or
9 playgrounds therein.

10 The Modesto Municipal Baseball Park and the Modesto Muni-
11 cipal Golf Course shall be considered parks within the meaning of
12 this ordinance.

13 The jurisdiction and control of the parks of the City of
14 Modesto, or any and all parks that may be hereafter acquired by
15 said City, is hereby vested in the Superintendent of Parks. He
16 shall have the right to hire and discharge park employees for the
17 good of the City of Modesto, except as certain power may be denied
18 to him by the provisions of Ordinance No. 572 N. S. of the City
19 of Modesto. Said Superintendent of Parks in discharging said
20 park employees may do so without the necessity of granting or
21 allowing a public hearing to said park employee and without filing
22 any written charges against said employee. Said Superintendent of
23 Parks shall make any and all regulations for the use of all parks
24 now or hereafter owned or controlled by the City of Modesto, or
25 the playgrounds located therein, to purchase supplies for said
26 parks within the limits provided by the Charter of the City of
27 Modesto, and to prohibit the use of said parks and playgrounds to
28 persons guilty of a violation of such rules and regulations.

29 Said Superintendent of Parks is likewise vested with the
30 power, control and jurisdiction to regulate the work and employ-
31 ment of all employees of the City of Modesto working in said
32 parks.

1 The City Council may by ordinance approve and ratify the
2 rules and regulations so adopted for the use of said parks, and
3 upon such approval and ratification any persons violating any such
4 rule or regulation shall be deemed guilty of a misdemeanor, and
5 punishable as the laws of the State of California provide for the
6 punishment of misdemeanors.

7 SECTION 7. No trees or shrubs shall hereafter be planted in,
8 along, or upon the public streets of the City of Modesto, except
9 under the direction and control of the Superintendent of Parks of
10 the City of Modesto. No trees or shrubs planted or now growing
11 in, upon, or along the public streets, or in or upon any public
12 place in said City shall be removed except by permission of the
13 Superintendent of Parks, nor shall any trees or shrubs in, upon,
14 or along said streets be cut, pruned, or trimmed, except under
15 the direction and control of the Superintendent of Parks of the
16 City of Modesto. No person without the authorization of said
17 Superintendent of Parks shall trench around or along the side of
18 any trees, plants, or shrubs planted in, upon, and along the pub-
19 lic streets of the City of Modesto, with the purpose of cutting
20 the roots thereof.

21 SECTION 8. All trees and shrubs now growing or hereafter
22 grown in, upon and along the streets of the City of Modesto, or
23 upon premises now or hereafter controlled by said City, shall be
24 under the direct control, jurisdiction, and supervision of the
25 Superintendent of Parks, subject to the approval of the City
26 Council. Said Superintendent of Parks is hereby vested with the
27 right and power to select the variety and types of trees and
28 shrubs hereafter to be planted in, along, and upon the streets
29 of said City. Said Superintendent of Parks is further vested
30 with the right and power to prohibit planting or to remove or
31 have removed any and all trees and shrubs growing in, upon and
32 along the public streets of the City of Modesto, or other public

1 places in said City which in the opinion of said Superintendent
2 of Parks should be removed.

3 SECTION 9. The Council of the City of Modesto reserves the
4 right to discharge said Superintendent of Parks for any cause
5 that the said City Council deems proper, without prior notice to
6 said Superintendent of Parks, or the filing of written charges
7 and/or without granting to said Superintendent of Parks a public
8 or private hearing.

9 SECTION 10. Any person violating any of the provisions con-
10 tained in this Ordinance shall be guilty of a misdemeanor, and
11 upon conviction thereof shall be punished by a fine not to exceed
12 the sum of One Hundred (\$100.00) Dollars, or by imprisonment in
13 the County Jail of Stanislaus County, California, for a period
14 not to exceed fifty (50) days, or by both such fine and imprison-
15 ment.

16 SECTION 11. All ordinances or parts of ordinances in
17 conflict herewith are expressly repealed. Ordinance No. 83, N. S.
18 entitled: "AN ORDINANCE REGULATING THE PLANTING, REMOVAL AND CARING
19 FOR OF TREES AND SHRUBS IN THE STREETS OF THE CITY OF MODESTO" is
20 hereby expressly repealed.

21 SECTION 12. This Ordinance shall take effect and be in full
22 force and effect from and after fifteen (15) days after its final
23 adoption.

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

27 The foregoing Ordinance was introduced at a regular
28 meeting of the Council of the City of Modesto held on the 11th
29 day of May, 1938, by Councilman Neece, who moved
30 its adoption, which motion being duly seconded, it was upon roll
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1 call carried, and the Ordinance ordered printed and published as
2 above by the following vote:

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Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: J. H. King
J. H. KING, MAYOR.

ATTEST: H. E. Gragg
H. E. GRAGG, CITY CLERK.

FINAL ADOPTION CLAUSE

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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 May, 1938 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 25, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: *J. King*
MAYOR

ATTEST *H. G. ...*
CITY CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 569 N. S. (PLUMBING ORDINANCE) OF THE CITY OF MODESTO BY ADDING A NEW SECTION THERETO, NUMBER 20 $\frac{1}{2}$.

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

SECTION 1. Ordinance No. 569 N. S. of the City of Modesto entitled: "AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, AND THE EXAMINATION, REGISTRATION, AND LICENSING OF PERSONS ENGAGED IN THE BUSINESS OF PLUMBING, OR LABORING AT THE TRADE OF PLUMBING; REQUIRING A PERMIT FOR THE INSTALLATION OR ALTERATION OF PLUMBING AND DRAINAGE SYSTEMS; CREATING THE OFFICE OF PLUMBING INSPECTOR AND A BOARD OF PLUMBING EXAMINERS, AND PRESCRIBING THEIR DUTIES; DEFINING CERTAIN TERMS, ESTABLISHING MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING CONFLICTING ORDINANCES" is hereby amended by adding thereto a new section to be number 20 $\frac{1}{2}$ reading as follows:

Section 20 $\frac{1}{2}$. Anything to the contrary stated herein or set forth in the Standard Plumbing Code, which is made a part of this Ordinance by incorporation, notwithstanding, the Plumbing Inspector shall not act as the Secretary and/or Treasurer of the Board of Plumbing Examiners of the City of Modesto.

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 printed and 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 by Councilman Bend at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1938, and was adopted and passed to print

1 by the following vote:

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3 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayer King

4 Noes: Councilmen: None

5 Absent: Councilmen: None

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APPROVED:

J. H. King
J. H. KING, MAYOR.

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ATTEST:

H. E. Gragg
H. E. GRAGG, 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 May, 1938, 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 25, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen:; Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: 

MAYOR

ATTEST: 

CITY CLERK

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NO. 6-1-
1 ORDINANCE NO. 575 N. S.

2 AN ORDINANCE AMENDING SECTION 134 OF ORDINANCE NO. 487 N. S.
3 (BUSINESS LICENSE ORDINANCE) OF THE CITY OF MODESTO.

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

6 SECTION 1. Section 134 of Ordinance No. 487 N. S. of the
7 City of Modesto entitled: "AN ORDINANCE PROVIDING FOR LICENSING
8 AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES,
9 CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE
10 METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN
11 ORDINANCES," is hereby amended to read as follows:

12 Section 134. For every person conducting, carrying on, or
13 managing the business of selling or soliciting^{the sale of}/different articles
14 of apparel, dry goods, fancy notions, jewelry, cutlery, groceries,
15 harness, pianos, organs, machinery, vehicles, hardware, tinware,
16 mill products, or merchandise of any class or character, who does
17 not maintain a fixed place of business in said City, to persons
18 not regularly engaged in or carrying on such lines of business,
19 the sum of One Hundred Dollars (\$100.00) per month, or Fifteen
20 Dollars (\$15.00) per day.

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

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

27 The foregoing ordinance was introduced at a regular meeting
28 of the Council of the City of Modesto held on the 1st day of
29 June, 1938, by Councilman Neece, who moved its
30 adoption and passage to print as aforesaid, which motion being
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1 duly seconded was upon roll call carried, and the ordinance
2 ordered published as above by the following vote:

3 AYES: COUNCILMEN: Neece, Oliver, Bond, Stanley and Mayor King

4 NOES: COUNCILMEN: None

5 ABSENT: COUNCILMEN: None

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APPROVED: J. H. King
J. H. KING, MAYOR

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ATTEST: H. E. Gragg
H. E. GRAGG, CITY CLERK.

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 1st day of June, 1938, 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 8, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

J. King
MAYOR

ATTEST

St. Gray
CITY CLERK

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SPECIAL
NOT IN CODE

ORDINANCE NO. 576 N. S.

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO.

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WHEREAS, on the 24th day of March, 1938, under and by virtue of the terms of Section 1083D of the Political Code of the State of California, there was printed and/or caused to be printed in The Modesto ~~Star~~ ^{TRIBUNE}, a newspaper of general circulation published in the City of Modesto, Stanislaus County, California, by J. R. Hopkins, Della O. Sanders, and Thelma B. Sanders, a notice of intention to circulate petition for annexation of the territory hereinafter described, said notice containing a statement not exceeding five hundred words setting forth the reason for the proposed petition; and

WHEREAS, thereafter, to-wit, on the 27th day of April, 1938, there was received by the City Council of the City of Modesto, a municipal corporation, which said City Council is the legislative body of said municipal corporation, a written petition signed by not less than one fourth in number of all the qualified electors residing within the territory therein and hereinafter described, as shown by the registration of voters in the County in which such territory is situated, asking that such territory be annexed to the City of Modesto, and asking that the question to be submitted to the electors residing in the territory proposed by said petition to be annexed to said City of Modesto shall be whether such new territory shall be annexed to, incorporated in, and made a part of said municipal corporation, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of said City of Modesto outstanding at the date of the filing of such petition thereto-

1 fore authorized; and

2 WHEREAS, the petition for annexation of said territory as
3 filed with the City Council of the said City of Modesto was so
4 filed more than twenty-one days after the publication in said
5 The Modesto ^{Tribune} ~~News~~ of said notice of intention to circulate said
6 petition; and

7 WHEREAS, thereafter and pursuant to said petition, an
8 election was called to submit to the qualified electors in the
9 territory proposed by said petition and notice to be annexed to
10 the said City of Modesto the said question as hereinbefore
11 stated, which said election was thereafter, to-wit, on the 31st
12 day of May, 1938, held in accordance with the said order and
13 resolution herein referred to, and in accordance with the statutes
14 in such case made and provided; and

15 WHEREAS, the proper officers of said election did thereupon
16 and thereafter deliver the ballots, tally sheets and returns of
17 said election to and deposit the same with the Clerk of the
18 legislative body of said municipal corporation, to-wit: the Clerk
19 of the City Council of the City of Modesto, and the said City
20 Council did thereafter and at the time provided by law meet and
21 proceed to canvass said returns and did find therefrom that
22 within the said election precinct, which constituted the whole
23 of said territory proposed to be annexed, the total number of
24 votes cast was three votes, that the total number of votes cast
25 in favor of said proposition was three votes, and that the number
26 of votes cast against said proposition was none, and that said
27 proposition carried. The said City Council did thereupon immedi-
28 ately upon the completion of said canvass cause a record thereof
29 to be made and entered upon its minutes, stating the proposition
30 submitted, and showing the whole number of votes cast thereon in
31 the territory proposed to be annexed, the number of votes cast
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1 therein in favor of annexation and the number of votes cast
2 therein against annexation, and that all of the matters and
3 things required by law to be done in the premises have been done
4 and complied with, and that a majority of all the votes cast in
5 such outside territory on the question of annexation, as herein-
6 above stated, were cast in favor of such annexation:

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

9 Section 1. That the annexation of the following described
10 territory lying and being in the County of Stanislaus, State of
11 California, and contiguous to the City of Modesto, and particularly
12 described as follows, to-wit:

13 Beginning at the Northeast corner of
14 Lot 1 of the Spencer Colony according
15 to the map on file in the office of the
16 County Recorder of Stanislaus County in
17 Vol. 2 of Maps at page 3, the said point
18 being a granite monument marking the
19 Northeast corner of Section 31, T. 3 S.
20 R. 9 E., M.D.B. & M.; thence South along
21 the line common to Sections 31 and 32,
22 above township and range, said line being
23 the East line of Lots 1 and 8 of Spencer
24 Colony and the West Corporate Limits of
25 the City of Modesto, a distance of 19.815
26 chains to the Southeast corner of said
27 Lot 8; thence West along the South line
28 of said Lot 8, 10.086 chains to the
29 Southwest corner of said Lot 8; thence
30 North along the West line of Lots 8 and
31 1, 19.8436 chains to the Northwest corner
32 of said Lot 1; thence East along the
North line of said Lot 1 and along
the North line of said Section 31,
10.086 chains to the point of beginning.
Excepting from the above the South
81.591 feet of Lot 8, being that
certain parcel conveyed by Deed from
John M. De Vilbiss et ux to Charles C.
Crane et ux and recorded on January 29,
1937 in Vol. 612 of Official Records at
page 55, records of Stanislaus County,

be approved.

30 Section 2. That the said territory hereinabove described
31 be, and the same is, hereby annexed to, incorporated in and made
32 a part of the said City of Modesto, to be effective upon the

1 filing with the Secretary of State of the State of California of
2 a copy of the record of the canvass of the returns of said election
3 in such new territory and a certified copy of this ordinance.

4 Section 3. The Clerk of the City of Modesto is hereby author-
5 ized and directed to make and certify, under the seal of the City
6 of Modesto, and transmit to the Secretary of State of the State
7 of California, a copy of the record of the canvass of the returns
8 of said election in such new territory, and a copy of this ordin-
9 ance, giving the date of its passage in accordance with the Statutes
10 providing therefor.

11 Section 4. That the said territory hereinabove described
12 shall not, after such annexation, be subject to taxation equally
13 with the property within such municipal corporation to pay the
14 bonded indebtedness of said municipal corporation outstanding at
15 the date of said annexation or indebtedness theretofore authorized.

16 Section 5. This Ordinance shall take effect and be in full
17 force and operation upon the filing of a certified copy thereof,
18 together with a copy of the record of said canvass as specified in
19 Section 2 hereof, with the Secretary of State of California, but
20 in any event not less than fifteen days after its final passage
21 and adoption.

22 Section 6. It is further ordered that this Ordinance be pub-
23 lished in full at least once at least three days prior to its final
24 passage and adoption in the The Modesto Bee, the official newspaper
25 of the City of Modesto.

26 The foregoing ordinance was introduced by Councilman Bond
27 who moved its adoption and passage to print, which motion being
28 duly seconded, was upon roll call carried and the ordinance ordered
29 printed and published as above by the following vote:

30 Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
31 Noes: Councilmen: None
32 Absent: Councilmen: None

ATTEST: H. E. Gragg
H. E. GRAGG, CITY CLERK

APPROVED:

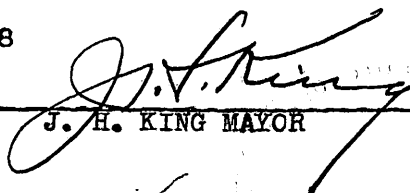
J. H. King
J. H. KING, MAYOR.

1 FINAL ADOPTION CLAUSE


2 The foregoing ordinance coming on regularly for final
3 passage and adoption and having been published in full at least
4 once at least three days prior to this time in the Modesto Bee,
5 the official newspaper of the City of Modesto, it was finally
6 passed and adopted by the following vote:

7 Ayes: Councilmen: Neece, Stanley, Oliver, Bond and Mayer King
8 Nones: Councilmen: None
9 Absent: Councilmen: None

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11 APPROVED THIS 23rd day of June, 1938

12 
13 J. H. KING MAYOR

14
15 ATTEST

16 
17 H. E. GRAGG, CITY CLERK

18 CERTIFICATION

19 State of California)
20 County of Stanislaus) ss
City of Modesto)

21 I, H. E. Gragg, City Clerk of the City of Modesto do
22 hereby certify that the foregoing is a full, true and correct copy
23 of an ordinance introduced at a regular meeting of the Council of
24 the City of Modesto held on the 8th day of June, 1938 and finally
adopted at the regular meeting of the Council held on the 22nd,
day of June, 1938 and that the same is now in full force and effect.

25 IN WITNESS WHEREOF, I have hereunto set my hand and
26 affixed the official seal of the City of Modesto the 23rd day of
June, 1938.

27 SIGNED _____
28 CLERK OF THE CITY OF MODESTO

REPEALED ORD 234CS

AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES IN CERTAIN PORTIONS OF ENSLEN PARK IN THE CITY OF MODESTO.

---ooOoo---

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

SECTION 1. It shall be unlawful to park vehicles in the following area: That certain portion of the roadway approximately one hundred eleven feet (111) in length in Enslan Park in the City of Modesto, County of Stanislaus, State of California, immediately west of the horseshoe court located in said park, the southerly line of said area being one hundred sixteen (116) feet north of the south curb line of Stoddard Avenue. Said area shall be designated by painted lines extending across said driveway at each end of said area and by a vertical sign located on the westerly side of said driveway opposite each of said lines. Said signs shall bear the inscription in words legible at a distance of not less than fifty (50) feet "NO PARKING BETWEEN LINES."

SECTION 2. The City Engineer of the City of Modesto is hereby ordered and empowered to designate and mark the area hereinabove designated in the manner set forth.

SECTION 3.. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon a first conviction thereof shall be punished by a fine of not more than Twenty-Five (\$25.00) Dollars, or by imprisonment in the County Jail for a period of not more than twelve and one-half (12½) days, and upon a second conviction thereof, said person so convicted shall be punished by a fine of not more than Fifty (\$50.00) Dollars, or by imprisonment in the County Jail for a period of not more than twenty-five (25) days, or by both such fine and imprisonment.

SECTION 4. This Ordinance shall take effect and be in full

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1 force from and after fifteen (15) days after its final adoption.

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

6 The foregoing Ordinance was introduced by Councilman _____
7 Stanley at a regular meeting of the Council of the City of
8 Modesto held on the 13th day of July, 1938, and was adopted and
9 passed to print by the following vote:

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11 Ayes: Councilmen: Neece, Bond, Stanley, Oliver, And Mayor King
12 Noes: Councilmen: None
13 Absent: Councilmen: None
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18 APPROVED: J. H. King
19 J. H. KING, MAYOR.

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22 ATTEST: H. E. Gragg
23 H. E. GRAGG, 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 July, 1938 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 27th, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: _____

J. King
MAYOR

ATTEST _____

H. C. Trapp
CITY CLERK

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SPECIAL
NO 14
CODE

2 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF
3 AN AUTOMOBILE FOR THE DEPUTY LICENSE COLLECTOR OF THE CITY OF MODESTO

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5 ---000---

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

7 SECTION 1. The sum of One Thousand (\$1000.00) Dollars,
8 or so much thereof as may be necessary, is hereby appropriated from
9 the General Fund of the City of Modesto for the purchase of an
10 automobile for the Deputy License Collector of said City.

11 SECTION 2. This Ordinance shall go into effect from and
12 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
15 newspaper of the City of Modesto.

16 SECTION 3. The foregoing Ordinance was introduced at a
17 regular meeting of the Council of the City of Modesto, held on the
18 13th day of July, 1938, by Councilman Neece, who moved its
19 adoption and passage to print, which motion being duly seconded
20 was carried, and the Ordinance ordered printed and published by
21 the following vote:

22 AYES: COUNCILMEN: Neece, Bond, Stanley, Oliver and Mayor King

23 NOES: COUNCILMEN: None

24 ABSENT: COUNCILMEN: None

25 APPROVED: J. H. King
26 J. H. KING, MAYOR

27 ATTEST: H. E. Grace
28 H. E. GRACE, 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 July, 1938 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 27th, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

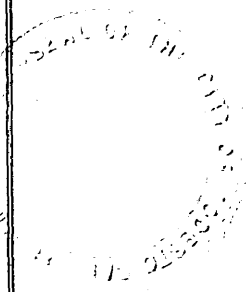
Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: *J. King*
MAYOR

ATTEST *St. Gagg*
CITY CLERK

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REPEALED BY
MUNICIPAL CODE

ORDINANCE NO. 579 N. S.

AN ORDINANCE AMENDING SECTIONS 49 and 62 OF ORDINANCE NO. 569 N. S. (PLUMBING ORDINANCE) OF THE CITY OF MODESTO, AND ADDING A NEW SECTION THERETO.

---oo0oo---

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

SECTION 1. Section 49 of Article 4 of said Code is hereby amended to read as follows, to-wit:

SECTION 49. Cast Iron Pipe. All Extra Heavy Cast Iron Pipe and Fittings, shall conform to the A. S. T. M. Standard Specifications for Cast Iron Soil Pipe and Fittings, Serial Designation A-74-29.

All medium cast iron soil pipe and fittings shall conform to the weights and quality, as adopted and established by the American Soil Pipe Association, and commonly known to the plumbing trade as "Medium Soil Pipe and Fittings."

All standard cast iron soil pipe and fittings shall conform to the weights and quality, as adopted and established by the American Soil Pipe Association, and commonly known to the plumbing trade as "Standard Cast Iron Soil Pipe and Fittings."

SECTION 2. Section 62 of Article 4 of said Code is hereby amended to read as follows:

Section 62. Brass Tubing. Brass tubing and brass tubing traps shall be seamless drawn brass, not less than number twenty (20) gauge.

SECTION 3. There is hereby added to said Article 4 of said Code a new section to be numbered 20 $\frac{1}{2}$, and reading as follows, to-wit:

Section 20 $\frac{1}{2}$: It shall be unlawful and a violation of this ordinance for any person not authorized so to do, to represent himself by any means whatsoever as a plumbing inspector of the City of Modesto.

1 No person shall excavate any earth, cement or gravel
2 located over any buried plumbing work done by any other plumber
3 or person, except a duly appointed plumbing inspector of the
4 City of Modesto, without the consent of the owner of the premises
5 upon which said plumbing work is located.

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

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

12 The foregoing Ordinance was introduced by Councilman _____
13 Neece at a regular meeting of the Council of the City of
14 Modesto held on the 13th day of July, 1938, and was adopted and
15 passed to print by the following vote:

16 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King
17 Noes: Councilmen: None
18 Absent: Councilmen: None
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22 APPROVED:


23 J. H. KING, MAYOR

24 ATTEST:


25 H. E. GRAGG, 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 July, 1938, 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 27th, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: J. V. King

MAYOR

ATTEST W. E. Pegg

CITY CLERK

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SPECIAL
NOTE IN CODE

ORDINANCE NO. 580-N.S.

3 AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE
4 OF TWO MOTORCYCLES FOR TRAFFIC WORK AND ONE THREE WHEEL DISPATCH
5 MOTORCYCLE AND ONE AUTOMOBILE FOR THE POLICE DEPARTMENT

6 ---000---

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

8 Section 1. The sum of Seven Hundred Dollars (\$700.00)

9 or so much thereof as may be necessary, is hereby appropriated
10 from the General Fund of the City of Modesto for the purchase of
11 an automobile for the Police Department.

12 Section 2. The sum of Six Hundred Dollars (\$600.00)

13 or so much thereof as may be necessary, is hereby appropriated
14 from the General Fund of the City of Modesto for the purchase of
15 an three wheel dispatch motorcycle with left hand throttle for the
16 Police Department.

17 Section 3. The sum of Five Hundred Twenty Five Dollars

18 (\$525.00) or so much thereof as may be necessary, is hereby
19 appropriated from the General Fund of the City of Modesto for the
20 purchase of two (2) motorcycles for traffic work for the Police
21 Department.

22 Section 4. This ordinance shall go into effect from and

23 after fifteen days after its final passage and adoption. It shall
24 be published in full at least once, at least three days prior to
25 its final adoption in the Modesto Bee, the official newspaper of
26 the City of Modesto.

27 The foregoing Ordinance was introduced at a special
28 meeting of the Council of the City of Modesto held on July 15, 1938
29 by Councilman Stanley who moved its adoption and passage to print,
30 which motion being duly seconded, was carried and the Ordinance
31 ordered printed and published by the following vote:

32 Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver 580 approved

ATTEST

H.E. CRAIG, CITY CLERK

J.H. KING, MAYOR

SPECIAL
NOTE IN CODE

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1938 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 27th, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

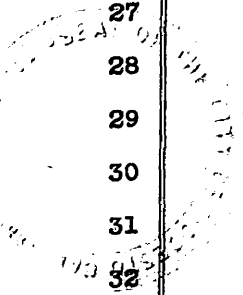
Absent: Councilmen: Oliver

APPROVED

J. King
MAYOR

ATTEST:

N. E. King
CITY CLERK



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SPECIAL
NOTE IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR PURPOSES OF PROMOTING THE
GENERAL WELFARE OF THE CITIZENS OF MODESTO.

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

SECTION 1. The sum of Two Thousand Four Hundred Dollars (\$2,400.00), or so much thereof as may be necessary, is hereby appropriated out of that particular part of the General Fund of the City of Modesto supplied and created by the payment of the \$5.00 registration fee required of all persons doing business in the City of Modesto under and by virtue of the provisions of Section 101 of Ordinance No. 487 N. S., entitled "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES." Said sum is hereby appropriated for the purpose of promotion and/or for the general welfare of the citizens of the City of Modesto under and by virtue of the power conferred on said City Council by Section 67, Article 5, Charter of the City of Modesto.

SECTION 2. This Ordinance shall go into effect 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 3 days prior to its final adoption, in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing Ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 15th day of July, 1938, by Councilman Stanley, who moved 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 as
2 above by the following vote:

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Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

APPROVED: *J. H. King*
J. H. KING, MAYOR.

ATTEST: *H. E. Gragg*
H. E. GRAGG, 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 15th day of July, 1938 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 27th, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Oliver

APPROVED: 

J. W. King
MAYOR

ATTEST: H. E. Gage

CITY CLERK

NOT SPECIAL
IN CODE

AN ORDINANCE APPROPRIATING MONEY FOR THE CONSTRUCTION OF A FIRE STATION AND FOR THE RECONSTRUCTION OF THE CITY HALL 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 FORTY-FOUR THOUSAND SEVEN HUNDRED EIGHTY-ONE DOLLARS (\$44,781.00), or so much thereof as may be necessary, is hereby appropriated from the General Fund of the City of Modesto as and for the City of Modesto's share of that certain P. W. A. project for the construction of a central fire station on Lots 21, 22, and 23 of Block 81, of the said City of Modesto, together with the reconstruction of the City Hall of the City of Modesto, at No. 717 Tenth Street in said City.

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.

SECTION 3. The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 27th day of July, 1938, by Councilman Neece, who moved its adoption and passage to print, which motion being duly seconded was carried, and the Ordinance ordered printed and published by the following vote:

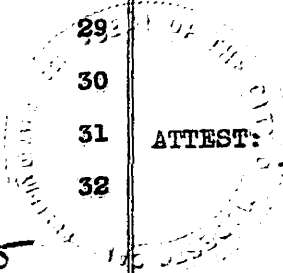
- Ayes: Councilmen: Neece, Bond, Stanley and Mayor King
- Noes: Councilmen: None
- Absent: Councilmen: Oliver

APPROVED:

H. H. KING, MAYOR.

ATTEST:

H. E. Gragg, 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 July, 1938 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 10, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

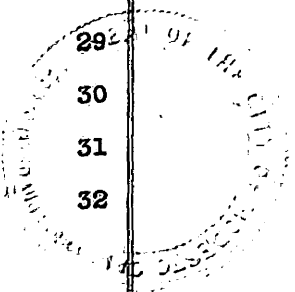
APPROVED:


J. H. KING-MAYOR

ATTEST:


CITY CLERK H. E. GRAGG

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NO. 4-7.108
4-7.110₁

ORDINANCE NO. 583 N. S.

2 AN ORDINANCE AMENDING ORDINANCE NO. 382 N. S. OF THE CITY OF MO-
3 DESTO, ENTITLED: "AN ORDINANCE RELATING TO THE DISTRIBUTION OF
4 ADVERTISING SAMPLES, HAND BILLS, CIRCULARS, BOOKLETS, OR OTHER
5 ADVERTISING MATTER IN THE CITY OF MODESTO," BY ADDING THREE NEW
6 SECTIONS THERETO.

---oo0oo---

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

8 SECTION 1. Ordinance No. 382 N. S. of the City of Modesto
9 entitled: "AN ORDINANCE RELATING TO THE DISTRIBUTION OF ADVERTIS-
10 ING SAMPLES, HAND BILLS, CIRCULARS, BOOKLETS, OR OTHER ADVERTISING
11 MATTER IN THE CITY OF MODESTO," is hereby amended by adding thereto
12 three new sections reading and to be numbered as follows:

13 Section IIIa. It shall be unlawful for any person to de-
14 liver, distribute, or leave in and/or upon any premises in the
15 City of Modesto any hand bill, advertising samples, dodgers, cir-
16 culars, booklet, or other notice of commercial and/or other ad-
17 vertising, between the hours of five P. M. of one day and eight
18 A. M. of the next day.

19 Section IIIb. No person shall deliver or distribute any
20 advertising samples, hand bills, dodgers, circulars, booklets,
21 or other notice of commercial and/or other advertising within the
22 City of Modesto, unless at the time of delivering or distributing
23 said advertising samples, hand bills, dodgers, circulars, booklets,
24 or other notice of commercial and/or other advertising, said
25 person wears or is wearing a distinctive type of hat or cap, upon
26 which appears the words "Licensed hand bill distributor." The
27 color, shape and design of said hat or cap shall be selected and
28 approved by the Chief of Police of the City of Modesto.

29 Section IIIc. The City Clerk at the time of issuing a
30 license to any person, firm, corporation, or association, for the
31 purpose of carrying on the business of distributing advertising
32 samples, hand bills, dodgers, circulars, booklets, printed adver-

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1 tishments, cards or tickets, as provided for in Section 117 of
2 Ordinance No. 487 N. S. of the City of Modesto as thereafter
3 amended, shall deliver free of charge to said licensee ten (10)
4 cards of a design to be hereafter approved by the City Council
5 of the City of Modesto, signed by said City Clerk at the time of
6 issuance and to be thereafter countersigned by said licensee.
7 Should the licensee require more than ten (10) cards during any
8 period for which his license is issued, the City Clerk shall de-
9 mand and receive from said licensee the sum of fifty (50) cents
10 per card.

11 No person shall deliver or distribute any advertising
12 samples, hand bills, dodgers, circulars, booklets, or other
13 notices of commercial and/or other advertising in the City of
14 Modesto unless at the time of delivering said articles said
15 distributor then has upon his person a card issued by the City
16 Clerk as hereinabove set forth, which card in addition to the
17 signature of the City Clerk and licensee, shall bear the name
18 of the actual distributor of said advertising samples, hand bills,
19 dodgers, circulars, booklets, or other notices or commercial
20 and/or other advertising. Said distributor shall display said
21 card to any police officer or license inspector of the City of
22 Modesto upon demand.

23 SECTION 2. If any section, sub-section, sentence, clause
24 or phrase of this Ordinance is for any reason held to be invalid
25 or unconstitutional, such decision shall not affect the validity
26 of the remaining portions of this Ordinance. The Council of the
27 City of Modesto hereby declares that it would have passed this
28 Ordinance and every section, sub-section, sentence, clause and
29 phrase thereof irrespective of the fact that any one or more
30 sections, sub-sections, sentences, clauses or phrases be declared
31 invalid or unconstitutional.
32

1 SECTION 3. This Ordinance shall go into full force, effect
2 and operation from and after fifteen days after its final passage
3 and adoption.

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

8 The foregoing Ordinance was introduced at a regular meeting
9 of the Council of the City of Modesto held on the 27th day of
10 July, 1938, by Councilman Stanley, who moved its adoption
11 and passage to print as aforesaid, which motion being duly
12 seconded, was upon roll call carried, and the Ordinance ordered
13 printed and published as above by the following vote:

14 Ayes: Councilmen: Neece, Bond, Stanley and Mayor King


15 Noes: Councilmen: None

16 Absent: Councilmen: Oliver
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21 APPROVED:


22 J. H. KING, MAYOR.

23 ATTEST:


24 H. E. GRAGG, CITY CLERK.
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FINAL ADOPTION CLAUSE

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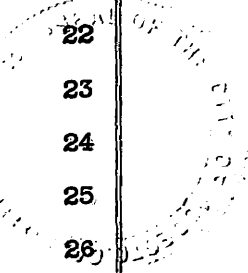
The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1938 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 10, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. H. King
J. H. KING, MAYOR
ATTEST H. E. Grace
H. E. GRACE, CITY CLERK



Repealed
Ord. 111-113

ORDINANCE NO. 584 N. S.

1 AN ORDINANCE PROHIBITING CERTAIN KINDS OF ADVERTISING UPON THE
2 STREETS AND SIDEWALKS OF THE CITY OF MODESTO, DECLARING A VIOLA-
3 TION OF THIS ORDINANCE TO BE A MISDEMEANOR, AND PRESCRIBING A
4 PUNISHMENT FOR THE VIOLATION THEREOF.

5 ---oo0oo---

6 WHEREAS, under and by virtue of the police power vested in
7 the City Council of the City of Modesto, said Council finds that
8 certain vehicles are being driven upon the Streets of the City
9 of Modesto; and

10 WHEREAS, it is further determined that said certain vehicles
11 are being used and employed solely for the purpose of advertising;
12 and

13 WHEREAS, it is further found by said City Council that cer-
14 tain persons are lettering, writing upon and marking sidewalks in
15 said City of Modesto for advertising purposes; and

16 WHEREAS, the City Council has found and determined that the
17 acts and practices herein set forth, constitute and create a
18 traffic hazard and thus are detrimental to the safety and general
19 welfare of the citizens of Modesto and other persons in and upon
20 the streets and sidewalks of said City:

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

23 Section 1. It shall be unlawful for any person, firm, cor-
24 poration or association to drive upon, upon or over the streets of
25 the City of Modesto any vehicle solely devoted to the purpose of
26 advertising, except in duly authorized parades.

27 Section 2. It shall be unlawful for any person, firm, cor-
28 poration or association to letter, write upon, or mark any sidewalk
29 within the City of Modesto for any purpose whatsoever.

30 Section 3. Nothing herein set forth shall be construed to
31 prevent the use of delivery and transportation vehicles upon the
32 streets of the City of Modesto upon which are printed, lettered,

1 or written the name or names of the person, firm, association or
2 corporation owning or controlling said vehicle, together with
3 any slogan of said owner or person in control thereof.

4 Section 4. Violation of this Ordinance is hereby declared
5 to be a misdemeanor, and upon the conviction of any person for a
6 violation thereof, he shall be punished by a fine of not more
7 than Fifty (\$50.00) Dollars, or by imprisonment for not more than
8 twenty-five (25) days, or by both such fine and imprisonment.

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

12 The foregoing ordinance was introduced at a regular meeting
13 of the Council of the City of Modesto held on the 4th day of
14 August, 1938, by Councilman Stanley, who moved
15 its adoption and passage to print as aforesaid, which motion
16 being duly seconded, was upon roll call carried, and the ordinance
17 ordered published as above by the following vote:

18 Ayes: Councilmen: Neece, Bond, Stanley and Mayor King

19 Noes: Councilmen: None

20 Absent: Councilmen: Oliver

21
22
23
24 ATTEST:

H. E. GRAGG
H. E. GRAGG, CITY CLERK.

APPROVED:

J. H. KING
J. H. KING, MAYOR.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 4th day of August, 1938, 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 10, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


J. H. KING MAYOR

ATTEST


H. E. CRAGG CITY CLERK

SPECIAL
NOT IN CODE

ORDINANCE NO. 585 NS

AN ORDINANCE CALLING A SPECIAL ELECTION IN THE CITY OF MODESTO FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE PROPOSITION OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENT, TO WIT: A CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, WITH QUARTERS FOR A MUNICIPAL THEATRE, INCLUDING ALL LANDS, BUILDING, FURNITURE, FIXTURES AND EQUIPMENT NECESSARY FOR CIVIC AUDITORIUM, ASSEMBLY AND CONVENTION HALL, AND MUNICIPAL THEATRE PURPOSES; DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENT, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; 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.

SPECIAL
NOT IN CODE

WHEREAS, the City Council of the City of Modesto by resolution passed and adopted at a special meeting of said City Council on the 4 day of August, 1938, 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 improvement herein-after mentioned, and did further determine the cost of said proposed municipal improvement 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 meeting of said City Council, and is now on file and of record in the Clerk's office of said City; Now, therefore,

THE COUNCIL OF THE CITY OF MODESTO DO ORDAIN AS

FOLLOWS:

Section 1. That a special municipal election be and is hereby ordered and will be held in said City of Modesto on Tuesday, the 13th day of September, 1938, 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 proposition, to wit:

PROPOSITION: Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?

That the estimated cost of the municipal improvement set forth in said proposition is the sum of \$320,000 and the amount of the indebtedness proposed to be incurred for said municipal improvement is the sum of \$176,000. That it is contemplated that the difference between the estimated cost of said improvement and the amount of the principal of the indebtedness to be incurred, as above set forth, will be advanced by the United States of America or a department or agency thereof, and no bonded indebtedness shall be incurred for said proposed municipal improvement unless a grant of moneys in aid thereof, satisfactory to the City Council, is made or agreed to be made by the United States of America or any department or agency thereof; except that the City of Modesto reserves the right, in its discretion, to advance such additional moneys from its General Fund, as may be available for that purpose, to the payment

of any part of the cost of said improvement and in addition to moneys derived from the proceeds of the indebtedness to be incurred for that purpose,

Section 2. That the said City Council does hereby submit to the qualified electors of said City of Modesto at said special municipal election the said proposition set forth in Section 1 of this ordinance, and designates and refers to said proposition in the form of ballot hereinafter prescribed for use at said election. That the said City Council proposes to issue and sell bonds of said City of Modesto in the amount and for the object and purpose specified in said proposition if two-thirds of the qualified electors voting on such proposition at said special municipal election shall vote in favor of said proposition. Said bonds shall be general obligations of the City, negotiable in form, of the denomination of \$1000 each and of the character known as serial, and shall mature and become payable in not to exceed twenty (20) years from their date, and shall bear interest at a rate not exceeding four (4) per cent. per annum, payable semi-annually. Such bonds may be issued and sold by the City Council as the City Council shall determine, but for not less than their par value and accrued interest thereon to date of delivery.

Section 3. That said special 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 proposition submitted at said special election.

Section 5. The polls at the polling places herein-
after designated shall be opened at six 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
1164 of the Political 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 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: Garage- 102 Olive Street

Inspector: Mrs. Verna Menzies, 221 Poplar Avenue

Judge: Mrs. Margaret Coughlin, 121 Orange

Clerk: Mrs. Lenora Miller, 217 Poplar

Clerk: Mrs. Ellin Williams, 125 Orange

CONSOLIDATED ELECTION PRECINCT NO.2

(consisting of Precincts Nos. 3-4-5 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: Garage, 102 Sycamore

Inspector: Wm. G. Proper, 115 Park Ave.,

Judge: Edith Kephart, 218 Magnolia Ave.,

Clerk: Gertrude Simpson, 220 Sycamore Avde.,

Clerk: Mrs. Aura I. Rader, 415 Hackberry Ave.

CONSOLIDATED ELECTION PRECINCT NO.3

(consisting of Precincts Nos. 6-7-8 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: Garage-1715 Downey Ave.,

Inspector: Mrs. Ora Bates, 1705 Downey Ave.,

Judge: Mrs. Alma Wallace, 1921 Downey Ave.,

Clerk: Mrs. Harriet F. Hooten, 1733 Jones

Clerk: Mrs. Alice Carley, 402 Sample St.,

CONSOLIDATED ELECTION PRECINCT NO.4

(consisting of Precincts Nos. 9-10-11 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: Garage, 233 High St.,

Inspector: Josephine Ekstein, 245 High St.,

Judge: Lucille Coleman, 234 High St.,

Clerk: Marie H. Weisner, 315 Melrose Ave.,

Clerk: Mrs. Edith Ketcham, 230 Auburn Ave.,

CONSOLIDATED ELECTION PRECINCT NO.5

(consisting of Precincts Nos. 12-13-15 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: Covell Garage 1030 K St.

Inspector: Sidney W. Elliott, 1217 12th St

Judge: Mrs. Ina Ayres, 1116 K St.,

Clerk: Mrs. Emilie Severin, 1014 M St.,

Clerk: Mrs. Stella Wiltse, 1211-11th St.

CONSOLIDATED ELECTION PRECINCT NO.6

(consisting of Precincts Nos. 14-17-18 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: Downey St., Firehouse #3

Inspector: Mrs. Pearl Gordon, 726 14th St.,

Judge: Mrs. Dorothy Todd, 115 Ross St.,

Clerk: Mrs. Ella Blum, 823 17th St.,

Clerk: Mr. David Rydholm, 823 17th St.

CONSOLIDATED ELECTION PRECINCT NO.7

(consisting of Precincts Nos. 16-19-20-21 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 st.,

Inspector: Mrs. Elsie E. Ring, 609 12th St.,

Judge: Mrs. Lottie Savercool, 714 13th St.,

Clerk: Mrs. Carrie Utterback, 632 12th st.,

Clerk: Mabel C. Love, 419 13th st.,

CONSOLIDATED ELECTION PRECINCT NO.8

(consisting of Precincts Nos. 22-23-24 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: Harrington Store -228 Maze Blvd.,

Inspector: Mrs. Matilda M. Condit, 201 Locust

Judge: Mrs. Irma Karker, 126 Maple St.,

Clerk: Mrs. Alice F. Handley, 214 Laurel St.,

Clerk: Mrs. Alice E. Matthiesen, 326 Maze Blvd.,

CONSOLIDATED ELECTION PRECINCT NO.9

(consisting of Precincts Nos. 25-26-27 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: Demrell House, 822 6th St.,

Inspector: Mrs. Minna E. Demrell, 822 6th St.,

Judge: Mrs. Gertrude Epperson, 702 4th st.,

Clerk: Mrs. Anna M. Walsh, 626 5th St.,

Clerk: Mrs. Ruby Ribera, 917 5th St.,

CONSOLIDATED ELECTION PRECINCT NO.10

(consisting of Precincts Nos. 28-29-30-31 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 #2-Second Street

Inspector: Walter H. Stanley, 224 Yosemite Ave.,

Judge: Mrs. Mabel Prouty, 118 Rosemont St.,

Clerk: Mrs. Elma M. Ducker, 138 Sunset Blvd.,

Clerk: Mrs. Olive Rasmussen, 115 Fresno St.,

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

No. (This number to be torn off by Inspector)

MARK CROSSES (X) ON BALLOT ONLY WITH RUBBER STAMP NEVER WITH PEN OR PENCIL.

No. _____

(Fold ballot to this perforated line, leaving top margin exposed).

MUNICIPAL TICKET

SPECIAL MUNICIPAL BOND ELECTION

CITY OF MODESTO

Tuesday, September 13, 1938.

INSTRUCTIONS TO VOTERS: To vote on any question, proposition or constitutional amendment, 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.

<u>PROPOSITION:</u> Shall the City of Modesto incur a bonded indebtedness in the principal amount of \$176,000 for the object and purpose of acquiring, constructing and completing the following municipal improvement, to wit: A Civic Auditorium, assembly and convention hall, with quarters for a municipal theatre, including all lands, building, furniture, fixtures and equipment necessary for civic auditorium, assembly and convention hall, and municipal theatre purposes?	YES
	NO

Section 8. Each voter to vote for said proposition hereby submitted and for incurring said bonded indebtedness set forth in said proposition 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 said 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 usual meeting place and canvass said returns on Friday, the 16th day of September, 1938, at the hour of 7:30 o'clock, P.M.; and if upon such canvass it shall be found that at least two-thirds of the qualified electors of said City voting on said proposition at said election voted in favor of said proposition, then bonds of said City of Modesto in the said amount specified in said proposition will be issued and sold by said City for the purpose therein mentioned.

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

Section 11. This ordinance shall be forthwith entered upon the minutes of this City Council and in the Ordinance Book of said City. This ordinance, being an ordinance calling an election, shall take effect immediately.

~~PASSED AND ADOPTED this 10th day of August, 1938,~~
~~by the following vote:~~

~~Ayes:~~

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on August 10th, 1938 by Councilman Neece, who moved its adoption and passage to print as aforesaid which motion being duly seconded, was upon roll call carried, and the ordinance ordered published as above by the following vote:

Ayes: Councilmen: Stanley, Bond, Neece, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Roll call: Councilmen: Stanley, Bond, Neece, Oliver, King

APPROVED

J. H. King
J. H. KING, MAYOR

ATTEST

H. E. Bragg
H. E. BRAGG, CITY CLERK

AP.

[Faint signature]

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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 24, 1938, it was upon roll call so finally adopted by the following vote:

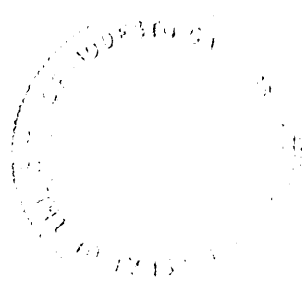
Ayes: Councilmen: Oliver, Neece, Bond, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: J. King
MAYOR OF THE CITY OF MODESTO

ATTEST A. E. Gray
CITY CLERK



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SPECIAL
NOT IN CODE

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR 1938-1939

---00c---

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 1st, 1938 and ending June 30th, 1939, 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		\$.80
on each One Hundred Dollars taxable valuation		
FOR THE BOND REDEMPTION AND INTEREST FUND		
(a) Municipal Improvement Bonds of 1910	\$.024
(b) Municipal Improvement Bonds of 1911		.007
(c) Municipal Improvement Bonds of 1912		.02
(d) Municipal Improvement Bonds of 1919		.022
(e) Municipal Improvement Bonds of 1920 (January)		.091
(f) Municipal Improvement Bonds of 1920 (June)		.016
(g) Municipal Improvement Bonds of 1923 being a total of		.20

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

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

The aggregate of said sums to-wit*----- \$1.10
on each One Hundred Dollars valuation as determined by the equalized assessment roll for the year 1938-39 on all property taxable

1 in the City of Modesto for said purpose is hereby levied and
2 apportioned to and shall be paid in to the above funds respectively
3 of said City. The rates above specified shall be in addition to
4 those required to be levied under the general laws of the State of
5 California for the purpose of paying principal and interest on
6 street improvement and interest on street improvement bonds in local
7 improvement districts.

8 SECTION 2

9 This Ordinance shall take effect immediately upon
10 its final passage and adoption

11 SECTION 3

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

15 The foregoing Ordinance was introduced at a regular
16 meeting of the Council of the City of Modesto held on the 10th
17 day of August, 1938 by Commissioner Neece who moved its adoption
18 and passage to print, which motion being duly seconded, the
19 Ordinance was upon roll call ordered printed and published as
20 required by the Charter of the City of Modesto by the following vote:

21 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

22 Noes: Councilmen: None

23 Absent: Councilmen: None

24 APPROVED

J. H. King
25 J. H. KING MAYOR

26
27 ATTEST

H. E. Bragg
28 H. E. BRAGG, CITY CLERK
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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 24, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED

MAYOR

ATTEST:

CITY CLERK

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NOT A SPECIAL ORDER

AN ORDINANCE APPROPRIATING MONEY AND PROVIDING FOR THE PURCHASE OF MATERIALS AND EQUIPMENT FOR THE DEPARTMENTS OF PUBLIC WORKS, PARKS, AND FIRE OF THE CITY OF MODESTO, AND APPROPRIATING MONEY AND PROVIDING FOR THE CONSTRUCTION OF A WELL, DOORS, AND ROOFING FOR THE HANGAR.

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

Section I. The sum of Ten Thousand Nine Hundred Sixty Dollars (\$10,960.00), or so much thereof as may be necessary, is hereby appropriated from the Water Fund of the City of Modesto for the purchase of water pipe and fittings.

Section II. The sum of Twenty-Five Hundred Dollars (\$2500.00), or so much thereof as may be necessary, is hereby appropriated from the Water Fund of the City of Modesto for drilling and furnishing casing for a well.

Section III. The sum of Twenty-Five Hundred Dollars (\$2500.00), or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of tree spraying materials.

Section IV. The sum of Eight Hundred Dollars (\$800.00) or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of hangar doors.

Section V. The sum of Eight Hundred Dollars (\$800.00) or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for reroofing a portion of the hangar.

Section VI. The sum of Two Thousand Three Hundred Fifty Dollars (\$2350.00), or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of vitrified sewer pipe.

Section VII. The sum of Ten Thousand Dollars (\$10,000.00) or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for cement concrete pipe and lumber for cribbing.

Section VIII. The sum of One Thousand Dollars (\$1000.00), or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of an electric transformer.

Section IX. The sum of Two Thousand One Hundred Fifty Dollars (\$2150.00), or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of one automobile and one truck and hoist for the Park Department.

Section X. The sum of One Thousand Two Hundred Ninety Dollars (\$1290.00), or so much thereof as may be necessary is hereby appropriated from the general fund of the City of Modesto for the purchase of one automobile for the Engineering Division.

1 Section XI. The sum of One Thousand Dollars (\$1000.00),
2 or so much thereof as may be necessary is hereby appropriated
3 from the general fund of the City of Modesto for the purchase of
4 one automobile for the Fire Department.

5 Section XII. The City Engineer shall, upon the adoption
6 of this ordinance, from time to time as required by the Council
7 of the City of Modesto, file with the Council plans and specifications,
8 where necessary, for the equipment, materials, and construction
9 work outlined above; and the City Clerk shall, from time to time,
10 as directed by the Council, advertise for bids for said equipment,
11 materials, and construction work, when necessary, and bids shall
12 be received and accepted and contracts awarded therefor as the
13 Council may hereafter by resolution determine and prescribe.

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

19 Section XIV. The foregoing Ordinance was introduced
20 at a regular meeting of the Council of the City of Modesto held
21 on August 10, 1938 by Councilman Bond who moved its adoption
22 and passage to print, which motion being duly seconded, was
23 carried and the Ordinance ordered printed and published by the
24 following vote:

25 Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

26 Noes: Councilmen: None

27 Absent: Councilmen: None

28 Approved: _____

29 *J. H. King*
30 Mayor

31 Attest: _____

32 *H. C. Gray*
City Clerk

FINAL ADOPTION CLAUSE

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The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of August 10, 1938 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 24, 1938, it was upon roll call so finally adopted by the following vote:

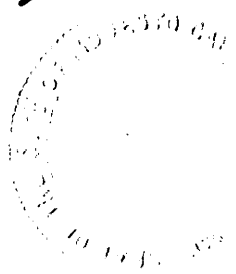
Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED: *J. H. King*
MAYOR

ATTEST: *H. E. Gray*
CITY CLERK



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ORDINANCE NO. 588 N. S.

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

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

SECTION 1. The sum of One Thousand One Hundred Fifty (\$1,150.00) Dollars, or so much thereof as may be necessary is hereby appropriated from the General Fund of the City of Modesto for the purchase of the following described real property:

All that certain real property situated in the Modesto Irrigation District, County of Stanislaus, State of California, and described as follows, to-wit:

Lots 17, 18, 19, 20 and 21 in Block 2150; and Lots 37, 38, and 39 in Block 2140 of SIERRA SUBDIVISION NO. 3 according to the map so entitled filed for record in the office of the County Recorder of Stanislaus County, California, on June 20, 1938, in Vol. 11 of Maps at page 44.

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 17th day of August, 1938, by Councilman Bond, 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: Bond, Neece, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: Oliver

APPROVED:

J. H. King
J. H. KING, MAYOR

588

ATTEST:

H. E. Gragg
H. E. GRAGG, CITY CLERK

P. A. N. 7-1938

AMT SPECIAL 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 17th day of August, 1938 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of August 24, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: *J. A. King*
MAYOR

ATTEST: *N. C. Gray*
CITY CLERK



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AN ORDINANCE AMENDING SECTION 117 OF ORDINANCE NO. 487 N. S. OF THE CITY OF MODESTO (BUSINESS LICENSE ORDINANCE) AS THEREAFTER AMENDED.

---ooOoo---

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

SECTION 1. Section 117 of Ordinance No. 487 N. S. of the City of Modesto entitled: "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS IN THE CITY OF MODESTO, PROVIDING THE METHOD OF COLLECTING SUCH LICENSES, AND REPEALING CERTAIN ORDINANCES," AS thereafter amended by Ordinance No. ~~536~~⁵⁵³ N. S. of the City of Modesto, is hereby amended to read as follows:

"Section 117. For any person conducting, carrying on or managing the business of advertising, by means of distributing dodgers, hand bills, circulars, printed advertisements, cards, tickets, or advertising samples of merchandise, the sum of Seventy five (\$75.00) Dollars per year, or fraction thereof, which said sum must be paid in its entirety before a license to carry on said business may be issued.

"For the purpose of this section, the words 'Conducting,' 'Carrying on' or 'Managing the business' are defined to be and are construed to mean the doing of any act or series of acts of distributing or advertising by means or in any manner in this section specified.

"Provided, however, that nothing herein contained shall be construed to permit the carrying on of the business hereinabove defined in violation of Ordinance No. 382 N. S. of the City of Modesto."

Provided further that nothing herein shall require any person to pay a license for the right to distribute cards, pamphlets or other advertising matter distributed in the business district

1 of the City of Modesto, where and if said cards, pamphlets or
2 other advertising matter are handed by the distributor thereof
3 directly to the recipient of the same.

4 SECTION 2. The term "business district" as used in this
5 ordinance is hereby construed to comprise the same area set forth
6 in Ordinance No. 364 N. S. of the City of Modesto, as thereafter
7 amended (zoning ordinance) and therein referred to as "non-resi-
8 dence zones or districts."

9 SECTION 3. All ordinances or parts of ordinances in
10 conflict herewith are hereby expressly repealed.

11 SECTION 4. The City Council of the City of Modesto hereby
12 finds and declares that this ordinance is necessary for the
13 immediate preservation of the public peace and for the protection
14 of the rights of the citizens of said City. This ordinance
15 shall therefore take effect immediately upon its final passage
16 and adoption.

17 SECTION 5. If any section, subsection, sentence, clause,
18 or phrase of this ordinance is for any reason held to be unconsti-
19 tutional or invalid, such decision shall not affect the validity
20 or constitutionality of the remaining portions of this ordinance.
21 The City Council hereby declares that it would have passed this
22 ordinance and each section, subsection, sentence, clause or
23 phrase thereof irrespective of the fact that one or more of the
24 sections, subsections, sentences, clauses or phrases thereof be
25 declared unconstitutional or invalid.

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

29 The foregoing ordinance was introduced at a regular meeting
30 of the Council of the City of Modesto held on the 24th day of
31 August, 1938, by Councilman Stanley, who moved its
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adoption and passage to print, which motion being duly seconded
was upon roll call carried and the ordinance ordered printed and
published as above by the following vote:

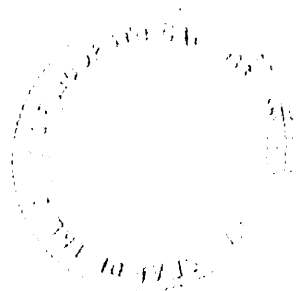
Ayes: Councilmen: Neece, Bond, Stanley, Oliver and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

Approved: J. H. King
J. H. KING, MAYOR.

ATTEST: H. E. Bragg
H. E. BRAGG, CITY CLERK.



FINAL ADOPTION CLAUSE

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The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, 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 14, 1938, it was upon roll call so finally adopted by the following vote:

A yes: Councilmen: Bend, Neece, Oliver, Stanley and Mayor King

Nees: Councilmen: None

Absent: Councilmen: None

APPROVED *J. A. King*
MAYOR

ATTEST: *A. G. King*
CITY CLERK

REPEALED
MUNICIPAL

ORDINANCE NO. 590 N. S.

2 AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 559 N. S. OF THE
3 CITY OF MODESTO ENTITLED: "AN ORDINANCE CREATING A PENSION BOARD
4 AND ENUMERATING ITS POWERS AND DUTIES, PROVIDING FOR PENSION AND
5 RELIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND
6 FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES
7 THEREOF; PROVIDING A PENSION AND RELIEF FUND AND FOR ITS ADMINIS-
8 TRATION BY THE PENSION BOARD," AS THEREAFTER AMENDED.

9 ---oo0oo---

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

11 SECTION 1. Section 3 of Ordinance No. 559 N. S. of the City
12 of Modesto, entitled: "AN ORDINANCE CREATING A PENSION BOARD AND
13 ENUMERATING ITS POWERS AND DUTIES, PROVIDING FOR PENSION AND RE-
14 LIEF BENEFITS FOR DISABLED OR RETIRED MEMBERS OF THE POLICE AND
15 FIRE DEPARTMENTS OF THE CITY OF MODESTO, AND FOR BENEFICIARIES
16 THEREOF; PROVIDING A PENSION AND RELIEF FUND AND FOR ITS ADMINIS-
17 TRATION BY THE PENSION BOARD," as thereafter amended, is hereby
18 amended by adding a new subdivision thereto to be known and numb-
19 ered as "1", reading as follows, to-wit:

20 "1) To hold special meetings of said Board
21 when in the discretion of the Chairman thereof the
22 same may be necessary. Notice of said special meeting
23 and the place and time thereof must be served upon
24 all of the available members of said Board not less
25 than two (2) hours before the time set for said
26 special meeting."

27 SECTION 2. This ordinance shall take effect and be in full
28 force from and after fifteen days after its final adoption.

29 SECTION 3. This ordinance shall be printed and published in
30 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 Oliver
at a regular meeting of the Council of the City of Modesto held
on the 24th day of August, 1938, and was adopted and passed to
print by the following vote:

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Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: J. H. King
J. H. KING, MAYOR.

ATTEST: H. E. Gragg
H. E. GRAGG, CITY CLERK.



FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, 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 14, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bend, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED

J. H. King
MAYOR

ATTEST:

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CITY CLERK

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AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 196, N. S., OF THE CITY OF MODESTO ENTITLED: "AN ORDINANCE REGULATING THE BUSINESS OF CONDUCTING A POOL OR BILLIARD PARLOR OR CARD ROOM IN THE CITY OF MODESTO," AS THEREAFTER AMENDED.

---oo0oo---

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

SECTION 1. Section 6 of Ordinance No. 196 N. S. of the City of Modesto entitled "AN ORDINANCE REGULATING THE BUSINESS OF CONDUCTING A POOL OR BILLIARD PARLOR OR CARD ROOM IN THE CITY OF MODESTO," as thereafter amended, is hereby amended to read as follows:

"Section 6. It shall be unlawful for any person, either as principal or agent or servant or employee to permit any person under twenty-one years of age, or any intoxicated person, to enter, be, or remain at the premises for which a license is issued as herein provided, or to permit any gambling thereat prohibited by the laws of the State of California, or to permit any loud, boisterous or obscene language to be indulged in at said premises, or to fail to keep or maintain the same in a decent and orderly manner, or to permit any electric piano, radio, phonograph, or musical instrument to be played thereat after the hour of 10 o'clock P. M., or to fail to close the same not later than the hour of 12 o'clock P. M."

SECTION 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall go into effect and be in full force from and after fifteen days from and after its final passage and adoption.

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

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The foregoing ordinance was introduced by Councilman Stanley, at a regular meeting of the Council of the City of Modesto, held on the 24th day of August, 1938, who moved its adoption, which motion being duly seconded, was adopted and passed to print by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: J. H. King
J. H. KING, MAYOR.

ATTEST: H. E. Cragg
H. E. CRAGG, CITY CLERK.



FINAL ADOPTION CLAUSE

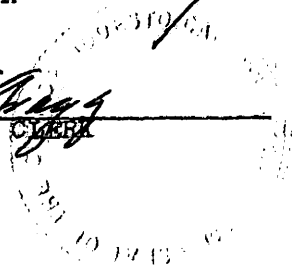
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The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 14, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayer King
Nees: Councilmen: None
Absent: Councilmen: None

APPROVED *J. King*
MAYOR

ATTEST *St. P. King*
CITY CLERK



AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 464 N. S. ENTITLED "AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING THE BUSINESS OF SELLING FARM PRODUCE AT WHOLESALE, AND PROVIDING PENALTIES FOR ITS VIOLATION," AS THEREAFTER AMENDED BY ORDINANCE NO. 467 N. S. OF THE CITY OF MODESTO.

---ooOco---

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

SECTION 1. Section 1 of Ordinance No. 464 N. S. entitled:

"AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING THE BUSINESS OF SELLING FARM PRODUCE AT WHOLESALE, AND PROVIDING PENALTIES FOR ITS VIOLATION," as the same is thereafter amended by Section 1 of Ordinance No. 467 N. S. of the City of Modesto, is hereby amended to read as follows:

Section 1. For the purpose of this ordinance, the word "person" is hereby defined to include individuals, co-partnerships, associations of individuals, and corporations. The singular number shall be construed to include the plural, and vice versa, and the masculine gender shall include the feminine and neuter, and vice versa. The term "farm produce" as herein used shall be construed to include vegetables, berries, and fruits of all kinds. The word "wholesale" whenever used in this ordinance shall be construed to mean the sale to a dealer for the purpose of resale, or to a restaurant, hotel, boarding house, or public institution. A single transaction, involving the sale of farm produce to a dealer for the purpose of resale, or to a restaurant, hotel, boarding house, or public institution, shall be construed as engaging in carrying on or doing business within the meaning of this ordinance. The term "license collector" when herein used shall be deemed to mean the City Clerk of the City of Modesto.

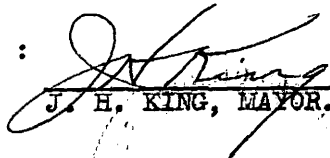
SECTION 2. This ordinance shall go into effect and be in full force and operation from and after 15 days after its final passage and adoption.

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

4 The foregoing ordinance was introduced at a regular meeting
5 of the Council of the City of Modesto held on the 24th day of
6 August, 1938, by Councilman Oliver, who moved its
7 adoption and passage to print, which motion being duly seconded
8 was upon roll call carried, and the ordinance ordered printed and
9 published as above by the following vote:

10
11 Ayes: Councilmen: Neece, Oliver, Bond, Stanley and Mayor King
12 Noes: Councilmen: None
13 Absent: Councilmen: None
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15 APPROVED :


J. H. KING, MAYOR.

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19 ATTEST:


H. E. GRAGG, CITY CLERK

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1938 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 14, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

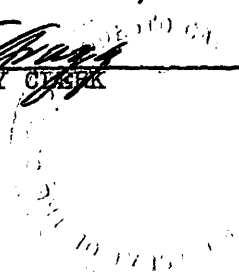
Absent: Councilmen: None

APPROVED

J. V. King
MAYOR

ATTEST

W. E. ...
CITY CLERK



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10. 6-7. 01

AN ORDINANCE REQUIRING OPERATORS OF AMBULANCES TO CARRY PUBLIC LIABILITY INSURANCE THEREON.

---ooOoo---

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

SECTION 1. In addition to any and all requirements provided for in any other ordinance in effect in the City of Modesto governing the operation of ambulances in the City of Modesto, the following condition or requirement shall be complied with when and after this ordinance becomes effective, to-wit: All persons, firms, or corporations engaged in carrying on or operating within the City of Modesto the business of operating or driving ambulances, shall file with the City Clerk of said City of Modesto a motor vehicle liability policy as that term is defined in Chapter 259, Statutes and Amendments of 1929, for each vehicle for which a license is sought or held; provided, however, that in lieu of the limits of liability specified in said Act of the Legislature, the limit shall be not less than \$10,000.00, exclusive of interest and costs, on account of injury to or death of any one person, and \$20,000.00, exclusive of interest and costs, on account of any one accident resulting in injury to or death of more than one person, and \$1,000.00 for damage to property of others as in said act specified; or a binder pending the issuance of any such policy, or an endorsement to an existing policy; provided, further, that in lieu of such motor vehicle liability policy such operator of an ambulance may deposit with the City Clerk a bond executed by a surety company authorized to do business in the State of California in the same amount and with the same conditions specified in this section for the motor vehicle liability policy; provided, further, that such motor vehicle liability policy or bond

1 shall also contain a clause or endorsement obligating the company
2 issuing the same to give at least ten days' written notice to the
3 City Clerk before the cancellation of such policy or bond.

4 Such liability policy or bond must, prior to being so filed
5 with the Clerk, be approved by the City Council, both as to form
6 and as to sufficiency of surety.

7 In event the holder of a license covering the business of
8 driving and operating an ambulance shall fail and neglect to file
9 a bond or policy as herein required, or to renew such policy or
10 bond before the expiration or termination thereof, or in event
11 the insurance carrier or surety thereon withdraws therefrom or
12 cancels the same or becomes insolvent or passes into receivership
13 or the hands of the Insurance Commissioner or has its license to
14 do business revoked, the said license to carry on the business
15 of driving and operating an ambulance within the City of Modesto
16 shall be immediately suspended upon notice to that effect to the
17 licensee, the suspension to continue until (not to exceed five
18 days) the licensee files another policy or bond within said period
19 of five days, and if he fails or neglects to file another policy
20 or bond within said period, complying with the terms of this
21 ordinance, the license shall immediately upon the expiration of
22 said five days be cancelled and terminated.

23 SECTION 2. This ordinance shall go into effect and be in
24 full force and operation from and after 15 days after its final
25 adoption and passage.

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

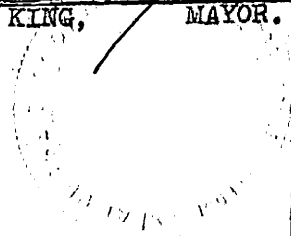
29 The foregoing ordinance was introduced at a regular meeting
30 of the Council of the City of Modesto held on the 14th day of
31 September, 1938, by Councilman Stanley, who moved
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1 its adoption and passage to print, which motion being duly
2 seconded was upon roll call carried and the ordinance printed and
3 published as above by the following vote:

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5 Ayes: Councilmen: Bend, Neece, Oliver, Stanley and Mayer King
6 Noes: Councilmen: Nene
7 Absent: Councilmen: None

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10 APPROVED: J. H. King
11 J. H. KING, MAYOR.

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13 ATTEST: H. E. Gragg
14 H. E. GRAGG, CITY CLERK.



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FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1938 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 28, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED


MAYOR

ATTEST


CITY CLERK

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AN EMERGENCY ORDINANCE PROVIDING FOR IMPOUNDING DISEASED ANIMALS
AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

---ooOoo---

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

SECTION 1. Whenever, in the City of Modesto, any person is bitten by any animal, it is hereby made the duty of the City Health Inspector to take said animal into custody and to impound the same until it can be definitely determined that said animal is not suffering from rabies, or any disease that may be by said animal communicated to human beings, or other animals.

SECTION 2. It is hereby made the duty of the City Health Inspector to impound and to keep in a safe place any animal within the City of Modesto which, in the discretion of the said City Health Inspector, appears to be suffering from rabies or any disease that may be by said animal communicated to human beings, or other animals. It shall also be the duty of said City Health Inspector to impound any animal that said City Health Inspector has reason to believe has been exposed to the disease of rabies, or to any other disease that may be by said animal communicated to human beings, or other animals. Said animal shall be impounded by said City Health Inspector until such time as it may definitely be determined and ascertained that said animal is not suffering from the disease known as rabies, or other communicable disease, and/or that said animal will not in the immediate future develop said disease or diseases.

SECTION 3. The cost of feeding, keeping, and treating said animal shall be borne by the owner thereof, or the person having legal custody of said animal at the time said animal is taken into custody by said City Health Inspector. Said cost may be recovered by the City of Modesto from said owner or person having legal

1 custody of said animal at the time said animal is taken into
2 custody by said City Health Inspector, in any action at law or
3 in equity.

4 SECTION 4. The City Council of the City of Modesto hereby
5 finds and declares that this ordinance is necessary for the im-
6 mediate preservation of the public peace, health and safety of
7 the citizens of the City of Modesto by reason of the following
8 facts: An animal suffering from the disease of rabies has
9 recently bitten several children in the City of Modesto. Said
10 animal probably has bitten other animals. The disease of rabies
11 is communicated by one animal to another by the process of biting.
12 Said disease of rabies is extremely dangerous and that unless
13 it is controlled it will spread rapidly among the animals of the
14 City of Modesto and among human beings likely to be bitten by
15 said animals.

16 This ordinance shall therefore take effect immediately upon
17 its final passage and adoption.

18 SECTION 5. Any person violating any of the provisions of
19 this ordinance shall be deemed guilty of a misdemeanor and upon
20 conviction thereof shall be punished by imprisonment in the County
21 Jail of Stanislaus County, at Modesto, California, for a period
22 not exceeding thirty (30) days, or by a fine not exceeding One
23 Hundred (\$100.00) Dollars, or by both such fine and imprisonment.

24 SECTION 6. Nothing herein contained shall be construed as
25 repealing, modifying or setting aside any of the provisions of
26 Ordinance No. 512 N. S. of the City of Modesto, entitled: "AN
27 ORDINANCE PROVIDING FOR THE LICENSING, CARE, AND MAINTENANCE OF
28 DOGS AND DOG KENNELS, AND PROVIDING A PENALTY FOR THE VIOLATION
29 THEREOF.

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

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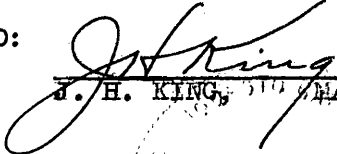
The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 16th day of September, 1938, by Councilman Stanley, who moved its adoption and passage to print, which motion being duly seconded, was upon roll call carried and the ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Neece, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: Bond and Oliver

APPROVED:


J. H. KING, MAYOR.

ATTEST:


H. E. GRAGG, CITY CLERK.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 16th day of September, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of September 28, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

A. PROVED:

J. H. King
MAYOR

ATTEST

W. E. Gray
CITY CLERK

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ORDINANCE NO. 595 N.S.

AN ORDINANCE PROVIDING FOR THE ELIMINATION OF RATS AND RAT HARBORAGES, AND PROVIDING FOR THE RAT PROOFING OF CERTAIN BUILDINGS IN THE CITY OF MODESTO.

- - - - -ooOoo- - - - -

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

SECTION I. From and after fifteen (15) days following the final passage and adoption of this Ordinance, whenever in the opinion of the City Health Inspector of the City of Modesto it is determined that any building in the City of Modesto contains rats in a number or of a kind dangerous to the health and welfare of the citizens of said City, said building shall be deemed to be a public health nuisance within the meaning of this Ordinance, and the person or persons upon whose premises said rats are located shall be required to exterminate them, and shall further be required, upon order of said Health Officer, to rat-proof the premises designated by said Health Officer to be a public health nuisance.

SECTION 2. Rat-proofing within the meaning of this Ordinance shall consist of adequately covering or sealing all holes or means of egress to said premises by which rats can enter in and upon said premises, save and except properly constructed and protected doors, windows and ventilating shafts. All costs of eliminating rats and rat-proofing shall be borne by the person owning or in lawful possession of the premises rat-proofed or from which said rats are eliminated.

SECTION 3. Every person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punishable by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment in the City Jail for a period of not more than thirty (30) days, or by both such fine and imprisonment.

SECTION 4. This Ordinance shall be published in full at

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.

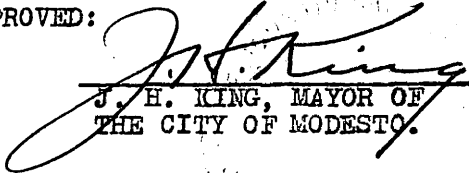
3 The foregoing Ordinance was introduced at a regular meeting
4 of the Council of the City of Modesto held on the 28th day of
5 September, 1938, by Councilman Bond, who moved its
6 adoption and passage to print as aforesaid, which motion being
7 duly seconded, was upon roll call carried, and the Ordinance
8 ordered published as above by the following vote:

9
10 AYES: COUNCILMEN: Bond, Neece, Oliver, Stanley and Mayor King


11 NOES: COUNCILMEN: None

12 ABSENT: COUNCILMEN: None

13 APPROVED:

14 
15 J. H. KING, MAYOR OF
16 THE CITY OF MODESTO.

17
18 ATTEST:

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20 H. E. GRAGG, CITY CLERK
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FINAL ADOPTION CLAUSE

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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 28th day of September, 1938
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 October 12, 1938, it was upon roll call so
8 finally adopted by the following vote:

9 Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King
10 Noes: Councilmen: None
11 Absent: Councilmen: None
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14 APPROVED

J. H. King
MAYOR

15
16 ATTEST

H. E. ...
CITY CLERK
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SPECIAL IN COPY

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

SECTION I

The City Engineer is hereby authorized and directed to sell the following described personal property of the City of Modesto which said personal property has been found to be unfit or unnecessary for the use of the City to wit:

- 4 Recording Water Pressure Gauges; 2 Hay Derrick Carriages with track; 5 Junk Gas Radiators; 1 Junk Hot water storage tank; about 2000 lbs. of miscellaneous lengths and sizes of screw pipe and fittings; about 7000 lbs. of scrap Cast Iron; about 3000 lbs. of scrap Steel and Iron; about 400 lbs. of scrap Brass, Copper and Aluminum; 2 Fire hydrant heads.

SECTION II

Sale shall be made at public auction at the office of the City Engineer after advertising for bids for the sale thereof for five days in the Modesto Bee, the official news-paper of the City of Modesto.

The sale shall be conducted by the City Engineer at his office. It may be either by written or oral bids. Any property remaining unsold after the date specified in the Notice of Sale shall be offered for sale from day to day commencing at 10 o'clock in the morning at the office of said City Engineer until the whole thereof is sold.

SECTION III

The foregoing Ordinance shall go into effect and be in full force and operation from and after fifteen days after its final passage and adoption.

SECTION IV

The foregoing Ordinance shall be published in full at least once at least three days prior to its final adoption in the Modesto Bee, the official news-paper 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 12th day of October, 1938 by Councilman BCND, who moved its adoption, and passage to print, as aforesaid, which motion being duly seconded was upon roll call carried and the Ordinance ordered printed and published as above by the following vote:

Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. A. King
MAYOR

Attest: [Signature]
City Clerk

FINAL ADOPTION CLAUSE

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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 October, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of October 26, 1938, it was upon roll call so finally adopted by the following vote:

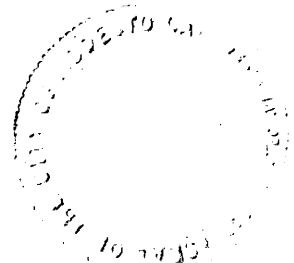
Ayes: Councilmen: Bond, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. King
MAYOR

ATTEST: H. G. Gagg
CITY CLERK



NO SPECIAL IN C

ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MODESTO.

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WHEREAS, on the 26th day of May, 1938, under and by virtue of the terms of Section 1083D of the Political Code of the State of California, there was printed and/or caused to be printed in The Modesto Bee, a newspaper of general circulation published in the City of Modesto, Stanislaus County, California, by H. Reed Hicken, A. B. Rinehart, Louis J. Nevraumont, Ivan D. Rowe, C. D. Meissner, R. W. Boardman, John G. Bruce, and Carl R. Peterson, a notice of intention to circulate petition for annexation of the territory hereinafter described, said notice containing a statement not exceeding five hundred words, setting forth the reason for the proposed petition; and

WHEREAS, thereafter, to-wit, on the 2nd day of September, 1938, there was received by the City Council of the City of Modesto, a municipal corporation, which said City Council is the legislative body of said municipal corporation, a written petition signed by not less than one fourth in number of all the qualified electors residing within the territory therein and hereinafter described, as shown by the registration of voters in the County in which such territory is situated, asking that such territory be annexed to the City of Modesto, and asking that the question to be submitted to the electors residing in the territory proposed by said petition to be annexed to said city of Modesto shall be whether such new territory shall be annexed to, incorporated in, and made a part of said municipal corporation, and the property therein be not, after such annexation, subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of said City of Modesto outstanding at the date of the filing of such petition theretofore authorized; and

1 WHEREAS, the petition for annexation of said territory as
2 filed with the City Council of the said City of Modesto was so
3 filed more than twenty-one days after the publication in said The
4 Modesto Bee of said notice of intention to circulate said petition;
5 and

6 WHEREAS, thereafter and pursuant to said petition, an elect-
7 ion was called to submit to the qualified electors in the territory
8 proposed by said petition and notice to be annexed to the said City
9 of Modesto the said question as hereinbefore stated, which said
10 election was thereafter, to-wit, on the 9th day of November, 1938
11 held in accordance with the said order and resolution herein re-
12 ferred to, and in accordance with the statutes in such case
13 made and provided; and

14 WHEREAS, the proper officers of said election did thereupon
15 and thereafter deliver the ballots, tally sheets and returns of
16 said election to and deposit the same with the Clerk of the legis-
17 lative body of said municipal corporation, to-wit, the Clerk of the
18 City Council of the City of Modesto, and the said City Council did
19 thereafter and at the time provided by law meet and proceed to can-
20 vass said returns and did find therefrom that within the said
21 election precinct, which constituted the whole of said territory
22 proposed to be annexed, the total number of votes cast, including
23 absentee ballots or votes, was 65, that the total number of
24 votes cast, including absentee ballots or votes, in favor of said
25 proposition was 45, and that the number of votes cast, in-
26 cluding absentee ballots or votes, against said proposition was
27 20, and that said proposition carried. The said City Council
28 did thereupon immediately upon the completion of said canvass cause
29 a record thereof to be made and entered upon its minutes, stating
30 the proposition submitted, and showing the whole number of votes
31 cast thereon in the territory proposed to be annexed, the number
32 of votes cast therein in favor of annexation and the number of votes
cast

1 therein against annexation, and that all of the matters and
2 things required by law to be done in the premises have been done
3 and complied with, and that a majority of all the votes cast in
4 such outside territory on the question of annexation, as herein-
5 above stated, were cast in favor of such annexation:

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

8 Section 1. That the annexation of the following described
9 territory lying and being in the County of Stanislaus, State of
10 California, and contiguous to the City of Modesto, and particularly
11 described as follows, to-wit:

12 Beginning at a point, which is the
13 intersection of the North Corporate Limits
14 of the City of Modesto, with the Easterly
15 property line of McHenry Avenue; thence
16 Northerly along the said Easterly property
17 line of McHenry Avenue, to a point which is
18 110 feet Northerly from the Northeasterly
19 property corner of the said McHenry Avenue
20 and Helen Avenue; thence Easterly along a
21 line which is 110 feet Northerly from and
22 parallel to the Northerly property line of
23 said Helen Avenue, to a point on the Westerly
24 Boundary Line of the Lesliehugh tract; thence
25 Northerly 15 feet along the said Westerly
26 Boundary Line of the Lesliehugh tract, to a
27 point which is 125 feet Northerly from the
28 said Northerly Property Line of Helen Avenue;
29 thence Easterly along a line which is 125 feet
30 Northerly from and parallel to the said Northerly
31 Property Line of Helen Avenue, to a point on the
32 Center Line of 11a Way; thence Northerly along
the said Center Line of 11a Way, to a point at
its intersection with the Center Line of Hintze
Avenue; thence Easterly along the said Center Line
of Hintze Avenue, to a point on the Center Line
of Patricia Lane; thence Northeasterly along
said Center Line of Patricia Lane, to a point on
the Northerly Boundary line of the said Lesliehugh
Tract; thence Easterly along the said Northerly
Boundary Line of the Lesliehugh tract, to a point
at the Northeasterly Boundary Corner of the said
Lesliehugh tract, the said point being on the
Northwesterly property Line of the Modesto Irrig-
ation District Lateral No. 4, Right of Way;
thence Southwesterly along the Southeasterly
Boundary Line of the said Lesliehugh Tract and
the said Northwesterly Property Line of the
Modesto Irrigation District Lateral No. 4,
Right of Way, and the same extended and pro-

1 duced, to a point on the said North Corporate
2 Limits of the City of Modesto; thence Westerly
3 along the said North/Corporate Limits of the
4 City of Modesto, to the said point of beginning.

5 The property as above described is located
6 in the County of Stanislaus, State of California,
7 in the S.W.¼ of Section 21, T. 3 S., R. 9 E.,
8 M.D.B. & M., and includes a portion of the High
9 Homes Tract, according to the Map of the High
10 Homes Tract, as recorded in Maps, Volume 9,
11 Page 24; a portion of the Lesliehugh Tract,
12 according to the Amended Map of Lesliehugh
13 Tract, as recorded in Maps, Volume 11, Page 20,
14 of the Stanislaus County Records; and property
15 as shown in the Records of the Stanislaus County
16 Assessor, Stanislaus County, California;

17 be approved.

18 Section 2. That the said territory hereinabove described
19 be, and the same is, hereby annexed to, incorporated in and made
20 a part of the said City of Modesto, to be effective upon the
21 filing with the Secretary of State of the State of California of
22 a copy of the record of the canvass of the returns of said
23 election in such new territory and a certified copy of this
24 ordinance.

25 Section 3. The Clerk of the City of Modesto is hereby
26 authorized and directed to make and certify, under the seal of
27 the City of Modesto, and transmit to the Secretary of State of
28 the State of California, a copy of the record of the canvass of
29 the returns of said election in such new territory, and a copy
30 of this ordinance, giving the date of its passage in accordance
31 with the Statutes providing therefor.

32 Section 4. That the said territory hereinabove described
33 shall not, after such annexation, be subject to taxation equally
34 with the property within such municipal corporation to pay the
35 bonded indebtedness of said municipal corporation outstanding at
36 the date of said annexation or indebtedness theretofore authorized.

37 Section 5. This ordinance shall take effect and be in
38 full force and operation upon the filing of a certified copy there-

1 of, together with a copy of the record of said canvass as
2 specified in Section 2 hereof, with the Secretary of State of
3 California, but in any event not less than fifteen days after
4 its final passage and adoption.

5 Section 6. It is further ordered that this ordinance be
6 published in full at least once at least three days prior to its
7 final passage and adoption in the The Modesto Bee, the official
8 newspaper of the City of Modesto.

9 The foregoing ordinance was introduced by Councilman
10 Oliver, who moved its adoption and passage to print,
11 which motion being duly seconded, was upon roll call carried and
12 the ordinance ordered printed and published as above by the fol-
13 lowing vote:

14 Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
15 Noes: Councilmen: None
16 Absent: Councilmen: Bond



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20 APPROVED: J. H. King
J. H. KING, MAYOR..
21 ATTEST: H. E. Gragg
22 H. E. GRAGG, CITY CLERK.
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FINAL ADOPTION CLAUSE

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The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of November, 1938 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 14, 1938, it was upon roll call so finally adopted by the following vote:

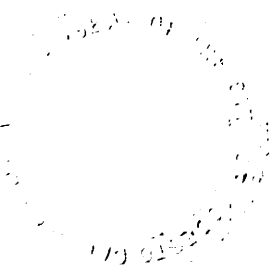
Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Noes: Councilmen: None

Absent: Councilmen: None

APPROVED J. H. King
MAYOR

ATTEST N. C. Gregg
CITY CLERK



AN ORDINANCE PROHIBITING PARKING AT THE SOUTHWEST CORNER OF MORRIS AND McHENRY AVENUES IN THE CITY OF MODESTO.

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

SECTION 1. It shall be unlawful to park vehicles at any time of the day or night in the following described areas:

1. The south side of Morris Avenue for a distance of thirty-eight (38) feet westerly of and from the westerly curb line of McHenry Avenue in the City of Modesto, County of Stanislaus, State of California.

2. The westerly side of McHenry Avenue for a distance of fifty-eight (58) feet southerly of and from the southerly curb line of Morris Avenue in said City, County and State aforesaid.

Said areas shall be designated by properly painted curbs and by vertical signs located thereat. Said signs shall bear the inscription in words legible at a distance of not less than fifty (50) feet "NO PARKING AT ANY TIME."

SECTION 2. The City Engineer of the City of Modesto is hereby ordered and empowered to designate and mark the areas hereinabove designated in the manner set forth.

SECTION 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon a first conviction thereof shall be punished by a fine of not more than Twenty-Five (\$25.00) Dollars, or by imprisonment in the County Jail for a period of not more than twelve and one-half (12½) days, and upon a second conviction thereof, said person so convicted shall be punished by a fine of not more than Fifty (\$50.00) Dollars, or by imprisonment in the County Jail for a period of not more than twenty-five (25) days, or by both such fine and imprisonment.

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

4 SECTION 5. This ordinance shall be printed and pub-
5 lished in full at least once at least three days prior to its
6 final adoption in the The Modesto Bee, the official newspaper
7 of the City of Modesto.

8 The foregoing ordinance was introduced by Councilman
9 Oliver, at a regular meeting of the Council of the City
10 of Modesto held on the 23rd day of November, 1938, and was
11 adopted and passed to print by the following vote:

12
13 Ayes: Councilmen: Neece, Oliver, Stanley and Mayor King
14 Noes: Councilmen: None
15 Absent: Councilmen: Bond
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19 APPROVED: J. H. King
20 J. H. KING, MAYOR.

21
22 ATTEST: H. E. Gragg
23 H. E. GRAGG, CITY CLERK.
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FINAL ADOPTION CLAUSE

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The foregoing ordinance having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 23rd day of November, 1938, and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of December 14, 1938, it was upon roll call so finally adopted by the following vote:

Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
Noes: Councilmen: None
Absent: Councilmen: None

APPROVED: J. W. King
MAYOR

ATTEST N. E. Gray
CITY CLERK



REPEALED
MUNICIPAL CODE

ORDINANCE NO. 599 N. S.

AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYERS 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.

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

SECTION 1. Adoption of Personnel System. Pursuant to the authority granted to the legislative body of any city within the State of California under the provisions of Chapter 48, Statutes of 1935, and in order to establish an equitable and uniform procedure for dealing with personnel matters through a department of personnel, and to place municipal employment on a merit basis so that the best qualified persons available shall be brought into the service of the City, the following Civil Service System is hereby adopted.

Although by the provisions of the Charter of City of Modesto, the City Council of said City is empowered to adopt a Civil Service System for City employees, said City Council hereby declares that this ordinance is hereby adopted under and by virtue of the power vested in it by Chapter 48, Statutes of 1935, entitled: "AN ACT AUTHORIZING THE CREATION OF A PERSONNEL SYSTEM, MERIT SYSTEM OR CIVIL SERVICE SYSTEM IN CITIES; THE CREATION OF THE OFFICE OF PERSONNEL DIRECTOR; THE APPOINTMENT OF A CIVIL SERVICE COMMISSION; THE DELEGATION OF CERTAIN AUTHORITY TO SAID PERSONNEL OFFICER OR COMMISSION IN MUNICIPALITIES WITHIN THIS STATE; AND PROHIBITING CERTAIN POLITICAL ACTIVITIES AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID PROVISIONS."

SECTION 2. Department of Personnel. There is hereby created a Department of Personnel which shall consist of a Per-

1 sonnel Board and a Personnel Clerk. The Personnel Board shall
2 consist of three members to be appointed by the City Council.

3 The Board to be appointed, shall, at its first meeting,
4 so classify its members by lot that one shall serve for a term
5 which shall expire January 15, 1941, one shall serve for a term
6 which shall expire January 15, 1943, and one shall serve for a
7 term which shall expire January 15, 1945. At the expiration of
8 each of the terms so provided for a successor shall be appointed
9 by the City Council for a term of six (6) years.

10 Vacancies on the Personnel Board, from whatever cause,
11 shall be filled by appointment by the City Council for the unex-
12 pired term. Each member of the Board shall serve until his suc-
13 cessor is appointed and qualified. A four-fifths vote of all the
14 members of the City Council shall be required to appoint a member
15 to said Board or to fill any vacancy thereon or to remove any
16 member of said Board from office prior to the expiration of his
17 term of office. Any and all vacancies upon the Personnel Board
18 must be filled by the City Council within thirty (30) days after
19 said vacancy or vacancies occur.

20 No person shall be appointed to said Board who holds
21 any salaried public office or employment, nor shall any member,
22 while a member of the Board or for a period of one year after he
23 has ceased for any reason to be a member, be eligible for appoint-
24 ment to any salaried office or employment in the service of the
25 city or any city elective office.

26 SECTION 3. Duties of the Personnel Board. The Personnel
27 Board shall determine the order of business for the conduct of
28 its meetings, and shall meet regularly if so required by the
29 rules, or on call of the chairman or two members of the Board.
30 Two members of the Board shall constitute a quorum for the
31 transaction of business. The functions of the Board shall be:
32

1 (a) To consider and recommend to the City Council a
2 set of rules to supplement this ordinance, and revisions and
3 amendments thereof.

4 (b) To act in an advisory capacity to the City Council
5 on problems concerning personnel administration.

6 (c) As provided by this ordinance and by rule, to hear
7 appeals submitted by any person in the competitive service rela-
8 tive to any situation connected with his employment status or
9 condition of employment.

10 (d) In any investigation or hearing conducted by the
11 Board, it shall have the power to examine witnesses under oath
12 and compel their attendance or the production of evidence before
13 it by subpoenas issued in the name of the city and attested by
14 the City Clerk. It shall be the duty of the Chief of Police to
15 cause all such subpoenas to be served and refusal of a person to
16 attend or to testify in answer to such a subpoena shall subject
17 said person to prosecution in the same manner set forth by law
18 for failure to appear before the City Council in response to a
19 subpoena issued by the City Council. Each member of the Person-
20 nel Board shall have the power to administer oaths to witnesses.

21 (e) To hold hearings and make recommendations to the
22 City Council on the adoption or revision of the position classi-
23 fication plan. The City Council shall adopt a position classi-
24 fication plan and class specifications and revisions thereof,
25 allocate and re-allocate positions in the competitive service to
26 classes.

27 SECTION 4. Personnel Clerk. The City Council shall
28 appoint a Personnel Clerk whose duty it shall be to act in the
29 capacity of clerk for the Personnel System. The duties of the
30 office of Personnel Clerk may be combined with those of any other
31 office in the event the work involved does not warrant, in the
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1 discretion of the City Council, the creation of a special
2 position. The Personnel Clerk shall:

3 (a) Attend all meetings of the Personnel Board.

4 (b) Administer all provisions of this ordinance and the
5 rules established hereunder, not specifically reserved to the
6 City Council or the Personnel Board.

7 (c) Under the direction of the Personnel Board to
8 prepare rules, and revisions and amendments thereof, for the con-
9 sideration of said Personnel Board.

10 (d) Under the direction of the Personnel Board, to pre-
11 pare a position classification plan and class specifications and
12 revisions thereof, for the consideration of said Personnel Board.

13 (e) It shall be the further duty of the Personnel
14 Clerk to keep minutes and records of the proceedings of said
15 Personnel Board.

16 SECTION 5. Competitive Service. The provisions of this
17 ordinance shall apply to all offices, positions and employments
18 in the service of the city, except:

19 (a) Elective Offices.

20
21 (b) Positions on appointive boards, commissions, and
22 committees.

23
24 (c) Judge of the Police Court.

25
26 (d) Unclassified laborers.

27 Within the meaning of this ordinance, an unclassified
28 laborer is hereby declared to be an unskilled workman, unqualified
29 to proceed independently to lay out and perform work, and who
30 prosecutes his duties under the immediate direction of a more highly
31 qualified workman or foreman. Janitors are hereby declared to be
32 unclassified laborers.

1 Offices, positions and employments not exempted above
2 shall constitute the competitive service of the city.

3 SECTION 6. Adoption of Rules. In addition to such
4 other matters as may be necessary and proper to carry out the
5 intent and purposes of this ordinance, rules shall be formulated,
6 and shall be adopted by the City Council establishing specific
7 procedures to govern the following phases of the personnel
8 program:

9 (a) The preparation, installation, revision and main-
10 tenance of a position classification plan covering all positions
11 in the competitive service.

12 (b) The formulation of minimum standards and qualifica-
13 tions for each class of position.

14 (c) The public announcement of vacancies and examina-
15 tions and the acceptance of applications for employment.

16 (d) The preparation and conduct of examinations and the
17 establishment and use of employment lists containing names of
18 persons eligible for appointment.

19 (e) The certification and appointment of persons from
20 employment lists to fill vacancies and the making of temporary
21 and emergency appointments.

22 (f) The evaluation of employees during the probationary
23 period.

24 (g) The transfer, promotion, demotion and reinstatement
25 of employees in the competitive service.

26 (h) The separation from the service of employees through
27 lay-off, suspension, dismissal and for incapacity to perform re-
28 quired duties.

29 (i) The standardization of hours of work, attendance and
30 leave regulations, working conditions and the development of
31 employee morale, welfare and training.
32

1 (j) The maintenance and use of necessary records and forms.

2 SECTION 7. Appointments. Appointments to vacant posi-
3 tions in the competitive service shall be made in accordance with
4 the rules established hereunder and from employment lists resulting
5 from competitive examination, or by promotion, transfer, demotion
6 or reinstatement. Appointments shall be made by the City Council,
7 or by the officer in whom the power to make appointments is vested
8 by law.

9 If appointment is to be made from employment or promo-
10 tional lists, the names of persons willing to accept appointment
11 shall be certified by the Personnel Clerk in the order in which
12 they appear on the lists.

13 In the absence of appropriate employment lists, a temporary
14 appointment may be made by the appointing power of a person meet-
15 ing the minimum qualifications for the position, provided, however,
16 that an employment list shall be established for such position
17 within ninety (90) days. No person shall be employed by the City
18 under temporary appointment for a total of more than ninety (90)
19 days in any fiscal year, except where the Personnel Board in its
20 discretion extends said temporary appointment for a period longer
21 than ninety (90) days. In the event of emergency, the appointing
22 power may appoint such persons as are required to meet the situa-
23 tion, but such appointments shall not exceed thirty (30) working
24 days, except in cases where the Personnel Board may in its dis-
25 cretion allow emergency appointments for longer periods.

26 No credit shall be allowed in the giving of any examina-
27 tion or the establishment of any employment or promotional lists,
28 for service rendered under a temporary appointment.

29 During the period of suspension of any employee, or
30 pending final action on proceedings to review the suspension,
31 demotion or dismissal of an employee, the vacancy created may be
32

1 filled by the appointing power only by temporary appointment.

2 SECTION 9. Probationary Period. All original and pro-
3 motional appointments shall be for a probationary period of six
4 (6) months during which the employee may be rejected at any time
5 without right of appeal or hearing in any manner.

6 An employee rejected during the probationary period from
7 a position to which he has been promoted shall be reinstated to
8 the position from which he was promoted, unless charges are filed
9 and he is discharged as provided in the rules and this ordinance.

10 Any employee in the competitive service promoted or
11 transferred to a position not included in the competitive service
12 shall be reinstated to the position from which he was promoted
13 or transferred if within six (6) months after such promotion or
14 transfer action is taken to dismiss him, unless charges are
15 filed and he is discharged in the manner provided in this ordinance
16 and the rules established hereunder for positions in the competitive
17 service.

18 SECTION 10. Status of Present Employees. Any person
19 holding a position or employment included in the competitive ser-
20 vice who, on the effective date of this ordinance, shall have
21 served continuously in such position, or in some other position
22 included in the competitive service, for a period of at least
23 six (6) months immediately prior to such effective date, shall
24 assume regular status in the competitive service in the position
25 held on such effective date without preliminary examination or
26 working tests and shall thereafter be subject in all respects to
27 the provisions of this ordinance.

28 Any other persons holding positions or employments in
29 the competitive service shall be regarded as holding their
30 positions or employments as probationers who are serving out the
31 balance of their probationary periods before obtaining regular
32 status.

1	H. Hand	Tree Climber
2	M. E. Bowen	" "
	B. H. Ryan	Park Supervisor
3	F. L. Adams	" "
	J. L. Watson	" "
4	G. E. Witt	" "
	M. D. Barber	" "
5	A. J. Scott	" "
	I. Macdonald	Golf Professional
6	E. Silva	Greens Keeper
	B. DeArmond	Assistant Greens Keeper
7	K. Bauman	" " "
	A. McAlpine	" " "
8	R. L. Cloward	" " "
	J. Mitchell	Asst. Supt. Corp. Yard
9	William Riffenburg	Machinist
	H. M. Ripley	Auto Mechanic
10	N. King	Service Man and Store Keeper
	M. T. Maxwell	Traffic Line Painter
11	C. E. White	Construction Laborer
	D. C. Fairfield	" "
12	E. A. Bither	" "
	Alfred Dionizio	" "
13	Fred Brown	" "
	Leo Plagg	" "

CITY CLERK'S OFFICE.

16	H. E. Gragg	Clerk, Auditor, Assessor, License Collector, Tax collector, Treasurer
17	Elmer Blum	Asst. Clerk, Asst. Auditor, Asst. Assessor, Asst. License Collector, Asst. Tax Collector, Asst. Treasurer
18	William B. Devlin	Deputy License collector and Deputy Auditor
19	Anne M. Collins	Secretary to Clerk, Auditor, Assessor, License collector, Tax collector and Treasurer
21	Louise Casazza	clerk, Tax and License Depts.
22	Lillian Loving	Chief Clerk and Cashier, Water Dept.
22	Cecil Davis	Asst. Clerk and Cashier, Water Dept.
23	Helen Kiernan	Clerk, Tax and License Depts.
23	Marie McCumber	clerk, Tax and License Depts.

POLICE DEPARTMENT

25	E. E. Arington	Chief of Police
26	D. C. Cole	Captain of Police
	R. H. Morton	Sergeant of Police
27	U. H. Pickering	Sergeant of Police
	Viola G. Ramsey	Secretary to Chief of Police
28	Margery Hollenbeck	Clerk
	George Denison	Traffic Officer
29	H. A. Dunn	Traffic Officer
	Elmer F. Horan	Traffic Officer
30	Edw. Russell	Traffic Officer
	Clayton N. Gran	Traffic Officer

1	W. F. Wooley	Patrolman
	Emil Schmit	Patrolman
2	Thos. H. McCumber	Patrolman
	Ray Burge	Patrolman
3	Jess Ayers	Patrolman
	J. H. Armstrong	Patrolman
4	Norris M. Mott	Patrolman
	Elmer Crismon	Patrolman
5	Hollis R. Harper	Patrolman
	Oscar Orvis	Patrolman
6	Patrolman	Patrolman

7 FIRE DEPARTMENT.

8	George E. Wallace	Fire Chief
	E. H. Stockwell	Assistant Chief
9	Carl Payne	Assistant Chief
	Harry Graham	Operator
10	Jack Wemyss	Operator
	Kenneth Wallace	Driver
11	Arthur Taylor	Driver
	Chet. Wayland	Driver
12	Roy Gray	Driver
	Leonard Medina	Driver
13	T. A. Stedman	Driver
	O. A. Boyd	Driver
14	C. C. Hensley	Driver
	C. Y. Green	Driver
15	Ezra Woodall	Relief Driver

16 DEPARTMENT OF PUBLIC HEALTH.

17	Frank Holtham	Sanitary Inspector
18	✓ Lawrence Nielson	Food and Drink Inspector

19 LEGAL DEPARTMENT.

20	Robert B. Fowler	City Attorney
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21

22 SECTION 11. Powers of the City Council. The City

23 Council and any other officer in whom is vested by law the power

24 to make transfers, promotions, demotions, reinstatements, lay-offs,

25 and to suspend or dismiss employees, shall retain such power,

26 subject to the provisions of this ordinance and the rules estab-

27 lished hereunder, it being the intent and spirit of this ordinance

28 to provide a fair and just approach to municipal employment in

29 order that city employees may be selected and promoted on a merit

30 basis, but in no sense to impair the efficiency of the public

31 service.

32 Any person holding a position or employment in the

1 competitive service shall be subject to suspension without pay
2 by the appointing power and without right of appeal, but such
3 suspensions shall not exceed a total of thirty (30) days in any
4 fiscal year.

5 SECTION 12. Filing of Charges. The head of any de-
6 partment having in his employ city employees in the competitive
7 service, demoting, dismissing or reducing the pay of said employee
8 shall file his written reasons therefor within three (3) days
9 with the Personnel Clerk. Said employee so demoted, dismissed or
10 reduced in pay shall be entitled to receive a written statement of
11 said reasons for such action within three (3) days after the same
12 is filed with said Personnel Clerk, and he shall have three (3)
13 days' time thereafter within which to answer in writing thereto.
14 Said answer shall be filed with the Personnel Clerk; in the event
15 the employee files an answer, a copy of such written reasons
16 and/or charges and of such answer shall be transmitted by the
17 Personnel Clerk to the Personnel Board. Within ten (10) days from
18 the date of filing his answer to the written charges, or in the
19 event such written charges have not been made available to him
20 within the time prescribed, then within ten (10) days after the
21 action taken to demote, dismiss or reduce the pay of the employee,
22 he may file a written demand with the Personnel Clerk requesting
23 a hearing before the Personnel Board. The Board shall then in-
24 vestigate the case and conduct a hearing as provided by section
25 12 of this ordinance and by the rules.

26 The provisions of this section and of section 13 shall
27 not apply to reductions in pay which are part of a general plan
28 to reduce salaries and wages as an economy measure or as part of
29 a general curtailment program.

30 SECTION 13. Right of Appeal. Any employee in the com-
31 petitive service shall have the right to appeal to the Personnel
32

1 Board relative to any situation affecting his employment status
2 or conditions of employment, except in instances where the right
3 of appeal is prohibited by this ordinance. Thereupon the Board
4 shall make such investigation as it may deem necessary and with-
5 in twenty (20) days after the request for hearing is filed by the
6 employee, the Board shall hold a hearing, at which time it shall
7 hear evidence for and against such employee. Hearings may be
8 informally conducted, and the rules of evidence need not apply.

9 Within ten (10) days after concluding the hearing, the
10 Personnel Board shall certify its findings and recommendations
11 to the City Council or other official from whose action the ap-
12 peal was taken. Said official may then affirm, revoke or modify
13 the action taken, as in his judgment shall seem warranted. The
14 findings and recommendation of the Personnel Board and any action
15 taken by the City Council or other appointing power shall be
16 final and conclusive and shall not be reviewable in any court.

17 SECTION 14. Abolition of Position. Whenever in the
18 judgment of the City Council it becomes necessary in the interest
19 of economy or because the necessity for the position involved no
20 longer exists, the City Council may abolish any position or em-
21 ployment in the competitive service and lay off the employees
22 holding such position or employment without filing written
23 charges, and without the right of appeal. The name of such an
24 employee so laid off shall be placed at the top of the appropriate
25 employment list or lists, as provided by the rules.

26 SECTION 15. Improper Political Activity. No person
27 holding a position in the competitive service shall seek or accept
28 election, nomination or appointment as an officer of a county or
29 municipal political club or organization, or take an active part
30 in, or make any contribution or donation to, any county or municipi-
31 pal political campaign, or serve as a member of a committee of
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1 such club or organization or circle, or seek signatures to any
2 petition provided for by any law, or act as a worker at the polls,
3 or distribute badges or pamphlets, dodgers, or handbills of any
4 kind favoring or opposing any candidate for election, or for
5 nomination to a public office, whether county or municipal;
6 provided, however, that nothing in this ordinance shall be con-
7 strued to prevent any such officer or employee from becoming or
8 continuing to be a member of a political club or organization,
9 or from attendance at a political meeting, or from enjoying en-
10 tire freedom from all interference in casting his vote or from
11 seeking or accepting election or appointment to a public office.

12 Any wilful violation thereof or violation through culp-
13 able negligence, shall be sufficient grounds to authorize the
14 discharge of any officer or employee.

15 No person in the competitive service, or seeking ad-
16 mission thereto, shall be employed, promoted, demoted or dis-
17 charged, or in any way favored or discriminated against because
18 of political opinions or affiliations or because of race or
19 religious belief.

20 SECTION 16. Solicitation of Contributions. No officer,
21 agent, clerk or employee, under the government of the city and
22 no candidate for any city office shall, directly or indirectly,
23 solicit or receive, or be in any manner concerned in soliciting
24 or receiving any assessment, subscription or contribution,
25 whether voluntary or involuntary, for any political purpose what-
26 ever, from any one on the employment lists or holding any position
27 under the provisions of this ordinance.

28 SECTION 17. Right to Contract for Special Service. The
29 City Council may contract with any competent agency for the per-
30 formance by such agency of such technical service in connection
31 with the establishment of the personnel system or with its
32

1 operation, as may be desired. Said contract may include the dele-
2 gation to such an agency responsibility for the performance of the
3 duties herein imposed upon the Personnel Board and the Personnel
4 Clerk, but shall not include the delegation to such agency of the
5 powers and duties herein vested in the City Council.

6 SECTION 18. Appropriation of Funds. The City Council
7 shall appropriate such funds as are necessary to carry out the
8 provisions of this ordinance.

9 SECTION 19. Penalty for Violation. Any person, firm,
10 or corporation violating any of the provisions of this ordinance
11 shall be deemed guilty of a misdemeanor and upon a conviction
12 thereof shall be punishable by a fine of not more than \$500.00
13 or by imprisonment in the city jail for a period of not more than
14 three (3) months, or by both such fine and imprisonment.

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

24 SECTION 21. This ordinance shall go into effect from
25 and after fifteen (15) days after its final passage and adoption.
26 It shall be published in full at least once at least three days
27 prior to its final adoption in the The Modesto Bee, the official
28 newspaper of the City of Modesto.

29 The foregoing ordinance was introduced at a regular meet-
30 ing of the Council of the City of Modesto held on the 11th day
31

1 of January, 1939, by Councilman NEECE, who
2 moved its adoption and passage to print, which motion being duly
3 seconded, was carried and the ordinance ordered printed and pub-
4 lished by the following vote:

5
6
7 Ayes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King
8 Noes: Councilmen: None
9 Absent: Councilmen: None

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15 APPROVED:

16 
17 J. H. KING, MAYOR.

18 ATTEST:

19 
20 H. E. GRAGG, CITY CLERK
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FINAL ADOPTION CLAUSE

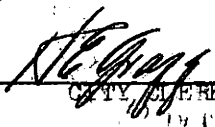
The foregoing ordinance, having been introduced and ordered printed and published at a regular meeting of the Council of the City of Modesto held on the 11th day of January, 1939 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 25, 1939, it was upon roll call defeated by the following vote:

Ayes: Councilmen: None

Noes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Absent: Councilmen: None

APPROVED: 
MAYOR

ATTEST: 
CITY CLERK

REPEALED
MUNICIPAL CODE

AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR THE EMPLOYEES OF CITY OF MODESTO, CREATING A DEPARTMENT OF PERSONNEL, DESCRIBING ITS DUTIES, SETTLING THE STATUS OF PRESENT EMPLOYEES, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

--ooOoo--

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

SECTION 1. Adoption of Personnel System. Pursuant to the authority granted to the legislative body of any city within the State of California under the provisions of Chapter 48, Statutes of 1935, and in order to establish an equitable and uniform procedure for dealing with personnel matters through a department of personnel, and to place municipal employment on a merit basis so that the best qualified persons available shall be brought into the service of the City, the following Civil Service System is hereby adopted.

Although by the provisions of the Charter of City of Modesto, the City Council of said City is empowered to adopt a Civil Service System for City employees, said City Council hereby declares that this ordinance is hereby adopted under and by virtue of the power vested in it by Chapter 48, Statutes of 1935, entitled: "AN ACT AUTHORIZING THE CREATION OF A PERSONNEL SYSTEM, MERIT SYSTEM OR CIVIL SERVICE SYSTEM IN CITIES; THE CREATION OF THE OFFICE OF PERSONNEL DIRECTOR; THE APPOINTMENT OF A CIVIL SERVICE COMMISSION; THE DELEGATION OF CERTAIN AUTHORITY TO SAID PERSONNEL OFFICER OR COMMISSION IN MUNICIPALITIES WITHIN THIS STATE; AND PROHIBITING CERTAIN POLITICAL ACTIVITIES AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID PROVISIONS."

SECTION 2. Department of Personnel. There is hereby created a Department of Personnel which shall consist of a Per-

1 sonnel Board and a Personnel Clerk. The Personnel Board shall
2 consist of three members to be appointed by the City Council.

3 The Board to be appointed, shall, at its first meeting,
4 so classify its members by lot that one shall serve for a term
5 which shall expire January 15, 1941, one shall serve for a term
6 which shall expire January 15, 1943, and one shall serve for a
7 term which shall expire January 15, 1945. At the expiration of
8 each of the terms so provided for a sucessor shall be appointed
9 by the City Council for a term of six (6) years.

10 Vacancies on the Personnel Board, from whatever cause,
11 shall be filled by appointment by the City Council for the unex-
12 pired term. Each member of the Board shall serve until his suc-
13 cessor is appointed and qualified. A four-fifths vote of all the
14 members of the City Council shall be required to appoint a member
15 to said Board or to fill any vacancy thereon or to remove any
16 member of said Board from office prior to the expiration of his
17 term of office. Any and all vacancies upon the Personnel Board
18 must be filled by the City Council within thirty (30) days after
19 said vacancy or vacancies occur.

20 No person shall be appointed to said Board who holds
21 any salaried public office or employment, nor shall any member,
22 while a member of the Board or for a period of one year after he
23 has ceased for any reason to be a member, be eligible for appoint-
24 ment to any salaried office or employment in the service of the
25 city or any city elective office.

26 SECTION 3. Duties of the Personnel Board. The Personnel
27 Board shall determine the order of business for the conduct of
28 its meetings, and shall meet regularly if so required by the
29 rules, or on call of the chairman or two members of the Board.
30 Two members of the Board shall constitute a quorum for the
31 transaction of business. The functions of the Board shall be
32

1 (a) To consider and recommend to the City Council a
2 set of rules to supplement this ordinance, and revisions and
3 amendments thereof.

4 (b) To act in an advisory capacity to the City Council
5 on problems concerning personnel administration.

6 (c) As provided by this ordinance and by rule, to hear
7 appeals submitted by any person in the competitive service rela-
8 tive to any situation connected with his employment status or
9 condition of employment.

10 (d) In any investigation or hearing conducted by the
11 Board, it shall have the power to examine witnesses under oath
12 and compel their attendance or the production of evidence before
13 it by subpoenas issued in the name of the city and attested by
14 the City Clerk. It shall be the duty of the Chief of Police to
15 cause all such subpoenas to be served and refusal of a person to
16 attend or to testify in answer to such a subpoena shall subject
17 said person to prosecution in the same manner set forth by law
18 for failure to appear before the City Council in response to a
19 subpoena issued by the City Council. Each member of the Person-
20 nel Board shall have the power to administer oaths to witnesses.

21 (e) To hold hearings and make recommendations to the
22 City Council on the adoption or revision of the position classi-
23 fication plan. The City Council shall adopt a position classi-
24 fication plan and class specifications and revisions thereof,
25 allocate and re-allocate positions in the competitive service to
26 classes.

27 SECTION 4. Personnel Clerk. The City Council shall
28 appoint a Personnel Clerk whose Duty is shall be to act in the
29 capacity of clerk for the Personnel System. The duties of the
30 office of Personnel Clerk may be combined with those of any other
31 office in the event the work involved does not warrant, in the
32

1 discretion of the City Council, the creation of a special
2 position. The Personnel Clerk shall;

3 (a) Attend all meetings of the Personnel Board.

4 (b) Administer all provisions of this ordinance and the
5 rules established hereunder, not specifically reserved to the
6 City Council or the Personnel Board.

7 (c) Under the direction of the Personnel Board to
8 prepare rules, and revisions and amendments thereof, for the con-
9 sideration of said Personnel Board.

10 (d) Under the direction of the Personnel Board, to pre-
11 pare a position classification plan and class specifications and
12 revisions thereof, for the consideration of said Personnel Board.

13 (e) It shall be the further duty of the Personnel
14 Clerk to keep minutes and records of the proceedings of said
15 Personnel Board.

16 SECTION 5. Competitive Service. The provisions of this
17 ordinance shall not apply to persons occupying the following offices,
18 positions and employments in the service of the City,

19 (a) Elective Offices.

20 (b) Positions on appointive boards, commissions, and
21 committees.

22 (c) Judge of the Police Court and clerk thereof.

23 (d) Unclassified laborers.

24 Within the meaning of this ordinance, an unclassified
25 laborer is hereby declared to be an unskilled workman, unqualified
26 to proceed independently to lay out and perform work, and who
27 prosecutes his duties under the immediate direction of a more
28 highly qualified workman or foreman. Janitors are hereby declared
29 to be unclassified laborers.
30

31 The following offices, positions, and employments in
32 the City of Modesto shall constitute the competitive service of

1 said city and said positions and employments are subject to the
2 provisions hereof:

3 DEPARTMENT OF PUBLIC WORKS AND PARKS

4 City Engineer
5 Sewer Superintendent
6 City Electrician
7 Building Inspector
8 Superintendent Water Department
9 Superintendent Parks
10 Superintendent Corporation Yard
11 Superintendent of Streets
12 Assistant City Engineer
13 Secretary
14 Stenographer
15 Engineer of Surveys
16 Assistant Engineer of Surveys
17 Engineering Aids
18 Chief Draftsman
19 Assistant Superintendent of Streets
20 Equipment Operators Grades (1) and (2)
21 Street Repair Foreman
22 Assistant Sup. of Electricity
23 Electrician
24 Lineman
25 Fire Alarm Technician
26 Assistant Building Inspector
27 Water Service Foreman
28 Assistant Water Service Foreman
29 Pipe Fitters
30 Pump Operators (Grades 1 and 2)
31 Superintendent of Construction
32 Asst. Superintendent of Construction
Sewage Disposal Plant Operator
Assistant Sewage Disposal Plant Operator
Assistant Superintendent of Parks
Horticulturist
Nurseryman
Tree Climbers
Park Supervisors
Golf Professional
Greenskeeper
Assistant Greenskeepers
Assistant Supt. Corporation Yard
Machinist
Auto Mechanic
Service Man and Store Keeper
Traffic Line Painter
Construction Laborers

33 CITY CLERK'S OFFICE

34 Clerk,
35 Auditor
36 Assessor
37 License Collector
38 Tax Collector
39 Treasurer
40 Assistant Clerk,

1 Assistant Auditor
2 Assistant Assessor
3 Assistant License Collector
4 Assistant Tax Collector
5 Assistant Treasurer
6 Deputy License Collector
7 Deputy Auditor
8 Secretary
9 Chief Clerk and Cashier Water Dept.
10 Asst. Clerk and Cashier Water Dept.
11 Clerks Tax and License Departments, Grades (1)&(2)

12 POLICE DEPARTMENT

13 Police Chief
14 Captain
15 Sergeants
16 Secretary
17 Clerk
18 Traffic Officers
19 Patrolmen

20 FIRE DEPARTMENT

21 Fire Chief
22 Assistant Chiefs
23 Operators
24 Drivers
25 Relief Driver

26 DEPARTMENT OF PUBLIC HEALTH

27 Sanitary Inspector
28 Food and Drink Inspector

29 LEGAL DEPARTMENT

30 City Attorney

31 SECTION 6. Adoption of Rules. In addition to such
32 other matters as may be necessary and proper to carry out the
33 intent and purposes of this ordinance, rules shall be formulated,
34 and shall be adopted by the City Council establishing specific
35 procedures to govern the following phases of the personnel
36 program:

37 (a) The preparation, installation, revision and main-
38 tenance of a position classification plan covering all positions
39 in the competitive service.

40 (b) The formulation of minimum standards and qualifica-
41 tions

1 for each class of position.

2 (c) The public announcement of vacancies and examina-
3 tions and the acceptance of applications for employment.

4 (d) The preparation and conduct of examinations and the
5 establishment and use of employment lists containing names of
6 persons eligible for appointment.

7 (e) The certification and appointment of persons from
8 employment lists to fill vacancies and the making of temporary
9 and emergency appointments.

10 (f) The evaluation of employees during the probationary
11 period

12 (g) The transfer, promotion, demotion and reinstatement
13 of employees in the competitive service.

14 (h) The separation from the service of employees through
15 lay-off, suspension, dismissal and for incapacity to perform re-
16 quired duties.

17 (i) The standardization of hours of work, attendance and
18 leave regulations, working conditions and the development of
19 employee morale, welfare and training.

20 (j) The maintenance and use of necessary records and
21 forms.

22 SECTION 7. Appointments. Appointments to vacant posi-
23 tions in the competitive service shall be made in accordance with
24 the rules established hereunder and from employment lists result-
25 ing from competitive examination, or by promotion, transfer, de-
26 motion or reinstatement. Appointments shall be made by the City
27 Council, or by the officer in whom the power to make appointments
28 is vested by law.

29 If appointment is to be made from employment or promo-
30 tional lists, the names of persons willing to accept appointment
31 shall be certified by the Personnel Clerk in the order in which
32

1 they appear on the lists.

2 In the absence of appropriate employment lists, a tempor-
3 ary appointment may be made by the appointing power of a person meet-
4 ing the minimum qualifications for the position, provided, however
5 that an employment list shall be established for such position
6 within ninety (90) days. No person shall be employed by the City
7 under temporary appointment for a total of more than ninety (90)
8 days in any fiscal year, except where the Personnel Board in its
9 discretion extends said temporary appointment for a period longer
10 than ninety (90) days. In the event of emergency, the appointing
11 power may appoint such persons as are required to meet the situa-
12 tion, but such appointments shall not exceed thirty (30) working
13 days, except in cases where the Personnel Board may in its dis-
14 cretion allow emergency appointments for longer periods.

15 No credit shall be allowed in the giving of any examina-
16 tion or the establishment of any employment or promotional lists,
17 for service rendered under a temporary appointment.

18 During the period of suspension of any employee, or
19 pending final action on proceedings to review the suspension,
20 demotion or dismissal of an employee, the vacancy created may be
21 filled by the appointing power only by temporary appointment.

22 SECTION 9. Probationary Period. All original and pro-
23 motional appointments shall be for a probationary period of six
24 (6) months during which the employee may be rejected at any time
25 without right of appeal or hearing in any manner.

26 An employee rejected during the probationary period from
27 a position to which he has been promoted shall be reinstated to
28 the position from which he was promoted, unless charges are filed
29 and he is discharged as provided in the rules and this ordinance.

30 Any employee in the competitive service promoted or
31 transferred to a position not included in the competitive service
32

1 shall be reinstated to the position from which he was promoted
2 or transferred if within six (6) months after such promotion or
3 transfer action is taken to dismiss him, unless charges are
4 filed and he is discharged in the manner provided in this ordinance
5 and the rules established hereunder for positions in the competitive
6 service.

7 SECTION 10. Status of Present Employees. Any person
8 holding a position or employment included in the competitive ser-
9 vice who, on the effective date of this ordinance, shall have
10 served continuously in such position, or in some other position
11 included in the competitive service, for a period of at least
12 six (6) months immediately prior to such effective date, shall
13 assume regular status in the competitive service in the position
14 held on such effective date without preliminary examination or
15 working tests and shall thereafter be subject in all respects to
16 the provisions of this ordinance.

17 Any other persons holding positions or employments in
18 the competitive service shall be regarded as holding their
19 positions or employments as probationers who are serving out the
20 balance of their probationary periods before obtaining regular
21 status.

22 SECTION 11. Powers of the City Council. The City
23 Council and any other officer in whom is vested by law the power
24 to make transfers, promotions, demotions, reinstatements, lay-offs,
25 and to suspend or dismiss employees, shall retain such power,
26 subject to the provisions of this ordinance and the rules estab-
27 lished hereunder, it being the intent and spirit of this ordinance
28 to provide a fair and just approach to municipal employment in
29 order that city employees may be selected and promoted on a merit
30 basis, but in no sense to impair the efficiency of the public
31 service.
32

1 Any person holding a position or employment in the
2 competitive service shall be subject to suspension without pay
3 by the appointing power and without right of appeal, but such
4 suspensions shall not exceed a total of thirty (30) days in any
5 fiscal year.

6 SECTION 12. Filing of Charges The head of any de-
7 partment having in his employ city employees in the competitive
8 service, demoting, dismissing or reducing the pay of said employee
9 shall file his written reasons therefor within three (3) days
10 with the Personnel Clerk. Said employee so demoted, dismissed or
11 reduced in pay shall be entitled to receive a written statement of
12 said reasons for such action within three (3) days after the same
13 is filed with said Personnel Clerk, and he shall have three (3)
14 days' time thereafter within which to answer in writing thereto.
15 Said answer shall be filed with the Personnel Clerk; in the event
16 the employee files an answer, a copy of such written reasons
17 and/or charges and of such answer shall be transmitted by the
18 Personnel Clerk to the Personnel Board. Within ten (10) days from
19 the date of filing his answer to the written charges, or in the
20 event such written charges have not been made available to him
21 within the time prescribed, then within ten (10) days after the
22 action taken to demote, dismiss or reduce the pay of the employee
23 he may file a written demand with the Personnel Clerk requesting
24 a hearing before the Personnel Board. The Board shall then in-
25 vestigate the case and conduct a hearing as provided by section
26 12 of this ordinance and by the rules.

27 The provisions of this section and of section 13 shall
28 not apply to reductions in pay which are part of a general plan
29 to reduce salaries and wages as an economy measure or as part of
30 a general curtailment program.

31 SECTION 13. Right of Appeal. Any employee in the com-
32 petitive service shall have the right to appeal to the Personnel

1 Board relative to any situation affecting his employment status
2 or conditions of employment, except in instances where the right
3 of appeal is prohibited by this ordinance. Thereupon the Board
4 shall make such investigation as it may deem necessary and with-
5 in twenty (20) days after the request for hearing is filed by the
6 employee, the Board shall hold a hearing, at which time it shall
7 hear evidence for and against such employee. Hearings may be
8 informally conducted, and the rules of evidence need not apply.

9 Within ten (10) days after concluding the hearing, the
10 Personnel Board shall certify its findings and recommendations
11 to the City Council or other official from whose action the ap-
12 peal was taken. Said official may then affirm, revoke or modify
13 the action taken, as in his judgment shall seem warranted. The
14 findings and recommendation of the Personnel Board and any action
15 taken by the City Council or other appointing power shall be
16 final and conclusive and shall not be reviewable in any court.

17 SECTION 14. Abolition of Position. Whenever in the
18 judgment of the City Council it becomes necessary in the interest
19 of economy or because the necessity for the position involved no
20 longer exists, the City Council may abolish any position or em-
21 ployment in the competitive service and lay off the employees
22 holding such position or employment without filing written
23 charges, and without the right of appeal. The name of such an
24 employee so laid off shall be placed at the top of the appropriate
25 employment list or lists, as provided by the rules.

26 SECTION 15. Improper Political Activity. No person
27 holding a position in the competitive service shall seek or accept
28 election, nomination or appointment as an officer of a county or
29 municipal political club or organization, or take an active part
30 in, or make any contribution or donation to, any county or municipi-
31 al political campaign, or serve as a member of a committee of
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1 such club or organization or circle, or seek signatures to any
2 petition provided for by any law, or act as a worker at the polls,
3 or distribute badges or pamphlets, dodgers, or handbills of any
4 kind favoring or opposing any candidate for election, or for
5 nomination to a public office, whether county or municipal:
6 provided, however, that nothing in this ordinance shall be con-
7 strued to prevent any such officer or employee from becoming or
8 continuing to be a member of a political club or organization,
9 or from attendance at a political meeting, or from enjoying en-
10 tire freedom from all interference in casting his vote or from
11 seeking or accepting election or appointment to a public office.

12 Any wilful violation thereof or violation through culp-
13 able negligence, shall be sufficient grounds to authorize the
14 discharge of any officer or employee.

15 No person in the competitive service, or seeking ad-
16 mission thereto, shall be employed, promoted, demoted or dis-
17 charged, or in any way favored or discriminated against because
18 of political opinions or affiliations or because of race or
19 religious belief.

20 SECTION 16. Solicitation of Contributions. No officer,
21 agent, clerk or employee, under the government of the city and
22 no candidate for any city office shall, directly or indirectly,
23 solicit or receive, or be in any manner concerned in soliciting
24 or receiving any assessment, subscription or contribution,
25 whether voluntary or involuntary, for any political purpose what-
26 ever, from any one on the employment lists or holding any position
27 under the provisions of this ordinance.

28 SECTION 17 Right to contract for Special Service. The
29 City Council may contract with any competent agency for the per-
30 formance by such agency of such technical service in connection X
31 with the establishment of the personnel system or with its
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operation, as may be desired.

1 SECTION 18. Appropriation of Funds. The City Council
2 shall appropriate such funds as are necessary to carry out the
3 provisions of this ordinance.

4 SECTION 19. Penalty for Violation. Any person, firm,
5 or corporation violating any of the provisions of this ordinance
6 shall be deemed guilty of a misdemeanor and upon a conviction
7 thereof shall be punishable by a fine of not more than \$300.00
8 or by imprisonment in the city jail for a period of not more than
9 three (3) months, or by both such fine and imprisonment.

10 SECTION 20. If any section, subsection, subdivision,
11 sentence, clause or phrase of this ordinance is for any reason
12 held to be unconstitutional, such decision shall not affect the
13 validity of the remaining portions of this ordinance. The City
14 Council hereby declares that it would have passed this ordinance,
15 and each section, subsection, subdivision, sentence, clause and
16 phrase thereof, irrespective of the fact that any one or more
17 sections, subsections, subdivisions, sentences, clauses or
18 phrases be declared unconstitutional.

19 SECTION 21. This ordinance shall go into effect from
20 and after fifteen (15) days after its final passage and adoption.
21 It shall be published in full at least once at least three days
22 prior to its final adoption in the The Modesto Bee, the official
23 newspaper of the City of Modesto.

24 The foregoing ordinance was introduced at a special meet-
25 ing of the Council of the City of Modesto held on the 18th day
26 of January, 1939 by Councilman NEECE, who moved its
27 adoption and passage to print, which motion being duly seconded,
28 was carried and the ordinance ordered printed and published by the
29 following vote:

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1 Ayes: Councilmen: Barnell, Nece, Stanley, Oliver and Mayor King
2 Noes: Councilmen: none
3 Absent: Councilmen: none

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APPROVED J. H. King
J. H. KING MAYOR

ATTEST: H. E. Gragg
H. E. GRAGG, CITY CLERK

FINAL ADOPTION CLAUSE

The fore going ordinance, having been introduced and ordered printed and published at a special meeting of the Council of the City of Modesto held on the 18th day of January, 1939 and subsequently printed and published as required by the Charter of the City of Modesto, and coming on for final adoption at the regular meeting of January 25, 1939, it was upon roll call defeated by the following vote :

Ayes: Councilmen: None

Noes: Councilmen: Barnell, Neece, Oliver, Stanley and Mayor King

Absent:Councilmen: None

APPROVED:

J. H. King
MAYOR

ATTEST:

W. E. ...
CLERK

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