

6857

AN ORDINANCE AMENDING SECTION MAP 20 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

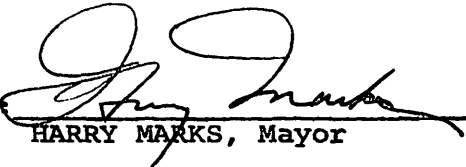
SECTION 1. ZONING RECLASSIFICATIONS. Section Map 20 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

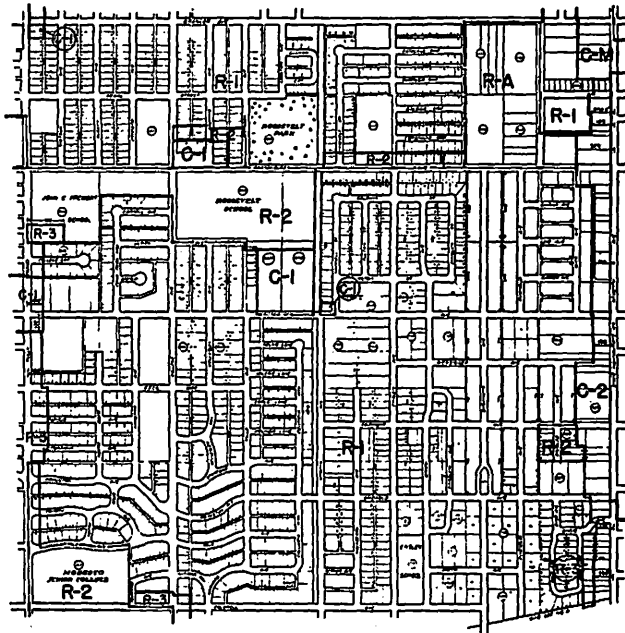
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of April, 1959, by Councilman Merrill, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

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

APPROVED: 
HARRY MARKS, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

SEE ED-3-8
FOR THE HISTORY OF THE MAP OF THE
CITY OF MODESTO AS TO THE ZONING DISTRICTS

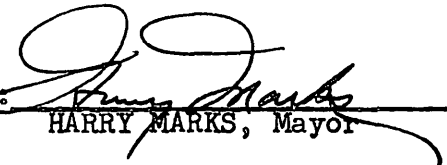
ORDINANCE NO. 301-C.S.

Ord. No. 301-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the council of the city of Modesto held on the 8 day of April, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Merrill, was upon roll call carried and the ordinance finally adopted by the following vote:

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

APPROVED: 

HARRY MARKS, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 23, 1959

ORDINANCE NO. 302 -C.S.

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM ALMA MENSINGER, IAN MENSINGER, W. R. MENSINGER, JR., MERLE MENSINGER, MARIAN RODGERS, LOIS PERDUE, AUDREY MORRISON, FRED H. MENSINGER AND JOHN L. MENSINGER.

WHEREAS, Alma Mensinger, Ian Mensinger, W. R. Mensinger, Jr., Merle Mensinger, Marian Rodgers, Lois Perdue, Audrey Morrison, Fred H. Mensinger and John L. Mensinger, individuals, own that certain parcel of real property hereinafter described, and

WHEREAS, the City of Modesto desires to purchase said real property for use for municipal purposes,

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

SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property from Alma Mensinger, Ian Mensinger, W. R. Mensinger, Jr., Merle Mensinger, Marian Rodgers, Lois Perdue, Audrey Morrison, Fred H. Mensinger and John L. Mensinger, Grantors, for the sum of Three Thousand Six Hundred and no/100ths (\$3,600.00) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

The South 20 feet, right angle measurement, of Lot 34 in Block 6000-A of the MENSINGER TRACT NO. 4, as per map filed August 1, 1946, in Vol. 14 of Maps, page 68, Stanislaus County Records.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Grantors, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Grantors, conveying the above

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

SECTION 4. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary and an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency: The property described in the above mentioned agreement is being acquired by the City for necessary municipal purposes. Its immediate acquisition is necessary in order that a contract may be let for the improvement and widening of McHenry Avenue. Failure to obtain the property will jeopardize the completion of the project and adversely affect the public peace, health and safety.

SECTION 5. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, being an emergency ordinance, this ordinance shall take effect and be in full force and operation as of the date of its adoption.

SECTION 6. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of April, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

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

ATTEST: 
REX E. GAILFUS, City Clerk

APPROVED:


HARRY MARKS, Mayor

(SEAL)

AN ORDINANCE AMENDING SECTION 31 OF THE ZONING MAP OF THE CITY OF MODESTO TO ESTABLISH INTERIM ZONING FOR CERTAIN PROPERTY LOCATED THEREON NEWLY ANNEXED TO THE CITY. (PARADISE CENTER NO. 2 ADDITION)

WHEREAS, Paradise Center No. 2 Addition was annexed to the City of Modesto on April 3, 1959, and

WHEREAS, Section 10-2.1505 of the Municipal Code authorizes the Council, upon the recommendation of the Planning Commission, to temporarily classify newly annexed territory into zones other than R-1 classification by the adoption of an emergency interim ordinance in order to protect the public health, safety and welfare of the City.

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

SECTION 1. INTERIM ZONING. Section 31 of the Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference. The purpose of said amendment is to establish interim zoning for newly annexed territory as set forth on said map. Except for the interim zoning of newly annexed territory as shown on said map, the existing zoning shall continue in effect.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency. The property for which interim zoning is established by this ordinance is newly annexed to the City. The best utilization and development of said property requires the establishment of interim zoning pending the completion of formal zoning proceedings.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 4. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

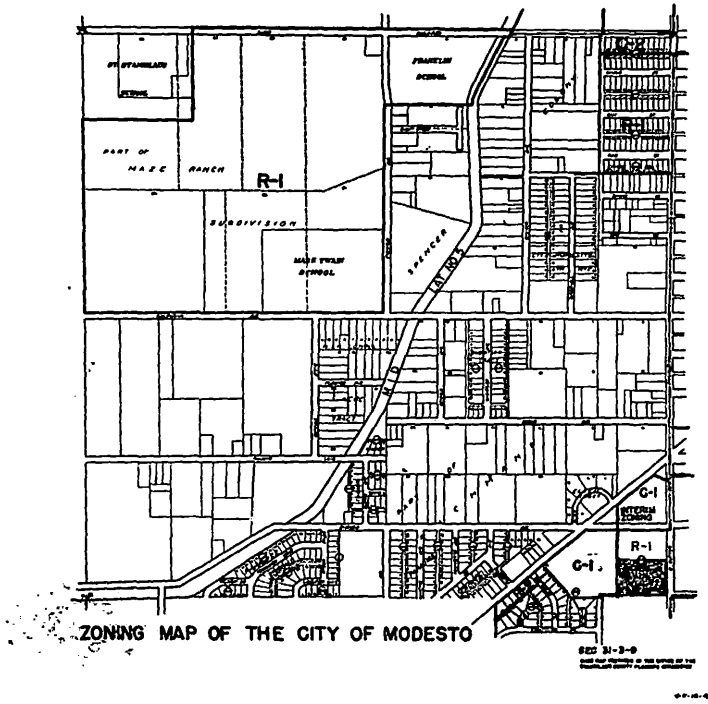
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of April, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Merrill, was upon roll call carried and ordered printed and published by the following vote:

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

APPROVED: 
HARRY MARKS, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)



Ordinance No. 303-CS

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT C. WATSON RELATING TO THE DEDICATION AND PURCHASE OF CERTAIN REAL PROPERTY.

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

SECTION 1. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Robert C. Watson relating to the dedication of certain real property described therein for street and alley purposes, the establishment, improvement and maintenance of an alley, and authorizing the sale of certain real property described therein by the City, a copy of which is on file in the office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and City Clerk are hereby authorized to execute and attest to said agreement respectively, on behalf of the City of Modesto, and to do all things necessary to carry out the terms of said agreement.

SECTION 2. EXECUTION OF DEED. In the event that Robert C. Watson accepts the offer to purchase the real property described in Paragraph 5 of the above-mentioned agreement, the Mayor is hereby authorized and directed to execute a deed to said property to buyer on behalf of the City of Modesto to be deposited in escrow.

SECTION 3. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency: The right of way described in the above-mentioned agreement is being acquired by the City for necessary municipal purposes. Its immediate acquisition is necessary in order that a contract may be let for the improvement and widening of McHenry Avenue. Failure to obtain the right of way will jeopardize the completion of the project and adversely affect the public peace, health and safety.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, being an emergency ordinance, this ordinance shall take effect and be in full force and operation as of the date

of its adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a special meeting of the Council of the City of Modesto held on the 20 day of April, 1959, by Councilman Arata, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED:



~~HARRY MARKS, Mayor~~
Don D. Hammond, Mayor Pro Tempore

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND JACK R. WATSON AND ALBERTA WATSON, HUSBAND AND WIFE, RELATING TO THE DEDICATION AND PURCHASE OF CERTAIN REAL PROPERTY.

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

SECTION 1. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Jack R. Watson and Alberta Watson, husband and wife, relating to the dedication of certain real property described therein for highway purposes, and authorizing the sale of certain real property described therein by the City, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and City Clerk are hereby authorized to execute and attest to said agreement respectively, on behalf of the City of Modesto, and to do all things necessary to carry out the terms of said agreement.

SECTION 2. EXECUTION OF DEED. In the event that Jack R. Watson and Alberta Watson, husband and wife, complete the purchase of the real property described in Paragraph 2 of the above-mentioned agreement, the Mayor is hereby authorized and directed to execute a deed on behalf of the City conveying said property to buyers for deposit in escrow and delivery to buyers upon the deposit in escrow by them of the purchase price of Four Thousand and no/100ths (\$4,000.00) Dollars.

SECTION 3. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency: The property described in the above-mentioned agreement is being acquired by the City for highway purposes. Its immediate acquisition is necessary in order that a contract may be let for the improvement and widening of McHenry Avenue. Failure to obtain the property will jeopardize the completion of the project and adversely affect the public peace, health and safety.

SECTION 4. EFFECTIVE DATE. Prusuant to Section 722 of the Charter of the City of Modesto, being an emergency ordinance, this ordinance shall take effect and be in full force and operation as of the date of its adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1959, by Councilman Arata, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND WALTER E. SOPER RELATING TO THE PURCHASE OF CERTAIN REAL PROPERTY.

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

SECTION 1. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Walter E. Soper, authorizing the sale of certain real property described therein by the City, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and City Clerk are hereby authorized to execute and attest to said agreement respectively, on behalf of the City of Modesto, and to do all things necessary to carry out the terms of said agreement.

SECTION 2. EXECUTION OF DEED. In the event that Walter E. Soper completes the purchase of the real property described in Paragraph 2 of the above-mentioned agreement, the Mayor is hereby authorized and directed to execute a deed to said property to buyer on behalf of the City of Modesto to be deposited in escrow.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 6 day of May, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk


(SEAL)

Ord. No. 306-CS

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the council of the city of Modesto held on the 13th day of May, 1959, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
~~MARVIN WATKINS~~, Mayor
Don Hammond

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 28, 1959

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE
GREGORY GARDENS NO. 4 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____
Lance E. Ellis, Carol L. Ellis, Roger Hemminger, and Forrest Hemminger

_____ on
January 26, 1959, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the _____ GREGORY GARDENS NO. 4 _____ ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 1st
day of _____ April _____, 1959, set said petition for hearing
at the hour of 8 o'clock p.m. on the 13th day of May _____,
1959, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee _____, a newspaper published in the City of
Modesto on April 13 _____, 1959, and on April 20 _____,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
April 13 _____, 1959, and on April 20 _____, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 13th day of May, 1959, at the hour of 8 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

SECTION 2. The area or territory so annexed, designated the GREGORY GARDENS NO. 4 ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, said point being the Northwestern corner of the Gregory Gardens Number 3 Addition, filed March 4, 1958, as Instrument Number 5409, Stanislaus County Records; thence along the existing City Limits and Northern Line of said Gregory Gardens

Number 3 Addition, Easterly, to a point on the Western line of the property conveyed to Samuel F. Zeigler and Ruby Jeanne Zeigler by deed recorded December 7, 1955, in Volume 1331, Page 377, Stanislaus County Records; thence along the Western Line of said Zeigler property, and the existing City Limits, Southerly, to the Northwestern corner of the property conveyed to Roger S. Hemminger by deed recorded December 7, 1955, in Volume 1331, Page 398, Stanislaus County Records; thence continuing Southerly along the existing City Limits and the Western Line of said Hemminger property to the Southwestern corner of said Hemminger property; thence Easterly along the Southern Line of said Hemminger property and its Easterly extension, being also the existing City Limits, to the Western Line of Bel-Air Subdivision Number 2 as recorded January 18, 1957 in Volume 18 of Maps at Page 64, Stanislaus County Records; thence Northerly along the Western Line of said Bel-Air Subdivision Number 2, being also the existing City Limits, to the center line of the Caviil Drain; thence along the center line of said Caviil Drain, Northwesterly, to the Western Line of Tully Road, said Western Line being parallel and Westerly, 20.00 feet, measured at right angles, from the section line common to Sections 17 and 18; thence along said Western Line of Tully Road, Northerly to the Section Line common to Sections 7 and 18; thence along the Section Line common to said Sections 7 and 18, Westerly, to the line common to the East and West half of the Northeast quarter of Section 18; thence along the line common to said East and West Half of the Northeast Quarter of Section 18, Southerly to the point of beginning, containing 30.791 Acres more or less.

SECTION 3. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County upon its annexation to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 199, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: _____

~~HARRY MARKS~~, Mayor

ATTEST: 
REX B. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 308 -C.S.

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3(b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

NAME OF STREET OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMIT
BOWEN, from Geneva Drive to the easterly city limits-----	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road-----	30 miles per hour
CARVER, entire length in City-----	35 miles per hour
EMERALD, from Maze Road to the southerly city limits-----	25 miles per hour
GRANGER, from Tully to McHenry-----	25 miles per hour
GRISWOLD, from Virginia to McHenry-----	25 miles per hour
JEFFERSON, from Paradise Road to Eighth Street-----	25 miles per hour
KEARNEY, entire length in City-----	25 miles per hour
LA LOMA, entire length in City-----	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road----	25 miles per hour
MILLER, from LaLoma to Conejo-----	25 miles per hour
MORTON BOULEVARD, from Grand Street to LaLoma Avenue--	25 miles per hour

NEECE DRIVE, from Tuolumne Boulevard to
the southerly city limits--25 miles per hour

SUNRISE, from Lucerne to the northerly
city limits-----25 miles per hour

SUTTER, within the city limits-----35 miles per hour

TULLY ROAD, from Coldwell to
Woodman Way-----25 miles per hour

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1959, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

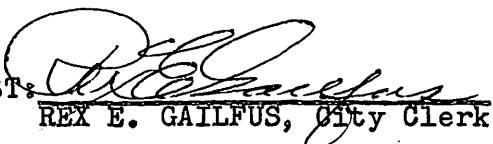
Ord. No. 308-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the council of the city of Modesto held on the 20 day of May, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: 
HARRY MARKS, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 4, 1959

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY BELONGING TO THE CITY OF MODESTO TO Y. K. SHIMMON AND BARBARA W. SHIMMON, HUSBAND AND WIFE.

WHEREAS, the City of Modesto owns that certain parcel of real property hereinafter described, and

WHEREAS, Y. K. Shimmon and Barbara W. Shimmon, husband and wife, desire to purchase said parcel of property,

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

SECTION 1. SALE AUTHORIZED. The sale of the following described real property to Y. K. Shimmon and Barbara W. Shimmon, for the sum of Fifteen Hundred (\$1,500) Dollars in accordance with the provisions of that certain Agreement referred to in Section 2 of this ordinance, is hereby approved. Said real property is described as follows:

That portion of Block 6000-A of the MENSINGER TRACT NO. 4, as per map filed August 1, 1946 in Volume 14 of Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at the Northwestern corner of the property conveyed to Y. K. Shimmon, et ux, recorded February 13, 1959 as Instrument 4193, Volume 1529, Page 263, Stanislaus County Records, said point being on the Eastern line of a 20 foot alley as shown on map of said MENSINGER TRACT NO. 4, thence North $88^{\circ} 51' 30''$ West, 39.99 feet along the Westerly extension of the Northern line of said Shimmon property, said line also being the Northern line of a 20 foot East-West alley; thence South $0^{\circ} 56'$ East, parallel with said Eastern line of alley, 75.00 feet to the intersection with the Westerly extension of the Southern line of said Shimmon property; thence South $88^{\circ} 51' 30''$ East, 39.99 feet along said Westerly extension of the Southern line of said Shimmon property to the Southwestern corner thereof; thence North $0^{\circ} 56'$ West, 75.00 feet along the Western line of said Shimmon property and the Eastern line of said alley to the point of beginning, containing 0.069 Acre, more or less.

Reserving therefrom a perpetual easement for utility purposes, together with the right of ingress thereto and egress therefrom, over, across, and under the following described land:

Beginning at the Northwestern corner of the above described land; thence along the Northern line of the above described property, South $88^{\circ} 51' 30''$ East, 5.00 feet; thence South $45^{\circ} 06' 15''$ West, 6.94 feet to the Western line of the above described property; thence along said Western line of the above described property, North $0^{\circ} 56'$ West, 5.00 feet to the point of beginning.

SECTION 2. APPROVAL OF AGREEMENT. That certain Agreement between the City of Modesto and Y. K. Shimmon and Barbara W. Shimmon, husband and wife, relating to the sale of certain real property, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said Agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said Agreement.

SECTION 3. EXECUTION OF DEED. That the Mayor and City Clerk be, and they are hereby authorized on behalf of the City, to execute and attest, respectively, a deed granting the aforesaid property to Y. K. Shimmon and Barbara W. Shimmon, husband and wife.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of May, 1959, by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 309-C.S.


FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of May, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 11, 1959

ORDINANCE NO. 310 -C.S.

AN ORDINANCE AMENDING SECTION 2-3.102 OF ARTICLE 1 OF CHAPTER 3 OF TITLE II AND SECTION 2-5.04 OF CHAPTER 5 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO ADMINISTRATION.

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

SECTION 1. AMENDMENT OF CODE. Section 2-3.102 of Article 1 of Chapter 3 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-3.102. ORGANIZATION AND DIRECTION. The City Manager is empowered to make such rules and regulations as he deems necessary for the conduct of the various administrative departments of the City which are under his jurisdiction. The City Manager is authorized to delegate the authority to make such rules and regulations to the heads of the various administrative departments under his jurisdiction.

SECTION 2. AMENDMENT OF CODE. Section 2-5.04 of Chapter 5 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-5.04. DIRECTOR OF PERSONNEL. There is hereby created the position of Director of Personnel. The City Manager shall be ex-officio Director of Personnel. The City Manager may delegate any of the powers and duties conferred upon him as Director of Personnel under this chapter to any other officer or employee of the City appointed by the City Manager, or he may recommend to the Council that any or all such powers and duties be performed under contract as provided in Section 2-5.19. The Director of Personnel or his designated representative shall:

- (a) Attend all meetings of the Personnel Commission.
- (b) Administer all the provisions of this chapter and of the personnel rules not specifically reserved to the Council or the Personnel Commission.
- (c) Prepare and recommend the adoption, amendment or repeal of personnel rules and regulations. The City Attorney shall approve the legality of such rules and regulations and revisions and amendments thereto prior to their submission to the Council.
- (d) Prepare and recommend a position classification plan, including class specifications, and revisions of the plan.
- (e) Prepare and recommend a plan of compensation, and revisions thereof, covering all classes for which the City Manager is the appointing authority.

(f) Publish or post notices of tests for positions in the Classified Service; receive applications therefor; conduct and grade tests; ^{and} certify to the person having the power of appointment a list of all persons eligible for appointment to the appropriate position in the Classified Service.

(g) Have authority to prepare and issue rules and regulations governing the conduct and performance of personnel under the administrative jurisdiction of the City Manager.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 3 day of June, 1959, By Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 310-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 25, 1959

ORDINANCE NO. 311 -C.S.

AN ORDINANCE AMENDING SECTION 7-3.108 OF ARTICLE 1 OF CHAPTER 3 OF TITLE VII OF THE MODESTO MUNICIPAL CODE RELATING TO INSURANCE REQUIREMENTS FOR COMMERCIAL OPERATORS AT THE MODESTO CITY-COUNTY AIRPORT.

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

SECTION 1. AMENDMENT OF CODE. Section 7-3.108 of Article 1 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.108. INSURANCE REQUIRED: COMMERCIAL OPERATORS. All persons operating aircraft at said airport for instruction, commercial purposes and/or carrying passengers or cargo for hire shall be required to file and deposit with the City Clerk a policy of insurance or certificate of insurance issued by a company licensed to write such insurance by the State of California, by the terms of which the company agrees to pay on behalf of the policy holder all claims for which said policy holder is legally liable arising out of the ownership, maintenance and use of the aircraft.

The limits of liability of said insurance shall not be less than One Hundred Thousand and no/100ths (\$100,000.00) Dollars for each person and Three Hundred Thousand and no/100ths (\$300,000.00) Dollars for each occurrence for bodily injury liability and Fifty Thousand and no/100ths (\$50,000.00) Dollars for each occurrence for property damage liability. In the event the aircraft owner desires to carry a single limit policy the limit of liability for each occurrence shall not be less than One Hundred Thousand and no/100ths (\$100,000.00) Dollars.

The policy of insurance shall not be cancelled at the election of the company except upon giving ten (10) days prior written notice thereof to the City Clerk. If cancellation is at the option of the insured the company shall be required to advise the City Clerk of such cancellation immediately.

No permit to use the airport commercially shall be granted without compliance with this section. In the event a permit to use the airport is granted and thereafter the insurance coverage required by the provisions of this section is cancelled or otherwise terminated, the permit previously granted shall be suspended until there has been compliance with this section.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 3 day of June, 1959, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 311-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 25, 1959

AN ORDINANCE AMENDING SECTION MAP 28 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 28 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

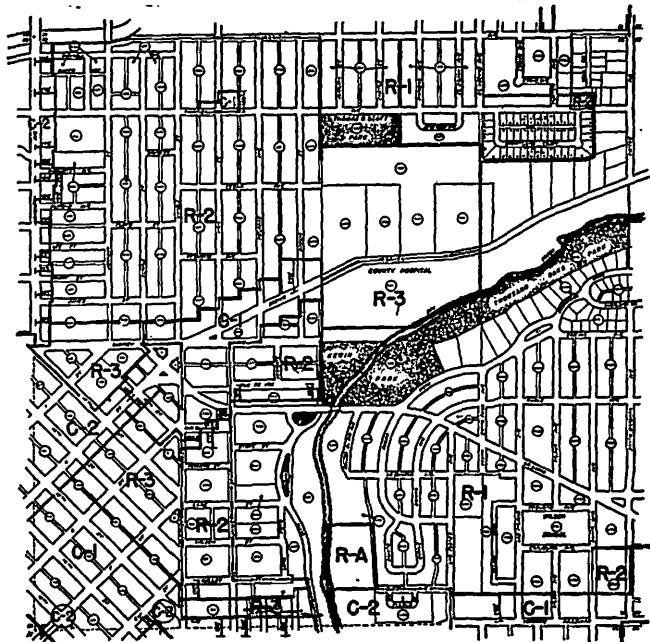
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of June, 1959, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: Don D. Hammond
DON D. HAMMOND, Mayor

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

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

SEC 22-3-9

FORM 2-27

Ordinance No. 312-C.S.

Ord. No. 312-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Martin

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 2, 1959

AN ORDINANCE AMENDING SECTION 2-1.03 OF CHAPTER 1 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO CITY COUNCIL AGENDA.

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.03 of Chapter 1 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-1.03. AGENDA. In order to facilitate the orderly conduct of the business of the Council, the City Clerk shall be notified no later than 2 o'clock P.M. of the Friday immediately preceding a regular Council meeting of all reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at such meeting. Immediately thereafter the City Clerk shall arrange a list of such matters according to the Order of Business and furnish each member of the Council, the City Manager, and the City Attorney and each department head with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. Unanimous consent of the Council must be obtained before matters not included on the agenda may be presented to the Council, except as hereinafter provided.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of June, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)


Ord. No. 313-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Martin

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 2, 1959

AN ORDINANCE AMENDING SECTION MAP 18 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOE NUNES, JR.)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 18 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 19 59, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

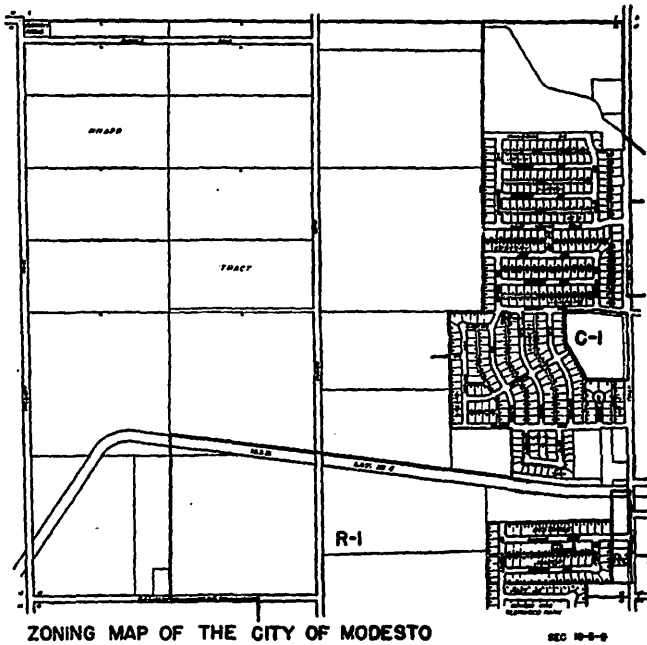
AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Martin

APPROVED: 

~~HARRY MARKS~~, Mayor
DON D. HAMMOND

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

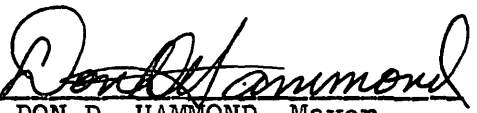


Ordinance No. 314-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1 day of July, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 16, 1959

AN ORDINANCE AMENDING SECTION 7-1.105 OF ARTICLE 1 OF CHAPTER 1 OF TITLE VII OF THE MODESTO MUNICIPAL CODE RELATING TO THE REPLACEMENT OF CURBING.

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

SECTION 1. AMENDMENT OF CODE. Section 7-1.105 of Article 1 of Chapter 1 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-1.105. REPLACEMENT OF CURBING. (a) WHEN REQUIRED. Curb cuts which are no longer required for reasonable vehicular access to the property served shall be replaced by the property owner. When the Superintendent of Streets finds that curb cuts and driveways which have been constructed are no longer so required he may, and upon instructions from the Council shall notify the owner or person in possession of the property to remove said curb cut and driveway and replace it in accordance with standard plans and specifications of the City. Notice to replace may be given by delivering a written notice personally to the owner of the property, or by mailing said notice to the owner thereof at his last known address as the same appears on the assessment rolls.

(b) FORM OF NOTICE. The notice shall specify what work is required to be done, and what materials shall be used in construction and shall further specify that if construction is not commenced within thirty (30) days after notice is given, and diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

(c) CONSTRUCTION BY STREET SUPERINTENDENT. If the construction is not commenced and prosecuted to completion with due diligence, the Superintendent of Streets shall forthwith perform the necessary work to remove the driveway and eliminate the curb cut.

(d) COLLECTION OF COST OF CONSTRUCTION. Upon completion of the work the Superintendent of Streets shall notify the property owner and the Director of Finance of the cost of the construction. The Director of Finance shall bill the property owner for the cost of the work and if the amount thereof is not paid within thirty (30) days from the date of billing, he shall record a notice of lien against the parcel of property fronting upon the curb so constructed which lien shall continue until the cost has been paid. The notice of lien may include claims against one or more separate parcels of property, whether contiguous or not, together with the amount due, respectively, from each such parcel.

(e) NOTICE OF LIEN. The notice of lien shall be delivered by the Director of Finance to the County Auditor who shall enter the amount thereof on the County Assessment book opposite the description of the particular property

and the amount shall be collected together with all other taxes thereon against the property. The notice of lien shall be delivered to the County Auditor before the date fixed by law for the delivery of the assessment book to the County Board of Equalization.

(f) MANNER OF COLLECTION OF LIEN. Thereafter the amount of the lien shall be collected at the same time and in the same manner as ordinary city taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary city taxes.

(g) EXEMPTION. The provisions of this section shall not apply to curb cuts in commercial or industrial zones or areas which are in existence on the effective date of this section.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of June, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Spaulding, Vander Wall, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX B. GAILFUS, City Clerk

(SEAL)

Ord. No. 315-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24 day of June, 1959, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 9, 1959

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1960, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto a proposed budget for the 1959-60 fiscal year has been submitted to the City Council by the City Manager, and the City Council has made such revisions as it has deemed advisable, and

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

WHEREAS, copies of the proposed budget have been and are available for inspection by the public at the Office of the City Clerk,

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

SECTION 1. That the "City of Modesto Preliminary Budget, 1959-60", presented by the City Manager to the City Council at its meeting held on May 13, 1959, and as thereafter amended by the City Council, a copy of which budget, as amended, is on file in the Office of the City Clerk, is hereby adopted as the budget for the City of Modesto for the fiscal year ending June 30, 1960, and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

SECTION 2. That the City Council is authorized by resolution to transfer funds from one department to another department and to transfer and authorize the expenditure of funds from the Reserves for specific purposes.

SECTION 3. That the City Manager is authorized to transfer funds within departmental budgets between the following classifications, to wit: Salaries, operating expenses, and capital outlay; and to transfer and expend funds from the Contingency Reserve for specific purposes.

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

SECTION 5. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24 day of June, 1959, by Councilman Martin, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Vander Wall, Mayor Hammond
NOES: Councilmen: None
ABSENT; Councilmen: Adams, Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

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

WHEREAS, a petition was filed with the City Clerk by _____
Robert P. Bomberger and John E. Hirleman

_____ on
_____ May 14 _____, 1959 _____, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the _____ SHERWOOD MANOR _____ ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 20th
day of _____ May _____, 1959, set said petition for hearing
at the hour of 4:30 o'clock p.m. on the 1st day of July _____,
1959, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee _____, a newspaper published in the City of
Modesto on June 2 _____, 1959, and on June 9 _____,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
June 2 _____, 1959, and on June 9 _____, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 1st day of July, 1959, at the hour of 4:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

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

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being portions of Lots 2, 3, 18, and 19 of the Coffee Colony as per map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at the Northeastern corner of the existing Corporate City Limits as established by the Northeast Addition, filed January 31, 1958 as Instrument 2427, Stanislaus County Records, said point being on the Southern line of a 40 foot public right-of-way known as Floyd Avenue and the Eastern line of a 40 foot

public right-of-way known as Sunrise Avenue as per map of Montgomery Village No. 2 subdivision, filed May 14, 1957 in Volume 18 of Maps, Page 68, as Instrument 12680, Stanislaus County Records, said point also being on the Western line of Lot 19 of said Coffee Colony and bearing South $0^{\circ} 38'$ East, 20.00 feet from the Northwestern corner of said Lot 19; thence along the existing City Limits and the Southern line of said Floyd Avenue, North $89^{\circ} 30' 30''$ West, 495.00 feet, to the intersection with the Southerly extension across Floyd Avenue of the Western line of property conveyed to Robert P. Bomberger by deed recorded January 14, 1959, Instrument 1085, Stanislaus County Records; thence along said Southerly extension and the Western line of said Bomberger property, North $0^{\circ} 39'$ West, 365.00 feet, to the Southern line of property conveyed to Robert P. Bomberger by deed recorded March 27, 1959, Instrument 8950, Stanislaus County Records; thence along the Southern line of last mentioned Bomberger property, North $89^{\circ} 30' 30''$ West, 6.00 feet, to the Southwest corner thereof; thence along the Western line of last mentioned Bomberger property, North $1^{\circ} 55' 40''$ West, 358.71 feet to the Northwestern corner thereof; thence along the Northern line of last mentioned Bomberger property, South $89^{\circ} 29' 50''$ East, 14.00 feet to the Northeastern corner thereof; thence along the Western line of said Bomberger property as mentioned in Instrument 1085, North $0^{\circ} 39'$ West, 616.60 feet to the Northwestern corner of said Bomberger property said point being on the Northern line of Lot 3 of said Coffee Colony; thence along the Northern line of said Bomberger property and the Northern line of said Lot 3, South $89^{\circ} 30'$ East, 495.00 feet to the Northeastern corner thereof; thence along the Northern line of Lot 2 of said Coffee Colony and the Northern line of property conveyed to Robert P. Bomberger by deed recorded December 2, 1958 as Instrument 30582, Stanislaus County Records, South $89^{\circ} 30'$ East, 661.22 feet to the Northeastern corner thereof; thence along the Eastern line of said Lot 2 and the Eastern line of said Bomberger property, South $0^{\circ} 36' 30''$ East, 1117.36 feet to the Southern line of property conveyed to John E. Hirleman by deed recorded April 13, 1959 as Instrument 10562, Stanislaus County Records; thence along said Southern line of Hirleman property, North $89^{\circ} 30' 30''$ West, 100.00 feet to the Western line of property conveyed to James H. Wilson, et ux, by deed recorded December 17, 1953 as Instrument 31388, Stanislaus County Records; thence along said Western line of Wilson property and its Southerly extension across Floyd Avenue, South $0^{\circ} 36' 30''$ East, 222.50 feet to the Southern line of said Floyd Avenue; thence along said Southern line of Floyd Avenue, North $89^{\circ} 30' 30''$ West, 560.00 feet to the point of beginning containing 35.116 acres, more or less.

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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of July, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

APPROVED: 

~~HARRY MARKS~~ - Mayor
DON D. HAMMOND, MAYOR

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 318 -C.S.

AN ORDINANCE AMENDING SECTIONS 7-3.412 AND 7-3.415 OF ARTICLE 4 OF CHAPTER 3 OF TITLE VII OF THE MODESTO MUNICIPAL CODE RELATING TO PERMANENTLY BASED AND TRANSIENT COMMERCIAL SERVICES AT THE MODESTO CITY-COUNTY AIRPORT.

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

SECTION 1. AMENDMENT OF CODE. Section 7-3.412 of Article 4 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.412. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport shall pay to the City the sum of One hundred fifty and no/100ths (\$150.00) Dollars per year, payable in advance, for the privilege of engaging in business in the City and on the airport. Said sum shall be payable on a fiscal year basis.

The requirements of this section shall be in lieu of the license requirements imposed by Chapter 1 of Title VI of the Modesto Municipal Code.

SECTION 2. AMENDMENT OF CODE. Section 7-3.415 of Article 4 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.415. TRANSIENT COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport, shall pay to the City a license fee in the sum of One Hundred fifty and no/100ths (\$150.00) Dollars payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths (\$90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the airport and its facilities.

The requirements of this section shall be in lieu of the license requirements imposed by Chapter 1 of Title VI of the Modesto Municipal Code.

An operator shall be considered as "temporarily based" at the Modesto City-County Airport within the meaning of this chapter, unless said operator maintains an office at said airport and intends to engage in business from said base for a consecutive period of not less than six (6) months in duration. The requirements of this section may be modified or waived by action of the Council during such times as are declared by it to be periods of public emergency.

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

its final passage and adoption, provided, however, that the provisions of this ordinance shall apply retroactively as of July 1, 1959.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 1 day of July, 1959, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

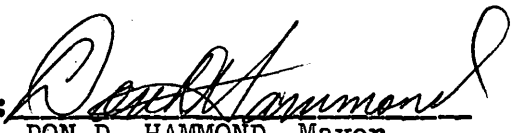
FINAL ADOPTION CLAUSE

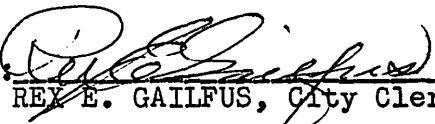
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, Councilman Martin moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 23, 1959

AN ORDINANCE ADDING SECTION 3-2.1105 TO ARTICLE 11 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO TRAFFIC REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1105 is hereby added to Article 11 of Chapter 2 of Title III of the Modesto Municipal Code to read as follows:

SEC. 3-2.1105. STOPPING, STANDING OR PARKING OF VEHICLES IN ROADWAY. No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the main travel portion of the street when it is practicable to stop, park or so leave such vehicle off such part or portion of said street but in every event an unobstructed width of the street opposite a standing vehicle shall be left for the free passage of other vehicles. This section shall not apply upon a street where the roadway is bounded by adjacent curbs.

This section shall not apply to the driver of any vehicle which is disabled in such manner and such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle on the main travel portion of a street.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 1 day of July, 1959, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 319-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15 day of July, 1959, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 30, 1959

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS ROBERTSON-FIRST ADDITION TO
THE CITY OF MODESTO.

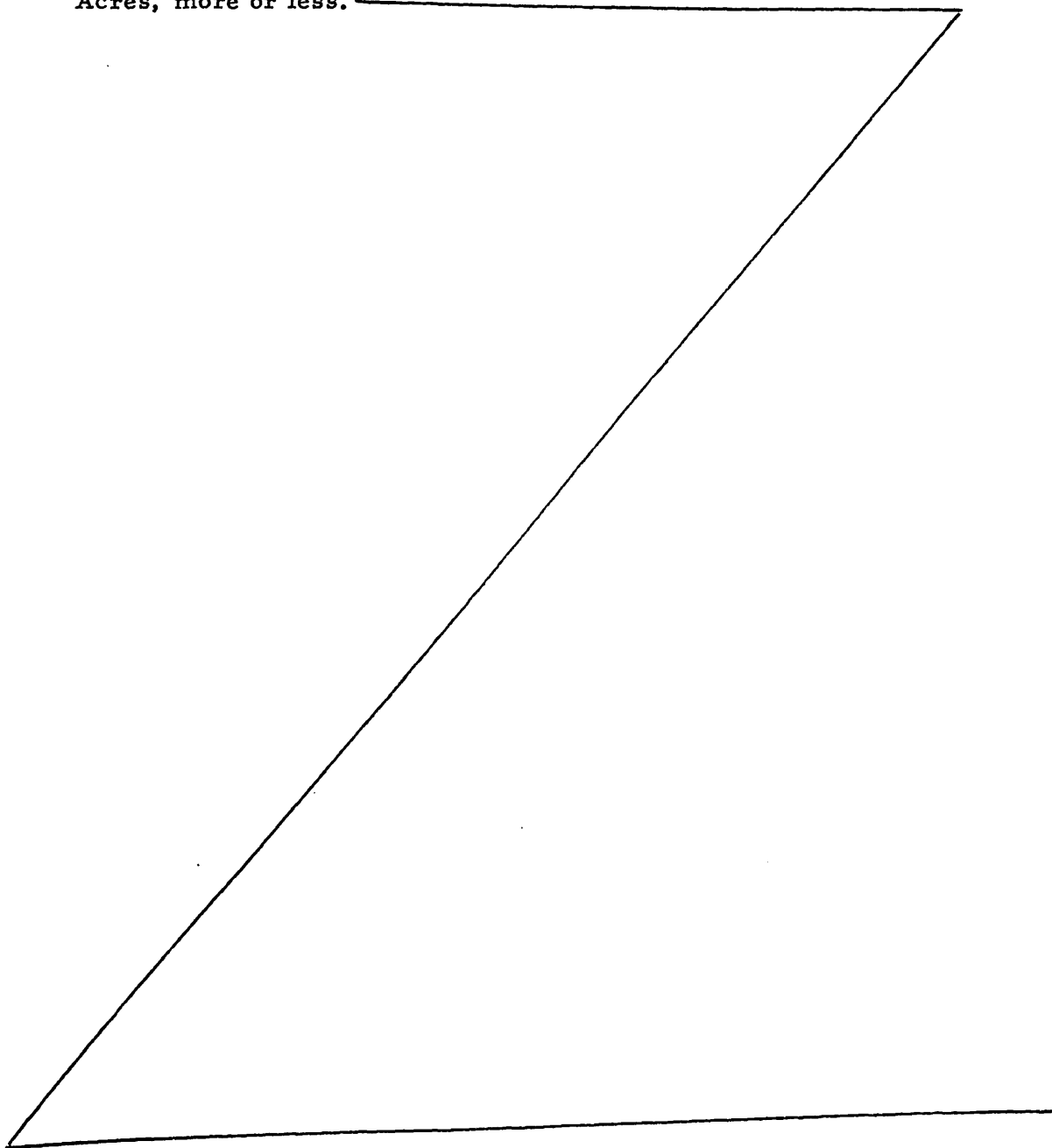
WHEREAS, on the 20th day of May, 1959,
pursuant to the provisions of the Annexation of Uninhabited Terri-
tory Act of 1939, the Council of the City of Modesto, on its own
motion, adopted Resolution No. 59-215 giving notice of the pro-
posed annexation of certain uninhabited territory to the City of
Modesto, hereinafter described and designated as _____
ROBERTSON-FIRST ADDITION, situate in the County of Stan-
islaus, State of California, and contiguous to the City of Modesto,
and

WHEREAS, said Resolution No. 59-215 set forth the
intention of the City of Modesto to annex said territory and
fixed the day, hour and place when and where the Council would
hear protests made by any person owning real property within the
territory proposed to be annexed, the time of said hearing being
not less than forty (40) nor more than sixty (60) days from the
date of passage of said resolution, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections
to the proposed annexation was published in newspapers of general
circulation to wit: The Modesto Bee, a newspaper
published in the City of Modesto on June 9th, 1959,
and June 16th, 1959; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on June 9th, 1959, and
June 16th, 1959, for the time and in the manner
required by law, which publications were completed at least twenty
(20) days prior to the date set for hearing; that written notice
of the proposed annexation has been mailed by the City Clerk of
the City of Modesto to each person to whom land within the terri-
tory proposed to be annexed was assessed on the last equalized

All that certain real property situate in the State of California, County of Stanislaus, Sections 6 and 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 1, 2, 3 and 4, Block 9155 of River View Tract, filed February 28, 1946, in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950, as Instrument 5120, Stanislaus County Records, said point also being on the Eastern line of Robertson Park Playground, as per map of said River View Tract, and bearing South $0^{\circ} 06' 37''$ West, 200.00 feet from the intersection of the Eastern line of said Robertson Park Playground and the Southern line of Fairfield Road as per map of said River View Tract; thence along said City Limits, North $89^{\circ} 40'$ East, 1581.21 feet to the Eastern line of Lot 1; thence along the Eastern line of said Lot 1, North, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from said Southern line of Fairfield Road, South $89^{\circ} 40'$ West, 1581.03 feet to the Eastern line of said Robertson Park Playground; thence along said Eastern line of Robertson Park Playground, South $0^{\circ} 06' 37''$ West, 95.00 feet to the point of beginning, containing 3.448 Acres, more or less.



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

WHEREAS, on the 8th day of July, 19⁵⁹, at the hour of 8:00 o'clock p.m., in the Council Chambers in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

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

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

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 35080 and 35081 of the Government Code of the State of California relating to the filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Martin, who moved its adoption and passage to print, which motion being duly seconded by Councilman Vander Wall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS ROBERTSON-SECOND ADDITION TO
THE CITY OF MODESTO.

WHEREAS, on the 20th day of May, 1959, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, the Council of the City of Modesto, on its own motion, adopted Resolution No. 59-216 giving notice of the proposed annexation of certain uninhabited territory to the City of Modesto, hereinafter described and designated as ROBERTSON-SECOND ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, said Resolution No. 59-216 set forth the intention of the City of Modesto to annex said territory and fixed the day, hour and place when and where the Council would hear protests made by any person owning real property within the territory proposed to be annexed, the time of said hearing being not less than forty (40) nor more than sixty (60) days from the date of passage of said resolution, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on June 9, 1959, and June 16, 1959; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 9, 1959, and June 16, 1959, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized

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

WHEREAS, on the 8th day of July, 1959, at the hour of 8:00 o'clock p.m., in the Council Chambers in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

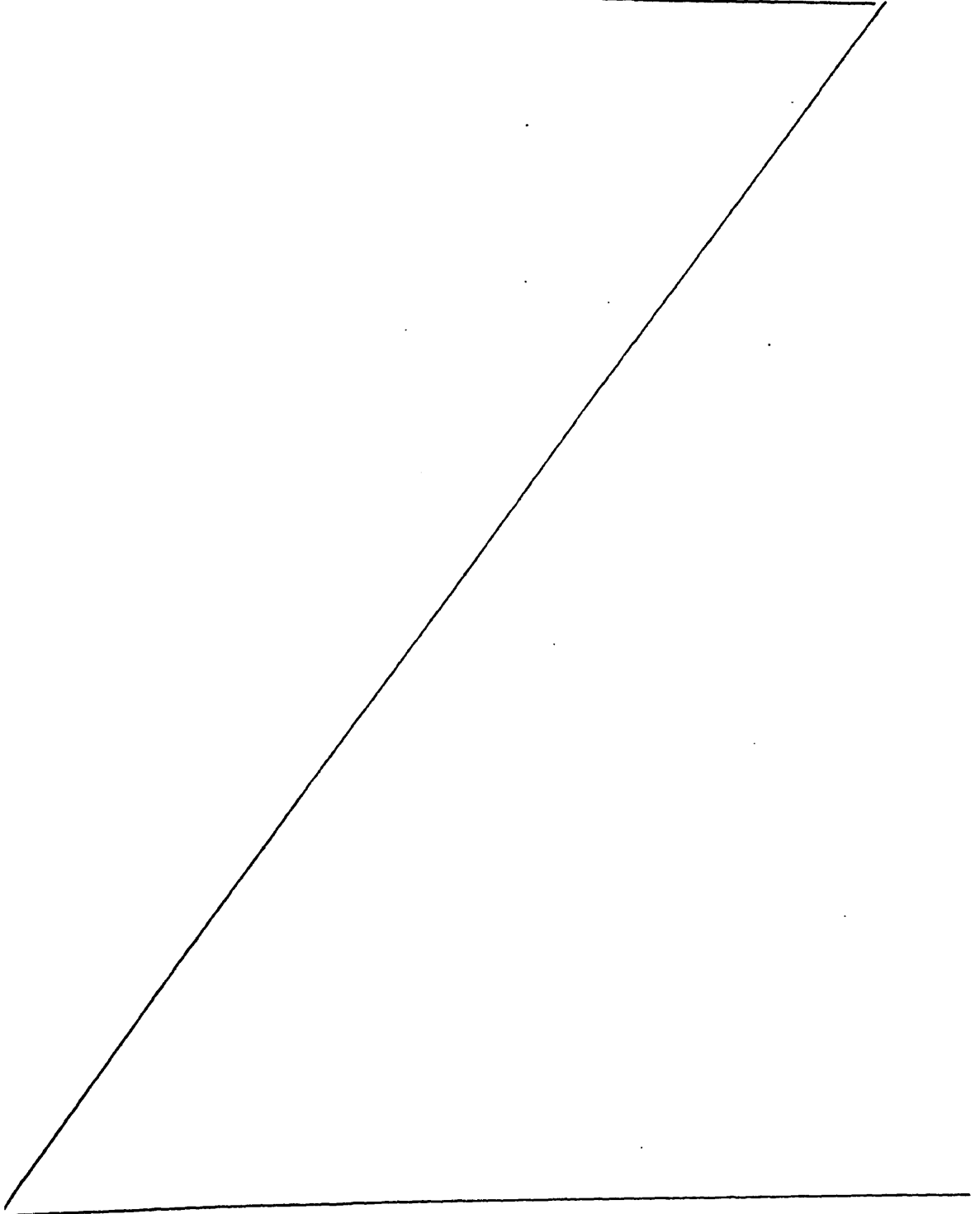
NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

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

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

All that pertain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 5 and 6, Block 9155 of River View Tract, filed February 28, 1946, in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950, as Instrument 5120, Stanislaus County Records, said point being on the Western line of Robertson Park Playground, as per map of said River View Tract, and bearing South $0^{\circ} 12'$ West, 200.00 feet from the Southern line of John Street as per map of said River View Tract; thence along said City Limits, South $89^{\circ} 40'$ West, 611.10 feet to the Western line of said Lot 6; thence continuing along said City Limits, North $0^{\circ} 17' 30''$ East, 95.00 feet; thence North $89^{\circ} 40'$ East, 610.95 feet to the Western line of said Robertson Park Playground; thence along the Western line of said Robertson Park Playground, South $0^{\circ} 12'$ West, 95.00 feet to the point of beginning, containing 1.333 acres, more or less.



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

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 35080 and 35081 of the Government Code of the State of California relating to the filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Martin, who moved its adoption and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS ROBERTSON-THIRD ADDITION TO
THE CITY OF MODESTO.

WHEREAS, on the 20th day of May, 19 59, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, the Council of the City of Modesto, on its own motion, adopted Resolution No. 59-217 giving notice of the proposed annexation of certain uninhabited territory to the City of Modesto, hereinafter described and designated as _____
ROBERTSON-THIRD ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, said Resolution No. 59-217 set forth the intention of the City of Modesto to annex said territory and fixed the day, hour and place when and where the Council would hear protests made by any person owning real property within the territory proposed to be annexed, the time of said hearing being not less than forty (40) nor more than sixty (60) days from the date of passage of said resolution, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on June 9, 19 59, and June 16, 19 59; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 9, 19 59, and June 16, 19 59, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized

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

WHEREAS, on the 8th day of July, 1959, at the hour of 8:00 o'clock p.m., in the Council Chambers in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

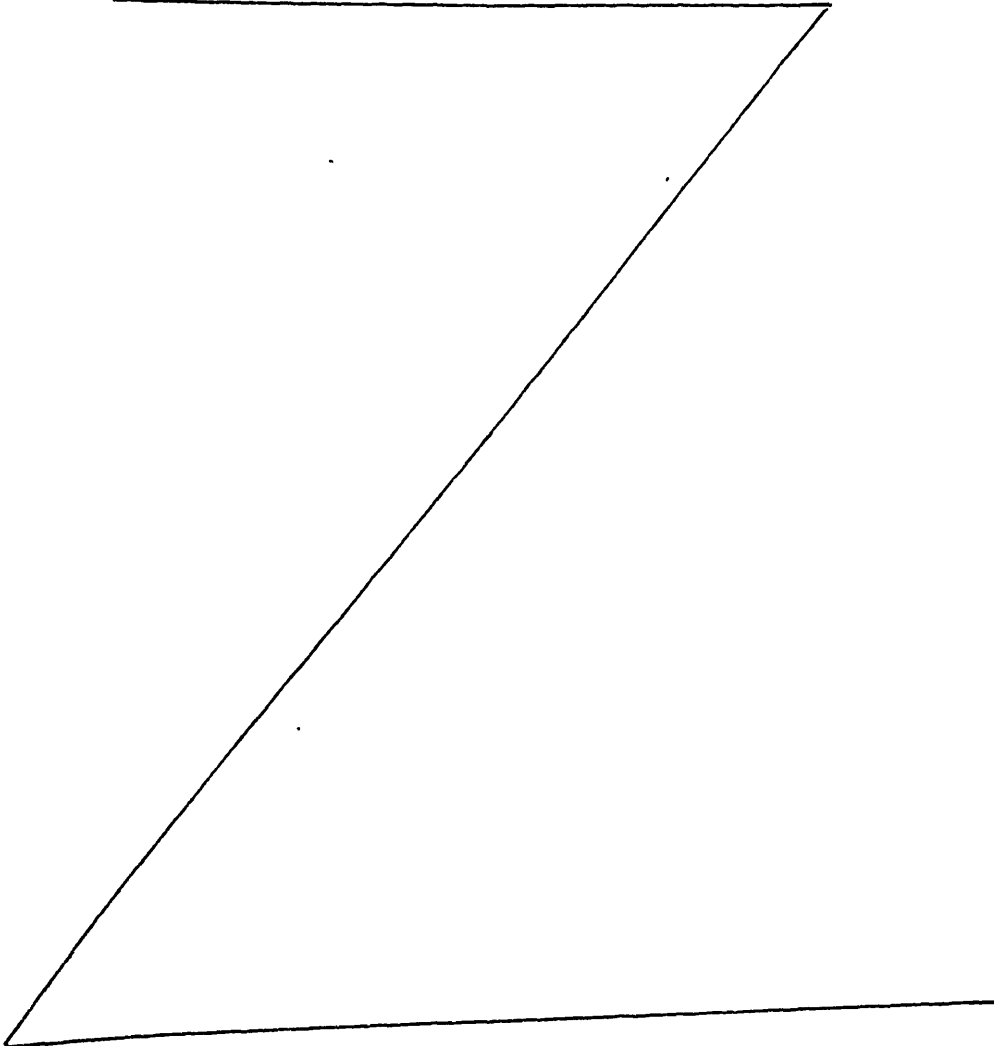
NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

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

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

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 7 and 8, Block 9155 of River View Tract, filed February 28, 1946 in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being on the Western line of said Lot 8 and bearing South $0^{\circ} 01' 20''$ West, 209.58 feet from the Southern line of Donald Street as per map of said River View Tract; thence along said City Limits line and the Western line of said Lot 8, North $0^{\circ} 01' 20''$ East, 95.00 feet; thence along a line parallel with and 105.00 feet at right angles Southerly from the Southern line of said Donald Street, North $89^{\circ} 47' 30''$ East, 657.90 feet to its intersection with the Western line of Marlow Street as per map of said River View Tract; thence along the Western line of said Marlow Street, South $0^{\circ} 17' 30''$ West, 0.42 feet; thence continuing along the Western line of said Marlow Street on a tangent curve concave to the Northeast, having a radius of 163.21 feet, a central angle of $35^{\circ} 17' 50''$, a distance of 100.55 feet to a point on the existing City Limits; thence along said City Limits, South $89^{\circ} 47' 30''$ West, 687.48 feet, to the point of beginning, containing 1.468 acres, more or less.



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

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 35080 and 35081 of the Government Code of the State of California relating to the filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 19 59, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen:Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen:None

ABSENT: Councilmen:Adams, Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS ROBERTSON-FOURTH ADDITION TO
THE CITY OF MODESTO.

WHEREAS, on the 20th day of May, 1959, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, the Council of the City of Modesto, on its own motion, adopted Resolution No. 59-218 giving notice of the proposed annexation of certain uninhabited territory to the City of Modesto, hereinafter described and designated as _____
ROBERTSON-FOURTH ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, said Resolution No. 59-218 set forth the intention of the City of Modesto to annex said territory and fixed the day, hour and place when and where the Council would hear protests made by any person owning real property within the territory proposed to be annexed, the time of said hearing being not less than forty (40) nor more than sixty (60) days from the date of passage of said resolution, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on June 9, 1959, and June 16, 1959; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 9, 1959, and June 16, 1959, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized

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

WHEREAS, on the 8th day of July, 1959, at the hour of 8:00 o'clock p.m., in the Council Chambers in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

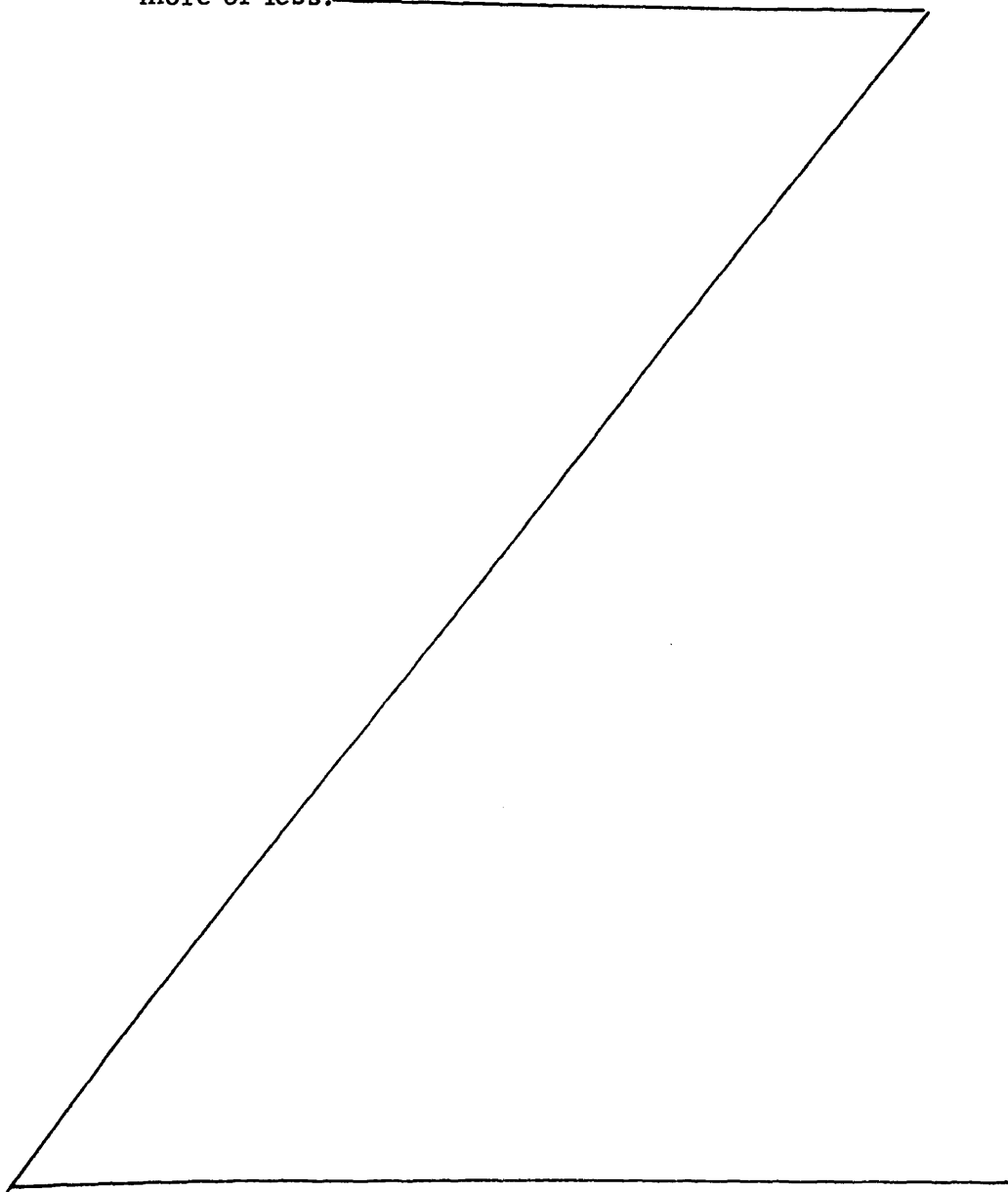
NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

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

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

All that certain real property situate in the State of California, County of Stanislaus, Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lots 9 and 10, Block 9155 of River View Tract, filed February 28, 1946, in Volume 14 of Maps, Page 44, Stanislaus County Records, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Modesto Sewage Disposal Plant Area Addition, filed March 7, 1950, as Instrument 5120, Stanislaus County Records, said point being on the Western line of Vernon Avenue as per map of River View Tract, and bearing South $0^{\circ} 01' 20''$ West, 200.01 feet from the Southern line of Kenneth Street as per map of said River View Tract; thence along said City Limits, South $89^{\circ} 49' 10''$ West, 659.72 feet to the Western line of said Lot 10; thence along the Western line of said Lot 10, North $0^{\circ} 14' 50''$ West, 95.00 feet; thence along the line parallel with and 105.00 feet at right angles Southerly from the Southern line of said Kenneth Street, North $89^{\circ} 49' 10''$ East, 660.16 feet to the Western line of said Vernon Avenue; thence along the Western line of said Vernon Avenue, South $0^{\circ} 01' 20''$ West, 95.00 feet, to the point of beginning, containing 1.439 acres, more or less.



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

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 35080 and 35081 of the Government Code of the State of California relating to the filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen:Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen:None

ABSENT: Councilmen:Adams, Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by _____
SPORTSMEN OF STANISLAUS, LORNA D. STURM and NORMAN

A. STURM _____ on

_____ May 6 _____, 1959 _____, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the _____ CLUB HOUSE _____ ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th
day of _____ May _____, 1959 _____, set said petition for hearing
at the hour of 8:15 o'clock p.m. on the 8th day of _____ July _____,
1959 _____, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The _____ Modesto Bee _____, a newspaper published in the City of
Modesto on _____ June 10 _____, 1959 _____, and on _____ June 17 _____,
1959 _____; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
_____ June 10 _____, 1959 _____, and on _____ June 17 _____, 1959 _____,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 8th day of July, 1959, at the hour of 8:15 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

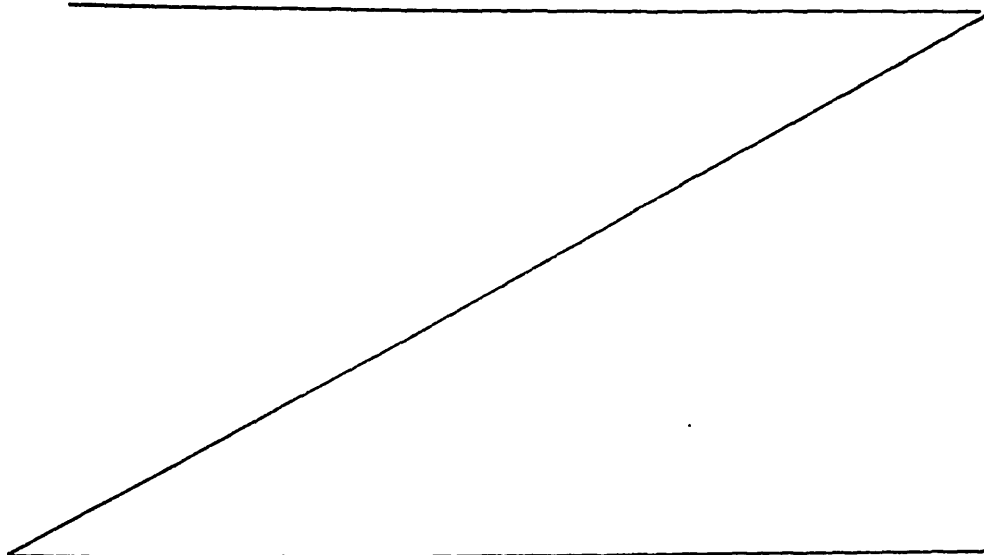
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 10 and 11 of the Rouse Colony as per map filed January 10, 1911, in Volume 5 of Maps, Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing corporate limits of the City of Modesto and the Northern line of the Dryden-Durand Addition, according to the boundary description filed June 23, 1955 as Instrument 18187, Stanislaus County Records, said point being the intersection of the center line of Sunset Avenue

and the extension of the Southeastern line of Neece Drive as per map of the Durand Tract, filed January 21, 1947, in Volume 16 of Maps, Page 19, Stanislaus County Records; thence North $30^{\circ} 46' 30''$ East, 220.51 feet along the City limits and the Southeastern line of said Neece Drive to the Western line of the Durand Addition, according to the boundary description filed March 10, 1959 as Instrument 6806, Stanislaus County Records; thence continuing along the city limits and said Southeastern line of Neece Drive, North $30^{\circ} 46' 30''$ East, 276.44 feet to the Easterly extension across Neece Drive of the Southern line of Don Street as per map of said Durand Tract; thence West, 272.40 feet, along said Southern line of Don Street and its Easterly and Westerly extension to the Western line of said Sunset Avenue; thence South $0^{\circ} 15'$ West, 10.00 feet, to a point on the Northern line of property conveyed to the Sportsmen of Stanislaus, by deed recorded March 4, 1959, as Instrument 6319, Stanislaus County Records, said point also being on the Northern line of Lot 11 of said Rouse Colony; thence North $89^{\circ} 45'$ West, 614.65 feet, along said Northern line of the Sportsmen of Stanislaus property to the Northwestern corner thereof; thence South $0^{\circ} 15'$ West, 215.30 feet along the Western line of said Sportsmen of Stanislaus property; thence South $89^{\circ} 45'$ East, 210.00 feet; thence South $0^{\circ} 15'$ West, 139.00 feet to the Southern line of said Sportsmen of Stanislaus property and the Northern line of property conveyed to the City of Modesto by deed recorded March 4, 1959 as Instrument 6320, Stanislaus County Records; thence continuing South $0^{\circ} 15'$ West 36.00 feet along the boundary of said City property; thence North $89^{\circ} 45'$ West 210.00 feet to the Northwestern corner of said City property; thence South $0^{\circ} 15'$ West 264.22 feet along the Western line of said City property to its intersection with the Southern line of said City property; thence South $89^{\circ} 45'$ East, 309.65 feet, along the Southern line of said City property to a point on the existing city limits according to the boundary description of said Dryden-Durand Addition; thence continuing along said city limits and the Eastern line of said City property, North $0^{\circ} 15'$ East, 264.22 feet; thence South $89^{\circ} 45'$ East, 325.00 feet along said city limits to the Eastern line of said City property, said Eastern line being the center line of said Sunset Avenue; thence South $0^{\circ} 15'$ West, 26.80 feet along said center line of Sunset Avenue and the existing city limits to the true point of beginning, containing 7.958 acres, more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM ANTHONY SILVERIA AND ROXY SILVERIA.

WHEREAS, Anthony Silveria and Roxy Silveria own that certain parcel of real property hereinafter described, and

WHEREAS, the City of Modesto desires to purchase said real property for use for municipal purposes,

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

SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property with improvements thereon, from Anthony Silveria and Roxy Silveria, husband and wife, for the sum of Twelve thousand five hundred and no/100ths (\$12,500.00) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

A portion of Lot 15, of SPENCER COLONY, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 16, 1904 in Volume 2 of Maps, at page 3, more particularly described as follows:

Commencing at the East quarter corner of Section 31, in Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and running thence South $89^{\circ} 43' 30''$ West 30 feet, and North 255 feet to the true point of beginning of the land herein described; thence continuing North 150 feet; thence West 370 feet; thence South 150 feet; thence East 370 feet to the point of beginning.

Containing 1.27 acres, more or less.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Anthony Silveria and Roxy Silveria, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Anthony Silveria and Roxy Silveria,

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of July, 1959, by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

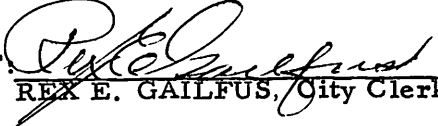
AYES: Councilmen: Knoles, Martin, Spaulding, Vander Wall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 325-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15 day of July, 1959, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 30, 1959

AN ORDINANCE AMENDING THE MODESTO MUNICIPAL CODE BY ADDING SECTION 4-2.32 TO CHAPTER 2 OF TITLE IV AND REPEALING ARTICLE 5 OF CHAPTER 1 OF TITLE IV RELATING TO FORTUNE TELLING.

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

SECTION 1. AMENDMENT OF CODE. Section 4-2.32 is hereby added to Chapter 2 of Title IV to read as follows:

SEC. 4-2.32. FORTUNE TELLING. (a) Regulations. No person shall advertise by sign, circular, handbill, or in any newspaper, periodical or magazine, or other publication or publications, or by any other means, to tell fortunes, to find or restore lost or stolen property, to locate oil wells, gold or silver or other ore or metal or natural product; to restore lost love or friendship or affection, to unite or procure lovers, husbands, wives, lost relatives or friends, for or without pay, by means of occult or psychic powers, faculties or forces, clairvoyance, psychology, psychometry, spirits, mediumship, seership, prophecy, astrology, palmistry, necromancy, or other craft, science, cards, talismen, charms, potions, magnetism or magnetized articles or substances, oriental mysteries or magic of any kind or nature, or numerology, or to engage in or carry on any business the advertisement of which is prohibited by this section.

(b) Exemptions. The provisions of the preceding section shall not be construed to include, prohibit or interfere with the exercise of any religious or spiritual function or any priest, minister, rector, or an accredited representative of any bona fide church or religion, where such priest, minister, rector or accredited representative holds a certificate of credit, commission or ordination under the ecclesiastical laws of a religious corporation incorporated under the laws of any state or territory of the United States of America, or any voluntary religious association, and who fully conforms to the rites and practices prescribed by the supreme conference, convocation, convention, assembly, association, or synod of the system or faith with which they are affiliated. Provided, however, that any church or religious organization which is organized for the primary purpose of conferring certificates of commission, credit or ordination for a price, and not primarily for the purpose of teaching and practicing a religious doctrine or belief, shall not be deemed to be a bona fide church or religious organization.

SECTION 2. REPEALS. Article 5 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 22 day of July, 1959, by

Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata, Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
and Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 20, 1959

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL CODE BY ADDING ARTICLE 6 THERETO RELATING TO PREVENTION OF DISEASE.

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

SECTION 1. AMENDMENT OF CODE. Article 6 entitled "Prevention of Disease" is hereby added to Chapter 1 of Title V of the Modesto Municipal Code to read as follows:

ARTICLE 6. PREVENTION OF DISEASE.

SEC. 5-1.601. CONTAGIOUS DISEASE: PREVENTION OF. The Health Officer of the City of Modesto, knowing or having reason to believe that any contagious disease exists, or has recently existed, within the City of Modesto, shall take such measures as may be necessary to prevent the spread of the disease.

SEC. 5-1.602. VENEREAL DISEASE: QUARANTINE AND/OR EXAMINATION. (a) The Health Officer or his duly authorized representative, is hereby authorized and directed to quarantine and/or examine any person of either sex whom he has reasonable grounds to believe is afflicted with a venereal disease and is likely to expose others thereto.

(b) Owing to the prevalence of such diseases among sex offenders, the arrest of any person of either sex for vagrancy involving a sex offense, prostitution, being a keeper, inmate, employee, or frequenter of a house of ill fame, prostitution, or assignation, being a lewd or dissolute person, or adultery, lewd or lascivious conduct, or other criminal charge involving a sex offense is to be considered and is hereby declared to furnish reasonable grounds for the examination provided for in subsection (a) of this section; provided, however, it shall be the duty of the Health Officer or his duly authorized representative to examine into each such arrest and the circumstances leading thereto, in order to determine whether there exists in fact reasonable grounds to believe the arrested person to be afflicted with a venereal disease. The term "prostitution" as used in this subsection shall include the giving or receiving of the body for sexual intercourse for hire and the giving or receiving of the body for indiscriminate sexual intercourse without hire.

(c) In furtherance of the purpose of subsections (a) and (b) of this section, the Health Officer or his duly authorized representative shall have the power to quarantine and/or examine in such manner and by such methods as modern science has found to be proper, all persons taken into custody by the Police Department of the City of Modesto who are suspected by the Health Officer or his duly authorized representative of being afflicted with any venereal disease.

(d) No person convicted of any of the charges mentioned in subsection (b) of this section shall be released until examined for such venereal diseases by the Health Officer or his duly authorized representative.

(e) In addition to the power and duties herein mentioned and the other powers and duties imposed upon him, the said Health Officer shall have the power to make and promulgate such rules and regulations as are reasonably necessary for the prevention and control of venereal disease in this city, and to effectuate the provisions of this section.

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

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

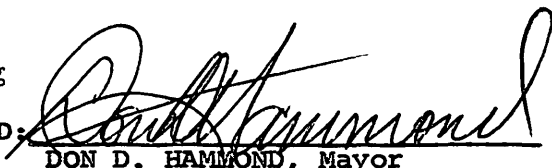
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

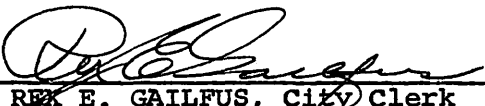
NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 20, 1959

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

WHEREAS, a petition was filed with the City Clerk by Frank J. Francek, Mary J. Francek, Joseph Candela, Josephine Candela, Newton S. Johnson, Margaret E. Johnson, Joseph Chirco, Jr., and Margaret Chirco

on
June 10, 1959, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the MONTGOMERY VILLAGE ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 10th day of June, 1959, set said petition for hearing at the hour of 8:30 o'clock p.m. on the 22nd day of July, 1959, in the Council Chamber at the McHenry Public Library located at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on June 23, 1959, and on June 30, 1959; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 23, 1959, and on June 30, 1959, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the

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

WHEREAS, on the 22nd day of July, 1959, at the hour of 8:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

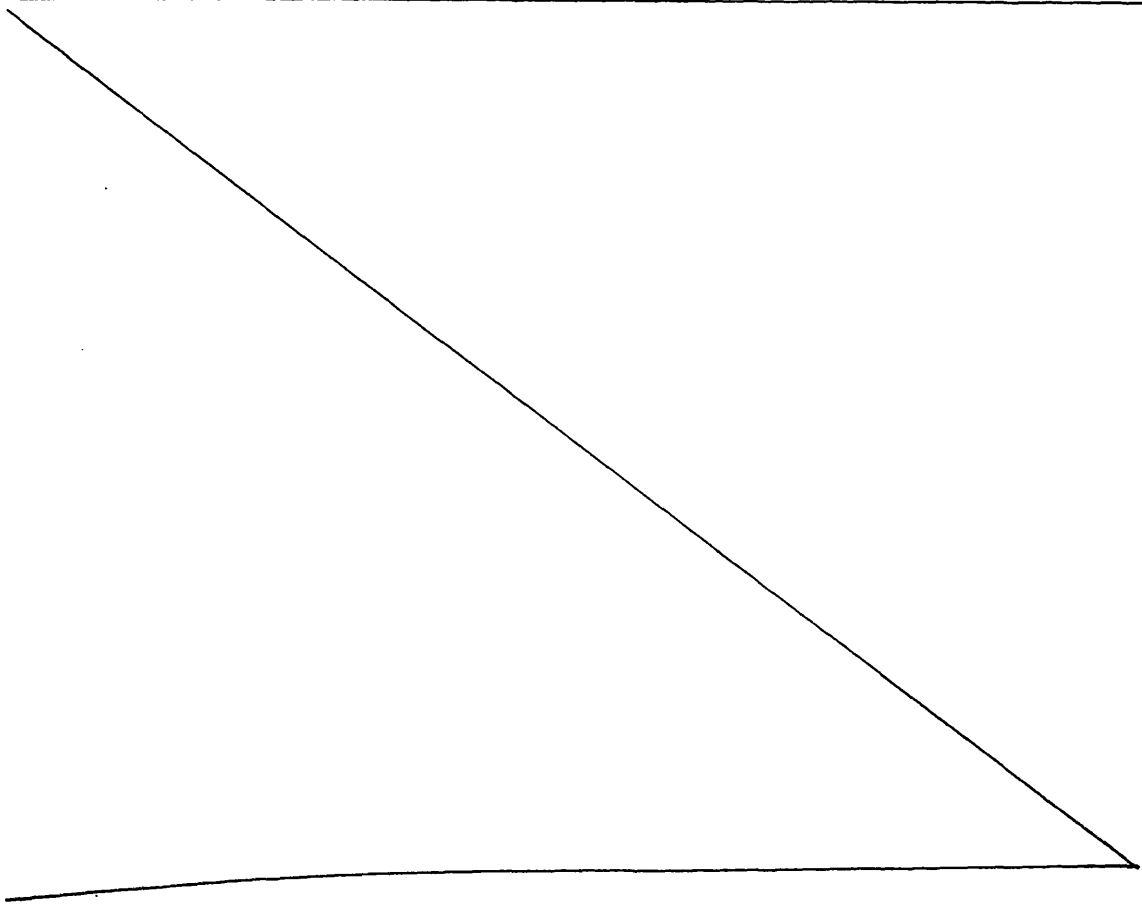
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 2 and 19 of the COFFEE COLONY, as per map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at the Northeastern corner of the existing Corporate City Limits as established by the Northeast Addition, filed January 31, 1958 as Instrument 2427, Stanislaus County Records, said point being on the Southern line of a 40 foot public right-of-way known as Floyd Avenue and the Eastern line of a 40 foot public right-of-way known as Sunrise Avenue as per map of Montgomery Village No. 2 Subdivision, filed May 14, 1957 in Volume 18 of

Maps, as Instrument 12680, Stanislaus County Records, said point also being on the Western line of Lot 19 of said Coffee Colony and bearing Southerly 20.00 feet from the Northwestern corner of said Lot 19; thence along the Southern line of said Floyd Avenue, South $89^{\circ} 30' 30''$ East, 560.26 feet to the Southerly extension across Floyd Avenue of the Western line of property conveyed to James H. Wilson, et ux, by deed recorded December 17, 1953 as Instrument 31388, Stanislaus County Records; thence along said Southerly extension and the Western line of said Wilson property, North $0^{\circ} 36' 30''$ West, 222.50 feet to the Southwestern corner of property conveyed to John E. Hirleman by deed recorded April 13, 1959 as Instrument 10562, Stanislaus County Records; thence along the Southern line of said Hirleman property, South $89^{\circ} 30' 30''$ East, 100.00 feet to the Southeastern corner thereof and the Eastern line of said Wilson property, said line also being the Eastern line of said Lot 2 of Coffee Colony; thence along said Eastern line of Lot 2, South $0^{\circ} 36' 30''$ East, 202.50 feet to the Southeastern corner of said Lot 2 and the Northeastern corner of said Lot 19; thence along the Eastern line of said Lot 19, South $0^{\circ} 49' 45''$ East, 1319.95 feet to the Southeastern corner of said Lot 19; thence along the Southern line of said Lot 19, North $89^{\circ} 31' 45''$ West, 660.84 feet to the Southwestern corner of said Lot 19 and the existing City Limits; thence along the existing City Limits and the Western line of said Lot 19, North $0^{\circ} 48' 15''$ West, 1300.18 feet to the point of beginning, containing 20.22 Acres, more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of July, 1959, by Councilman Martin, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED:


HARRY-MARKS, Mayor
DON D. HAMMOND

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 19 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CARVERWOOD ADDITION)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 19 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 19th day of August, 1959, by Councilman Martin, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Knoles, Mayor Pro Tempore V nderWall

NOES: Councilmen: None

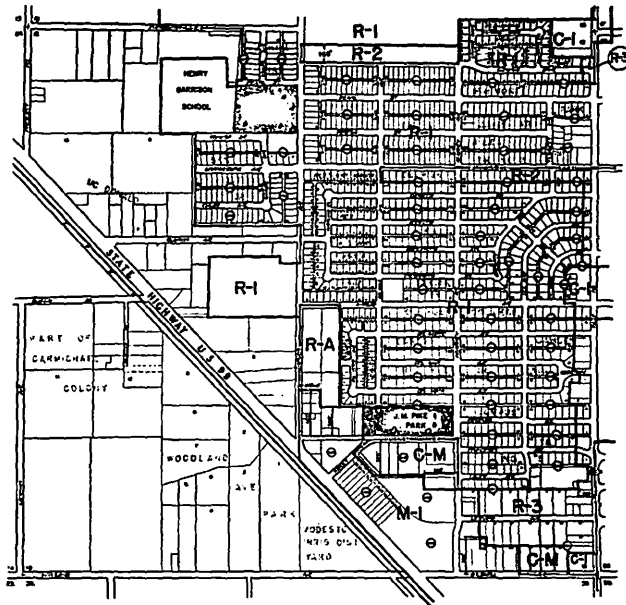
ABSENT: Councilmen: Spaulding and Mayor Hammond

ATTEST: REX E. GAILFUS, City Clerk

APPROVED: Don D. Hammond

HARRY MARKS Mayor
Don D. Hammond

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

SEE 15-3-9
 THE CITY OF MODESTO, CALIFORNIA

Ordinance No. 329-C.S.

Ord. No. 329-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Mayor

Hammond

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 17, 1959

AN ORDINANCE AMENDING SECTION MAP 31 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PARADISE CENTER NO. 2)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 31 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 19th day of August, 19 59, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin
Mayor Pro Tempore VanderWall

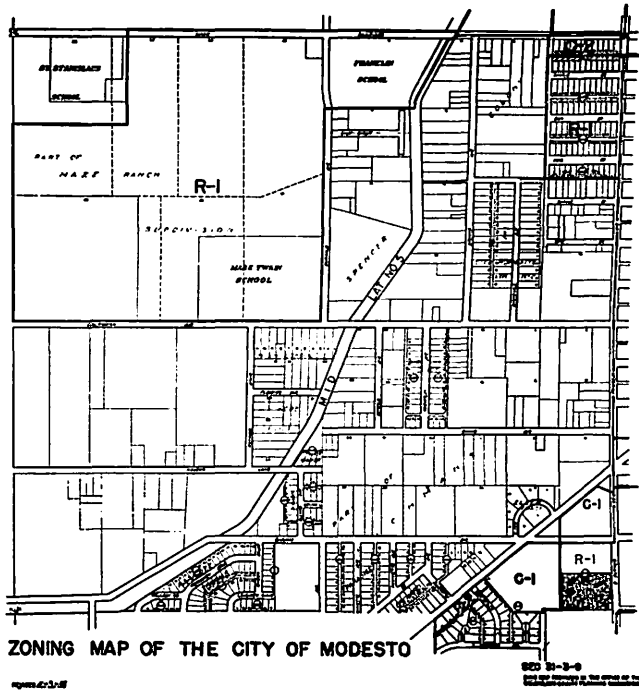
NOES: Councilmen: None

ABSENT: Councilmen: Spaulding and Mayor Hammond

APPROVED: [Signature]
HARRY MARRS, Mayor

ATTEST: [Signature]
REX E. GAILFUS, City Clerk

(SEAL)



Ordinance No. 330-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2 day of September, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, Mayor
Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 17, 1959

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1959-60.

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

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

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1959, and ending June 30, 1960, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

(a) Tax Code Areas Nos. 2-1, 2-6, 2-7, 2-8 and 2-9:

FOR THE GENERAL FUND	\$1.21
FOR THE BOND REDEMPTION AND INTEREST FUND	
(1) Municipal Improvement Bonds of 194713
For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;	
FOR THE LIBRARY FUND	<u>.11</u>
THE AGGREGATE OF SAID SUMS TO WIT	\$1.45
(b) Tax Code Areas Nos. 2-3, 2-4 and 2-5:	
FOR THE GENERAL FUND.	\$1.21
FOR THE LIBRARY FUND	<u>.11</u>
THE AGGREGATE OF SAID SUMS TO WIT	\$1.32

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26 day of August, 1959, by ~~Councilman~~ Mayor Hammond, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor
Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

APPROVED:

DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 18 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SMITH PROPERTY)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 18 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 2 day of September, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

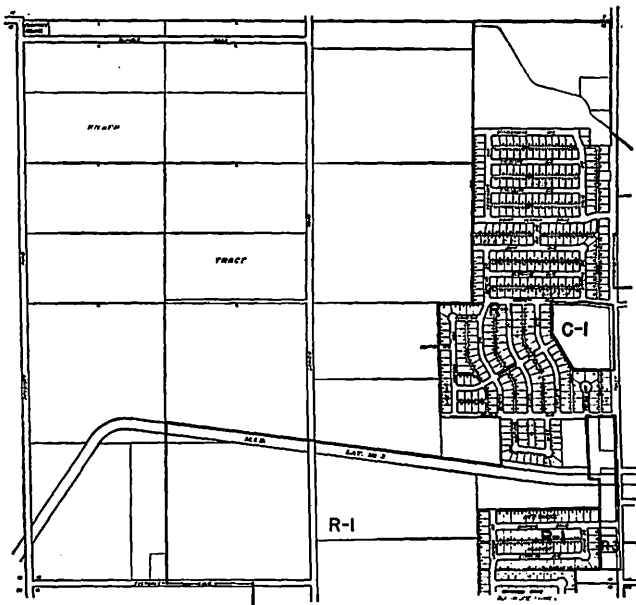
NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

SDO 19-9-9

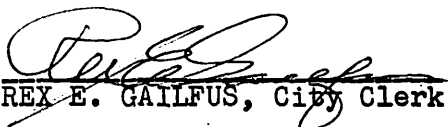
Ordinance No. 332-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of September, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: **Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond**
NOES: Councilmen: **None**
ABSENT: Councilmen: **None**

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 1, 1959

ORDINANCE NO. 333 -C.S.

AN ORDINANCE ADDING SECTIONS 4-6.703.1, 4-6.703.2 AND 4-6.709 AND AMENDING SECTIONS 4-6.705 AND 4-6.708 OF ARTICLE 7 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO TAXICAB REGULATIONS, AND ADDING SECTIONS 3-8.14.1, 3-8.14.2 AND AMENDING SECTION 3-8.16 OF CHAPTER 8 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO AMBULANCE REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-6.703.1 is hereby added to Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-6.703.1. POLICE INVESTIGATION OF APPLICANT: TRAFFIC AND POLICE RECORD. The Police Department shall conduct an investigation of each applicant for a taxicab driver's permit and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the Director of Parking and Traffic.

SECTION 2. AMENDMENT OF CODE. Section 4-6.703.2 is hereby added to Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-6.703.2. CONSIDERATION OF APPLICATION. The Director of Parking and Traffic shall upon consideration of the application and the reports and certificate required to be attached thereto shall approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the Council to offer evidence why his application should be reconsidered.

SECTION 3. AMENDMENT OF CODE. Section 4-6.709 is hereby added to Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-6.709. TERMINATION OF EMPLOYMENT. It shall be the duty of the owner of each taxicab company to notify the Director of Parking and Traffic in writing within five (5) days whenever a driver has either voluntarily or involuntarily terminated employment.

SECTION 4. AMENDMENT OF CODE. Section 4-6.705 of Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.705. ELIGIBILITY FOR PERMIT. No permit shall be issued to any of the following persons:

- (a) Any person under the age of twenty-one (21) years.

(b) Any person not a citizen of the United States or who has not lawfully declared his intention to become such.

(c) Any person who has been convicted of a crime involving moral turpitude or narcotics.

(d) Any person who has been convicted of driving a vehicle recklessly within the two (2) years immediately preceding application for a permit.

(e) Any person who has been convicted of driving a vehicle while under the influence of intoxicating liquors within the five (5) years immediately preceding application for a permit.

(f) Any person not possessing a valid chauffeur's license, issued by the State.

SECTION 5. AMENDMENT OF CODE. Section 4-6.708 of Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.708. REVOCATION AND/OR RENEWAL OF DRIVERS' PERMITS. The Director of Parking and Traffic may revoke or refuse to renew a driver's permit if the driver or applicant has since the granting of the permit:

(a) Been convicted of a felony or a crime involving moral turpitude; pandering; using, possessing, selling or transporting narcotics; or imparting information for obtaining narcotics.

(b) Been convicted of driving recklessly or while under the influence of liquors or narcotics.

(c) Had his State driver's or chauffeur's license revoked or suspended.

(d) Had two (2) or more convictions of any of the offenses set forth in Section 510 and/or 511 of the Vehicle Code of the State of California and amendments thereto, or any combination of either or any of such offenses, occurring during any continuous period not exceeding twelve (12) months.

(e) When for any reason, including or other than, the above, in the opinion of the Director of Parking and Traffic, the applicant is unfit to drive a taxicab.

(f) Violated any of the provisions of this chapter. The Chief of Police may also revoke a driver's permit if in his opinion the driver is unfit to operate a taxicab.

SECTION 6. AMENDMENT OF CODE. Section 3-8.14.1 is hereby added to Chapter 8 of Title III of the Modesto Municipal Code to read as follows:

SEC. 3-8.14.1. POLICE INVESTIGATION OF APPLICANT: TRAFFIC AND POLICE RECORD. The Police Department shall conduct an investigation of each applicant for a driver's and attendant's permit and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application.

SECTION 7. AMENDMENT OF CODE. Section 3-8.14.2 is hereby added to Chapter 8 of Title III of the Modesto Municipal Code to read as follows:

SEC. 3-8.14.2. CONSIDERATION OF APPLICATION. The Chief of Police shall upon consideration of the application and the reports and certificate required to be attached thereto shall approve or reject the application in accordance with the provisions of Section 3-8.16. If the application is rejected, the applicant may request a personal appearance before the Council to offer evidence why his application should be reconsidered.

SECTION 8. AMENDMENT OF CODE. Section 3-8.16 of Chapter 8 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

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

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

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

(3) Is morally fit for the position;

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

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

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

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

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

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

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

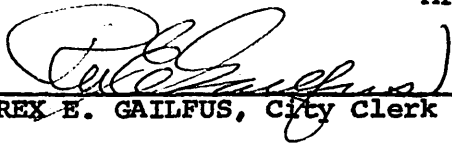
SECTION 10. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16 day of September, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 333-CS

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 23 day of September, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1959

ORDINANCE NO. 334 -C.S.

AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES AND UN-APPROPRIATED FUND BALANCE IN THE LIBRARY FUND FOR THE 1959-60 FISCAL YEAR.

WHEREAS, it is anticipated that an additional sum of Two Thousand, Seven Hundred and Sixty-Eight and no/100ths (\$2,768.00) Dollars, not heretofore appropriated will be received during the 1959-60 fiscal year from secured and unsecured property taxes, and

WHEREAS, there is an additional sum of Three Thousand, Eight Hundred and Fifty-Nine and no/100ths (\$3,859.00) Dollars, available in Unappropriated Fund Balance, and

WHEREAS, an additional amount is necessary to pay Stanislaus County for McHenry Library Service in accordance with the City-County agreement, and

WHEREAS, the Council desires to increase the Library Reserve of the Library Fund to provide for expenditures during the 1959-60 fiscal year, which have been or may be hereafter approved by them, and for which funds have not been appropriated,

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

SECTION 1. APPROPRIATION. The sum of Two Thousand, Seven Hundred and Sixty-Eight and no/100ths (\$2,768.00) Dollars, which is estimated to be received from property taxes and deposited in the Library Fund during the 1959-60 fiscal year not heretofore appropriated and Three Thousand, Eight Hundred and Fifty-Nine and no/100ths (\$3,859.00) Dollars, representing fund balance not heretofore appropriated, is hereby appropriated as follows:

Library Reserve in the amount of	\$1,935.00
Contractual Services in the amount of	4,692.00

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once in The Modesto 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 23 day of September, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 6-1.109 OF ARTICLE 1 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE RELATING TO BUSINESS LICENSE REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 6-1.109 of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 6-1.109. BRANCH ESTABLISHMENTS. SEPARATE TYPES OF BUSINESS. A separate license must be obtained for each branch establishment or location of the business transacted and carried on, including any branch establishment or location of a business required to be licensed under the Business and Professions Code of the State of California, or for which a license has been obtained under the Business and Professions Code of the State of California, and for each separate type of business at the same location. Each license shall authorize the licensee to transact and carry on only the type of business licensed thereby at the location or in the manner designated in such license; provided that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this chapter shall not be deemed to be separate places of business or branch establishments or separate types of business, except such branch establishments or separate places of business required to be licensed as such under the Business and Professions Code of the State of California or for which a license has been obtained under the Business and Professions Code of the State of California.

AMENDED AND PUBLISHED

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1959, by Mayor Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Martin, Vander Wall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Spaulding

APPROVED: DON D. HAMMOND, Mayor

(SEAL)

AN ORDINANCE AMENDING SECTION 6-1.109 OF ARTICLE I OF CHAPTER I OF TITLE VI OF THE MODESTO MUNICIPAL CODE RELATING TO BUSINESS LICENSE REGULATIONS

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

SECTION 1. AMENDMENT OF CODE. Section 6-1.109 of Article I of Chapter I of Title VI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 6-1.109. BRANCH ESTABLISHMENTS: SEPARATE TYPES OF BUSINESS. A separate license must be obtained for each branch establishment or location of the business transacted or carried on, including any branch establishment or location of a business required to be licensed under the Business and Professions Code of the State of California, or for which a license has been obtained under the Business and Professions Code of the State of California, and for each separate type of business at the same location; provided that warehouses, distributing plants, and pickup and delivery outlets used in connection with and incidental to a business licensed under the provisions of this chapter shall not be deemed to be separate places of business, or branch establishments or separate types of business.

Except as otherwise provided in this Section, each license shall authorize the licensee to transact and carry on only the type of business licensed thereby at the location or in the manner designated in such license.

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


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


The foregoing ordinance was amended at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1959, by Councilman Arata, who moved its amendment and republication, as set forth above, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered republished by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

APPROVED: 
Thomas M. Spaulding, Mayor
Pro Tempore

ATTEST: 
Rex E. Gallus, City Clerk

Ord. No. 335-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18 day of November, 1959, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Mayor Hammond, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 3, 1959

AN ORDINANCE AMENDING SECTION MAP 9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MODESTO INDUSTRIAL PARK)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 7 day of October, 1959, by Councilman Mayor Hammond who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Martin, VanderWall, Mayor Hammond

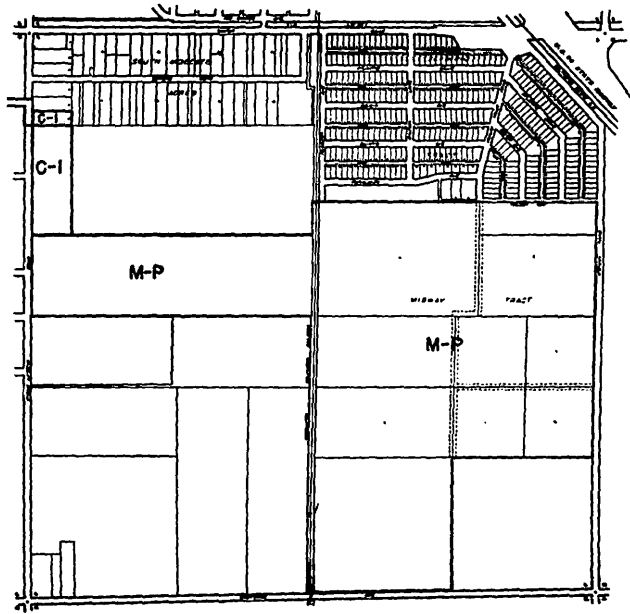
NOES: Councilmen: Adams, Knoles

ABSENT: Councilmen: Spaulding

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

APPROVED: DON D. HAMMOND
DON D. HAMMOND, Mayor

(SEAL)



Ordinance No. 336-C.S.

Ord. No. 336-C.S.

FINAL ADOPTION CLAUSE

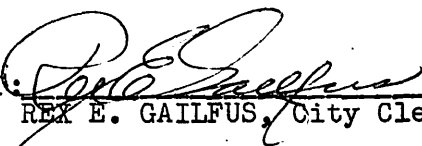
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21 day of October, 1959, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Mayor Pro Tempore
VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding, Mayor Hammond

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 5, 1959

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE
ALLEN ADDITION TO THE CITY OF MODESTO.WHEREAS, a petition was filed with the City Clerk by CHARLES J.ALLEN and HARRIET H. ALLEN

on

August 18, 1959, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the ALLEN ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 10th day of September, 1959, set said petition for hearing at the hour of 8:00 o'clock p.m. on the 28th day of October, 1959, in the Council Chamber at the McHenry Public Library located at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on September 23, 1959, and on September 30, 1959; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on September 23, 1959, and on September 30, 1959, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the

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

WHEREAS, on the 28th day of October, 1959, at the hour of 8:00 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

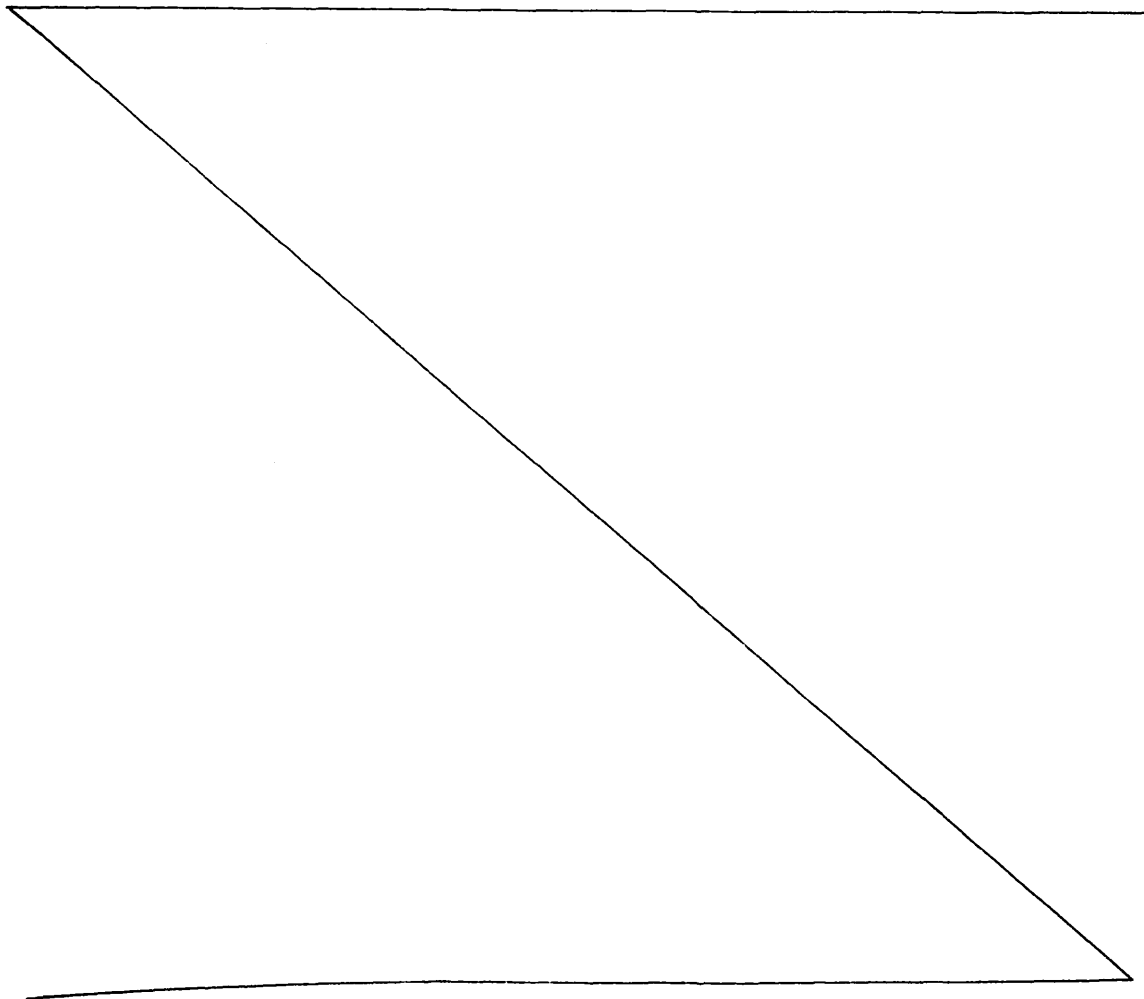
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

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

Beginning at a point on the existing city limits, said point being the northeastern corner of the Covell Addition as per map filed August 22, 1956, Instrument 22580, Stanislaus County Records, said point also being on the southern line of Hintze Avenue and the existing city limits; thence along said city limits, south $88^{\circ} 57'$ west, 263.00 feet to a point which is 25.00

feet west of the center line of McHenry Avenue; thence continuing along the city limits parallel to and distant 25.00 feet west of the center line of McHenry Avenue north $0^{\circ} 56'$ west 163.44 feet; thence north $88^{\circ} 57'$ east, 68.00 feet to the northwestern corner of property conveyed to Charles J. and Harriet T. Allen as per deed recorded February 5, 1945, Stanislaus County Records; thence along the northern line of said Allen property, north $88^{\circ} 57'$ east, 207.00 feet to the northeastern corner of said Allen property, said corner also being on the western line of property conveyed to Donald F. and Lillian L. Potter as per deed recorded May 3, 1955, Instrument 12981; thence along the western line of said Potter property, north $0^{\circ} 56'$ west, 21.56 feet to the northwestern corner of said Potter property; thence along the northern line of said Potter property north $88^{\circ} 57'$ east, 80.00 feet to the northeastern corner of said Potter property; thence along the eastern line of said Potter property, south $0^{\circ} 56'$ east, 125.00 feet to the southeastern corner of said Potter property, said corner also being on the northern line of Hintze Avenue; thence along the northern line of Hintze Avenue south $88^{\circ} 57'$ west, 92.00 feet to a point 12.00 feet west of the southeastern corner and on the southern line of said Allen property; thence south $0^{\circ} 56'$ east, 60.00 feet to a point on the southern line of Hintze Avenue, said point also being the northeastern corner of said Covell Addition and the point of beginning, containing 1.05 acres more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of October, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Adams, Martin

APPROVED: 

~~XXXXXXXXXX~~ Mayor
DON D. HAMMOND

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM D. A. CRANE, LULU S. CRANE, ROBERT E. WINFIELD AND DOLORES M. WINFIELD FOR USE FOR MUNICIPAL PURPOSES.

WHEREAS, the City of Modesto desires to improve Tully Road as a major city street, and

WHEREAS, it is necessary to acquire rights of way to a minimum width of eighty (80') feet in order to properly provide for this development, and

WHEREAS, this project should be undertaken as soon as possible within the financial means of the city, and

WHEREAS, D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield own that certain real property hereinafter described which is needed for said street improvement purposes, and

WHEREAS, the city desires to acquire said real property, and

WHEREAS, it is necessary that a part of the existing building owned by D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield and located on said property be removed in order to clear the right of way for street improvement purposes, and

WHEREAS, D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield are willing to dedicate said property to city on the condition that they be recompensed for the cost of removing and remodeling said building,

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

SECTION 1. ACQUISITION AUTHORIZED. The acquisition of the following described real property from D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield for the sum of Thirteen Thousand Eight Hundred Fifty and no/100ths (\$13, 850. 00) Dollars, in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

The easterly 20 feet of all that portion of Lots 4 and 5 of Pardue Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 29, 1908, in Volume 4 of Maps, at page 11, described as follows:

Commencing at the Northeast corner of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and running thence North $89^{\circ} 41'$ West 20.00 feet along the North line of Section 30 to the true northeast corner of Lot 1 of Perdue Tract; thence South $0^{\circ} 28 \frac{1}{2}'$ East along the West line of a 40 foot county road (said West line of road also being the East line of the Perdue Tract) a distance of 640.00 feet to the true point of beginning; thence South $0^{\circ} 28 \frac{1}{2}'$ East 20.00 feet to the Southeast corner of Lot 4; thence continuing South $0^{\circ} 28 \frac{1}{2}'$ East 40.00 feet; thence North $89^{\circ} 41'$ West 200.00 feet to a point on the East line of property of Tidewater Southern Railway Company; thence North $0^{\circ} 28 \frac{1}{2}'$ West 40.00 feet along last mentioned line to a point on the South line of Lot 4; thence continuing North $0^{\circ} 28 \frac{1}{2}'$ West 20.00 feet; thence South $89^{\circ} 41'$ East 200.00 feet to true point of beginning

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield relating to the acquisition of certain real property by the city for use for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and City Clerk are hereby authorized to execute and attest said agreement, respectively on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from D. A. Crane, Lulu S. Crane, Robert E. Winfield and Dolores M. Winfield conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28 day of October, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Arata, Martin

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4 day of November, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Pro Tempore Spaulding
NOES: Councilmen: None
ABSENT: Councilmen: Mayor Hammond

APPROVED


~~DON D. HAMMOND, Mayor~~
THOMAS M. SPAULDING, Mayor
Pro Tempore

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 19, 1959

AN ORDINANCE APPROVING THE GRANTING OF AN EASEMENT TO THE MODESTO IRRIGATION DISTRICT IN GARRISON PARK FOR POWER LINE INSTALLATION.

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

SECTION 1. That the Mayor of the City of Modesto be and he is hereby authorized to execute on behalf of the City the grant of a right of way to the Modesto Irrigation District to construct, place, inspect, maintain or replace thereon, crossarms, wires, cables, braces, transformers, terminal boxes, service lines, fixtures, anchors and guys, and keep the same free from any trees or any parts of trees or any foliage across that certain real property situated in the County of Stanislaus, State of California, and more particularly described as follows:

A strip of land 20 feet wide located in the Northwest $\frac{1}{4}$ of Section 19, Township 3 South, Range 9 East, M.D.B.&M., the pole line in which is more particularly described as follows:

Commencing at the intersection of the North section line of Section 19, Township 3 South, Range 9 East, M.D.B.&M., and the centerline of Carver Road as shown on map or plat of Dunham Tract as filed with the Recorder's Office, Stanislaus County, California; thence South $0^{\circ} 34' 30''$ East along said centerline of Carver Road 667.7 feet to a point; thence South $88^{\circ} 25' 30''$ West 20 feet to a point on the West right of way line of Carver Road, and said point being the true point of beginning; thence South $88^{\circ} 25' 30''$ West 146 feet.

And said right of way shall extend 15 feet along and upon the Northerly side and 5 feet along and upon the Southerly side of the above described pole line for its entire length.

SECTION 2. Upon the execution of said agreement, the Mayor is directed to deliver the same to the City Clerk, who is directed to deliver the same to the appropriate officials of the Modesto Irrigation District.

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

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

Ord. No. 339-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12 day of November, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: _____
DON D. HAMMOND, Mayor

ATTEST: _____
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 27, 1959

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO AND REPEALING ORDINANCE NO. 308-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in Section 511.3(b) of the Vehicle Code of the State of California, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour permitted by state law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as herein set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER, entire length in city	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
JEEFERSON, from Paradise Road to Eighth Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour

MILLER, from La Loma to Conejo 25 miles per hour
MORTON BOULEVARD, from Grand Street
to La Loma Avenue 25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard
to the southerly city limits 25 miles per hour
SUNRISE, from Lucerne to the
northerly city limits 25 miles per hour
SUTTER, within the city limits 35 miles per hour
TULLY ROAD, from Coldwell to Woodman
Way 25 miles per hour

SECTION 2. REPEALS. Ordinance No. 308-C.S. adopted
by the Council on May 20, 1959, is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published
in full at least once at least three (3) days prior to its final
adoption in The Modesto 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 4 day of
November, 1959, by Councilman Arata, who moved
its introduction and passage to print, which motion being duly seconded
by Councilman VanderWall, was upon roll call carried and
ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Pro Tempore Spaulding
NOES: Councilmen: None
ABSENT: Councilmen: Mayor Hammond

APPROVED: _____

~~DON D. HAMMOND, Mayor~~
THOMAS M. SPAULDING, Mayor
Pro Tempore

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 340-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12 day of November, 1949, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: _____
DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 27, 1959

AN ORDINANCE OF THE CITY OF MODESTO GRANTING A FRANCHISE TO OPERATE A WATER COMPANY WITHIN THE CITY TO NEIL CECIL, AN INDIVIDUAL, DOING BUSINESS AS COLLEGE GARDENS WATER COMPANY.

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

SECTION 1. DEFINITIONS. For the purposes of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Provisions of this ordinance shall be construed in accordance with the laws of the State of California.

(a) Franchise Property: All property retained by the Grantee in a street under authority of this franchise.

(b) Freeway: A highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access.

(c) Grantee: The person to whom this franchise is granted by the Council, and the lawful successor or assignee thereof, and who or which has filed with the City an acceptance and bond, referred to in Section 10.

(d) Streets: The surface of, and the space above and below any public street, road, highway, freeway, lane, alley, court, sidewalk, parkway, or drive, now or hereafter existing as such within the City.

(e) Total Gross Receipts: Any and all compensation or other consideration in any form whatever received directly or indirectly by Grantee as a result of conducting a water distribution facility within the City, except, however, advances made by subdividers or other persons for the purpose of installing or extending water distribution facilities.

(f) Person: Any individual, association, co-partnership or corporation.

SECTION 2. FRANCHISE GRANT. A franchise be and the same is hereby granted to NEIL CECIL, an individual, doing business as COLLEGE GARDENS WATER COMPANY, to lay, construct, install, operate, alter, repair, replace, reconstruct, maintain and use a system of water pipes and pipelines, mains, tubes, conduits, and all appliances, attachments, facilities and appurtenances for the purpose of distributing water for domestic, commercial, industrial and irrigation purposes, and for any and all purposes, for which water can be used, on, along, in, under, over, and/or across any street within the City of Modesto, State of California, which is located within an area of the City presently being served by Grantee, and such other streets or areas now or hereafter within the City as may be approved by resolution of the City Council, upon the terms and conditions hereinafter set forth.

SECTION 3. DURATION AND EFFECTIVENESS OF GRANT. This franchise shall become effective upon written acceptance thereof filed by the Grantee with the City Clerk accompanied by the performance bond and insurance policy required by Sections 10 and 11 of this ordinance, provided such written acceptance shall have been filed within thirty (30) days after the ordinance granting the franchise becomes effective unless the time is extended by the Council. The term of this franchise shall be twenty (20) years after the effective date thereof.

SECTION 4. MANNER OF WORK. The water pipes, mains, tubes, pipelines, appliances, attachments, facilities and appurtenances to be constructed and operated hereunder, shall (excluding any which may be already installed) be built in a good and workmanlike manner and shall be constructed and located, and shall (including any which may already be installed) be maintained, altered and replaced in conformity with the provisions of this ordinance and all the lawful ordinances, resolutions, orders and regulations heretofore or hereafter adopted by the Council in the exercise of its police powers.

SECTION 5. FRANCHISE PAYMENTS. (a) The Grantee shall, during the life of this franchise pay to the City, in lawful money of the United States and in the manner provided by law, two (2%) per cent, of the gross annual receipts of the Grantee derived in each calendar year or portion thereof arising from the use, operation and possession of this franchise within the corporate limits of the City, including monies

received from the use, sale, rental or furnishing of water for any and all purposes. No further franchise payments shall accrue after the termination of this franchise.

(b) In any year, or portion thereof during which payments under this section amount to less than One Hundred and no/100ths (\$100.00) Dollars, Grantee agrees to pay the City the minimum amount of One Hundred and no/100ths (\$100.00) Dollars.

(c) Grantee agrees to provide fire protection facilities and water for fire protection at no cost to the City, in accordance with its facilities as they presently exist, or as they may exist in the future, provided, however, that the Grantee shall be under no obligation to expand its present existing facilities. All facilities installed hereafter within the City shall be installed with main sizes of not less than four (4) inches in diameter and with fire hydrants located in accordance with the standards of the National Board of Fire Underwriters, at no cost or expense to the City.

SECTION 6. REMOVAL AND RELOCATION OF FACILITIES. The Grantee shall, at its expense, protect, support, temporarily disconnect, relocate in the same street, alley, or public place, or remove from any street, alley or public place, any franchise property when required by the Director of Public Works by reason of traffic conditions, public safety, street vacation, street construction, change or establishment of street grade, installation of sewers, drains, power lines and tracks or any other type of structures or improvements by governmental agencies when acting in a governmental or proprietary capacity, or any other structures or public improvements; provided, however, that Grantee shall in all such cases have the privileges and be subject to the obligation to abandon franchise property in place, as provided in Section 14.

Grantee shall be under no contractual obligation to relocate within a state freeway any of its facilities maintained in said freeway which was not a freeway at the time such utility facility was originally installed; provided, however, that the City does not assume any obligation to provide for the relocation of Grantee's facilities within any state freeway.

SECTION 7. TIME OF PAYMENT. (a) The Grantee of this franchise being a water company already owning, operating and maintaining an existing water distribution system partially within the City, and accordingly this franchise being in the nature of a renewal of a right already in existence, there shall be no deferment of the payment of two (2%) per cent of the gross annual receipts of the Grantee, but such payment shall begin at the time hereinafter designated.

(b) Said two (2%) per cent gross annual receipts payment shall be payable annually beginning January 1, 1958, and it shall be the duty of the Grantee to file with the City Clerk prior to April 15, 1960, and prior to the 1st day of March of each and every year thereafter, during the term of this franchise, the verified statements required in Section 8 and to make such two (2%) per cent, gross annual receipts payment within the time and in the manner therein provided.

SECTION 8. FILING OF ANNUAL STATEMENT BY GRANTEE. (a) It shall be the duty of the Grantee to file with the City Clerk annually, a statement, verified by the oath of the Grantee showing the total gross annual receipts collected or received by the Grantee during the preceding calendar year from the use, sale, rental or furnishing of water within the corporate limits of the City.

(b) Within ten (10) days after the time for the filing of said statement it shall be the duty of the Grantee to pay to the Director of Finance the aggregate sum of said percentage upon the amount of the gross annual receipts arising from the use, operation or possession of this franchise within the corporate limits of the City.

(c) The Grantee shall at all times maintain accurate and complete accounts of all revenue and income arising out of its operations under this franchise. The City shall accept as an accurate representation of the gross revenues of the Grantee derived from sale, use, furnishing, or rental of water for any and all purposes within the corporate limits of the City, the annual certified report of the Grantee to the Public Utilities Commission of the State of California. Grantee

shall furnish a copy of said annual certified report to City on or before April 15th of each year. In the event that an audit of Grantee's books and records is made by the Public Utilities Commission or its agents, servants or employees, and said audit should determine that the annual report to said Public Utilities Commission was inaccurate as to the annual gross revenues from the operation of the Grantee under this franchise, said Grantee and the City agree to be bound by the determination of said audit, and the Grantee will pay franchise tax upon the total gross receipts as determined by any audit of the Public Utilities Commission, and if payment in such amount is not made, it may be collected by suit instituted by City. In the event of its holding over after expiration or determination of this franchise, the Grantee shall render compensation pursuant to the provisions of this franchise until the effective date of a new franchise.

SECTION 9. FORFEITURE. Any neglect, omission or refusal by the Grantee to file such verified statements or to pay such percentage of its gross annual receipts at the times and in the manner hereinabove provided, and the continuance of such neglect, omission or refusal for a period of ten (10) days after written notice thereof to the Grantee, shall ipso facto work a forfeiture of this franchise and of all rights hereunder to the City.

SECTION 10. FAITHFUL PERFORMANCE BOND. (a) The Grantee shall, concurrently with the filing of an acceptance of award of this franchise, file with the Council, and at all times thereafter maintain in full force and effect for the term of this franchise at its expense, a corporate surety bond, in a company approved by the Director of Finance and in a form satisfactory to the City Attorney, in duplicate, in the amount of Two Thousand and no/100ths (\$2,000.00) Dollars, renewable annually, and conditioned upon the faithful performance of Grantee and that in the event the Grantee shall fail to comply with any one or more of the provisions of this franchise, then there shall be recoverable jointly and severally from the principal and surety of such bond, any damages or loss suffered by the City as a result thereof, including

the full amount of any compensation, indemnification, or cost of removal or abandonment of property as prescribed by this ordinance which may be in default, plus a reasonable allowance for Attorneys fees and costs, up to the full amount of the bond; said condition to be a continuing obligation for the duration of this franchise and thereafter until the Grantee has liquidated all of its obligations with the City that may have arisen from the acceptance of this franchise by the Grantee or from its exercise of any privilege herein granted. The bond shall provide that thirty (30) days prior written notice of intention not to renew, cancellation or material change be given to the City.

(b) Neither the provisions of this section, any bond accepted by the City pursuant thereto, nor any damages recovered by the City thereunder shall be construed to excuse faithful performance by the Grantee or limit the liability of the Grantee under this franchise or for damages, either to the full amount of the bond or otherwise.

SECTION 11. INDEMNIFICATION TO CITY. (a) Grantee agrees that at all times during the existence of this franchise it will maintain in force, furnish to the City and file with the Council, at its own expense, a general comprehensive liability insurance policy, in protection of City, its boards, commissions, officers, agents and employees, in a company approved by the Director of Finance and in form satisfactory to the City Attorney, protecting the City and said persons against liability for loss or damages for personal injury, death and property damage occasioned by the operations of Grantee under this franchise, with minimum liability limits of One Hundred Thousand and no/100ths (\$100,000.00) Dollars for personal injury or death to any one person and Two Hundred Thousand and no/100ths (\$200,000.00) Dollars for personal injury or death of two or more persons in any one occurrence, and Ten Thousand and no/100ths (\$10,000.00) Dollars for damage to property resulting from any one occurrence.

(b) The policies mentioned in the foregoing paragraph shall contain a provision that a written notice of any cancellation or reduction in coverage of said policy shall be delivered to the City ten

(10) days in advance of the effective date thereof. If such insurance is provided in either case by a policy which also covers Grantee or any other entity or person than those above named, then such policy shall contain the standard cross-liability endorsement.

SECTION 12. INSPECTION OF PROPERTY AND RECORDS. At all reasonable times, the Grantee shall permit any duly authorized representative of the City to examine all franchise property, together with any appurtenant property of the Grantee situated within the City, and to examine and transcribe any and all maps kept or maintained by the Grantee or under its control which treat of the operations, affairs, transactions or property of the Grantee within the City with respect thereto. The Grantee shall, at all times, make and keep in the City full and complete plans, maps, and records showing the exact location of all equipment installed or in use by Grantee in streets, alleys and public places of the City. The Grantee shall file with the Director of Public Works on or before the last day of March of each year a current map or set of maps drawn to scale, to be designated by the Director of Public Works, showing all equipment installed in streets, alleys and public places of the City during the previous year.

SECTION 13. LOCATION OF FRANCHISE PROPERTIES. Franchise property shall be constructed or installed in the streets within the City only at such locations and in such manner as may be approved by the Director of Public Works acting in the exercise of reasonable discretion. Construction or installation of franchise property in all other public places within the City shall be subject to the approval of and regulation by the Council.

SECTION 14. ABANDONMENT OF FRANCHISE PROPERTY. (a) In the event that the use of any franchise property is discontinued for any reason for a continuous period of twelve (12) months or that franchise property has been installed in any street without complying with the requirements of this franchise, the Grantee shall promptly remove from the street all such property other than any which the Director of Public Works may permit to be abandoned in place. In the event of any such removal, the Grantee shall promptly restore the street or other area

from which such property has been removed to a condition satisfactory to the Director of Public Works.

(b) Franchise property to be abandoned in place shall be abandoned in such manner as the Director of Public Works shall prescribe. Upon permanent abandonment of any franchise property in place, the Grantee shall submit to the City Clerk an instrument, satisfactory in form to the City Attorney, transferring to the City the ownership of such property.

SECTION 15. RIGHTS RESERVED TO CITY. (a) There is hereby reserved to the City every right and power which is required to be herein reserved or provided by any ordinance of the City, and the Grantee by its acceptance of this franchise agrees to be bound thereby and to comply with any action or requirement to the City in its exercise of any such right or power, heretofore or hereafter enacted or established.

(b) Neither the granting of this franchise nor any of the provisions contained herein shall be construed to prevent the City from granting any identical, or similar, franchise to any person or corporation other than the Grantee.

(c) If, at any time during the existence of this franchise, City shall exercise its right to acquire the property of Grantee to the extent that such acquisition is authorized or permitted by law, in fixing the price to be paid by the City for the acquisition of Grantee's property, no allowance shall be made for the value of the franchise granted by this ordinance, or for increased value of right of way, if any, resulting therefrom.

SECTION 16. LIMITATIONS ON GRANT. (a) No privilege or exemption is granted or conferred by this franchise except those specifically prescribed herein.

(b) Any privilege claimed under this franchise by the Grantee in any street shall be subordinate to any prior lawful occupancy of the streets, or other public property.

(c) Time is of the essence of this franchise. The Grantee shall not be relieved of its obligation to comply promptly with any of its provisions by any failure of the City to enforce prompt

compliance.

(d) Any right or power in, or duty impressed upon, any officer, employee, department, or Board of the City, is subject to transfer by the City to any other officer, employee, department or Board of the City.

(e) Grantee is subject to all requirements of the City Charter and all ordinances, rules, regulations, and specifications of the City, heretofore or hereafter enacted or established, including, but not limited to, those concerning street work, street excavations, use, removal and relocation of property within a street, and other street work.

SECTION 17. SURRENDER OF OTHER FRANCHISES. This franchise shall be in lieu of all other franchises, rights or privileges now or herebefore owned by Grantee for the distribution of water for any and all purposes within the limits of the City as they now or may hereafter exist and acceptance of this franchise by Grantee shall be deemed a waiver and abandonment of all other franchises, rights and privileges owned by Grantee for the distribution of water within the limits of the City.

SECTION 18. ENFORCEMENT REMEDIES. (a) If Grantee shall fail or refuse to comply with any of the provisions, conditions, obligations or duties set out in this franchise, City may notify Grantee in writing to perform such obligations or duties. In the event that Grantee shall fail to comply with said notice within thirty (30) days, the City may, at its option, proceed to perform the duties or obligations itself; provided, however, that in cases of emergency, the City may proceed without giving notice to Grantee to perform the duties and obligations. All costs incurred by the City thereby shall charge against the Grantee. If Grantee fails or refuses to pay the amount of such costs within thirty (30) days from the date that such costs are submitted to the said Grantee in writing, the City may proceed to collect such costs by an action at law.

(b) As a separate and alternate remedy, if the Grantee shall consistently fail or refuse to comply with any of the provisions

set out in this franchise ordinance, the City may declare a forfeiture, and/or may sue such persons for damages for such noncompliance, and/or may exercise any other rights or remedies provided by law.

SECTION 19. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions thereof. The invalidity of any portion of this ordinance shall not abate, reduce, or otherwise affect any consideration or other obligation required of the Grantee by this franchise.

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

SECTION 21. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12 day of November, ¹⁹⁵⁹ ~~1958~~, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX B. GAILFUS, City Clerk

(SEAL)

Ord. No. 341-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25 day of November, 1959, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 10, 1959

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO AND REPEALING ORDINANCE NO. 340-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER, entire length in city	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
JEFFERSON, from Paradise Road to Eighth Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour

MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to La Loma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
SUTTER, within the city limits	35 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour

SECTION 2. REPEALS. Ordinance No. 340-C.S., adopted by the Council on November 12, 1959, is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 18 day of November, 1959, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 342-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25 day of November, 1959, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 10, 1959

AN ORDINANCE AMENDING SECTION MAP 28 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LOTS 24 THROUGH 41, BLOCK 570 and LOTS 1 THROUGH 5, BLOCK 569)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 28

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

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 18 day of November, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

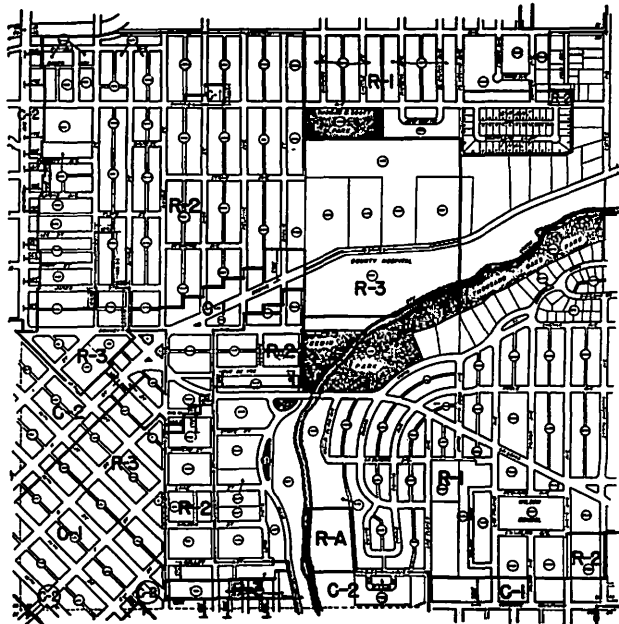
APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

022-09-0-0

Ordinance No. 343-C.S.

Ord. No. 343-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2 day of December, 1959, Councilman Mayor Hammond moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 17, 1959

AN ORDINANCE APPROVING A LEASE AGREEMENT WITH THE YOSEMITE AREA COUNCIL BOY SCOUTS OF AMERICA RELATING TO THE RENTAL OF ROOMS NO. 200 AND 207 IN THE MODESTO COMMUNITY SERVICE CENTER IN THE CITY OF MODESTO.

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

SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain Lease Agreement between the City of Modesto and the Yosemite Area Council Boy Scouts of America, relating to the rental of Rooms No. 200 and 207 in the Modesto Community Service Center as designated on the floor plan of said premises on file in the Office of the City Clerk of the City of Modesto, is hereby approved.

SECTION 2. SIGNING AND ATTESTING. The City Manager and City Clerk of the City of Modesto are hereby authorized to sign and attest, respectively, said Lease Agreement on behalf of the City.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 18 day of November, 1959, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk


(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25 day of November, 1959, Councilman Martin moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 10, 1959

AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES IN THE GENERAL FUND AND SPECIAL GAS TAX STREET IMPROVEMENT FUND, ADJUSTING BUDGET ESTIMATES FOR INTERFUND TRANSFERS IN THE GENERAL FUND AND SPECIAL GAS TAX STREET IMPROVEMENT FUND, AND APPROPRIATING ADDITIONAL REVENUES AND UNAPPROPRIATED FUND BALANCE IN THE SPECIAL FUND FOR CAPITAL OUTLAYS FOR THE 1959-60 FISCAL YEAR.

WHEREAS, it is anticipated that an additional sum of Forty-One Thousand, Eight Hundred and Thirty-Five and no/100ths (\$41,835.00) Dollars, not heretofore appropriated will be received in the General Fund during the 1959-60 fiscal year from secured and unsecured property taxes, and

WHEREAS, the agreement with the State of California for amounts to be expended for maintenance on major city streets is a lesser amount than that anticipated at the time of preparation of the preliminary budget, and

WHEREAS, it is anticipated that the additional sum of Two Thousand Fifty-Eight and no/100ths (\$2,058.00) Dollars not heretofore appropriated will be available in the Special Gas Tax Street Improvement Fund to be expended on major city street construction, and

WHEREAS, it is anticipated that an additional sum of Five Thousand and no/100ths (\$5,000.00) Dollars, which is estimated to be received in the Special Fund for Capital Outlays from the sale of real property, and the sum of One Thousand, Three Hundred and Sixty-Nine and no/100ths (\$1,369.00) Dollars, which is estimated to be received from the Public Utilities Commission for the Orangeburg Avenue crossing, not heretofore appropriated will be received during the 1959-60 fiscal year, and

WHEREAS, there is an additional sum of Seventy-Six Thousand, Six Hundred and Fifty-Six and no/100ths (\$76,656.00) Dollars, available in Unappropriated Fund Balance of the Special Fund for Capital Outlays, and

WHEREAS, the Council desires to increase the Reserves of the above mentioned funds to provide for expenditures during the 1959-60 fiscal year, which have been or may be hereafter approved by them, and for which funds have not been appropriated, and to adjust the budgeted Interfund Transfers to reflect amounts allowed by the State for maintenance on major city streets,

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

SECTION 1. GENERAL FUND APPROPRIATION. The sum of Forty-One Thousand, Eight Hundred and Thirty-Five and no/100ths (\$41,835.00) Dollars, which is estimated to be received from property taxes and deposited in the General Fund during the 1959-60 fiscal year not heretofore appropriated, is hereby appropriated as follows:

General Reserve in the amount of \$41,835.00.

SECTION 2. GENERAL FUND BUDGET ADJUSTMENT. The sum of One Thousand, Eight Hundred and Seven and no/100ths (\$1,807.00) Dollars, established in the preliminary budget as an Interfund Transfer from the Special Gas Tax Street Improvement Fund, is hereby deducted from the Estimated Interfund Transfer Account in the General Fund.

SECTION 3. SPECIAL GAS TAX STREET IMPROVEMENT FUND BUDGET ADJUSTMENT. The sum of One Thousand, Eight Hundred and Seven and no/100ths (\$1,807.00) Dollars, established in the preliminary budget as an Interfund Transfer of the Special Gas Tax Street Improvement Fund, is hereby deducted from the Interfund Transfer Account in the Special Gas Tax Street Improvement Fund.

SECTION 4. SPECIAL GAS TAX STREET IMPROVEMENT FUND APPROPRIATION. The additional sum of Two Thousand and Fifty-Eight and no/100ths (\$2,058.00) Dollars, Two Hundred Fifty-One and no/100ths (\$251.00) Dollars of which is estimated to be received from Motor Vehicle Fuel Tax and deposited in the Special Gas Tax Street Improvement Fund during the 1959-60 fiscal year and One Thousand, Eight Hundred Seven and no/100ths (\$1,807.00) Dollars of which is made available by a reduction in the Interfund Account, which sum has not been heretofore

Appropriated, is hereby appropriated as follows:

Special Gas Tax Street Improvement Fund Reserve in the amount of \$2,058.00.

SECTION 5. SPECIAL FUND FOR CAPITAL OUTLAYS APPROPRIATION.

The sum of Six Thousand, Three Hundred Sixty-Nine and no/100ths (\$6,369.00) Dollars, which is estimated to be received from the sale of property and the Public Utilities Commission and deposited in the Special Fund for Capital Outlays during the 1959-60 fiscal year, not heretofore appropriated, and the sum of Seventy-Six Thousand, Six Hundred Fifty-Six and no/100ths (\$76,656.00) Dollars, representing fund balance carry over not heretofore appropriated, is hereby appropriated as follows:

Special Capital Outlay Reserve in the amount of \$83,025.00.

SECTION 6. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 7. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25 day of November, 1959, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE APPROVING AN AGREEMENT WITH PAUL G. AND LILLIAN E. WIESEHAHN RELATING TO THE ACQUISITION OF CERTAIN RIGHT OF WAY FOR THE WIDENING OF COLLEGE AVENUE.

WHEREAS, on September 17, 1959, the City of Modesto filed a complaint in eminent domain in the Superior Court of the State of California in and for the County of Stanislaus, being action No. 68544, seeking to condemn for street widening purposes the real property described therein and interests of the owners thereof upon payment to them of just compensation for the taking of said property and any damages incident thereto, and

WHEREAS, the City of Modesto and Paul G. Wieseahn and Lillian E. Wieseahn desire to compromise the issues raised by the pleadings filed in said condemnation proceedings by means of that certain agreement referred to in Section 2 of this ordinance,

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

SECTION 1. ACQUISITION AUTHORIZED. The acquisition of certain right of way from Paul G. Wieseahn and Lillian E. Wieseahn for street widening purposes is hereby authorized. Said right of way to be acquired by the City of Modesto from Paul G. Wieseahn and Lillian E. Wieseahn is described as follows:

All that certain real property situate in the State of California, County of Stanislaus, City of Modesto, Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

The East 10 feet of Lot 3 in Block 6120 of FRANCEK TRACT, as per map filed August 28, 1946, in Vol. 14 of Maps, page 71, Stanislaus County Records.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Paul G. Wieseahn and Lillian E. Wieseahn, relating to the acquisition of certain right of way for street widening purposes, and compromising the aforementioned condemnation proceeding, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City

Manager, and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Paul G. and Lillian E. Wieseahn, conveying the above described right of way to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of December, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 346

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, Councilman Mayor Hammond moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 31, 1959

AN ORDINANCE AMENDING SECTIONS 3-2.701, 3-2.807, 3-2.902, 3-2.1015, 3-2.1016 AND 3-2.1401 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO TRAFFIC REGULATIONS, AND REPEALING ORDINANCE NO. 342-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.701 of Article 7 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.701. YIELD RIGHT OF WAY SIGNS. Pursuant to the authority contained in Section 21356 of the Vehicle Code of the State of California, the Director is authorized to erect or cause to be erected yield right of way signs at one or more approaches to an intersection of streets and highways in the City which are not through streets.

SECTION 2. AMENDMENT OF CODE. Section 3-2.807 of Article 8 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.807. BICYCLE RIDING RESTRICTED. (a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(b) No bicycles shall be used for more persons at one time than the number for which it is designed and equipped.

(c) No person shall propel a bicycle within any sidewalk area in any business district as defined by Section 235 of the Vehicle Code of the State of California.

SECTION 3. AMENDMENT OF CODE. Section 3-2.902 of Article 9 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.902. JAYWALKING PROHIBITED. No pedestrian shall cross a roadway other than by a crosswalk in any business district as defined by Section 235 of the Vehicle Code of the State of California.

SECTION 4. AMENDMENT OF CODE. Sections 3-2.1015 and 3-2.1016 of Article 10 of Chapter 2 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-2.1015. NOTICE TO OWNER OF REMOVED VEHICLE. Any person referred to in Section 3-2.1012 of this article who removes a vehicle from private property shall give notice to the owner of the vehicle as provided in Article 1, Chapter 10, Division 11 of the Vehicle Code of the State of California.

SEC. 3-2.1016. GARAGE KEEPER'S LIEN. The keeper of any garage in which any vehicle is stored in accordance with the provisions of this article shall have a lien thereon for his compensation for towage and for caring for and keeping safe such vehicle, and may satisfy such lien upon compliance with and under the conditions stated in Article 1, Chapter 10, Division 11 of the Vehicle Code of the State of California.

SECTION 5. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER, entire length in city	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
JEFFERSON, from Paradise Road to Eighth Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour

MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to La Loma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
SUTTER, within the city limits	35 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour

SECTION 6. REPEALS. Ordinance No. 342-C.S., adopted by the Council on November 25, 1959, is hereby repealed.

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

SECTION 8. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of December, 1959, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 347-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:


AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 31, 1959

AN ORDINANCE AMENDING SECTIONS 4-7.1405 AND 4-7.1406 OF ARTICLE 14 OF CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO GOING OUT OF BUSINESS SALES.

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

SECTION 1. AMENDMENT OF CODE. Section 4-7.1405 of Article 14 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.1405. LICENSE FEE: SURETY BOND. Any applicant for a license hereunder shall submit to the Director with his application a license fee of One Hundred and no/100ths (\$100.00) Dollars, together with a corporate surety bond, payable to the City in the penal sum of One Thousand and no/100ths (\$1,000.00) Dollars, conditioned upon compliance with the provisions of this article.

(a) Exemption: Removal Sales. Any applicant for a license to conduct a removal of business sale under this article shall be exempt from the payment of a license fee provided applicant files with his application an affidavit containing the following information:

(1) A statement that applicant has engaged in business at the premises where such sale is to be held for a period of not less than one year immediately prior thereto.

(2) A statement that applicant intends to operate said business at a designated new location within the City for a period of not less than one year following the termination of the removal sale.

SECTION 2. AMENDMENT OF CODE. Section 4-7.1406 of Article 14 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.1406. EFFECT OF LICENSE. (a) A license shall be issued hereunder on the following terms:

(1) Licensing Period. This license shall authorize the sale described in the application for a period of not more than sixty (60) consecutive days, Sundays and legal holidays excluded, following the issuance thereof.

(2) Nature of Sale. The license shall authorize only the one type of sale described in the application at the location named therein.

(3) Salable Goods. The license shall authorize only the sale of goods described in the inventory attached to the application.

(4) Non-Transferability. Any license herein provided for shall not be assignable or transferable.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 9 day of December, 19 59, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED: 

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 348-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16 day of December, 1959, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 31, 1959

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

WHEREAS, a petition was filed with the City Clerk by _____
Phillip Moran, Josie Johnson, Carmen M. Polston, Justina Goni, and
Fresno Guarantee Savings and Loan Association on
September 23, 1959, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the MORAN ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 28th
day of October, 1959, set said petition for hearing
at the hour of 8:00 o'clock p.m. on the 9th day of December,
1959, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee, a newspaper published in the City of
Modesto on November 6, 1959, and on November 13,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
November 6, 1959, and on November 13, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 9th day of December, 1959, at the hour of 8:00 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

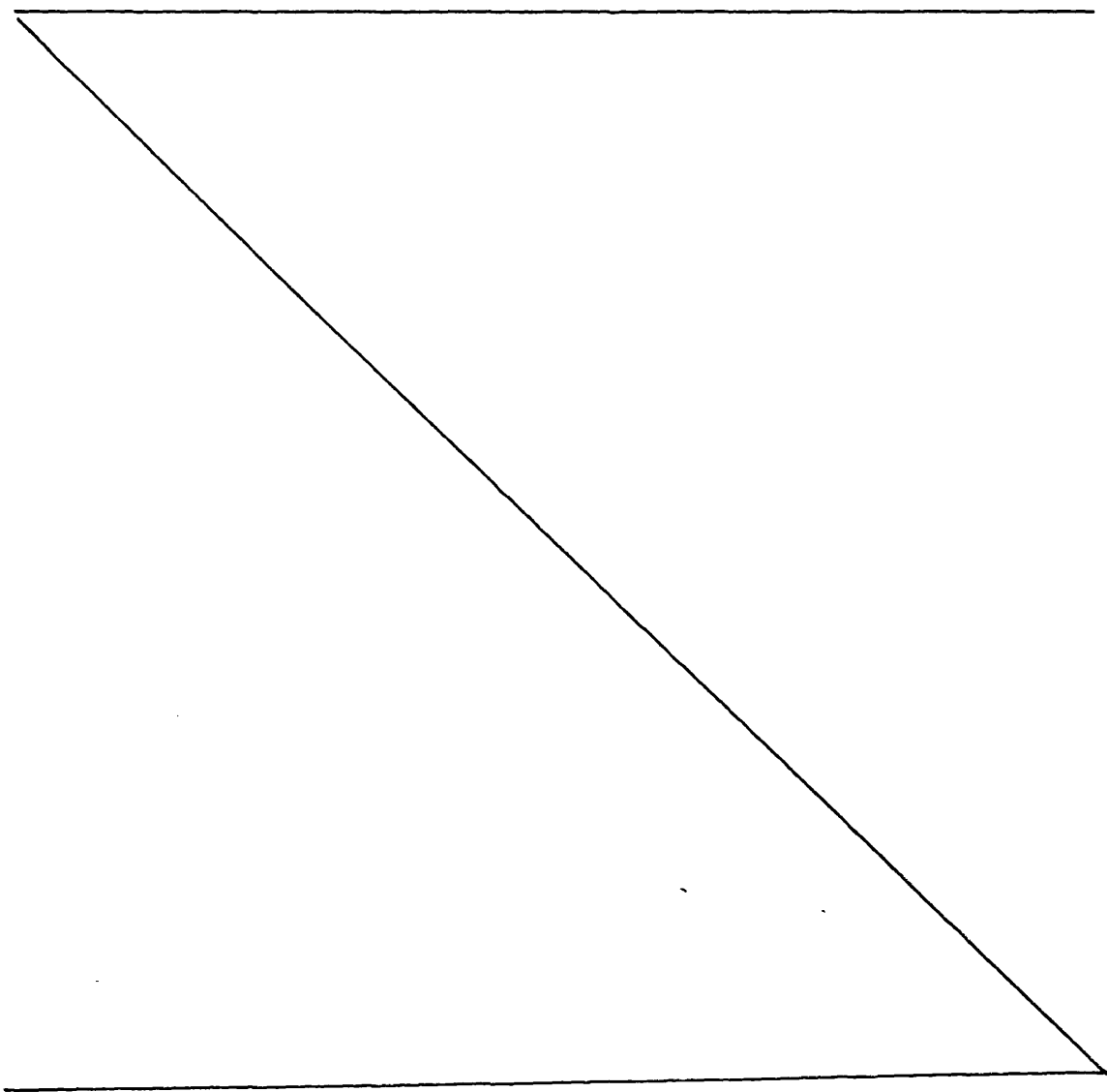
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeastern corner of the existing corporate city limits as established by the La Loma-Yosemite Addition, filed December 4, 1953 as Instrument 30045, Stanislaus County Records, said point being at the intersection of the Southern line of the Modesto Irrigation District Lateral No. 2 and the Northerly extension of the Eastern line of the alley in Block 2258, as per map of the Alta Vista Tract No. 2, filed May 15, 1947 as Instrument 13379, Stanislaus County Records; thence Westerly along said city limits line and said Southern line of the Modesto Irrigation District Lateral No. 2 to the Southerly extension across said Modesto Irrigation District Lateral No. 2 of the Western line of Lot 9 of the Beard Tract, filed November 18, 1907 in Volume 3 of Maps,

Page 19, Stanislaus County Records; thence Northerly along said Southerly extension and the Western line of said Lot 9 to the Northwestern corner of said Lot 9; thence Easterly along the Northern line of said Lot 9 to the Western line of El Vista Avenue as per deed recorded April 9, 1956 as Instrument 9835, and deed recorded June 13, 1956 as Instrument 16405, Stanislaus County Records, said Western line being 50 feet West of the section line common to Sections 27 and 26, said Section line being the center line of El Vista Avenue; thence Southerly along said Western line of El Vista Avenue to the Northern line of said Modesto Irrigation District Lateral No. 2; thence Westerly along said Northern line of said Modesto Irrigation District Lateral No. 2 to the intersection with the Northerly extension of said Eastern line of alley in Block 2258; thence Southerly along said Northerly extension of the Eastern line of alley in Block 2258 to the Southern line of said Modesto Irrigation District Lateral No. 2 and the point of beginning, containing 20.13 acres, more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of December, 1959, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 

~~HARRY-MARKS~~-Mayor
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by _____
CHURCH OF CHRIST OF MODESTO

_____ On
October 15, 1959, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the CHRISTIAN CHURCH ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 12th
day of November, 1959, set said petition for hearing
at the hour of 8:00 o'clock p.m. on the 23rd day of December,
1959, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee, a newspaper published in the City of
Modesto on November 20, 1959, and on November 27,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
November 20, 1959, and on November 27, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 23rd day of December, 1959, at the hour of 8:00 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

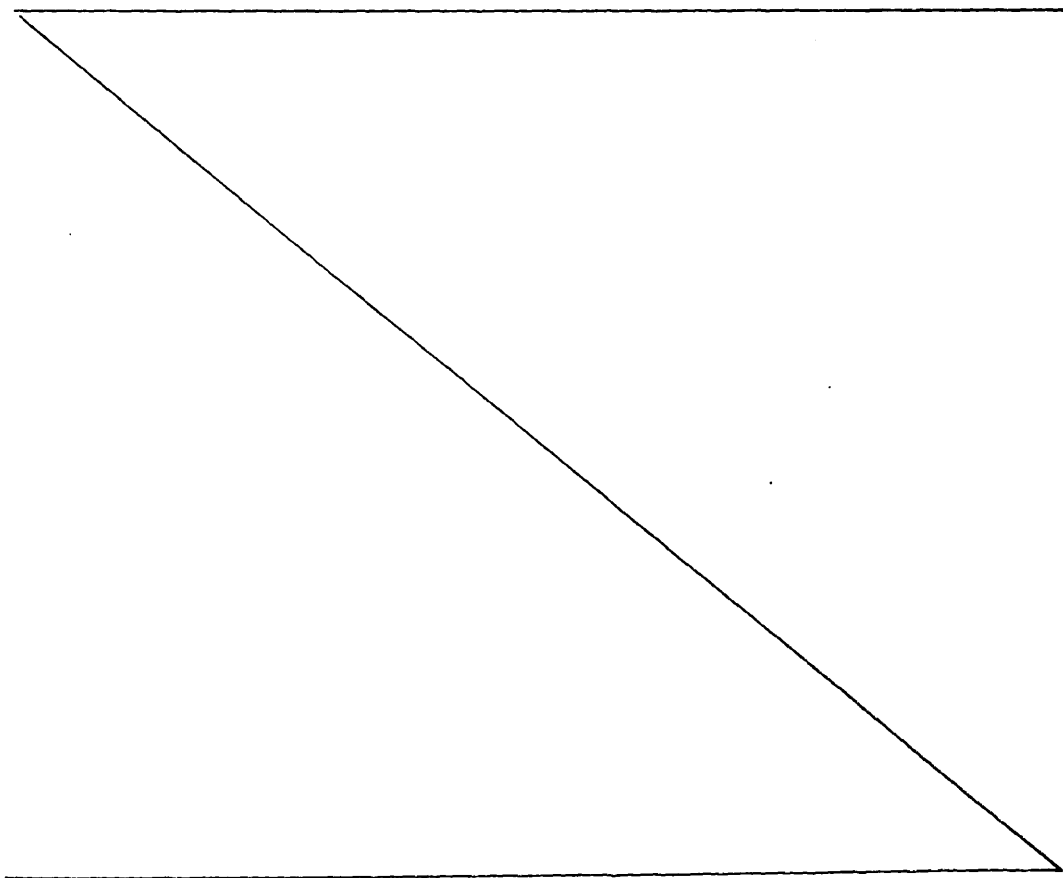
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the Northern line of a Public Road known as Maze Boulevard and the Eastern line of the Modesto Irrigation District Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Mark Twain Addition as per description filed June 22, 1956 as Instrument 17230, Stanislaus County Records;

thence along the City Limits, North $89^{\circ} 45' 30''$ West, 424.02 feet to the Southwestern corner of the property conveyed to the Church of Christ of Modesto, by deed recorded June 8, 1956, as Instrument 16016, Stanislaus County Records; thence along the Western line of said Church of Christ of Modesto property, North $0^{\circ} 01' 47''$ East, 571.97 feet to the Northwestern corner of said Church of Christ of Modesto property, said corner also being on the Southern line of Modesto Irrigation District Lateral Number 4; thence along the Southern line of said Lateral Number 4 South $73^{\circ} 11' 30''$ East, 508.17 feet; thence continuing along the Southern line of said Lateral Number 4, North $64^{\circ} 18' 30''$ East, 48.03 feet to a point of intersection of the Southern line of said Lateral Number 4 and the Eastern line of said Lateral Number 5, said point also being on the Corporate City Limits of the City of Modesto as established by the Maze Court Addition as per description recorded October 13, 1951 as Instrument 23639, in Volume 1051, Page 454, Stanislaus County Records; thence along the Eastern line of said Lateral Number 5 and the City Limits, South $4^{\circ} 47' 30''$ West, 283.35 feet; thence continuing along the Eastern Line of Lateral Number 5 and the City Limits, South $26^{\circ} 29' 30''$ West, 184.65 feet to the point of beginning, containing 5.692 acres more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of December, 19 59, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTIONS 9-2.01, 9-2.05, 9-2.06, 9-2.07, 9-2.08, 9-2.09, 9-2.10, 9-2.11, 9-2.12, 9-2.17, 9-2.20, AND 9-2.21 OF CHAPTER 2 OF TITLE IX AND REPEALING SECTION 9-2.04.1 OF CHAPTER 2 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE PLUMBING CODE.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-2.01, 9-2.05, 9-2.06, 9-2.07, 9-2.08, 9-2.09, 9-2.10, 9-2.11, 9-2.12, 9-2.17, 9-2.20 and 9-2.21 of Chapter 2 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 9-2.01. ADOPTION OF UNIFORM PLUMBING CODE. That certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the Uniform Plumbing Code, 1958 Edition, adopted by the Western Plumbing Officials Association, which Uniform Code provides for the protection of the public health and safety, and the qualification and registration of persons engaged in the business of plumbing or laboring at the trade of plumbing; requiring a permit for the installation or alteration of plumbing and drainage systems; creating an administrative office and a Board of Plumbing Examiners, and prescribing their duties; defining certain terms, establishing minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; providing penalties for the violation thereof and repealing conflicting ordinances, as hereinafter amended, deleted and added to, be and the same is hereby adopted as the Plumbing Code of the City of Modesto.

SEC. 9-2.05. DEPARTMENT HAVING JURISDICTION. That Section 1.3 of said Plumbing Code be amended to read as follows:

Section 1.3. The office of Chief Building Official is hereby made a part of the Department of Public Works.

SEC. 9-2.06. DUTIES OF THE ADMINISTRATIVE AUTHORITY. That subsections (2) and (9) be deleted from Section 1.4 of said Plumbing Code.

SEC. 9-2.07. VIOLATIONS AND PENALTIES. That Section 1.7 of said Plumbing Code be deleted.

SEC. 9-2.08. TO WHOM PERMITS MAY BE ISSUED. That Section 1.10 be amended by adding subsections (d) and (e) to read, respectively, as follows:

Section 1.10(d). A special permit may be issued to any appliance dealer to install appliances which require connection to the water distribution system, such as: evaporative coolers, air conditioners (requiring refrigeration as a cooling system), water softeners, lawn sprinkler systems, automatic and nonautomatic clothes washers, dish washers, garbage disposal units and/or garbage grinders not regularly classed as plumbing fixtures which are approved by the Director of Public Works and/or Chief Building Official, and which will not contaminate or pollute the potable water system by reason of such installation; and

provided further that all such appliance dealers shall have passed a satisfactory examination showing their qualifications to do such work and have issued to them a Certificate of Competency by the Board of Plumber Examiners, or have in their employ such person who shall have passed such examination. The issuance of such permit shall not be construed as allowing the installation of any waste pipe beyond the opening to receive the fixture trap and no trap or piping shall exceed two (2') feet from the vent pipe serving such trap.

Section 1.10(e). Every person selling water-using appliances in the City shall keep an accurate record of all such appliances sold that are to be installed within the corporate limits, together with the name and address of the person to whom sold, and shall mail a copy of same to the office of the Chief Building Official on the first of the month following the sale of such appliance.

SEC. 9-2.09. COST OF PERMITS. That Section 1.12 of said Plumbing Code be amended to read as follows:

Section 1.12. The Director of Finance shall assist the Chief Building Official as follows:

All fees hereinafter set forth in this section shall be collected by the Director of Finance. The Chief Building Official shall not perform any duty for which a fee is required unless an application in writing has first been made at the office of the Director of Finance and a fee collected by said Director of Finance and a receipt issued therefor. Said Director of Finance shall make all receipts in triplicate, the original receipt shall be given to the applicant, one copy shall be transmitted to the Chief Building Official, and one copy shall be retained by the Director of Finance. Every applicant for a permit to install, add to, alter, relocate or replace a plumbing or drainage system, or part thereof, shall state in writing on the application form provided for that purpose, the character of the work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as the Chief Building Official may require. Such applicant shall pay to the Director of Finance for each permit issued and at the time of issuance, a fee in accordance with the following schedule, and at a rate provided for in each classification shown therein. Any person who shall commence any plumbing work for which a permit is required by this Plumbing Code without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work, provided, however, that this provisions shall not apply to emergency work when it shall be proved to the satisfaction of the Chief Building Official that such work was urgently necessary and that it was not practical to obtain a permit therefor before the commencement of work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit a double fee as herein provided shall be charged.

SCHEDULE OF FEES

For issuing each permit-----	\$1.00
In Addition:	
For each plumbing fixture-----	1.00
For each house drain-----	1.00
For each house sewer-----	2.50
For each leader to sewer on street-----	1.00
For each water distribution system-----	1.00
For each cooler (type) evaporator or refrigerator-----	1.00
For lawn sprinkler systems for each section control valve-----	.75
For each water treating or water using equipment	1.00
Gas piping permits at 25 cents per outlet (minimum fee)-----	1.00
Gas furnace of any nature whatsoever, per 100,000 BTU or fraction thereof-----	2.00
Other gas appliances, such as ranges, water heat- ers, space heaters, conversion burners, miscellaneous-----	.50

SEC. 9-2.10. APPOINTMENT OF BOARD OF EXAMINERS. That Section 2.4 of said Plumbing Code be amended to read as follows:

Section 2.4. A Board of Plumber Examiners is hereby established which shall consist of five (5) members, one of whom shall be the City Health Officer, one a master plumber, one a journeyman plumber, one a person engaged in business in the city as an appliance dealer, and the Chief Building Official or his designated representative who shall act as Secretary. The members of the Board other than the Health Officer and the Chief Building Official, or his designated representative, shall be appointed in accordance with and for the terms prescribed in Section 1102 of the Charter of the City of Modesto.

SEC. 9-2.11. TERM OF CERTIFICATES OF QUALIFICATION. That Section 2.9 of said Plumbing Code be amended to read as follows:

Section 2.9. Every Plumber's Certificate of Qualification shall remain in force and effect until its expiration date, unless cancelled or revoked.

Every Plumber's Certificate of Qualification shall expire on the 30th day of June of each year.

SEC. 9-2.12. RENEWAL OF CERTIFICATES AND FEES. That Section 2.10 of said Plumbing Code be amended to read as follows:

Section 2.10. All Plumber Certificates of Qualification, except Certificates which have been cancelled or revoked, may be renewed from year to year upon request and payment of the required renewal fee. If a renewal of a Certificate be requested and the required fee paid within thirty (30) days of the expiration date of such Certificate, the renewal fee shall be One (\$1.00) Dollar. If such renewal be requested and the required fee paid more than thirty (30) days but less than ninety (90) days after the expiration date of such certificate, the renewal fee shall be Two (\$2.00) Dollars. No certificate may be renewed more than ninety (90) days after the expiration date of such certificate.

SEC. 9-2.17. JOINTS AND CONNECTIONS. TYPES OF JOINTS. That Section 902 of said Plumbing Code be amended by deleting subparagraph (g).

SEC. 9-2.20. HOUSE SEWER MATERIALS. That Section 1103 of said Plumbing Code be amended to read as follows:

Section 1103. (a) The house sewer beginning five (5') feet from any building or structure shall be of cast iron pipe, first quality vitrified clay sewer pipe, cement asbestos pipe, or vitrified clay pipe with an approved type interlocking resilient mechanical compression joint formed on the pipe at the factory and made of plastisol to specifications established by the National Clay Pipe Research Corporation or bituminized fibre sewer pipe. Said house sewer materials shall conform to the plumbing materials' standards as prescribed therefor in Chapter 2 of this Plumbing Code.

(b) Jointing methods and materials shall be as prescribed in Chapter 8 of this Plumbing Code.

SEC. 9-2.21. DEFINITIONS. That Section 1202 of said Plumbing Code be amended by adding subsection (f) to read as follows:

Section 1202(f). Gas Appliance Dealer: One who sells and installs gas appliances. A merchant who sells but does not install gas appliances does not come under the classification of gas appliance dealer as used in this Code; provided, however, that any gas appliance sold or distributed by such merchant shall meet the requirements set forth in Chapter 51 of the Uniform Building Code, 1958 Edition.

SECTION 2. REPEALS. Section 9-2.04.1 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 23 day of December, 19 59, by Councilman Adams, who moved its introduction and passage to print, which motion being duly

seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 351-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of January, 1959, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 21, 1960

AN ORDINANCE ESTABLISHING BUILDING LINE SETBACKS ALONG CERTAIN STREETS, PROHIBITING THE ERECTION OF BUILDINGS OR STRUCTURES OR THE INSTALLATION OF WELLS, EXCAVATIONS, AND OTHER SUBSURFACE STRUCTURES THEREIN, PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

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

SECTION 1. BUILDING LINE SETBACK. The term "building line setback" is defined for the purpose of this ordinance to mean the space between the established center line of a street and a line parallel thereto, including any setback area required to be provided by the zoning regulations of the City.

SECTION 2. NECESSITY FOR ESTABLISHMENT OF MINIMUM BUILDING LINE SETBACKS. The Council declares that the City of Modesto, through the Planning Commission and the Council, is engaged in developing a Precise Plan of Streets within the City for the purpose of assuring ample transportation facilities, proper relationship of property to thoroughfares, dilution of gases which are the product of combustion in engines; and distances between buildings on opposite sides of streets for the present and future; that the magnitude of the undertaking precludes such plans being completed in their entirety in time to fully guide the rapid development occurring within the City; that the surveys, hearings, map preparation and requirements of such a precise plan of streets necessitate such plans being developed progressively; that to conserve the public interest and to assure the public safety and welfare it is imperative that certain streets and highways within the City be protected against encroachment by permanent physical improvements, the existence of which would make unnecessarily difficult or make impractical the operation, retention, or creation of thoroughfares adequate in alignment, dimensions, and vision clearance, to serve the public needs, safety and welfare; that to deal effectively with the practical problem thus presented, it is necessary to establish certain minimum building line setbacks on certain streets in the City.

SECTION 3. USE OF BUILDING LINE SETBACKS. Within the building line setbacks established by this ordinance, it shall be unlawful to erect buildings of any kind, or to erect any structure, including, but not confined to, advertising structures or solid walls; or to establish any well, whether for water, oil or other hydrocarbon products, or to make excavations or install any subsurface structure except those subsurface structures permitted by the Building Code; provided such prohibition shall not apply to trees, agricultural crops, open fences, or public utilities installed under authority of law, or any buildings, structure, well excavation or subsurface structure existing on the effective date of this ordinance, or to signs, canopies or marquees permitted by the Municipal Code.

SECTION 4. BUILDING LINE SETBACK ON COLLEGE AVENUE. (a) A building line setback is hereby established along each side of College Avenue between Needham Avenue and Bowen Avenue, which building line setback shall be forty (40) feet on each side of the established center line plus any setbacks required as a front yard or side street side yard by the zoning regulations of the City.

(b) A building line setback is hereby established along each side of College Avenue between Bowen Avenue and north city limits line, which building line setback shall be thirty (30) feet on each side of the established center line where said area is within the corporate limits of the City of Modesto, plus any setbacks required as a front yard or side street side yard by the zoning regulations of the City, except that the building line setback on the west side of the College Avenue center line shall be forty (40) feet beginning at the north line of Bowen Avenue and shall taper to thirty (30) feet, 286 feet north of the north line of Bowne Avenue.

SECTION 5. BUILDING LINE SETBACK ON NEEDHAM AVENUE. A building line setback is hereby established along each side of Needham Avenue between Highway 99 and McHenry Avenue which building line setback shall be forty-five (45) feet on each side of the established center line plus any setbacks required as a front yard or side street side yard by the zoning regulations of the City.

SECTION 6. BUILDING LINE SETBACK ON DOWNEY AVENUE. A building line setback is hereby established along each side of Downey Avenue between McHenry Avenue and Burney Street which building line setback shall be forty-five (45) feet on each side of the established center line plus any setbacks required as a front yard or side street side yard by the zoning regulations of the City.

SECTION 7. BUILDING LINE SETBACK ON SCENIC DRIVE. A building line setback is hereby established along each side of Scenic Drive between Burney Street and the east city limits line which building line setback shall be forty-five (45) feet on each side of the established center line plus any setbacks required as a front yard or side street side yard by the zoning regulations of the City.

SECTION 8. DETERMINATION OF THE LOCATION OF THE "ESTABLISHED CENTER LINE." Where uncertainty exists as to the exact location of the established center line of any street the Council shall determine such location after recommendation by the City Engineer.

SECTION 9. VARIANCES. When practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this ordinance result through the strict and literal interpretation and enforcement of the provisions hereof, the Board of Zoning Adjustment shall have authority, as an administrative act, subject to the provisions of this ordinance, to grant, upon such conditions as it may determine, such variances from the provisions of this ordinance as may be in harmony with its general purpose and intent, so that the spirit of this ordinance shall be observed, public safety and welfare secured and substantial justice done.

SECTION 10. SEVERABILITY. If any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance; it being hereby expressly declared that this ordinance, and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and

ratified irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 11. VIOLATIONS AND PENALTIES. Any person, firm, association or corporation who, either as principal, owner, agent, servant or employee violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment in the County Jail of Stanislaus County, California, for a period not exceeding one (1) year, or by both such fine and imprisonment.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each day or portion thereof during which such violation continues and shall be punishable therefor as herein provided.

The imposition of one penalty for any violation of this ordinance shall not excuse the violation, or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.

SECTION 12. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 13. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23 day of December, 19 59, by Councilman Mayor Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 352-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of January, ¹⁹⁶⁰ ~~1959~~, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 21, 1959 ¹⁹⁶⁰ ~~1959~~

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

WHEREAS, a petition was filed with the City Clerk by _____

Home Owners Exchange Corporation, Robert P. Bomberger, Muriel F.

Bomberger, Paul M. Zagaris and Liberty Zagaris on

October 14, 1959, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the EAST FLOYD ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 25th day of November, 1959, set said petition for hearing at the hour of 4:30 o'clock p.m. on the 6th day of January, 1960, in the Council Chamber at the McHenry Public Library located at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on December 9, 1959, and on December 16, 1959; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on December 9, 1959, and on December 16, 1959, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assesment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the

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

WHEREAS, on the 6th day of January, 1960, at the hour of 4:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

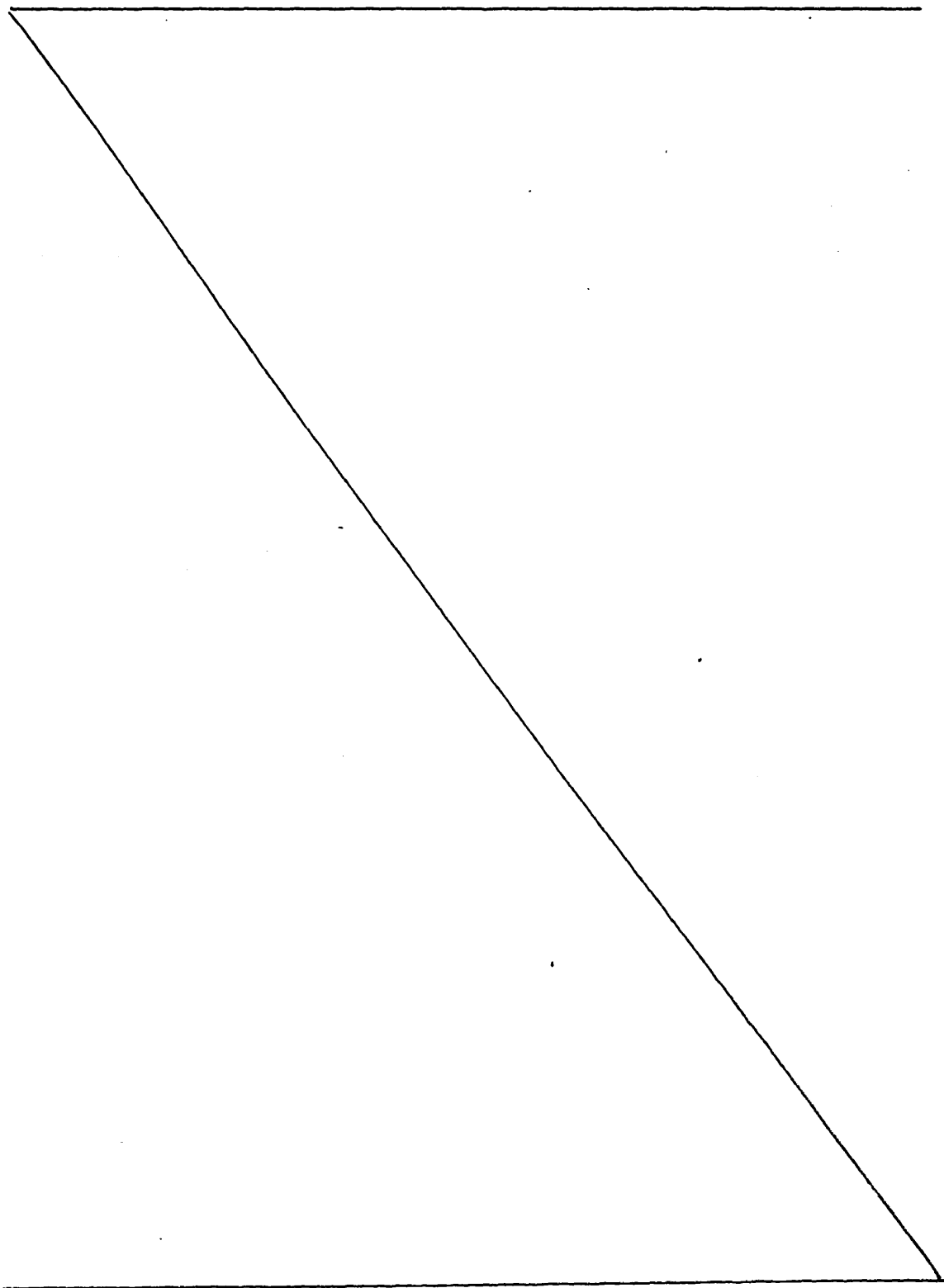
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning on the Eastern line of the existing Corporate City Limits, as established by the Montgomery Village Addition, as per description filed August 3, 1959 as Instrument 22312, Stanislaus County Records, said point being the intersection of the Eastern line of said Montgomery Village Addition and the Southern line of a 40 foot public road known as Floyd Avenue as shown on the Coffee Colony map filed January 13, 1906, in Volume 2 of maps at page 22, Stanislaus County Records; thence Easterly along said Southern line of Floyd Avenue, 1002.65 feet to the Eastern line of the property conveyed to Robert P. Bomberger, et al, by deed recorded December 11, 1958, as Instrument 31627, Stanislaus County Records; thence Southerly along said Eastern line of the Bomberger property to the Southeastern corner thereof, said point being on the East-West quarter section line of Section 16 and the Southern line of said Coffee Colony; thence Westerly along said quarter section line and said Southern line of the Coffee Colony to its intersection with the Eastern line of Montgomery Village Addition and

the existing City Limits; thence Northerly along said Eastern line of Montgomery Village Addition to the point of beginning, containing 29.94 acres, more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of January, 1959, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON E. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE
O'SHEA ADDITION TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____
W. B. O'Shea, Hazel L. O'Shea, Augustine F. Lombardo, Jennie D. Lombardo and
J. G. McCabe _____ on

November 2, 1959, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the O'SHEA ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 25th
day of November, 1959, set said petition for hearing
at the hour of 4:35 o'clock p.m. on the 6th day of January,
1960, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee, a newspaper published in the City of
Modesto on December 9, 1959, and on December 16,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
December 9, 1959, and on December 16, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 6th day of January, 1950, at the hour of 4:35 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

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

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

Beginning at a point on the existing City Limits said point being the intersection of the center line of Ila Way and the Northern line of the LESLIEHUGH TRACT as shown in the Amended Map thereof, filed June 11, 1931 in Volume 11 of Maps at Page 20, Stanislaus County Records; thence Southerly along the existing City Limits and the center line of Ila Way to a point which is 125 feet Northerly from the Northern line of Helen Avenue as shown on said Lesliehugh Tract; thence West-erly along the existing City Limits, which is parallel with and 125 feet at right angles Northerly from said Northern line of Helen Avenue, to the Western line of said LESLIEHUGH TRACT; thence Northerly along said western line of the LESLIEHUGH TRACT and the Western line of Lot 18 of the HIGH HOMES TRACT, filed January 28, 1920 in Volume 9 of Maps at Page 24, Stanislaus County Records, to the Northwestern corner of said Lot 18 of the High Homes Tract; thence Easterly along the Northern line of said Lot 18 of the High Homes Tract and the East-erly extension thereof, to the center line of Ila Way and the point of beginning, containing 1.547 acres, more or less.

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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of January, 1959, by Councilman Arata, who moved its adoption and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
BON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE APPROVING A LEASE AGREEMENT WITH THE STANISLAUS COUNCIL OF GIRL SCOUTS RELATING TO THE RENTAL OF ROOMS NOS. 101, 102, 103 AND 105 AND A BASEMENT ROOM IN THE MODESTO COMMUNITY SERVICE CENTER IN THE CITY OF MODESTO.

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

SECTION 1. APPROVAL OF LEASE AGREEMENT. That certain Lease Agreement between the City of Modesto and the Stanislaus Council of Girl Scouts, relating to the rental of Rooms Nos. 101, 102, 103, and 105 and a basement room in the Modesto Community Service Center as designated on the floor plan of said premises on file in the Office of the City Clerk of the City of Modesto, is hereby approved.

SECTION 2. SIGNING AND ATTESTING. The City Manager and City Clerk of the City of Modesto are hereby authorized to sign and attest, respectively, said Lease Agreement on behalf of the City.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 13 day of January, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, ~~Martin~~, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 355-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of January, 1960, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 4, 1960

AN ORDINANCE AMENDING SECTION 9-1.11 OF CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO BUILDING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 9-1.11 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.11. RESTRICTIONS IN FIRE ZONE NO. 2. That Section 1603 of said Building Code be amended to read as follows:

Section 1603. (a) General. Buildings or structures hereafter erected, constructed, moved within or into Fire Zone No. 2 shall be one of the Types of Construction as defined in this Code and shall meet the requirements of this Section.

For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 504 and Part V. (For regulations covering open parking garages see Section 1109).

Exception: Unprotected Type IV buildings not more than one story in height and not more than twenty-five hundred square feet (2,500 sq. ft.) in area shall be permitted if the exterior walls are ten feet (10') or more from adjacent property lines.

Roof covering shall be "Fire-Retardant" roofing as specified in Section 3203 (e). See Section 104(f) for repairs.

(b) Alterations. No building of Type IV construction in excess of one thousand square feet (1000 sq. ft.) in floor area nor any building of Type V construction already erected in Fire Zone No. 2, shall hereafter be altered, raised, enlarged, added to or moved except as follows:

1. Such building may be made to conform to the provisions of Section 2103 for Type IV and Section 2203 for Type V construction.

2. Changes, alterations, and repairs to the interior of such building or to the front thereof facing a public street may be made provided such changes do not, in the opinion of the Building Official, increase the fire hazard of such building.

3. Roofs of such buildings may be covered only with a "fire-retardant" roofing as specified in Section 3203. See Section 104(f) for repairs.

4. Such building may be moved entirely outside the limits of Fire Zone No. 2.

5. Such building may be demolished.

6. Combustible finish on the outside of walls may be replaced by or covered with exterior plaster as specified in Chapter 47.

(c) Occupancies Prohibited. No Group E, Division 2 occupancy having a floor area exceeding fifteen hundred square feet (1500 sq. ft.) shall be permitted in Fire Zone No. 2.

No Group E, Division 1 or 5 occupancies shall be permitted in Fire Zone No. 2.

Exception: This shall not apply to dry cleaning plants not using highly flammable liquids.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 13 day of January, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Knoles, Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk


Ord. No. 356-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of January, 1960, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 4, 1960

ORDINANCE NO. 357 -C.S.

AN ORDINANCE APPROVING THE GRANTING OF A RIGHT OF WAY TO THE COUNTY OF STANISLAUS FOR PUBLIC HIGHWAY PURPOSES.

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

SECTION 1. That the City Manager of the City of Modesto be and he is hereby authorized to execute on behalf of the city a grant deed conveying to the County of Stanislaus, a body corporate and politic and a political subdivision of the State of California, for public highway purposes, all that certain real property situated in the County of Stanislaus, State of California, more particularly described as follows:

Parcel No. 1

A portion of Lot 10 of Block 9155 of the River View Tract, as same is shown and delineated on Map thereof, filed in Volume 14 of Maps at page 44, Stanislaus County Recorder's Office, said portion being more particularly described as follows, to wit:

COMMENCING at a 3/4" iron pipe marking the Northwest corner of said Lot 10 of Block 9155; thence South 0° 17' 20" East along the Westerly line of said Lot 10 and along the Westerly line of Section 6, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, a distance of 105.00 feet to the true point of beginning of this description; thence continuing South 0° 17' 20" East and along said Westerly lines a distance of 95.00 feet; thence North 89° 46' 40" East a distance of 40.04 feet; thence following a curve concave to the East a distance of 95.02 feet, said curve describing the Easterly right of way line of Carpenter Road extension, said curve having a central angle of 1° 34' 57" and a radius of 3440.00 feet (chord bearing and distance North 0° 48' 25" East, 95.01 feet); thence South 89° 46' 40" West a distance of 41.87 feet to a point on the Westerly line of said Lot 10 of Block 9155 and the true point of beginning of this description.

Containing 0.089 acres.

Parcel No. 2

A portion of Lot 10 of Block 9155 of the Riverview Tract, as same is shown and delineated on Map thereof, filed in Volume 14 of Maps at page 44, Stanislaus County Recorder's Office, said portion being more particularly described as follows, to wit:

COMMENCING at a 3/4" iron pipe marking the Northwest corner of said Lot 10 of Block 9155; thence South 0° 17' 20" East along the Westerly line of said Lot 10 and along the Westerly lines of Sections 6 and 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, a distance of 200.00 feet to the true point of beginning of this description; thence continuing South 0° 17' 20" East and along said Westerly lines a distance of 932.00 feet to the Southwest corner of said

Lot 10; thence South $57^{\circ} 44'$ East and along the Southerly line of said Lot 10 a distance of 29.66 feet; thence North $0^{\circ} 17' 20''$ West along a line describing the Easterly right of way line of the Carpenter Road extension and along a line 25.00 feet Easterly of and parallel with said Westerly line of said Lot 10 a distance of 210.17 feet; thence North $89^{\circ} 42' 40''$ East a distance of 15.00 feet; thence North $0^{\circ} 17' 20''$ West along a line describing the Easterly right of way line of Carpenter Road extension and along a line 40.00 feet Easterly of and parallel with said Westerly line of said Lot 10 a distance of 719.47 feet; thence following a curve concave to the East a distance of 18.28 feet; said curve describing the Easterly right of way line of Carpenter Road extension, said curve having a central angle of $0^{\circ} 18' 16''$ and a radius of 3440.00 feet (chord bearing and distance North $0^{\circ} 08' 12''$ West, 18.28 feet); thence South $89^{\circ} 46' 40''$ West a distance of 40.04 feet to a point on the Westerly line of said Lot 10 and the true point of beginning of this description.

Containing 0.793 acres.

Parcel No. 3

A portion of Government Lot 4, Section 1, Township 4 South, Range 8 East, Mount Diablo Base and Meridian; said portion being more particularly described as follows, to wit:

BEGINNING at the Southeast corner of Government Lot 4, Section 1, said corner also being the Southeast corner of said Section 1, Township 4 South, Range 8 East; thence North $0^{\circ} 17' 20''$ West and along the Easterly line of said Section 1, a distance of 1295.54 feet to a point on the Southerly line of Robertson Road, as same is shown and delineated on Map of Tuolumne Terrace, as same is shown and delineated on Map thereof, filed in Volume 14 of page 39 of Record of Survey, Stanislaus County Recorder's Office, said point being South $0^{\circ} 17' 20''$ East a distance of 30.62 feet from a 4" x 4" post, marking the Southwest corner of the Robertson Tract; thence North $78^{\circ} 50' 50''$ West and along the Southerly line of Robertson Road, a distance of 67.68 feet; thence South $3^{\circ} 02' 08''$ West and along a line describing the Westerly right of way line of the Carpenter Road Extension a distance of 304.59 feet; thence following a curve concave to the East through an arc distance of 207.14 feet; said curve having a central angle of $3^{\circ} 19' 28''$ and a radius of 3570.00 feet (chord bearing and distance South $1^{\circ} 22' 24''$ West, 207.11 feet); thence South $0^{\circ} 17' 20''$ East parallel to and 90.00 feet Westerly of Easterly line of said Section 1, a distance of 797.39 feet to a point on the Southerly line of said Section 1; thence East and along said Southerly line of said Section 1, a distance of 90.00 feet to the Southeast corner of said Section 1 and the point of beginning of this description.

Containing 2.581 acres.

SECTION 2. Upon the execution of said deed by the City Manager, it shall be attested by the City Clerk, who shall deliver the same to the appropriate officials of the County of Stanislaus.

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


SECTION 4. This ordinance shall be published in full at least once at least three (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 13 day of January, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, ~~Martin~~, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles, Martin

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

Ord. No. 357-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20 day of January, 1960, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:


AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 4, 1960

AN ORDINANCE AMENDING SECTIONS 10-2.253, 10-2.501, 10-2.503, 10-2.504, 10-2.903 AND 10-2.1612 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE, RELATING TO ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.253 of Article 2 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.253. PARKING AREA. An open area other than a street, used for the parking of more than five (5) automobiles whether free, for compensation, or as an accommodation.

SECTION 2. AMENDMENT OF CODE. Sections 10-2.501, 10-2.503, and 10-2.504 of Article 5 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

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

(a) One-family dwelling.

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

- (1) Church; wedding chapel.
- (2) Child day care for more than six (6) children, in addition to members of the family.
- (3) Rest Home.
- (4) Public buildings or grounds operated by any governmental agency.
- (5) Public utilities or utilities operated by mutual agencies, including electrical substations, gas metering stations, telephone exchanges, power boosters, or conversion plants, with the necessary buildings, apparatus or appurtenances thereto.
- (6) Radio or television transmitter.
- (7) Tower.
- (8) Private recreational grounds and facilities not open to the general public and to which no admission charge is made.

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

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

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

(1) Household pets, subject to the provisions of Section 10-2.233.

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

(3) The keeping of all domestic animals and fowl provided for in item (2) above shall conform to all other provisions of law governing same and no fowl or animal except household pets, or any pen or coop, except those used for household pets, shall be kept or maintained except under the following conditions:

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

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

(ac) Animals or fowl shall be maintained only at a distance from the property line not less than the required side yard.

(f) Two-family dwelling, when the lot upon which it is located has a side line that abuts property zoned for R-3, C-1, C-2, C-M, M-1, or M-2, but in no case shall the property used for such two-family dwelling consist of more than one lot or be more than seventy-five (75) feet in width, whichever is the lesser.

(g) The following signs:

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

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

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

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

(5) Identification sign and/or name plate shall be permitted, provided that said identification sign and/or name plate shall not exceed twenty (20) square feet in area, and that said identification sign shall display only names of architects, contractors, subcontractors, or engineers of buildings being constructed upon the premises on which said identification sign is located, and that said identification sign must be removed no later than thirty (30) days after construction is completed.

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

(i) A parking area, provided:

(1) A conditional use permit has been obtained in accordance with Article 20 of this chapter.

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

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

(j) Accessory uses and buildings customarily incidental to the above.

SEC. 10-2.503. FRONT YARD. Every lot shall maintain a front yard not less than fifteen (15) feet in depth or the average of existing front yards in the block where fifty (50) per cent or more of the block is developed, provided that in no case shall the front yard be less than six (6) feet or be required to be more than fifteen (15) feet in depth, except that for garages and carports opening onto the front street the minimum distance between the opening of such carport or garage and the front lot line shall be twenty (20) feet.

SEC. 10-2.504. SIDE YARDS. The minimum side yard for any dwelling shall be six (6) feet and the total width of the two required side yards shall be not less than twelve (12) feet. The minimum side yard for a private garage or other accessory building shall be six (6) feet, except that a private garage or other accessory building located at least twelve (12) feet in the rear of the main building requires no side yard provided that no portion of the building shall overhang the property line. On corner lots and reversed corner lots, the side yard which faces on a street shall be not less than fifteen (15) feet for both main and accessory buildings, or the average of existing buildings where more than fifty (50) per cent of the frontage is developed, but in no case shall the side yard be less than six (6) feet or be required to be more than fifteen (15) feet, except that for garages and carports opening onto the side street the minimum distance between the opening of such garage or carport and the side street line shall be twenty (20) feet.

SECTION 3. AMENDMENT OF CODE. Section 10-2.903 of Article 9 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.903. HEIGHT. No building or structure in a C-2 zone shall exceed eight (8) stories or ninety (90) feet in height, whichever is the lesser.

SECTION 4. AMENDMENT OF CODE. Section 10-2.1612 of Article 16 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1612. WALL, FENCE OR HEDGE MAY BE MAINTAINED.

(a) On residentially zoned property a wall, fence, or hedge

not more than forty-two (42) inches in height may be located and maintained on any part of a lot except within the clear vision triangle as required in Section 10-2.1609. A fence, wall, or hedge more than forty-two (42) inches in height but not more than six (6) feet in height may be located anywhere on the lot, provided that no fence, wall, or hedge over forty-two (42) inches in height shall be located closer than fifteen (15) feet to any street line, except that in the case of substandard corner lots referred to in Section 10-2.1618 and certain specified corner lots referred to in Section 10-2.1620 a fence, wall, or hedge not more than six (6) feet in height may be located not closer than seven and one half (7½) feet to the side street, and on a through lot which has vehicular access prohibited to the street at the rear of such lot, a fence, wall, or hedge not more than six (6) feet in height shall be permitted along such rear lot line. Nothing in this section shall be deemed to prevent the erection of a fence, wall or hedge not more than ten (10) feet in height on any part of a lot where a building is permitted.

(b) On C-1 and C-2 zoned property, when such property comprises part of the frontage and part of the remaining frontage is classified for "R" purposes, a fence, wall or hedge on such C-1 or C-2 property shall conform to the requirements of subsection (a) of this section.

(c) On C-M, M-1 and M-2 zoned property when such property comprises part of the frontage and part of the remaining frontage is classified for "R" purposes, or when such property fronts upon a street, the opposite side of which is classified for "R" purposes, a fence, wall or hedge on such C-M, M-1 or M-2 property shall conform to the requirements of subsection (a) of this section.

(d) On commercially or industrially zoned property abutting residentially zoned property, a fence, wall or hedge not more than ten (10) feet in height may be erected along such zone boundary line. If an alley intervenes between such commercial or industrial property and the residential property, a fence, wall or hedge not more than ten (10) feet in height may be erected on either line of the alley.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of January, 19 60, by Councilman VanderWall.

who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 358-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of January, 1960, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 11, 1960

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

WHEREAS, a petition was filed with the City Clerk by _____
ROBERT E. ALFORD and JOANNE H. ALFORD

_____ On
October 22 _____, 1959 _____, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the _____ SARATOGA MANOR _____ ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 9th
day of _____ December _____, 1959, set said petition for hearing
at the hour of 4:30 o'clock p.m. on the 20th day of January _____,
1960, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee _____, a newspaper published in the City of
Modesto on December 17 _____, 1959, and on December 24 _____,
1959; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
December 17 _____, 1959, and on December 24 _____, 1959,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 20th day of January, 1960, at the hour of 4:30 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

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

All that certain real property situate in the State of California, County of Stanislaus, Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Carverwood Addition, as per description filed March 11, 1959, as Instrument 6960, Stanislaus County Records, said point also being the Southwestern corner of North Park Addition as per description filed September 8, 1958, Instrument 22252, Stanislaus County Records; thence Westerly along the Northern line of said Carverwood Addition to a point on the Western line of a 40.00 foot County Road known as Carver Road, said point also

being the Southeastern corner of property conveyed to Dessa J. Driver as per deed recorded May 23, 1958, as Instrument 12820, Stanislaus County Records; thence Northerly along the Western line of said Carver Road and the Eastern line of said Driver property to the point of intersection of the Westerly extension of the Northern line of property conveyed to Nellie Winn as per deed recorded February 16, 1943, as Instrument 2325, Stanislaus County Records which is also the Southern line of the property conveyed to Wallace E. and Anne E. Blomdahl as per deed recorded April 12, 1946, as Instrument 9133, Stanislaus County Records, thence Easterly along the Northern line and its Westerly extension of said Winn property to the Northeastern corner of said Winn property, said corner also being on the existing City Limits as established by the Gregory Gardens No. 2 Addition as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence Southerly along the existing City Limits and the Western line of said Gregory Gardens No. 2 Addition to the Southwestern corner of said Gregory No. 2 Addition; thence Easterly along the existing City Limits and the Southern line of said Gregory Gardens No. 2 Addition to the Northwestern corner of said North Park Addition; thence Southerly along the existing City Limits and the Western line of said North Park Addition to the point of beginning, containing 24.88 acres more or less.

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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.


The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of January, 1960, by ~~Councilman~~ Mayor Hammond, who moved its adoption and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO AND REPEALING SECTION 5 OF ORDINANCE NO. 347-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER, ROAD, from Evergreen Street north to northerly city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
JEFFERSON, from Paradise Road to Eighth Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour

LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to La Loma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
SUTTER, within the city limits	35 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour

SECTION 2. REPEALS. Section 5 of Ordinance No. 347-C.S. adopted by the Council on December 16, 1959, is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 20 day of January, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
 NOES: Councilmen: None
 ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 360-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of January, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 11, 1960

ORDINANCE NO. 361 -C.S.

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM ELMER RIDD AND VIOLA VANN.

WHEREAS, Elmer Ridd and Viola Vann own that certain parcel of real property hereinafter described, and

WHEREAS, the City of Modesto desires to purchase said real property for use for municipal purposes,

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

SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property with improvements thereon, from Elmer Ridd and Viola Vann, individuals, for the sum of Twenty-One Thousand One Hundred Twenty-Two and 65/100ths (\$21,122.65) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

All of Lots 27 and 28 and the Southeasterly 3 feet of the Southwesterly 97 feet of Lot 29 in Block 113 of the City of Modesto, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942, in Volume 15 of Maps.

Excepting from said Lot 27, the Southeasterly 3 feet of the Southwesterly 97 feet thereof.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Elmer Ridd and Viola Vann, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Elmer Ridd and Viola Vann, conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

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

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

The foregoing Ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20 day of January, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:


AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 361-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of January, 1960, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 11, 1960

ORDINANCE NO. 362 -C. S.

AN ORDINANCE AMENDING SECTION 2-5.02 OF CHAPTER 5 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO THE PERSONNEL COMMISSION, AND REPEALING ORDINANCE NO. 195-C. S.

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

SECTION 1. AMENDMENT OF CODE. Section 2-5.02 of Chapter 5 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-5.02. PERSONNEL COMMISSION. The Personnel Commission of the City of Modesto is hereby established to consist of seven (7) members who shall be appointed in accordance with and for the terms prescribed by Section 1102 of the Charter of the City of Modesto. The Commission shall function in all respects in accordance with the applicable provisions of Article XI of said Charter relating to appointive boards and commissions. The Commission shall normally hold at least one regular meeting each quarter. Special meetings may be called by the chairman or by a majority of the commission.

SECTION 2. EXISTING BOARD: VACANCIES. The members of the Personnel Commission holding office when this ordinance takes effect shall continue to hold office thereafter until their respective terms of office shall expire and until their successors shall be appointed and qualified. The vacancies on the Personnel Commission caused by the increase in number of members from five (5) to seven (7) shall be filled by appointment by the Council for terms of such duration, not exceeding four (4) years, as will carry into effect the plan for staggered terms in accordance with the provisions of Section 1102 of the City Charter.

SECTION 3. REPEALS. Ordinance No. 195-C. S., adopted by the Council on August 28, 1957, is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27 day of January, 1960,

by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

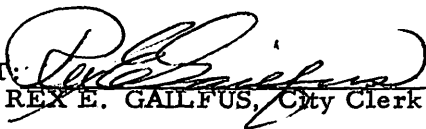
ABSENT: Councilmen: Arata, Spaulding

APPROVED:



DON D. HAMMOND, Mayor

ATTEST:



REX E. GALLFUS, City Clerk

(SEAL)

Ord. No. 362-C.S.


FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3 day of February, 1960, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen:Adams, Arata, Knoles, Martin, VanderWall, Mayor
Hammond
NOES: Councilmen:None
ABSENT: Councilmen:Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 18, 1960

ORDINANCE NO. 363 -C.S.

AN ORDINANCE AMENDING SECTION 2-1.01 OF CHAPTER 1 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO COUNCIL MEETINGS.

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.01 of Chapter 1 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-1.01. REGULAR MEETINGS. (a) Time. Regular meetings of the City Council shall be held on the first, second, third and fourth Wednesday of each month. The meetings held on the first and third Wednesday shall commence at the hour of 4 o'clock P.M., and the meetings held on the second and fourth Wednesday shall commence at the hour of 7:30 o'clock P.M. Meetings of the Council for the purpose of canvassing election returns not held on a regular Council meeting date shall commence at the hour of 4 o'clock P.M. Whenever the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday.

(b) Place. All meetings of the Council shall be held in the Council Chambers in the City Hall located at 11th and H Streets, Modesto, California. If, due to an emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Mayor.

(c) Public. All meetings of the Council shall be open to the public, provided, however, the City Council may hold executive sessions to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing. The Council may also exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the Council.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective from and after fifteen (15) days after its final passage and adoption.

SECTION 3. OPERATIVE DATE. This ordinance shall become operative immediately upon the occupancy of the new City Hall by the city.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 3 day of February,

1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

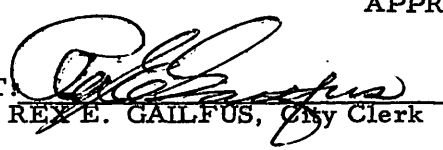
NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 363-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of February, 1960, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 25, 1960

AN ORDINANCE ADDING CHAPTER 8 ENTITLED "REGULATION OF PARADES" TO TITLE IV OF THE MODESTO MUNICIPAL CODE.

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

SECTION 1. AMENDMENT OF CODE. Chapter 8 entitled "Regulation of Parades" is hereby added to Title IV of the Modesto Municipal Code to read as follows:

CHAPTER 8. REGULATION OF PARADES.

SEC. 4-8.01. PERMIT REQUIRED. It shall be unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on, any parade, march, ceremony, show, exhibition, pageant, or procession of any kind or any other similar display, or cause or permit the same upon any public street, alley, park or any other public grounds in the City unless there has first been obtained from the Chief of Police a permit to do so, and said permit shall be carried by a person heading or leading said activity.

SEC. 4-8.02. EXCEPTIONS. The provisions of this chapter shall not apply to:

- (a) Funeral processions;
- (b) Students of the schools going to and from classes or when constituting a part of their educational activities and under the immediate direction and supervision of the proper school authorities; nor
- (c) A governmental agency within the scope of its functions.

SEC. 4-8.03. APPLICATION FOR PERMIT. Any person desiring to conduct or manage a parade shall, not less than fifteen (15) nor more than sixty (60) days before the date on which it is proposed to conduct such parade, file with the Chief of Police a verified application on a form furnished by the Chief of Police, setting forth the following information:

- (a) The name of the person or organization wishing to conduct such parade;
- (b) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name,

address and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization;

(c) The name, address and telephone number of the person who will be the parade chairman and will be responsible for its conduct;

(d) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;

(e) The date when such parade is to be conducted;

(f) The route to be traveled, the starting point and the termination point;

(g) The approximate number of persons who, and animals and vehicles which will constitute such parade; the type of animals, and a general description of the vehicles;

(h) The time when such parade will start and terminate;

(i) Whether such parade will occupy all or only a portion of the width of the streets proposed to be traversed;

(j) The location by streets of any assembly area or areas for such parade;

(k) The time at which units of the parade will begin to assemble at any such assembly area or areas.

SEC. 4-8.04. ISSUANCE OF PERMIT. The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

(a) The conduct of such parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(b) The conduct of such parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto, as to prevent normal police protection to the City;

(c) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;

(d) The conduct of such parade will not unduly interfere with the movement of fire-fighting equipment enroute to a fire or other emergency equipment;

(e) The conduct of such parade is not reasonably likely to cause injury to person or property or to provoke disorderly conduct or create a disturbance; and

(f) Such parade is not to be held for the sole purpose of advertising the goods, wares, or merchandise of a particular business establishment or vendor; provided, however, that the provisions of this subsection shall not prohibit a parade held for the purpose of promoting or publicizing a commercial or trade event of a general nature.

SEC. 4-8.05. TERMS OF PERMIT. The permit to be issued by the Chief of Police shall prescribe the following:

(a) The name of the person or organization wishing to conduct such parade;

(b) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization;

(c) The name, address and telephone number of the person who will be the parade chairman and will be responsible for its conduct;

(d) The name, address and telephone number of the person or organization to whom the permit is desired to be issued;

(e) The date when such parade is to be conducted;

(f) The route to be traveled, the starting point and the termination point;

(g) The approximate number of persons who, and animals and vehicles which will constitute such parade; the type of animals, and a general description of the vehicles;

(h) The time when such parade will start and terminate;

(i) Whether such parade will occupy all or only a portion of the width of the streets proposed to be traversed;

(j) The location by streets of any assembly area or areas for such parade; and

(k) The time at which units of the parade will begin to assemble at any such assembly area or areas.

SEC. 4-8.06. NOTICE OF REJECTION. The Chief of Police shall act upon the application for a parade permit within five (5) days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant within ten (10) days after the date upon which the application was filed, a notice of his action, stating the reasons for his denial of the permit. Such notice shall be mailed to the applicant at his address as given therein.

SEC. 4-8.07. APPEAL. Any person who has been denied a permit by the Chief of Police may appeal to the Council in accordance with the provisions of Chapter 4 of Title I of this Code.

SEC. 4-8.08. ALTERNATIVE PERMIT. The Chief of Police in denying an application, may authorize the conduct of such parade on a date, at a time, or by a route different from that named by the applicant, and if the applicant desires to accept the proposed date, time and route, he shall, within two (2) days after notice of the action of the Chief of Police, file a notice of acceptance with the Chief of Police. The Chief of Police shall thereupon issue a permit. Such permit shall conform to the requirements of this chapter.

SEC. 4-8.09. LATE APPLICATIONS. The Chief of Police shall have authority, in his discretion, to consider any application for a permit to conduct a parade which is filed less than fifteen (15) days before the date such parade is proposed to be conducted.

SEC. 4-8.10. OFFICIALS TO BE NOTIFIED. Immediately upon the granting of a parade permit, the Chief of Police shall send a copy thereof to the following:

- (a) The Fire Chief;
- (b) The City Manager;
- (c) The Director of Public Works;
- (d) The Director of Parking and Traffic;
- (e) The Director of Parks and Recreation;
- (f) The Director of Planning;
- (g) The Postmaster of the Modesto Post Office;
and
- (h) Any public transportation or other utility, the regular routes of whose vehicles will be affected by the route of the proposed parade.

SEC. 4-8.11. INTERFERENCE WITH PARADE. No person shall without the consent of the permittee, join or participate in a parade, nor in any manner interfere with its progress or orderly conduct.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final passage and adoption.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1960, by Councilman Adams, who moved its introduction and passage to print, which motion being

duly seconded by ~~Councilman~~ Mayor Hammond, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

The foregoing ordinance was amended at a regular meeting of the Council of the City of Modesto held on the 10th day of February, 1960, by Councilman Martin, who moved its amendment and publication as amended, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 364-C.S.

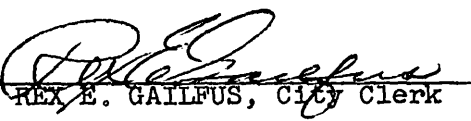
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24 day of February, 19 60, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 10, 1960

AN ORDINANCE AMENDING SECTION 4-7.107 OF ARTICLE 1 OF CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO THE DISTRIBUTION OF ADVERTISING MATERIAL IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Section 4-7.107 of Article 1 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.107. DISTRIBUTION ON PRIVATE PROPERTY AND EXCEPTIONS. It shall be unlawful for any person to distribute or throw upon any street, alley or public place or upon any private yard, lawn, driveway or sidewalk, porch or steps of any residence or upon any vacant property in said City any advertising sample, handbill, dodger, circular, booklet, or other notice of commercial advertising; provided, however, that nothing in this section contained shall prohibit the distribution and delivery of any newspaper which is capable of being entered as second class matter under the provisions of the United States postoffice regulations of March 3, 1879, and other United States statutes, or any regularly issued magazine, into dwelling houses of residents of said City who are subscribers to such newspaper or magazine. Provided, further, that the provisions of this section shall not prohibit the distribution and delivery to dwelling houses of residents of the City of any regularly published medium composed of multiple advertisements of merchants and news items distributed by a business licensed by the City.

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

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

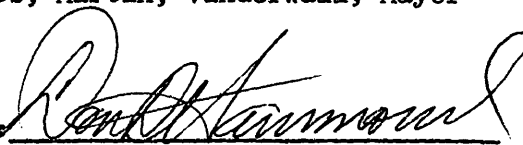
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3 day of February, 1960, by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

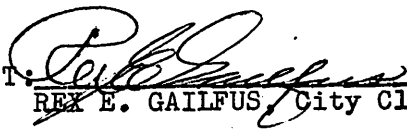
Ord. No. 365-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10 day of February, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 25, 1960

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE, AND REPEALING ARTICLE 4 THEREOF, RELATING TO DOGS.

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

SECTION 1. AMENDMENT OF CODE. Article 2 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

ARTICLE 2. DOGS

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps any dog over the age of four (4) months in the City shall, on or before March 1st of each year, procure a license from the Director of Finance for said dog, and shall be required to pay an annual license fee of Two and no/100ths (\$2.00) Dollars for each such dog; provided, however, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the year, within fifteen (15) days after a dog reaches the age of four (4) months, or within fifteen (15) days after any dog over the age of four (4) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fees herein required of such owner. Any owner who fails to procure such a dog license within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to a penalty of twenty-five (25%) percent of the amount due, and said penalty shall be added to the license fee hereinabove provided for, and shall be collected therewith; provided, however, that if any owner of an unlicensed dog required to be licensed fails to procure a dog license within fifteen (15) days after written notice is given to said owner by the Police Department to license said dog, a penalty of one hundred (100%) percent shall apply. Said notice may be served as provided by Section 5-4.213 of this Code.

SEC. 5-4.202. LICENSE TAG REQUIRED. It is hereby made the duty of the Director of Finance to annually procure and issue upon proper application ^{and payment} therefor, by any person owning, controlling, harboring, or keeping any dog, a serially numbered license tag, stamped with the name of the City and the year of the issuance. 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 Director of Finance 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 Director of Finance and shall be open to public inspection.

The person to whom said license is issued shall affix or cause to be affixed the license tag hereinabove mentioned to said dog for whom said license is issued, and said dog shall thereafter, at any and all times, have attached to it said license tag aforesaid.

The license issued by the Director of Finance in this section provided shall not be transferable.

SEC. 5-4.203. FEE FOR DUPLICATE TAG. Whenever a license tag, as provided for in Section 5-4.202 of this Code, issued for the current year, has been lost or taken or stolen by parties unknown to the owner, or person having control of the dog for which the same was issued, such owner or person having control of such dog, may

upon the payment of the sum of fifty (50¢) cents and upon the making and subscribing to an affidavit of such loss of said tag, receive from the Director of Finance a duplicate license tag for the remaining portion of the year for which the original license was issued.

SEC. 5-4.204. IMMUNIZATION REQUIRED. It shall be unlawful for any person to keep, own or harbor any dog or dogs in the City over the age of four (4) months unless such dog or dogs have been vaccinated with an approved canine anti-rabies vaccine by a veterinarian authorized to practice veterinary medicine or surgery in this State.

SEC. 5-4.205. FREQUENCY OF VACCINATION: ISSUANCE OF CERTIFICATES. Dogs vaccinated with nervous-tissue vaccine shall be vaccinated at least once each year. Dogs vaccinated with chicken-embryo vaccine shall be vaccinated at least once each two (2) years. Doctors of veterinary medicine and surgery who vaccinate dogs with approved anti-rabies vaccine shall issue certificates of such vaccination to the person owning or possessing such dog.

SEC. 5-4.206. LICENSING: VACCINATION TAGS. No dog license shall be issued pursuant to Section 5-4.202 of this Code for any dog unless and until the owner of said dog shall present to the Director of Finance a certificate of a duly licensed doctor of veterinary medicine, certifying that such dog has been vaccinated with an approved chicken-embryo anti-rabies vaccine within a period of not more than two (2) years prior to January 1st of the licensing year, or has been vaccinated with an approved nervous-tissue anti-rabies vaccine within a period of not more than one year prior to January 1st of the licensing year.

SEC. 5-4.207. LEASH REQUIRED. No dog shall be permitted in or upon any public street, alley, park, park-way, or other public place in the City or in or upon any property belonging to said City, unless said dog shall be on a leash and is under the complete control of the person owning or at the time in possession of said dog. Said leash in no event shall be of a length greater than eight (8') feet.

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

SEC. 5-4.208. MUZZLING. No person shall be compelled to muzzle any dog except in cases of emergencies. Such emergencies shall be deemed to exist when and if the Health Officer shall determine and report to the Council that there is in the City or County surrounding said City, an epidemic of rabies. When and if said Health Officer reports as aforesaid, then all persons in the City owning, possessing, keeping, or harboring any dog or dogs shall cause the same to be muzzled and to remain muzzled, except when said dog or dogs are eating, until said Health Officer shall publicly and officially declare that such epidemic is at an end.

SEC. 5-4.209. DISTURBING THE PEACE. It shall be unlawful for any person in possession or control of a dog to permit said dog to disturb the peace and quiet of any of the citizens of the City.

SEC. 5-4.210. DUTY OF POUNDMASTER TO IMPOUND UNLICENSED DOGS. It shall be the duty of the poundmaster to impound all dogs over the age of four (4) months that are unlicensed and/or unidentified, as provided for in this article, or that are in and upon any public street, alley, park, park-way or public place unleashed.

SEC. 5-4.211. REDEEMING IMPOUNDED DOGS. Subject to the provisions of Section 5-4.212 of this Code, whenever any dog is impounded under the provisions of Section 5-4.210 of this Code, the owner or any person interested therein may redeem the same upon payment to the City Poundmaster of the license fee provided in Section 5-4.201 of this Code, if said license fee has not heretofore been paid, and the further payment of the sum of One (\$1.00) Dollar, together with the further sum of twenty-five (25¢) cents per day for each day that said dog is impounded. The City Poundmaster shall transmit said fees to the Director of Finance.

SEC. 5-4.212. DEPOSIT REQUIRED TO REDEEM UNVACCINATED DOGS. The owner or person redeeming an impounded dog that has not been vaccinated shall deposit with the City Poundmaster the sum of Ten and no/100ths (\$10.00) Dollars as a guarantee that said owner will have such dog vaccinated as provided by Sections 5-4.204 through 5-4.206, obtain a license and pay impounding fees as provided in Section 5-4.211 for such dog within thirty (30) days from the date of such redemption. The City Poundmaster shall transmit the said deposit to the Director of Finance, who upon the surrender of the receipt therefor, within thirty (30) days from the date of such redemption, together with satisfactory evidence that the dog has been properly vaccinated and licensed, will refund the deposit to the owner who has redeemed the dog as herein provided. In the event that the owner redeeming such dog fails to have the said dog properly vaccinated and licensed within thirty (30) days from the date of such redemption, the Ten and no/100ths (\$10.00) Dollars deposited in the City Trust Fund shall be forfeited to the City and deposited in the General Fund. Forfeiture of the deposit does not waive compliance with the provisions of this article.

SEC. 5-4.213. NOTICE TO OWNER BEFORE KILLING IMPOUNDED DOGS. No dog impounded under the provisions of this article shall be killed until and after notice is given by said poundmaster to the owner of said dog, if known, as hereinafter provided. The notice as provided for in this section shall contain a description of the dog impounded, including the sex and breed thereof and the date said dog was impounded.

The notice required by this section may be served either:

- (a) By delivering a copy to the owner of the dog personally; or
- (b) If he be absent from his place of residence, and from his usual place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy through the mail addressed to the owner of said dog at his place of residence; or
- (c) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by sending a copy of said notice through the mail addressed to the owner of said dog at the last known address of said owner.

If no person appears and redeems said dog within five (5) days from the giving of notice as herein provided, said poundmaster shall cause and direct said dog to be humanely killed.

SEC. 5-4. 214. EXEMPTIONS. The provisions of this article shall not apply to any dog owned by or in charge of any person who is a nonresident of the City of Modesto and who is traveling through the City of Modesto, or temporarily sejourning therein for a period of not to exceed fifteen (15) days; nor to any dog brought into the City and kept therein for not to exceed fifteen (15) days for the exclusive purpose of entering said dog in any bench show, dog exhibition, field trial or competition; nor to any dog brought to or sent into the City from any point outside thereof for the exclusive purpose of receiving care from a licensed veterinary.

SECTION 2. REPEALS. Article 4 of Chapter 4 of Title V of the Modesto Municipal Code is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of February, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 366-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of February, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,

Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 3, 1960

AN ORDINANCE AMENDING SECTIONS 9-1.01, 9-1.03.1, 9-1.04, 9-1.06, 9-1.07, 9-1.08, AND 9-1.11.1 OF CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, ADDING SECTIONS 9-1.18 AND 9-1.19 THERETO, AND REPEALING SECTIONS 9-1.05, 9-1.09, 9-1.11, 9-1.12 AND 9-1.13 RELATING TO BUILDING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 9-1.01 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.01. ADOPTION BY REFERENCE OF "UNIFORM BUILDING CODE". That certain document, three (3) copies of which are on file in the Office of the City Clerk, being marked and designated as "Uniform Building Code, 1958 Edition, Volume I", published by the International Conference of Building Officials, together with the Appendix thereto and the Uniform Building Code Standards included therein, which said Code provides for proper regulations for erecting, constructing, enlarging, altering, repairing, removing, conversions, demolition, occupancy, equipment, use, height and maintenance of buildings or structures in the City and providing for the issuance of permits and collection of fees therefore, declaring and establishing fire districts, providing penalties for the violation thereof, as hereinafter amended, deleted and added to, be and the same is hereby adopted by reference as the Building Code of the City of Modesto.

SECTION 2. AMENDMENT OF CODE. Section 9-1.03.1 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.03.1. FEES. That Section 303 of said Building Code be amended to read as follows:

Section 303. (a) Building Permit Fees. A fee for each building permit shall be paid to the Building Official as set forth in Table No. 3-A.

TABLE NO. 3-A - BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
Less than \$20.00	No Fee
\$20.00 to and including \$100.00	\$ 1.00
More than \$100.00 to and including \$400.00	2.00
More than \$400.00 to and including \$700.00	4.00
More than \$700.00 to and including \$1,000.00	6.00
Each additional \$1,000.00 or fraction, to and including \$15,000.00	2.00
Each additional \$1,000.00 or fraction, to and including \$50,000.00	1.00
Each additional \$1,000.00 or fraction exceeding \$50,000.00	.50

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

(b) Plan-Checking Fees. When the valuation of proposed Industrial or Commercial construction exceeds One Thousand and no/100ths (\$1,000.00) Dollars, and a plan is required to be submitted by subsection (c) of Section 301, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one half (1/2) of the building permit fee as set forth in Table No. 3-A.

(c) Governmental Agencies. No building permit fee shall be required for the issuance of a building permit to any governmental agency.

SECTION 3. AMENDMENT OF CODE. Section 9-1.04 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.04. DEFINITION OF "ALLEY". That the term "alley" as defined in Section 402 of said Building Code be amended to read as follows:

Section 402. Alley. A public thoroughfare for use of pedestrians and vehicles which affords, or is designed or intended to afford, the secondary means of access to abutting property.

SECTION 4. AMENDMENT OF CODE. Section 9-1.06 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.06. FRONTAGE - GROUP A. That Section 603 of said Building Code be amended to read as follows:

Section 603. Buildings housing Group A occupancies shall front directly upon at least one public street, not less than twenty-six (26') feet in width, in which front shall be located the main entrance and exit of such building. The main assembly floor shall be located at or near the adjacent ground level.

For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 1803.

SECTION 5. AMENDMENT OF CODE. Section 9-1.07 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.07. FRONTAGE - GROUP B. That Section 703 of said Building Code be amended to read as follows:

Section 703. All buildings housing Group B occupancies shall front directly upon at least one public street, not less than twenty-six (26') feet in width, in which front shall be located the main entrance of such building.

For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 504 and Part V.

SECTION 6. AMENDMENT OF CODE. Section 9-1.08 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.08. FRONTAGE - GROUP C. That Section 803 of said Building Code be amended to read as follows:

Section 803. Group C occupancies shall front directly upon at least one public street, not less than twenty-six (26') feet in width, in which front shall be located at least one required exit.

For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 504 and Part V.

SECTION 7. AMENDMENT OF CODE. Section 9-1.11.1 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.11.1. ROOF COVERINGS. That Section 1704 of said Building Code be amended to read as follows:

Section 1704. Roof coverings shall be "fire retardant" except in Type V buildings housing Group H, I and J occupancies, where it may be as specified in Section 3203(f). Group H occupancies shall be required to have automatic sprinklers on the roof (Ridge Sprinklers) where wood shingles or shakes are used. This provisions shall be applicable only in Fire Zone No. 3.

Skylights shall be constructed as required in Chapter 34.

Penthouses shall be constructed as required in Chapter 36.

For use of plastics in roofs see Chapter 52.

Exception: Roofs of cedar or redwood shakes having a nominal thickness of one (1") inch at the butt may be used in buildings of Group F, Division 2, occupancies of Type V construction, where there are no general requirements for fire resistance, provided that the horizontal clearance between cornice and property line, except street fronts, is not less than ten (10') feet. This provision shall be applicable only in Fire Zone No. 3. Automatic sprinklers on the roof (Ridge Sprinklers) shall be required.

SECTION 8. AMENDMENT OF CODE. Section 9-1.18 is hereby added to Chapter 1 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-1.18. PROTECTION OF ADJACENT PROPERTY AND SANDBLASTING.

(a) Protection of Adjacent Property. No sandblasting, demolition, or other building construction operations shall be carried on in a manner that will be detrimental or injurious to adjacent property, pedestrians, sidewalks, or vehicles using the streets in the vicinity of the operation.

(b) Sandblasting. No person shall sandblast the exterior of any building or structure located in a C-1 Zone or a C-2 Zone as established by the zoning regulations of

this Code without first obtaining a separate permit for each such building or structure from the Building Official. No building or other structure located in a C-1 Zone or a C-2 Zone shall be sandblasted except by a wet process precluding the creation of dust and dry debris.

Exception: Dry sandblasting may be permitted by the Building Official only when evidence is submitted that this process is necessary for the proper cleaning of the building or structure. No permission may be granted unless it can be shown that the use of this process will not be detrimental to adjoining property or public welfare.

(c) Fees. Fees for permits shall be as set forth in Section 9-1.03.1 of this Code.

SECTION 9. AMENDMENT OF CODE. Section 9-1.19 is hereby added to Chapter 1 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-1.19. CONCRETE SLABS. Concrete slab floors, when used as a finish floor or as a base for other floor finish in rooms to be used for human occupancy, shall be constructed according to the following requirements, or as approved by the Building Official.

(a) Four (4") inches of compacted river-run rock, or better, shall be placed so that the surface of this base is not less than three (3") inches above grade.

(b) A membrane water-proofing or water-proofing acceptable to the Building Official shall be placed on the rock base. Membrane shall extend to exterior walls or beyond the limits of habitable rooms and turn up to top of slab or down to bottom of footing for monolithic pours.

(c) Minimum thickness of concrete shall be three and one half (3½") inches.

SECTION 10. REPEALS. Sections 9-1.05, 9-1.09, 9-1.11, 9-1.12 and 9-1.13 of Chapter 1 of Title IX of the Modesto Municipal Code are hereby repealed.

SECTION 11. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 12. SAVINGS. The provisions of this ordinance shall not affect any proceeding, suit, or prosecution heretofore or hereafter commenced under the provisions of the Municipal Code as they existed prior to the effective date of this ordinance. No offense committed and no liability, penalty, or forfeiture, either civilly or criminally

incurred under the provisions of the Municipal Code as they existed prior to the effective date of this ordinance, shall be discharged or affected by the adoption of this ordinance; but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures shall be instituted or proceeded with in all respects as if this ordinance had not been adopted.

SECTION 13. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10 day of February, 1960, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 367-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17 day of February, 19 60, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 3, 1960

ORDINANCE NO. 368- -C.S.

AN ORDINANCE ADDING SECTION 4-2.22.1 TO CHAPTER 2 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, AND REPEALING SUBSECTION (d) OF SECTION 4-2.22 THEREOF, RELATING TO THE FIRE DEPARTMENT.

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

SECTION 1. AMENDMENT OF CODE. Section 4-2.22.1 is hereby added to Chapter 2 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-2.22.1. FALSE AND FICTITIOUS REPORTS TO FIRE DEPARTMENT. It shall be unlawful for any person knowingly to do or commit any of the following acts:

(a) Report any false or fictitious information to the Fire Department indicating that a fire has been set or that a fire is about to be set.

(b) Make any false or fictitious request of the Fire Department for help or protection.

(c) Cause the Fire Department to respond to any false or fictitious report.

(d) Request the assistance of, or investigation by, the Fire Department in connection with, or as a result of, any such false or fictitious report or information.

(e) Report any false or fictitious information to the Fire Department as to:

(1) The manner in which a fire was set; or

(2) The amount of value of property damaged, or destroyed as a result of a fire; or

(3) The circumstances surrounding the setting of a fire; or

(4) Any other material fact regarding the setting of a fire.

SECTION 2. REPEALS. Subsection (d) of Section 4-2.22 of Chapter 2 of Title IV of the Modesto Municipal Code is hereby repealed.

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

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

The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of February, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and order printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 368-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24 day of February, 19 60, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 10, 1960

AN ORDINANCE AMENDING SECTION MAP 29 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SECURITY TITLE INSURANCE COMPANY-PROPERTY IN BLOCKS 87 AND 90)

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

SECTION 1. ZONING RECLASSIFICATIONS. Section Map 29 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17 day of February, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

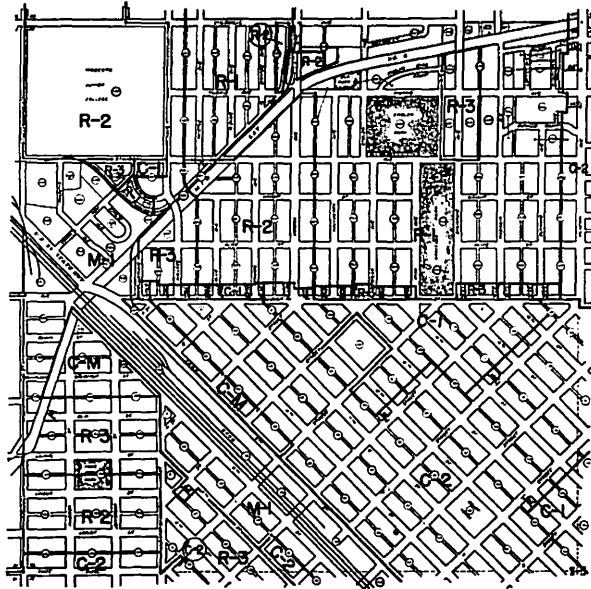
APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO
Feb. 25, 1960.

Ordinance No. 369-C.S.

Ord. No. 369-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2 day of March, 1960, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 17, 1960

AN ORDINANCE APPROPRIATING ADDITIONAL REVENUE IN THE SPECIAL FUND FOR CAPITAL OUTLAYS FOR THE 1959-1960 FISCAL YEAR.

WHEREAS, it is anticipated that an additional sum of Forty-Five Thousand and no/100ths (\$45,000.00) Dollars from sales tax, and Fifteen Thousand and no/100ths (\$15,000.00) Dollars from the sale of walnut trees not heretofore appropriated will be received in the Special Fund for Capital Outlays, and

WHEREAS, the Council desires to increase the Special Capital Outlay Reserve of the Special Fund for Capital Outlays to provide for expenditures during the 1959-60 fiscal year, which have been or may be hereafter approved by them, and for which funds have not been appropriated.

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

SECTION 1. APPROPRIATION. The sum of Forty-Five Thousand and no/100ths (\$45,000.00) Dollars which is estimated to be received from sales tax and Fifteen Thousand and no/100ths (\$15,000.00) Dollars which has been received from the sale of walnut trees and deposited in the Special Fund for Capital Outlays in the 1959-60 fiscal year not heretofore appropriated is hereby appropriated as follows:

Special Capital Outlay Reserve in the amount of \$60,000.00

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once in The Modesto 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 24 day of February, 1960, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen Arata

APPROVED


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GALFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE
Y. M. C. A. ADDITION TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by the
COUNTY COMMITTEE OF THE YOUNG MEN'S CHRISTIAN ASSOCIATIONS OF
STANISLAUS COUNTY, CALIFORNIA On

January 6, 1960, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the Y. M. C. A. ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th
day of January, 1960, set said petition for hearing
at the hour of 8:00 o'clock p.m. on the 9th day of March,
1960, in the Council Chamber at the McHenry Public Library located
at Fourteenth and I Streets in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee, a newspaper published in the City of
Modesto on February 10, 1960, and on February 17,
1960; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
February 10, 1960, and on February 17, 1960,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 9th day of March, 1960, at the hour of 8:00 o'clock p.m., in the Council Chamber in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

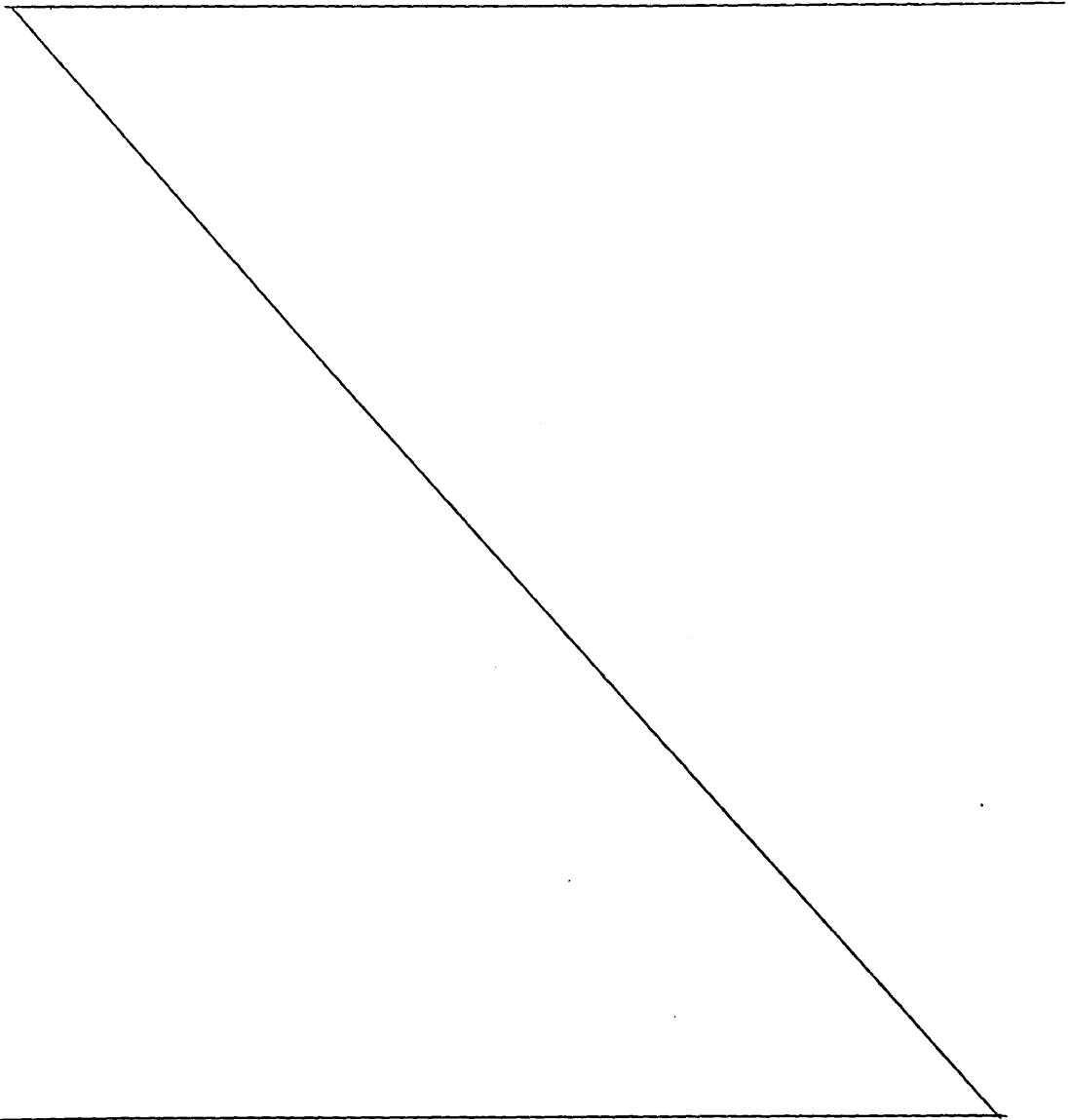
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Northeast Addition, as per description filed January 31, 1958 as Instrument 2427, Stanislaus County Records, said point being the intersection of the Western line of a 50 foot public road known as McHenry Avenue and the Southern line of a 40 foot public road known as Leveland Lane; thence Easterly along the Easterly extension of the Southern line of said Leveland Lane to the Eastern line of said

McHenry Avenue; thence Northerly along the Eastern line of McHenry Avenue, said line also being the Western line of Lot 9 of the Coffee Colony, filed January 13, 1906 in Volume 2 of Maps at page 22, Stanislaus County Records, to the Northwestern corner of said Lot 9; thence Easterly along the Northern line of said Lot 9 of the Coffee Colony to a point which is 264 feet Westerly from the Eastern line of said Lot 9 of the Coffee Colony; thence Southerly along a line parallel with and 264 feet Westerly from the Eastern line of Lot 9 and 10 of said Coffee Colony to the Southern line of a 40 foot public road known as Floyd Avenue and the existing City Limits; thence Westerly along the existing City Limits and the Southern line of said Floyd Avenue and its Westerly extension to the Western line of said McHenry Avenue; thence Northerly along the existing City Limits and said Western line of McHenry Avenue to its intersection with said Southern line of Leveland Lane and the point of beginning, containing 6.561 Acres, more or less.



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

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

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

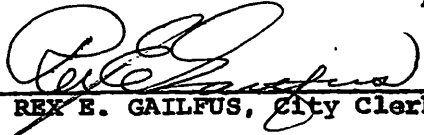
SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of March, 1960, by Councilman Martin, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM JOHN QUARESMA AND BERNICE QUARESMA.

WHEREAS, on April 17, 1959, the City of Modesto filed a complaint in eminent domain in the Superior Court of the State of California in and for the County of Stanislaus, being action No. 67093, seeking to condemn for street purposes the real property described therein and interests of the owners thereof upon payment to them of just compensation for the taking of said property and any damages incident thereto, and

WHEREAS, the City of Modesto and John Quaresma and Bernice Quaresma desire to compromise the issues raised by the pleadings filed in said condemnation proceedings by means of that certain agreement referred to in Section 2 of this ordinance.

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

SECTION. PURCHASE AUTHORIZED. The purchase of the following described real property consisting of ~~0.090~~ acres more or less, from John Quaresma and Bernice Quaresma, husband and wife, for the sum of Eight Thousand Four Hundred and no/100ths (\$8,400.00) Dollars, in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 20, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the intersection of the Southern line of a 40 foot public road known as West Roseburg Avenue and the Eastern line of a 40 foot public road known as Tully Road; thence along said Eastern line of Tully Road, South $0^{\circ} 01' 30''$ West, 115.07 feet; thence along a line parallel with and 115 feet at right angles Southerly from said Southern line of West Roseburg Avenue, South $87^{\circ} 56' 50''$ East, 25.02 feet; thence along a line parallel with and 25 feet at right angles Easterly from said Eastern line of Tully Road, North $0^{\circ} 01' 30''$ East, 105.06 feet, to a point which is 10 feet at right angles Southerly from said Southern line of West Roseburg Avenue; thence along a line parallel with said Southern line of West Roseburg Avenue, South $87^{\circ} 56' 50''$ East, 105.06 feet; thence along a line parallel with and 130 feet at right angles Easterly

from said Eastern line of Tully Road, North 0° 01' 15" East, 10.01 feet, to said Southern line of West Roseburg Avenue; thence along said Southern line of West Roseburg Avenue, North 87° 56' 50" West, 130.08 feet, to the point of beginning, containing 0.090 acre, more or less.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and John Quaresma and Bernice Quaresma, relating to the purchase of certain real property for street purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from John Quaresma and Bernice Quaresma, conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9 day of March, 1960, by Councilman Mayor Hammond, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, VanderWall, Mayor Hammond

NOES: Councilmen: Adams

ABSENT: Councilmen: Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 372-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of March, 1960, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: Adams
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 31, 1960

ORDINANCE NO. 373 -C.S.

AN ORDINANCE AMENDING SECTION 16 OF THE ZONING MAP OF THE CITY OF MODESTO TO ESTABLISH INTERIM ZONING FOR CERTAIN PROPERTY LOCATED THEREON NEWLY ANNEXED TO THE CITY. (Y. M. C. A. ADDITION)

WHEREAS, Y. M. C. A. Addition was annexed to the City of Modesto on March 11, 1960, and

WHEREAS, Section 10-2.1505 of the Municipal Code authorizes the Council, upon the recommendation of the Planning Commission, to temporarily classify newly annexed territory into zones other than R-1 classification by the adoption of an emergency interim ordinance in order to protect the public health, safety and welfare of the City.

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

SECTION 1. INTERIM ZONING. Section 16 of the Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference. The purpose of said amendment is to establish interim zoning for newly annexed territory as set forth on said map. Except for the interim zoning of newly annexed territory as shown on said map, the existing zoning shall continue in effect.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency. The property for which interim zoning is established by this ordinance is newly annexed to the City. The best utilization and development of said property requires the establishment of interim zoning pending the completion of formal zoning proceedings.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 4. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of March, 1960, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, ^{Spaulding,} VanderWall, Mayor Hammond

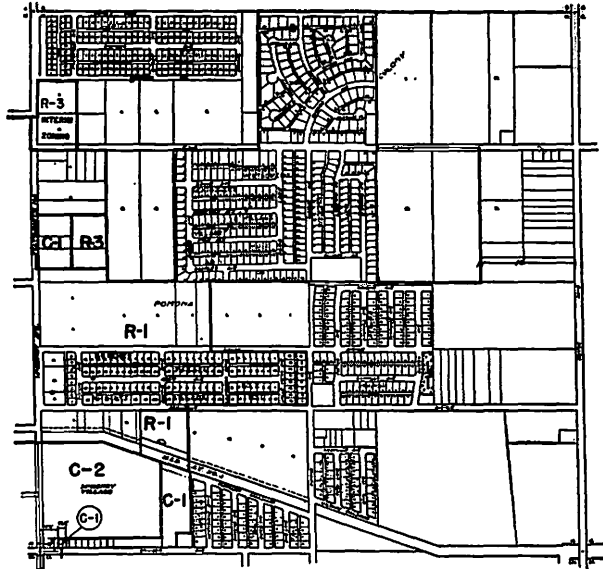
NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO 223 10-3-9
10-1000 A-10-88

Ordinance No. 373-C.S.

AN ORDINANCE AMENDING SECTIONS 4-6.206.1, 4-6.306, 4-6.402, 4-6.404, 4-6.703 AND 4-6.707 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTION 4-6.402.1 THERETO, RELATING TO TAXICABS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-6.206.1 of

Article 2 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.206.1. POSTING OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY. Each taxicab operator to whom the Director of Parking and Traffic has issued a certificate of public convenience and necessity, shall cause an authenticated copy of the certificate to be posted on the dash in a position clearly visible to the passenger in the taxicab, or in some other area approved by the Director of Parking and Traffic.

SECTION 2. AMENDMENT OF CODE. Section 4-6.306 of

Article 3 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.306. POSTING OF FARES. Each taxicab operator shall cause to be displayed a card not less than two inches by four inches (2" x 4") in size which shall have plainly printed thereon the name of the owner or the fictitious name under which owner operates, the business address and telephone number of said owner, "the rated capacity of the taxicab", and a correct schedule of the rates to be charged for conveyance in said vehicle. Said card shall be conspicuously posted on the rear side window of the taxicab or in some other area approved by the Director of Parking and Traffic.

SECTION 3. AMENDMENT OF CODE. Section 4-6.402 of

Article 4 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.402. INSPECTION OF TAXIMETERS. Taximeters placed upon taxicabs, to replace broken or faulty meters, shall under no condition be operated more than twenty-four (24) hours prior to being inspected, tested, and approved by the Director of Parking and Traffic.

SECTION 4. AMENDMENT OF CODE. Section 4-6.402.1 is hereby

added to Article 4 of Chapter 6 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-6.402.1. SEALING OF TAXIMETERS. Sealing of taximeters may be required by the Director of Parking and Traffic.

SECTION 5. AMENDMENT OF CODE. Section 4-6.404 of

Article 4 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.404. SIGNS. All taxicabs or other vehicles employed in the City for the purpose of transporting passengers for hire, except vehicles operating from a fixed terminal over regular routes, shall be equipped with and carry signs in at least two (2") inch letters, visible to both the front and rear, or front and sides of the vehicles identifying them as taxis. In the event such taxicab is an extra or spare cab not in regular use and being substituted for one of the taxicabs regularly licensed hereunder, such taxicab must be identified in addition to the foregoing signs by a card, placard or sign affixed to the rear and to the front of said taxicab in letters at least five (5") inches high containing the word "Extra" or "Spare".

SECTION 6. AMENDMENT OF CODE. Section 4-6.703 of

Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.703. INFORMATION REQUIRED. Said permit shall be in the form of a card which shall bear signatures, photographs and fingerprints of the applicant. Such cards shall be issued in duplicate and one copy with the fingerprints, photograph and signature of the applicant shall be placed on file with the Director of Parking and Traffic of the City and the other card shall be carried on the driver's person at all times during which the taxicab is operated.

SECTION 7. AMENDMENT OF CODE. Section 4-6.707 of Article 7

of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.707. KNOWLEDGE OF REGULATIONS. Each applicant for a permit may be examined as to his knowledge of the provisions of this chapter and the traffic regulations by a person designated by the Director of Parking and Traffic. If the result of the examination is unsatisfactory, he shall be refused a permit.

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

SECTION 9. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Spaulding

APPROVED: 
DON. D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

Ord. No. 374 G.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of April, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GALLFUS, City Clerk

EFFECTIVE DATE: April 21, 1960

ORDINANCE NO. 375 -C.S.

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY BELONGING TO THE CITY OF MODESTO TO ROBERT C. WATSON, AN INDIVIDUAL.

WHEREAS, the City of Modesto owns that certain parcel of real property hereinafter described, and

WHEREAS, Robert C. Watson, an individual, desires to purchase said parcel of property,

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

SECTION 1. SALE AUTHORIZED. The sale of the following described real property to Robert C. Watson for the sum of One Thousand and no/100ths (\$1,000.00) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance, is hereby approved. Said real property is described as follows:

That portion of Block 6000-A of the Mensinger Tract No. 4, as per map filed August 1, 1946, in Volume 14 of Maps, page 68, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of Lot 12 in said Block 6000-A, said point being on the Western line of a 20 foot alley; thence South $88^{\circ} 51' 30''$ East, 20.01 feet along the Easterly extension of the Southern line of Lot 12 to the Eastern line of said alley; thence North $0^{\circ} 56'$ West, 45.00 feet along said Eastern line of alley to the Northwestern corner of property conveyed to Robert C. Watson by deed recorded April 11, 1957, as Instrument No. 9694, Stanislaus County Records; thence North $88^{\circ} 51' 30''$ West, 39.99 feet along the Westerly extension of the Northern line of said Watson property; thence South $0^{\circ} 56'$ East, parallel with said Eastern line of alley, 45.00 feet to the Southern line of said Lot 12; thence South $88^{\circ} 51' 30''$ East, 19.98 feet to the point of beginning.

Containing 0.041 Acre more or less.

That portion of Block 6000-A of the Mensinger Tract No. 4, as per map filed August 1, 1946 in Volume 14 of Maps, page 68, Stanislaus County Records, described as follows:

Beginning at the Northeastern corner of Lot 17 in said Block 6000-A, said point being on the Western line of a 20 foot alley; thence South $88^{\circ} 51' 30''$ East, 20.01 feet along the Easterly extension of the Northern line of Lot 17 to the Eastern line of said alley; thence South $0^{\circ} 56'$ East, 5.00 feet to the Southwestern corner of property conveyed to Robert C. Watson by deed recorded April 11, 1957, as Instrument No. 9695, Stanislaus County Records; thence North $88^{\circ} 51' 30''$

West, 39.99 feet along the Westerly extension of the Southern line of said Watson property; thence North 0° 56' West, parallel with said Eastern line of alley, 5.00 feet to the Northern line of said Lot 17; thence South 88° 51' 30" East, 19.98 feet to the point of beginning.

Containing 0.0046 Acre more or less.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Robert C. Watson, relating to the sale of certain real property, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.

SECTION 3. EXECUTION OF DEED. That the Mayor and City Clerk be, and they are hereby authorized on behalf of the City, to execute and attest, respectively, a deed granting the aforesaid property to Robert C. Watson, an individual.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of April, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS CALIFORNIA-FRANKLIN ADDITION TO THE CITY OF MODESTO.

WHEREAS, on the 16th day of March, 1960, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, the Council of the City of Modesto, on its own motion, adopted Resolution No. 60-106 giving notice of the proposed annexation of certain uninhabited territory to the City of Modesto, hereinafter described and designated as _____ CALIFORNIA - FRANKLIN ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, said Resolution No. 60-106 set forth the intention of the City of Modesto to annex said territory and fixed the day, hour and place when and where the Council would hear protests made by any person owning real property within the territory proposed to be annexed, the time of said hearing being not less than forty (40) nor more than sixty (60) days from the date of passage of said resolution, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on March 24th, 1960, and March 31st, 1960; ~~and in the Modesto Daily Journal, a newspaper published in the City of Modesto, Stanislaus County, California, on _____, 19____, and _____, 19____ for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized~~

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

WHEREAS, on the 27th day of April, 1960, at the hour of 8:00 o'clock p.m., in the Council Chambers in the McHenry Public Library in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

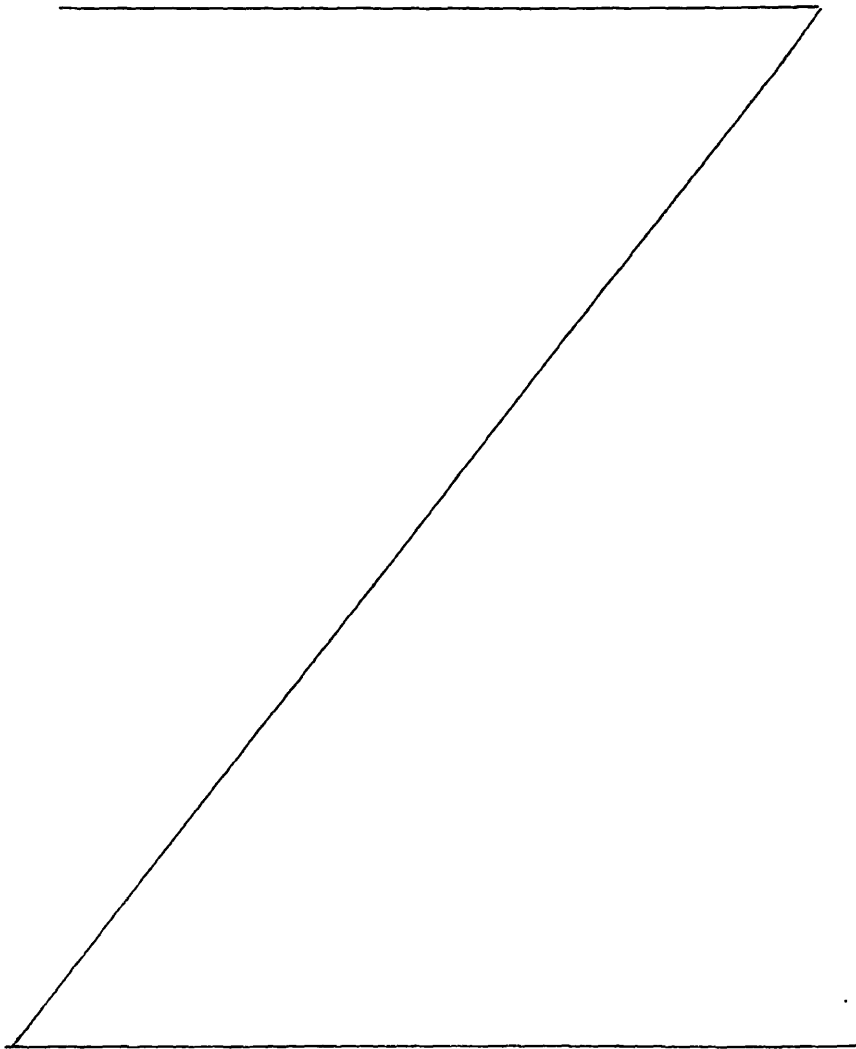
NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

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

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

All that certain real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Described as follows:

Commencing at a point on the existing Corporate City Limits, said point being the Southeastern corner of Lot 15 of the Spencer Colony as per map filed December 16, 1904 in Volume 2 of Maps at Page 3, Stanislaus County Records; thence Northerly along said existing City Limits and the Eastern line of said Lot 15, 10.00 feet to the point of beginning; thence Westerly 665.68 feet along a line which is 10.00 feet at right angles Northerly from and parallel with the Southern line of said Lot 15, said parallel line being the Northern line of California Avenue, to the Western line of said Lot 15; thence Northerly along said Western line of said Lot 15, 644.84 feet to the Northwestern corner of said Lot 15; thence Easterly along the Northern line of said Lot 15, 665.68 feet to the Northeastern corner of said Lot 15 and the existing City Limits; thence Southerly along the Eastern line of said Lot 15 and the existing City Limits, 643.90 feet to the point of beginning, containing 9.85 acres, more or less.



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

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Section 35080 and 35081 of the Government Code of the State of California relating to the filing of an affidavit of completion of annexation proceedings.

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of April, 1960, by Councilman Arata, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 377 -C.S.

AN ORDINANCE GRANTING W. R. TOMSON, DOING BUSINESS AS THE TRANSADTISE COMPANY, AN EXCLUSIVE FRANCHISE FOR THE RIGHT, PRIVILEGE AND PERMISSION TO PLACE, CONSTRUCT AND MAINTAIN BENCHES WITH ADVERTISING THEREON AT DESIGNATED LOCATIONS ON THE STREETS AND SIDEWALKS IN THE CITY OF MODESTO.

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

SECTION 1. DEFINITIONS. (a) Bench: A seat located upon public property along the public way for the accommodation of passers by or persons awaiting transportation.

(b) Street: Any public thoroughfare or way including the sidewalk, the parkway and other public property fronting upon a public way.

(c) Quarterly Period: A period of three (3) consecutive months. The quarters begin on the first day of January, April, July and October of each year.

SECTION 2. BENCHES PROHIBITED. No person shall install or maintain any bench upon any street in the City except in accordance with the provisions of this ordinance.

SECTION 3. FRANCHISE GRANTED. The City of Modesto hereby grants to W. R. TOMSON, doing business as The Transadtise Company, for the term of five (5) years from and after the effective date of this ordinance, subject to the provisions of the specifications therefor approved by the Council on November 23, 1955, the exclusive franchise for the right, privilege and permission to place, construct and maintain benches with advertising thereon at designated locations on the streets and sidewalks in the City of Modesto.

SECTION 4. PAYMENT. For the privilege herein granted, the Grantee shall pay to the City of Modesto Three and no/100ths (\$3.00) Dollars per quarter per bench installed and in place. No later than the 10th day of the month following the close of each quarterly period, grantee shall submit a report to the Director of Finance stating the total number of benches on location on the last day of the preceding month and the number installed during the preceding quarterly period. The fee shall be paid according to the number of benches in place on the last day of the

of the quarterly period, whether or not there is advertising thereon, and shall be paid on or before the 10th day of the month following the close of the quarterly period. These payments shall be in lieu of payment to the City of a percentage of gross receipts or other license fees under the provisions of Chapter 1 of Title VI of the Modesto Municipal Code.

SECTION 5. COMMENCEMENT OF WORK. No work shall be commenced under the provisions of this franchise until plans and specifications have been filed with and approved by the City Manager, nor until a map showing the precise location of the benches proposed to be installed shall be filed with the City Manager, nor until the insurance policy and performance bond required by Sections 14 and 15, respectively, of this ordinance shall be filed with the City Clerk. After complying with the provisions of this section, the grantee shall be required to place and install not less than twenty-five (25) benches within ninety (90) days after being awarded the franchise. Thereafter, grantee shall maintain a minimum of twenty-five (25) benches in place during the term of any franchise awarded under these specifications.

SECTION 6. GENERAL CONDITIONS. This franchise is granted upon and subject to each and all of the conditions set forth in the following sections.

SECTION 7. ADVERTISING SPACE. No advertising matter or sign whatever shall be displayed upon any bench except upon the front and rear surface of the backrest and not more than seventy-five (75%) per cent of each such surface shall be used. No advertisement or sign on any bench shall display the words, "Stop", "Look", "Drive-in", "Danger" or any other word, phrase, symbol or character that might interfere with, mislead or distract traffic. The City may require bus schedules to be placed on any bus bench. No advertising other than bus schedules shall be placed on any benches erected and maintained in areas zoned as residential by the zoning regulations of the City. Commercial advertising shall not be placed on any bench where such advertising is prohibited by the laws of the City. No advertising which does not meet with the approval of the City

Manager shall be placed or maintained on any of said benches. Bus schedules shall be of a maximum size of 9" x 12" and shall be placed on the front of the bench back.

SECTION 8. APPROVAL OF LOCATION. Benches shall be placed only in locations approved by the City Manager. The benches contemplated are designed for the convenience of those using the buses in the City and shall be placed upon the streets traversed by any holder of any bus franchise in the City. The benches may not be installed at any place except public carrier stops except with the express approval of the Council. No bench shall be installed or maintained:

(a) In any alley;

(b) At any location where the distance from the face of the curb to the property line is less than ten (10') feet; provided that whenever, in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be waived by the City Manager; or

(c) At any location distant more than fifty (50') feet from the nearest intersecting street; provided that whenever, in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be waived by the City Manager.

SECTION 9. APPROVAL OF PROPERTY OWNER REQUIRED. No bench shall be placed against the desire of the owner or his representative and the person in lawful possession or control of the property abutting upon the public street at the place where the bench is proposed to be located, or their representatives. Such persons may veto the placing of the bench by written request to the City Manager. If there is a change in the ownership of the property abutting the bench, the grantee shall not maintain the bench against the desire of the new owner.

SECTION 10. RATIO OF BENCHES BETWEEN COMMERCIAL AND RESIDENTIAL AREAS. For each seven (7) benches installed in areas zoned for commercial uses, at least one (1) bench shall be installed in areas zoned for residential uses.

SECTION 11. MAINTENANCE OF BENCHES. All benches must be cleaned regularly and when needed and must be maintained in good repair in a safe and sightly condition. The City Manager's decision as to the state of repair and condition shall be conclusive. Grantee shall inspect each bench periodically to assure full compliance with the provisions of this Section.

SECTION 12. REMOVAL OF BENCHES. No bench after being installed on the streets or sidewalks of the City shall be removed from said street or other place by the grantee during the term of the franchise except with the consent of the City Manager. The City Manager may, for a cause considered by him reasonable, order the grantee to remove any bench. When the City Manager orders the bench removed, the grantee shall remove it within thirty (30) days at his own expense. If he shall fail to do so, the City Manager may order the removal of the bench, and destroy or sell it at his discretion, and, may, in addition, bill grantee for the removal or destruction in a sum not in excess of Five and no/100ths (\$5.00) Dollars per bench.

SECTION 13. LOCATION OF BENCHES. The front of all benches shall be placed not less than eighteen (18") inches nor more than thirty (30") inches from the curb line and parallel thereto. No bench shall seat fewer than four (4) people. No bench shall be placed so as to injuriously obstruct passage on the sidewalk or street. No bench shall be placed within fifteen (15') feet of any fire hydrant. No bench shall be more than forty-two (42") inches high nor more than thirty (30") inches wide, nor more than eight (8') feet long.

SECTION 14. INSURANCE. The grantee shall save the City harmless from any and all claims of damage to any person or property arising from the installation, maintenance or existence of the benches. The grantee shall carry public liability insurance, said insurance policy shall name the City of Modesto as additional insured and shall be filed with the City Clerk and shall be maintained throughout the existence of this franchise. The insurance policy shall insure the City against loss or liability for injury

*See
amendment
attached*

to, or death of, any person, or damage to property growing out of the installation or maintenance or existence of any bench to the amount of, or limit of, One Hundred Thousand and no/100ths (\$100, 000. 00) Dollars on account of injury to or death of any one person and subject to the same limit as respects injury to or death of any one person, or Two Hundred Thousand and no/100ths (\$200, 000. 00) Dollars on account of any one accident resulting in injury to or death of more than one person, and Ten Thousand and no/100ths (\$10, 000. 00) Dollars damage to property of others, resulting from any one accident.

SECTION 15. PERFORMANCE BOND. The grantee shall post a performance bond in the sum of One Thousand and no/100ths (\$1, 000. 00) Dollars guaranteeing its performance of the conditions of this permit and stating that the said sum of \$1, 000. 00 shall be forfeited to the City as liquidated damages in the event that grantee shall fail to perform the conditions of its franchise. Said bond shall be furnished by a surety company authorized to do business in the State of California and shall be approved by the City Attorney.

SECTION 16. ACCEPTANCE OF FRANCHISE. Grantee shall be required to file in the Office of the City Clerk of the City an acceptance in writing of the provisions of the franchise and shall agree to perform all the conditions thereof. Said acceptance in writing shall be filed on or before ten (10) days following the adoption of this ordinance.

SECTION 17. DEFAULT. In the event that either party shall fail or neglect to do or perform each and all of the terms and conditions of this franchise on his or its part to be performed, the aggrieved party may give the party in default thirty (30) days' written notice to correct the conditions in default, and if party in default refuses or neglects to make such corrections within the thirty (30) days' period, the aggrieved party may terminate this franchise. Should grantee herein default, it will remove all benches within thirty (30) days of the termination of this franchise if requested to do so by City.

SECTION 18. INSPECTION OF BOOKS. The City shall have the right

at all reasonable times to examine all books, papers and records of the grantee for the purpose of verifying the statements or reports required and for any other purpose whatsoever connected with this franchise.

SECTION 19. EXEMPTION. The provisions of Chapter 6 of Title 9 of the Modesto Municipal Code (Sign Regulations) shall not be applicable with respect to the construction and maintenance of benches with advertising thereon under this franchise.

SECTION 20. DEFACING BENCHES PROHIBITED. No person may tamper with or deface any bench placed under the franchise granted by this ordinance.

SECTION 21. PENALTY. It shall be unlawful for any person to violate the provisions of Section 20 of this ordinance, or to cause, permit or suffer the same to be done; and any person who does shall be deemed guilty of a misdemeanor, and upon conviction of any such violation, such person shall be punishable by a fine of not more than One Thousand (\$1,000.00) Dollars or by imprisonment for not more than one (1) year or by both such fine and imprisonment.

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

SECTION 23. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of April, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding
VanderWall
NOES: Councilmen: Mayor Hammond
ABSENT: Councilmen: None

APPROVED: 
DON H. HAMMOND, Mayor

ATTEST: 
Rex E. Gailfus, City Clerk

(SEAL)

AN AMENDMENT TO ORDINANCE NO. 377-C.S.
 ENTITLED " AN ORDINANCE GRANTING W. R.
 TOMSON, DOING BUSINESS AS THE TRANSADTISE
 COMPANY, AN EXCLUSIVE FRANCHISE FOR THE
 RIGHT, PRIVILEGE AND PERMISSION TO PLACE,
 CONSTRUCT AND MAINTAIN BENCHES WITH AD-
 VERTISING THEREON AT DESIGNATED LOCATIONS
 ON THE STREETS AND SIDEWALKS IN THE CITY OF
 MODESTO".

I move that Sections 3 and 14 of Ordinance No. 377-C.S. introduced
 on ~~May 4, 1960~~ ^{March 27, 1965}, and heretofore published, be amended to read as follows:

SECTION 3. FRANCHISE GRANTED. The City of Modesto hereby grants to W. R. Tomson, doing business as the Trans-adtise Company, for the term of five (5) years beginning January 19, 1961, the exclusive franchise for the right, privilege and permission to place, construct and maintain benches with advertising thereon at designated locations on the streets and sidewalks in the City of Modesto,

SECTION 14. INSURANCE. The grantee shall save the City harmless from any and all claims of damage to any person or property arising from the installation, maintenance or existence of the benches. The grantee shall carry public liability insurance, said insurance policy shall name the City of Modesto as additional insured and shall be filed with the City Clerk and shall be maintained throughout the existence of this franchise. The insurance policy shall insure the City against loss or liability for injury to, or death of, any person, or damage to property growing out of the installation or maintenance or existence of any bench to the amount of or limit of One Hundred Thousand and no/100ths (\$100,000.00) Dollars for bodily injuries to or death of one person, and Ten Thousand and no/100ths (\$10,000.00) Dollars for property damage. The required limit of liability for bodily injuries or death of more than one person shall depend upon the number of bench permits covered thereby and shall not be less than the amount specified in the following schedule:

NUMBER OF BENCH PERMITS	LIMITS OF PUBLIC LIABILITY	PROPERTY DAMAGE
1 to 100	\$100,000.00	\$10,000.00
101 or more	\$200,000.00	\$20,000.00

and that said ordinance be republished as amended.

The foregoing motion was introduced at a regular meeting of the Council of the City of Modesto held on the 11 day of May, 1960, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Council man Arata, was upon roll call carried and the

motion adopted by the following vote:

AYES: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond

NOES: None

ABSENT: Martin

ATTEST:


City Clerk

(SEAL)

Ord. No. 377-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of May, 19 60, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 2, 1960

AN ORDINANCE ADDING ARTICLE 15 TO CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE DECLARING CERTAIN ACTS OR CONDUCT TO CONSTITUTE DISORDERLY CONDUCT.

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

SECTION 1. AMENDMENT OF CODE. Article 15 entitled "Acts Constituting Disorderly Conduct" is hereby added to Chapter 7 of Title IV of the Modesto Municipal Code to read as follows:

ARTICLE 15. ACTS CONSTITUTING DISORDERLY CONDUCT.

SEC. 4-7.1501. DEFINITIONS. (a) A residence shall mean a dwelling designed for occupancy by not more than two (2) families, whether in one (1) or separate dwelling units.

(b) Apartment houses shall mean any structure designed, built, or rented for occupation as a home by three (3) or more families, each living in a separate apartment containing cooking facilities.

(c) Drive-in theater shall mean and include any land enclosed by a fence, containing a stage or screen designed primarily for the presentation of moving pictures, shows, dramatic or musical performances and designed to accommodate automobiles or other vehicles operated, used or occupied by the patrons of said theater during the presentation of said show or performance.

(d) Drive-in restaurant or drive-in stands shall mean and include any restaurant, or any place where food or beverages or other refreshments are sold to the public, and so designed as to accommodate the automobile or other vehicles operated or occupied by patrons or customers of said restaurant receiving service in said automobile or vehicle.

(e) Hotel shall include motel, motel-hotel and motor court.

(f) Trailer court or trailer park shall mean and include any area or tract of land where space is rented or held out for rent and intended for occupancy by two (2) or more coaches or trailer houses.

SEC. 4-7.1502. DISORDERLY CONDUCT. It shall be unlawful for any person: (a) To use offensive, lewd, vulgar, licentious, profane, threatening, abusive or insulting language within the hearing of any other person to the annoyance of such person, in any public place, or any place open to the patronage of the public.

(b) To engage in or be a party to any boisterous or offensive conduct or behavior in any public place or any place open to the patronage of the public.

(c) To shout, or wilfully make any loud, raucous noise, either outside or inside a public building or a building open to the patronage of the public, to the annoyance or disturbance of any other person inside or outside said building.

(d) To congregate with two (2) or more other persons on any public street or in any public place, or in any place open to the patronage of the public, when the purpose of so congregating is to annoy, disturb, or interfere with the lawful discharge or pursuit of any lawful business or occupation by any other person, or to maliciously interfere with or annoy any occupant, licensee, guest or invitee lawfully on such place, by words, act or conduct generally offensive to the community and to such occupant, licensee, guest or invitee.

(e) To become part of, or remain in a group of three (3) or more persons in any public place or any place open to the patronage of the public, when any member of such group is engaged in the commission of a felony or a misdemeanor; or when any member of such group is about to engage in the commission of a felony or a misdemeanor, and after disobedience to a request to disperse has been made to such persons by a law enforcement officer or by the owner or person in charge of said premises.

(f) To utter, or use within the hearing of any other person, any language, words, epithets, expressions or remarks, designed or having a tendency to incite or create a breach of the peace.

(g) To incite or encourage by words or conduct, disobedience to any lawful order or request of any law enforcement officer pursuant to and in the performance of his duties.

(h) To wander, idle or loiter on any of the grounds of any hotel, apartment house, bungalow court, rooming house, or in any of the corridors, passageways, hallways, lobbies, walkways, verandas, terraces or swimming pools of any of such places, or to wander, idle or loiter in, upon or around any professional, business, financial or commercial buildings or industrial establishments, without lawful business, or when not authorized by the owner or manager of said premises.

(i) To wander, idle or loiter on any parking lot, or on the grounds of any drive-in theater, drive-in restaurant, trailer court, or trailer park, whether in an automobile or not, without lawful business with the owner or occupant of said places.

(j) To park any automobile or other vehicle, whether attended or not, upon any private parking lot intended for the employees, customers, clients, or patrons of any professional, business, commercial or industrial establishments when such parking lot is posted at the entrance thereof in a conspicuous manner conveying the information to the public that such parking lot is reserved for such employees, customers, clients and patrons of said professional, business, commercial or industrial establishment.

(k) To enter the premises, including the grounds of any private residence, for the purpose of participating in any festivity, party, social function, social affair, dance, ceremony or private gathering of persons, unless such person so entering the premises or grounds, was at the time of such entering, an invitee or guest of the occupant of said premises; and no person under false pretense of being an invitee or guest shall gain admittance to any such premises or grounds.

SEC. 4-7.1503. EXCEPTION. This ordinance shall not apply to members of the Military or Naval Forces of the United States or of the State Militia in obedience to lawful orders of duly constituted authority.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 4th day of May, 1960, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: 

DON D. HAMMOND Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 378-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 11th day of May, 19 60, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GALLFUS, City Clerk

EFFECTIVE DATE: May 26, 1960

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY BELONGING TO THE CITY OF MODESTO TO JACK R. WATSON AND ALBERTA WATSON, HUSBAND AND WIFE.

WHEREAS, the City of Modesto owns that certain parcel of real property hereinafter described, and

WHEREAS, Jack R. Watson and Alberta Watson, husband and wife, desire to purchase said parcel of property,

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

SECTION 1. SALE AUTHORIZED. The sale of the following described real property to Jack R. Watson and Alberta Watson, for the sum of Four Thousand and no/100ths (\$4,000.00) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance, is hereby approved. Said real property is described as follows:

That portion of Block 6000-A of the MENSINGER TRACT No. 4, as per map filed August 1, 1946 in Volume 14 of Maps, Page 68, Stanislaus County Records, described as follows:

Beginning at the Southwestern corner of the property conveyed to Jack R. Watson, et ux, by deed recorded July 24, 1956, Instrument 20120, Stanislaus County Records, said point being on the Eastern line of a 20 foot alley; thence North 0° 56' West, 200.00 feet along the Eastern line of said alley and the Western line of said Watson property to the Northwestern corner of property conveyed to Jack R. Watson by deed recorded June 6, 1955, Instrument 16459, Stanislaus County Records; thence North 88° 51' 30" West, 39.99 feet along the Westerly extension of the Northern line of said Watson property; thence South 0° 56' East, parallel with said Eastern line of alley, 200.00 feet to the intersection with the Westerly extension of the Southern line of said Watson property; thence South 88° 51' 30" East, 39.99 feet along said Westerly extension of the Southern line of said Watson property to the point of beginning.

Containing 0.184 Acre, more or less.

SECTION 2. APPROVAL OF AGREEMENT. That certain Agreement between the City of Modesto and Jack R. Watson and Alberta Watson, husband and wife, relating to the sale of certain real property, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved, and the City Manager and the City Clerk

are hereby authorized to execute and attest said Agreement respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said Agreement.

SECTION 3. EXECUTION OF DEED. That the Mayor and City Clerk be, and they are hereby authorized on behalf of the City, to execute and attest, respectively, a deed granting the aforesaid property to Jack R. Watson and Alberta Watson, husband and wife.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of May, 1960, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: Don D. Hammond
DON D. HAMMOND, Mayor

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

(SEAL)

Ord. No. 379-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 11th day of May, 1960, Councilman Arata moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, Vanderwall
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 26, 1960

ORDINANCE NO. 380-C.S.

AN ORDINANCE APPROVING A LEASE AGREEMENT WITH DANA DEVELOPMENT ASSOCIATION, A CORPORATION, FOR THE LEASING OF OFFICE SPACE IN THAT CERTAIN BUILDING LOCATED AT 503 CHICAGO AVENUE IN THE CITY OF MODESTO, FOR LIBRARY PURPOSES.

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

SECTION 1. APPROVAL OF LEASE. The City of Modesto hereby approves that certain Lease Agreement between the City of Modesto and the Dana Development Association, a corporation, for the leasing of office space in that certain building located at 503 Chicago Avenue in the City of Modesto for library purposes, all in accordance with the terms and conditions as set forth in said Lease Agreement.

SECTION 2. SIGNING AND ATTESTING OF LEASE AGREEMENT. The City Manager and City Clerk of the City of Modesto are hereby authorized to sign and attest, respectively, said Lease Agreement on behalf of the City upon this ordinance becoming effective.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 4th day of May, 1960, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall, and Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)


Ord. No. 380-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 11th day of May, 19 60, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Martin

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GALLFUS, City Clerk

EFFECTIVE DATE: May 26, 1960

AN ORDINANCE ADDING ARTICLE 4 TO CHAPTER 1 OF TITLE VII OF THE MODESTO MUNICIPAL CODE RELATING TO THE CONSTRUCTION OF STRUCTURES AND FACILITIES IN SIDEWALK AREAS.

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

SECTION 1. AMENDMENT OF CODE. Article 4 entitled "Construction of Structures and Facilities in Sidewalk Areas" is hereby added to Chapter 1 of Title VII of the Modesto Municipal Code to read as follows:

ARTICLE 4. CONSTRUCTION OF STRUCTURES AND FACILITIES IN SIDEWALK AREAS

SEC. 7-1.401. PERMIT REQUIRED. It shall be unlawful for any person to place, construct or maintain any lawn sprinkler system in any sidewalk area (space between the curb line and property line), or other public right of way area, without obtaining a permit therefor as required by Section 7-1.402 of this article.

SEC. 7-1.402. PERMIT APPLICATION. Any person desiring to place, construct or maintain any lawn sprinkler system in any sidewalk area or other public right of way shall make written application therefor to the Building Inspection Division of the Public Works Department. Permit fees shall be as established by Section 9-2.09 of this Code.

SEC. 7-1.403. CONDITIONS. The following conditions shall apply to each permit granted:

(a) The applicant shall comply with the applicable provisions of all existing Codes and Ordinances of the City of Modesto.

(b) Sprinklers shall be so located and adjusted that they will not spray water on the sidewalk or street.

(c) Sprinkler heads shall be set in such a manner as to not create a hazard to public safety.

(d) In the event of a street widening project or other public works project, applicant shall remove or relocate the lawn sprinkler system at his expense within thirty (30) days after the giving of written notice by the City.

SEC. 7-1.404. PERMITS CONDITIONAL. All permits shall be revocable and conditioned upon the faithful compliance with the conditions established by this article and the laws and ordinances of the City.

SEC. 7-1.405. REVOCATION OF PERMIT. In the event the permittee fails to comply with the conditions of the permit, the Director of Public Works may revoke said permit and order compliance or removal by the permittee of the lawn sprinkler system so constructed. The Director of Public Works may, at his option, effect the necessary compliance or removal of said lawn sprinkler system or

cause the same to be done if the permittee fails to do so after reasonable notice, the expense of which will be charged to the permittee.

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

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

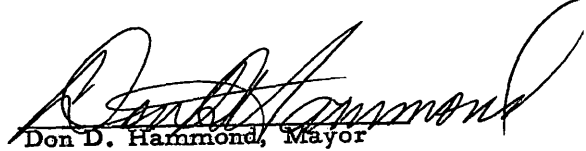
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1960, by Councilman Knoles, who moved its introduction and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Spaulding, VanderWall
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Martin

APPROVED:


Don D. Hammond, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)


Ord. No. 381-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of May, 19 60, Councilman Martin moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 2, 1960

(SEAL)

Ord. No. 382-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of May, 19 60, Councilman Martin moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GALLFUS, City Clerk

EFFECTIVE DATE: June 2, 1960

(SEAL)

AN ORDINANCE AMENDING SECTION 3-2.1401 AND SECTION 3-2.1402 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED ZONES, AND REPEALING ORDINANCE NO. 360-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article of Chapter 2
14/of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER ROAD, from Evergreen Street north to northerly city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
JEFFERSON, from Paradise Road to Eighth Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour

LUCERNE AVENUE, from Johnson Steet to Coffee Road	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to La Loma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
SUTTER, within the city limits	35 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour

SECTION 2. AMENDMENT OF CODE. Section 3-2.1402 of Article of Chapter 2
14/of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1402. REGULATION OF SPEED BY TRAFFIC SIGNALS. The Director is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections, and may erect appropriate signs giving notice thereof.

SECTION 3. REPEALS. Ordinance 360-C.S. is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1960,

by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond

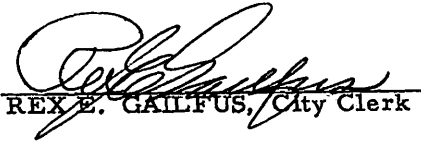
NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

APPROVED:


Don D. HAMMOND, MAYOR

ATTEST:


REX E. GAILFUS, City Clerk

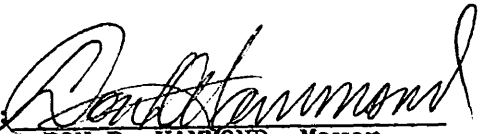
(SEAL)

Ord. No. 383-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of May, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 9, 1960

AN ORDINANCE AMENDING SECTION MAP 5 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SPORTSMEN OF STANISLAUS)

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

SECTION 1. ZONING CHANGE. Section 5 of the Zoning Map is hereby amended to reclassify the following described property from Single-Family Zone, R-1, to Multiple-Family Zone, R-3:

All that certain real property situate in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at a point on the existing corporate limits of the City of Modesto as established by the Dryden-Durand Addition according to the Boundary description filed June 23, 1955, as Instrument 18187, Stanislaus County Records, said point being the intersection of the center line of Sunset Avenue and the extension of the Southeastern line of Neece Drive; thence along the City Limits and the Southeastern line of Neece Drive, North 30° 46' 30" East, 220.51 feet; thence continuing along the boundary of said Dryden-Durand Addition and its Southerly extension South 0° 15' West, 579.74 feet; thence along the boundary of said Dryden-Durand Addition and its Easterly extension, North 84° 13' West, 345.55 feet; thence continuing along the boundary of said Dryden-Durand Addition the following bearings and distances, North 14° 47' East 123.00 feet, North 89° 45' West 123.89 feet, to a point on the boundary of the Club House Addition as per description filed July 29, 1959, Instrument 21781, Stanislaus County Records; thence along the boundary of said Club House Addition the following bearings and distances, North 89° 45' West, 309.65 feet, North 0° 15' East 264.22 feet, South 89° 45' East 210.00 feet, North 0° 15' East 175.00 feet, North 89° 45' West 210.00 feet, North 0° 15' East 215.30 feet; South 89° 45' East 614.65 feet, North 0° 15' East 10.00 feet, West 20.00 feet, to the center line of Sunset Avenue; thence along the center line of Sunset Avenue South 0° 15' West, 427.00 feet to the point of beginning.

SECTION 2. ZONING MAP. Section Map 5 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 18th day of May, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Spaulding

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 384-CS

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of June, 1960, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: ~~Adams~~, Arata, Knoles, Martin, VanderWall
Mayor Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: ~~Councilmen:~~ Mayor Hammond Councilman Adams

APPROVED: 

~~DON D. HAMMOND, Mayor~~
THOMAS M. SPAULDING
MAYOR PRO TEMPORE

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 16, 1960

AN ORDINANCE ADDING SECTION 2-1.23 TO CHAPTER 1 OF TITLE II OF THE MODESTO MUNICIPAL CODE, RELATING TO SMOKING IN THE COUNCIL CHAMBERS

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.23 is hereby added to Chapter 1 of Title II of the Modesto Municipal Code to read as follows:

SEC. 2-1.23. COUNCIL CHAMBERS: SMOKING. It shall be unlawful for any person to smoke in the Council Chambers at any time.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 18th day of May, 1960, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Spaulding

APPROVED: 
DON D. HAMMOND, MAYOR

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

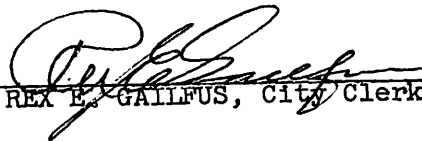
Ord. No. 385-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of May, 19 60, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 9, 1960

AN ORDINANCE APPROPRIATING UNAPPROPRIATED
REVOLVING FUND BALANCE IN THE SERVICE DIVI-
SION WORKING CAPITAL FUND FOR THE 1959-60
FISCAL YEAR

WHEREAS, there is an available balance in the Service Division Working Capital Fund previously unappropriated in the sum of Sixty-Three Thousand Thirty-Four and 20/100ths (\$63,034.20) Dollars, and

WHEREAS, the Council desires to increase the appropriated Reserve of the Service Division Working Capital Fund and to provide for expenditures during the 1959-60 fiscal year, which have been or may hereafter be approved by them, and for which funds have not been appropriated,

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

SECTION 1. SERVICE WORKING CAPITAL FUND APPROPRIATION.

The sum of Twenty Thousand and no/100ths (\$20,000.00) Dollars, representing fund balance carryover not heretofore appropriated, is hereby appropriated as follows:

- (a) Service Working Capital Fund Reserve in the amount of Twelve Thousand and no/100ths (\$12,000.00) Dollars; and
- (b) Automotive Equipment Parts in the amount of Eight Thousand and no/100ths (\$8,000.00) Dollars.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1960, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmen: Adams, Arata, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Knoles

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by FRESNO
GUARANTEE SAVINGS AND LOAN ASSOCIATION

_____ on
MARCH 7th, 1960, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the PARK MANOR ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 13th
day of April, 1960, set said petition for hearing
at the hour of 8:00 o'clock p.m. on the 25th day of May,
1960, in the Council Chamber at ~~the Henry Public Library located~~
~~at Fourteenth and K Streets~~ in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The MODESTO BEE, a newspaper published in the City of
Modesto on April 22nd, 1960, and on April 29th,
1960; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
April 22nd, 1960, and on April 29th, 1960,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 25 day of May, 1960, at the City Hall hour of 8:00 o'clock p.m., in the Council Chamber in the ~~McHenry Public~~ 801 - 11th Street ~~Library~~ in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

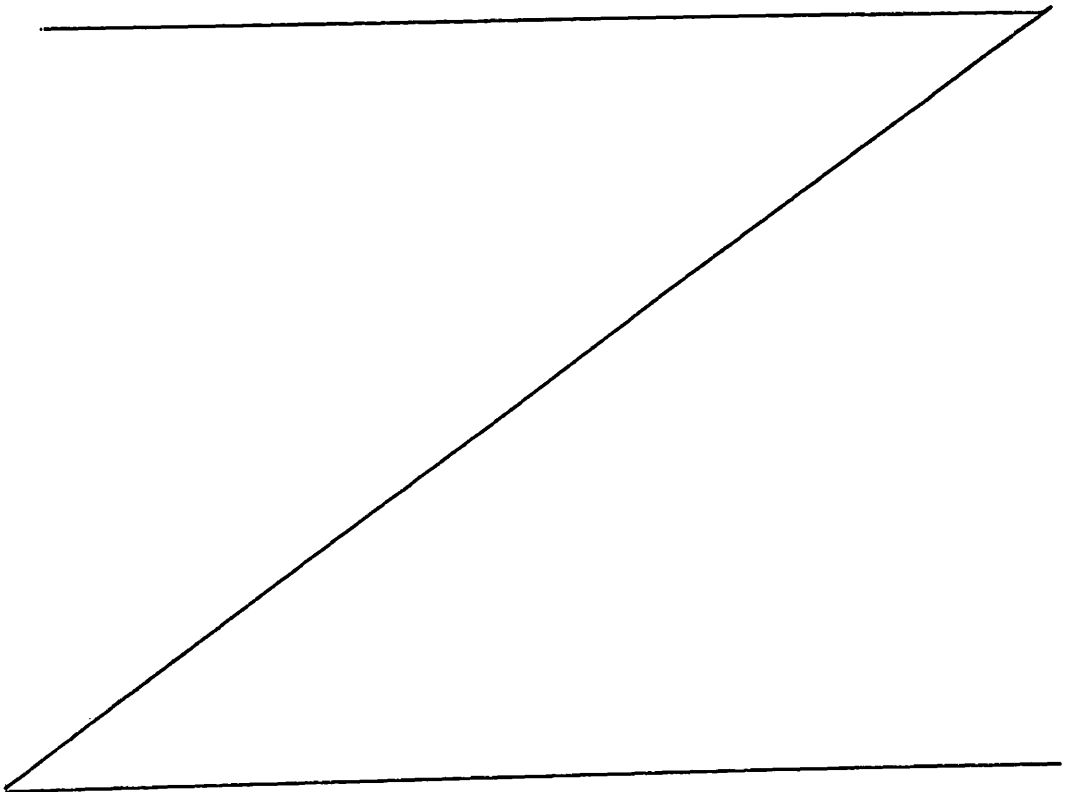
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, and Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing Corporate City Limits as established by the Carverwood Addition, as per description filed March 11, 1959, as Instrument 6960, Stanislaus County Records, said point being the intersection of the Northern line of the Modesto Irrigation District Lateral No. 3 and the Western line of a 40 foot public road known as Carver Road; thence Westerly along said City Limits and said Northern line of Modesto

Irrigation District Lateral No. 3 to the Northwestern corner of said Carverwood Addition; thence along the existing City Limits, Southerly across said Modesto Irrigation District Lateral No. 3 to the Southern line of said Modesto Irrigation Lateral No. 3; thence Westerly and Southwesterly along said Southern line of the Modesto Irrigation District Lateral No. 3 to its intersection with the Southern line of Lot 10 of the Knapp Tract, as per map filed November 16, 1904 in Volume 2 of Maps, Page 2, Stanislaus County Records; thence Westerly along said Southern line of said Lot 10 to the center line of a 40 foot public road known as Prescott Road, said center line being the section line common to said Sections 13 and 18 ; thence continuing Westerly, 20.00 feet along the Westerly extension of the Southern line of said Lot 10 to the Western line of said Prescott Road; thence Northerly along said Western line of Prescott Road to a point on the East-West quarter section line of Section 13; thence Westerly along said East-West quarter section line to the Southwest corner of the South half of the Southeast quarter of the Northeast quarter of said Section 13; thence Northerly along the North-South quarter quarter section line to the Northwest corner of said South half of the Southeast quarter of the Northeast quarter of Section 13; thence Easterly along the Northern line of the South half of the Southeast quarter of the Northeast quarter of Section 13 to the Western line of said Prescott Road; thence Southerly along said Western line of Prescott Road to a point on said East-West quarter section line of Section 13; thence Easterly 20.00 feet along said East-West quarter section line of Section 13 to the center line of said Prescott Road, said center line being the section line common to Sections 13 and 18; thence Easterly along the East-West quarter section line of Section 18, which is also the Northern line of said Lot 10 and Lot 9 of said Knapp Tract, to the Western line of said Carver Road; thence Southerly along the Western line of said Carver Road to the Northern line of said Modesto Irrigation District Lateral No. 3 and said existing City Limits line, said point being the point of beginning, containing 96.42 acres, more or less.



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

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

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

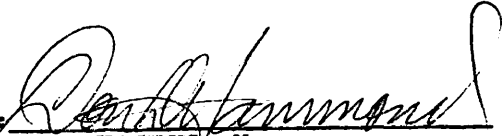
SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 7. This ordinance shall be published in full at least once in The The MODESTO BEE, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1960, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Adams, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Adams, Arata, Martin, Spaulding, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Knoles

APPROVED:


DON B. HAMMOND, Mayor

ATTEST:


REX B. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTIONS 5-1.102, 5-1.103, 5-1.106, 5-1.107, 5-1.109, 5-1.110 AND 5-1.111 OF ARTICLE 1 OF CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTION 5-1.112 THERETO; REPEALING ARTICLE 2 OF CHAPTER 1 OF TITLE V; AMENDING SECTIONS 5-1.301, 5-1.306, 5-1.310, 5-1.311 AND 5-1.313 OF ARTICLE 3 OF CHAPTER 1 OF TITLE V AND REPEALING SECTIONS 5-1.303 AND 5-1.304 THEREOF; AMENDING SECTION 5-1.502 OF ARTICLE 5 OF CHAPTER 1 OF TITLE V; AMENDING SECTIONS 5-2.01 AND 5-2.22 OF CHAPTER 2 OF TITLE V; AMENDING SECTION 5-3.01 OF CHAPTER 3 OF TITLE V AND REPEALING SECTIONS 5-3.02 THROUGH 5-3.11 THEREOF; AND AMENDING SECTIONS 5-5.02, 5-5.03 AND 5-5.08 OF CHAPTER 5 OF TITLE V AND REPEALING SECTIONS 5-5.09 AND 5-5.26 THEREOF RELATING TO SANITATION AND HEALTH REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-1.102 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.102. ENFORCEMENT OF HEALTH AND SANITATION REGULATIONS. The Health Officer shall be responsible for the enforcement of the provisions of this title insofar as they relate to health and sanitation. The Chief of Police shall be responsible for enforcing the penal provisions of said regulations. The Director of Public Works shall be responsible for enforcing the provisions of these regulations insofar as they relate to the functions and duties of his department. Any enforcement officer, so named, shall have the right to enter any and all premises for the purposes of determining the sanitary condition thereof, if there are reasonable grounds to believe that the violation of these regulations is occurring, and any person denying or obstructing such entry shall be guilty of a misdemeanor and subject to the penalty provided by this Code.

SECTION 2. AMENDMENT OF CODE. Section 5-1.103 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.103. PERMIT REQUIRED. It shall be unlawful for any person owning, controlling or carrying on as principal or agent or otherwise in the City the business of manufacturing, processing, distributing, storing or selling of any food, beverage or any other product intended or offered for human consumption without first applying for and securing a permit in writing so to do from the Health Officer.

It shall be unlawful for any person to own, to control, or to carry on as a principal agent or otherwise in the City the business of a hotel, a motel, an apartment house, a lodging house and/or a rooming house accommodating more than five boarders or tenants, without first applying for and securing a permit in writing so to do from the Health Officer. Any permit issued under the requirements of this section shall not be transferred or sold.

SECTION 3. AMENDMENT OF CODE. Section 5-1.106 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.106. NOTICE OF VIOLATIONS. The Health Officer shall make periodic inspections of all places of business or of occupations operating under a permit issued as required by this article. If he finds that any holder of a permit is violating any of the provisions of this Code or any rule or regulation provided by the statutes and laws of the State, or the rules and regulations of the Health Officer, the Health Officer shall serve a notice in writing on the holder of such permit, either in person or by registered mail, ordering and directing such permit holder to place the said building, premises, equipment, apparatus, vehicle or reasonable facilities for the establishment, maintaining, conducting or operating the business or institution for which a permit is issued, in a condition so as to comply with the laws of the City and/or any rule or regulation provided by the statutes and laws of the State, within a reasonable time after serving said notice as aforesaid. Said period of time within which to comply with the terms of said notice shall be fixed by the Health Officer as, in his

discretion, he shall determine, and in no event to exceed ten (10) days from the date of the service of said notice.

If, within the period of time fixed by the Health Officer in said notice, a permit holder fails or neglects or refuses to comply with the terms and demands of said notice, the Health Officer shall immediately suspend said permit issued to said permit holder; and said holder of said permit shall immediately cease to do and/or perform any of the acts, or exercise and/or enjoy any of the rights or privileges granted to him or her under and by virtue of said permit until the Health Officer examines into the matter of the suspension of said permit as set forth in this article. The Health Officer shall have the right to revoke said permit after conducting a hearing on the matter if he finds that the holder of a permit has not complied with the provisions of this chapter.

SECTION 4. AMENDMENT OF CODE. Section 5-1.107 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.107. SUSPENSION AND REINSTATEMENT OF PERMITS. The Health Officer, within not less than three (3) nor more than seven (7) days after the service of notice of suspension of said permit, shall fix a time and place for a hearing when he shall examine into the matter of said suspension of said permit. The Health Officer, in his discretion, may continue to enforce the suspension of such permit for such period of time as he may deem necessary under all of the circumstances of the case.

SECTION 5. AMENDMENT OF CODE. Section 5-1.109 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.109. EXPIRATION DATE OF PERMITS. Any permit, for which application is made under the provisions of this article, may be granted at any time during the year. All permits shall be valid for one year after the date issued at which time they shall expire.

SECTION 6. AMENDMENT OF CODE. Section 5-1.110 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.110. APPLICATION FOR RENEWAL PERMITS. The holder of any permit provided for by the terms of this article which is subject to automatic expiration one year following its date of issuance, shall, if he desires to continue to operate or conduct such business or engage in such occupation for which the original permit was issued, make application for renewal of said permit within thirty (30) days following its expiration.

Provided, that in the event said owner, operator or manager of such business, or person engaged in such occupation has not, prior to filing said new application for renewal of permit, and/or subsequent thereto, violated any of the provisions of this Code, then his right shall not be affected or terminated until such application for renewal of permit has been acted upon by the Health Officer, or such renewal of said permit has been denied by the Health Officer.

SECTION 7. AMENDMENT OF CODE. Section 5-1.111 of Article 1 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.111. SANITIZING TO CONFORM TO HEALTH OFFICER STANDARDS. It shall be unlawful for any person to prepare, dispense or serve food or drink in any public eating place in which any eating or drinking utensils used in such public eating place are not cleaned, washed and sanitized by means of a three (3) compartment noncorrosive metal sink with a metal drainboard or a mechanical dishwasher of a type approved by the Health Officer.

SECTION 8. AMENDMENT OF CODE. Section 5-1.112 is hereby added to Article 1 of Chapter 1 of Title V of the Modesto Municipal Code to read as follows:

SEC. 5-1.112. GARBAGE DISPOSAL AREA. All markets and food handling establishments shall provide a space on the premises for the holding, storage or disposing of garbage and swill. The standards of space enclosure shall be determined by the Health Officer and the Chief Building Official.

SECTION 9. AMENDMENT OF CODE. Section 5-1.301 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.301. DEFINITIONS. For the purpose of this article, certain words are defined as follows:

(a) Eating and Drinking Establishment. All public establishments where food, ~~either~~ ^{or drink} cooked or uncooked is prepared, sold, offered for sale or served for consumption upon the premises, except soft drink establishments as herein defined. Private dwellings or households where less than six (6) persons are boarded as paying guests shall not be considered as coming within this definition.

(b) Utensils. All utensils and equipment used in the storage, processing, preparation or serving of food intended for human consumption with which food or drink comes into contact during such use.

(c) Operator. Every person, as owner or agent, conducting the business of an eating and drinking establishment.

(d) Employee. Any person who handles food or drink during the preparation or serving, or who handles any of the utensils used in the preparation or serving of food or drink or who is employed at any time in any room in which food or drink is handled, prepared or served in any eating and drinking establishment providing that no person whose employment is temporary in nature and entirely unrelated to the business of the eating and drinking establishment shall be deemed to be an employee.

SECTION 10. AMENDMENT OF CODE. Section 5-1.306 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.306. HANDLING FOOD TO BE MINIMIZED. The handling of cracked ice, butter pats, bakery products or any other food products with the hands shall be minimized if such article of food or product can be mixed, prepared, handled or served with some utensil which can be adequately subjected to cleaning and bactericidal treatment.

SECTION 11. AMENDMENT OF CODE. Section 5-1.310 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.310. HAIR COVERINGS. All persons engaged in preparing food or serving food or drinks shall wear a suitable device for confining the hair as approved by the Health Officer.

SECTION 12. AMENDMENT OF CODE. Section 5-1.311 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.311. BACTERIAL EXAMINATIONS. Bacterial examinations of eating and drinking utensils may be made from time to time by the Health Officer. In any such test, a resulting bacterial count exceeding one hundred (100) organisms per utensil surface examined shall be considered as unsatisfactory. Any three (3) such unsatisfactory results

from such test taken in any restaurant within any sixty (60) day period shall warrant the closing of the restaurant concerned until such time as it has been demonstrated that any condition causing such unsatisfactory utensil sanitization has been effectively corrected.

SECTION 13. AMENDMENT OF CODE. Section 5-1.313 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.313. FOOD HANDLER'S CARD REQUIRED. It shall be unlawful for any person to engage in the handling, preparation or storage of food or drink, or the sanitizing of utensils in any eating and drinking establishment for a period of time longer than thirty (30) working days, or for any eating and drinking establishment operator to employ or permit any person to engage in such activities therein for longer than this period of time unless such person holds a food handler's card issued by the Health Officer. All food handler's cards shall expire one year from the date of issuance. A fee of One and no/100ths (\$1.00) Dollar shall be charged for each card issued.

As a prerequisite to the issuance of a food handler's card, the Health Officer may require a course of instruction be taken by the applicant, which course shall be provided by the Health Department of the City. The Health Officer may also require any other physical examinations or tests which may be necessary for the protection of public health.

The Health Officer shall not give any treatment required for any condition revealed by such examination or such test and shall not be responsible in any manner for the cost of any such treatments.

SECTION 14. AMENDMENT OF CODE. Section 5-1.502 of Article 5 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.502. NO WATER SHALL BE RETURNED TO WELLS. No person shall permit any water to be returned to wells; provided, however, the Health Officer may grant permission for such return under specific conditions which will protect the public health and safety.

SECTION 15. AMENDMENT OF CODE. Section 5-2.01 of Chapter 2 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-2.01. DEFINITIONS. For the purpose of this chapter, certain words and phrases are defined as follows, and certain provisions shall be construed as herein set forth, unless it shall be apparent from their context that they have different meanings:

(a) Camp Car and/or Trailer. Any unit used for living or sleeping purposes which is equipped with wheels or similar devices used for the purpose of transporting said unit from place to place, whether by motive power or other means.

(b) Trailer Camp. Any lot, piece or parcel of ground where one or more trailer coaches used as living or sleeping quarters are or may be located, said camp being operated for or without compensation.

SECTION 16. AMENDMENT OF CODE. Section 5-2.22 of Chapter 2 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-2.22. UTILITY FIXTURES REQUIRED TO BE CONNECTED TO SEWER. All toilet fixtures in or a part of a trailer coach shall not be used unless connected to a sewer and approved by the Health

Officer. If no provision for connecting to the sewer is available, the toilet fixture must be sealed by the manager or proprietor of the trailer camp wherein they are located, and it shall be unlawful for any person to remove or break, or to permit the removal or breakage of any such seal while in the City.

All sinks and trays in or a part of such trailer coach shall be indirectly connected to the City's sewer system by means of approved hoppers, or such sinks or trays shall not be used while in the City.

All cooking and heating facilities in or a part of a trailer coach, and those used in the camp, shall be of a type approved by the Chief of the Fire Department, and any nonconforming devices shall not be used while in the City. The owner, manager or proprietor shall be held responsible for all such violations and may store such nonconforming devices in an approved storeroom, or may effectively seal them.

It shall be unlawful to deposit, or permit to be deposited, any waste water, sewage or materials in any manner other than as provided in the health, building and plumbing laws of the City.

SECTION 17. AMENDMENT OF CODE. Section 5-3.01 of Chapter 3 of

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

SEC. 5-3.01. CREAM PIES, CREAM PUFFS, ETC.: REFRIGERATION. All cream pies, cream puffs, chocolate eclairs, chiffon mixtures, pastry mixtures containing custard or cream fillings, whether made from eggs, milk or cornstarch, and all other food products capable of supporting pathogenic bacteria shall be kept under refrigeration at fifty (50°) degrees Fahrenheit, or below, at all times.

SECTION 18. AMENDMENT OF CODE. Section 5-5.02 of Chapter 5 of

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

SEC. 5-5.02. SEGREGATION AND DISPOSITION OF WASTE MATERIAL. Every producer of garbage may, at his option, segregate the same into refuse, rubbish and other waste matter on the one hand and swill on the other. Where the garbage is so segregated, the swill may be sold to the swill collector. No garbage or swill shall be fed to fowl or animals at a garbage disposal area or at segregation sites.

SECTION 19. AMENDMENT OF CODE. Section 5-5.03 of Chapter 5 of

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

SEC. 5-5.03. USE OF PROPER CONTAINERS BY PRODUCERS OF GARBAGE AND SWILL. All garbage, unless otherwise disposed of as in this chapter permitted, and all swill shall be placed by the person upon whose premises the same shall have been produced in a water-tight, galvanized, metal container of not less than ten (10) nor more than thirty-three (33) gallons net capacity of a design satisfactory to the Health Officer, which container shall be kept clean and continuously closed except when garbage or swill is being dumped into or removed therefrom and shall at all times be closed against the access of flies and rodents to the contents thereof. The contents of such container shall be delivered not less than once a week and oftener if deemed necessary by the Health Officer to the collector or otherwise disposed of as provided by this chapter. If the producer thereof shall elect to segregate non-putrefactive material from the other garbage, the said non-putrefactive material may be placed in a box or barrel located near the said galvanized container, but the material so segregated shall be kept in a dry condition in accordance with the regulations of the Health Officer. The receptacle shall be placed at such a point on the premises as to be easily accessible to the collector. The receptacle shall not be placed or allowed to remain in any alley, sidewalk or public street. In the

event that in the opinion of the Health Officer the receptacle used by the producers of garbage, swill and refuse does not meet the requirements as set forth in this section and/or in the event that said receptacle leaks or for any other reason is unhealthful or detrimental to the public health and welfare of the citizens of the City, the Health Officer shall have the right and it shall be his duty to confiscate and destroy said receptacle.

SECTION 20. AMENDMENT OF CODE. Section 5-5.08 of Chapter 5 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-5.08. USE OF DISPOSAL AREA. The disposal area may be used for the disposal of garbage or swill by all persons licensed by the City to engage in the business of collecting garbage or swill within the City on the following terms:

(a) A charge of Two and 50/100ths (\$2.50) Dollars per load is hereby fixed as a charge for the privilege of using said disposal area by collectors for the disposal or deposit thereof of garbage or swill produced within the City and collected by such collectors;

(b) No garbage or swill produced outside the City limits shall be disposed of or deposited at the disposal area;

(c) All garbage and swill disposed of or deposited at said disposal area shall be deposited as and where directed by the person in charge of the disposal area.

Notwithstanding the foregoing provisions of this section, the Council may, by resolution, authorize the use of the disposal area for the disposition or deposit thereof of garbage or swill to such persons and on such terms and conditions as are reasonable in the premises.

SECTION 21. REPEALS. Article 2 of Chapter 1 of Title V, Sections 5-1.303 and 5-1.304 of Article 3 of Chapter 1 of Title V, Sections 5-3.02 through 5-3.11 of Chapter 3 of Title V and Sections 5-5.09 and 5-5.26 of Chapter 5 of Title V of the Modesto Municipal Code are hereby repealed.

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

SECTION 23. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1 day of June, 1960, by Councilman Arata, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll

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

AYES: COUNCILMEN: Adams, Arata, Knoles, Martin, VanderWall
Mayor Pro Tempore Spaulding

NOES: COUNCILMEN: None

ABSENT: ~~COUNCILMEN:~~ Mayor Hammond

APPROVED: 
~~BON D. HAMMOND, Mayor~~
THOMAS M. SPAULDING
Mayor Pro Tempore

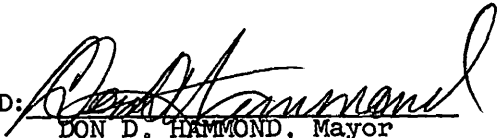
ATTEST: 
REX E. GAILFUS, City Clerk

Ord. No. 388-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15 day of June, 19 60, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Martin, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 30, 1960

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

WHEREAS, on the 8th day of June, 19 60, at the hour of 8:00 o'clock p.m., in the Council Chambers ~~in the City of Modesto, California~~ at the City Hall, 801 Eleventh Street, ~~Library~~ in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

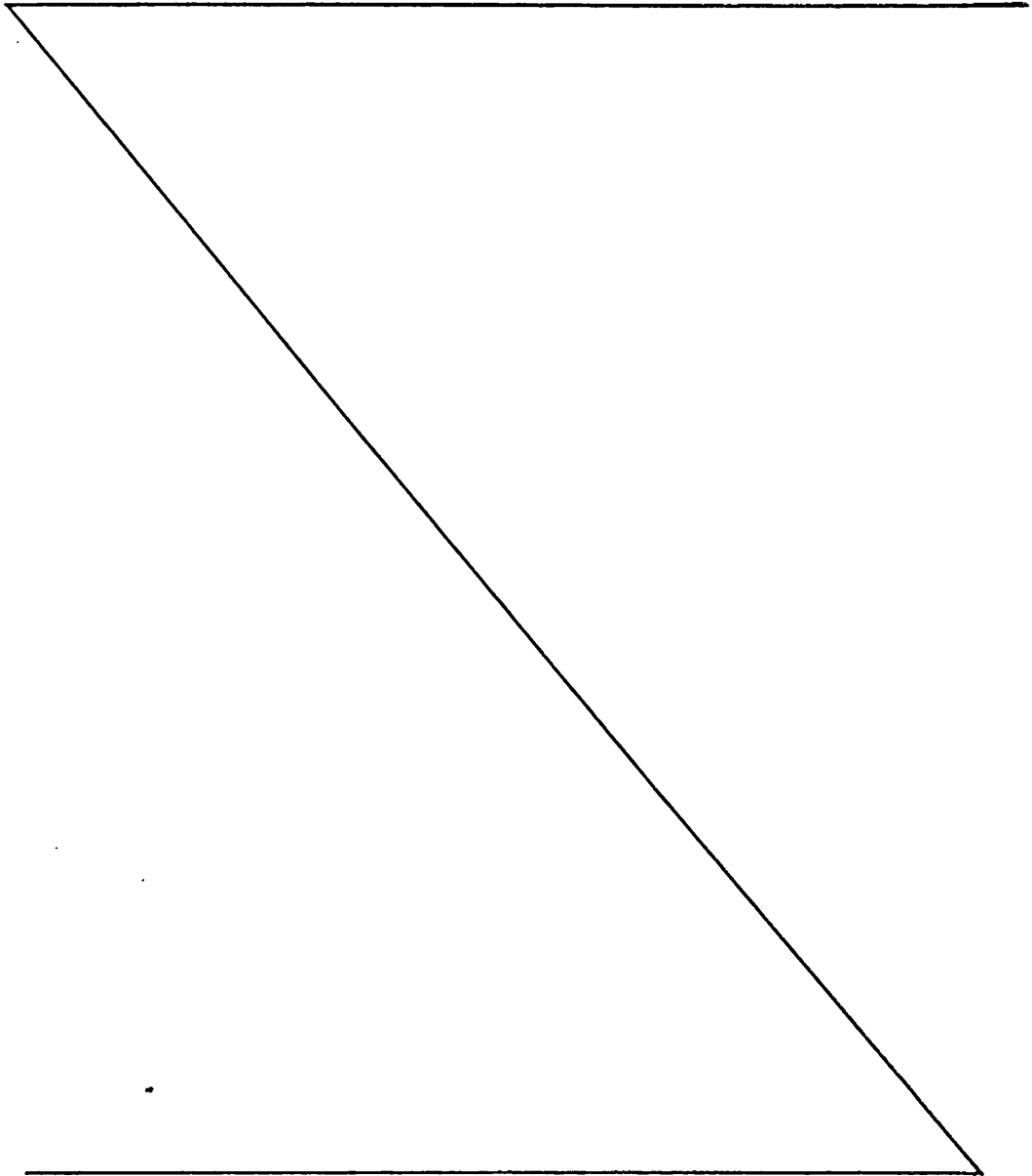
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and more particularly described as follows:

Beginning at a point on the existing City Limits said point being the Northwestern corner of the Marshall Park addition as per description filed December 3, 1957, Instrument 30118, Stanislaus County Records, and the Northeastern corner of the Paradise Center Addition as per description filed May 21, 1958, Instrument 12573, Stanislaus County Records; thence along the existing City Limits and the Northern line of said

Paradise Center Addition, South $89^{\circ} 44' 30''$ West, 290.58 feet to the Northwestern corner of said Paradise Center Addition, said corner also being on the Southeastern line of a 66 foot public road known as Paradise Road; thence along the Southeastern line of Paradise Road North $49^{\circ} 48' 30''$ East, 379.47 feet to a point on the existing City Limits which is the Northwestern corner of the Paradise Center No. 2 Addition as per description filed April 14, 1959, Instrument 10647, Stanislaus County Records; thence along the Western line of said Paradise Center No. 2 Addition and existing City Limits, South $0^{\circ} 10'$ East, 243.58 feet to the point of beginning, containing 1.63 acres more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of June, 1960, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE
EAST FLOYD NO. 2 ADDITION TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____

U. Z. Brannon and Geneva R. Brannon

on

April 5, 1960, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the EAST FLOYD NO. 2 ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th day of April, 1960, set said petition for hearing at the hour of 8:05 o'clock p.m. on the 8th day of June, 1960, in the Council Chambers ~~at the Stanislaus Public Library located at Fourth and C Streets~~ the City Hall, 891 Eleventh Street at ~~Fourth and C Streets~~ in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Bee, a newspaper published in the City of Modesto on May 11, 1960, and on May 18, 1960; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on May 11, 1960, and on May 18, 1960, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the

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

WHEREAS, on the 27th day of April, 1960, at the hour of 8:05 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street, in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

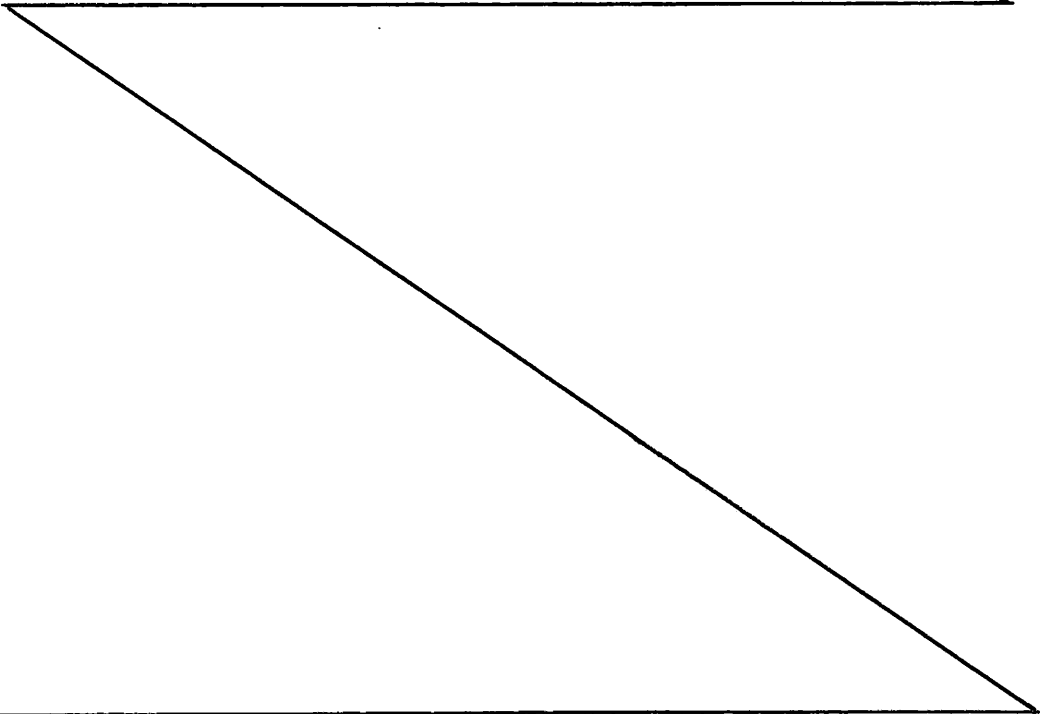
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the EAST FLOYD NO. 2 ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that certain real property situate in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northeastern corner of the existing Corporate City Limits as established by the East Floyd Addition, as per description filed January 21, 1960 as Instrument 1678, Stanislaus County Records, said point being the intersection of the Eastern line of said East Floyd Addition and the Southern line of a 40

foot public road known as Floyd Avenue as shown on the map of the Coffee Colony, filed January 13, 1906 in Volume 2 of Maps, at Page 22, Stanislaus County Records; thence along the following bearings and distances according to a Survey of Lots 20 and 21, Coffee Colony, recorded March 4, 1960 as Instrument 6362, in Volume 8 of Surveys, Page 24, Stanislaus County Records; along said Southern line of Floyd Avenue, South $89^{\circ} 27' 57''$ East, 46.33 feet to the Northwestern corner of land conveyed to Sherman O. Hoover, et ux, by deed recorded March 2, 1954 as Instrument 5353, Stanislaus County Records; along the Western line of said Hoover land, South $0^{\circ} 53'$ East, 135.00 feet to the Southwestern corner thereof; along the Southern line of said Hoover land and the extension thereof, South $89^{\circ} 27' 57''$ East, 268.00 feet to the Western line of land conveyed to E. H. Gamegan, et ux, by deed recorded June 2, 1954 as Instrument 13950, Stanislaus County Records; along the Western line of said Gamegan land, South $0^{\circ} 53'$ East, 40.00 feet to the Southwestern corner thereof; along the Southern line of said Gamegan land, South $89^{\circ} 27' 57''$ East, 100.00 feet to a point on the Eastern line of land conveyed to U. Z. Brannon, et ux, by deed recorded May 19, 1959 as Instrument 14572, Stanislaus County Records; along the Eastern line of said Brannon land, South $0^{\circ} 53'$ East, 876.24 feet to the Southeastern corner thereof; along the Southern line of said Brannon land, North $89^{\circ} 30'$ West, 414.34 feet to the Southwestern corner thereof, said point being on the existing City Limits of said East Floyd Addition; along the Western line of said Brannon land to the existing City Limits, North $0^{\circ} 53'$ West, 1051.49 feet to the point of beginning, containing 8.77 acres, more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of June, 19 60, by Councilman Knoles, who moved its adoption and passage to print, which motion being duly seconded by Councilman Arata, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO 391 -C.S.

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

WHEREAS, a petition was filed with the City Clerk by _____
Stanley I. Sheerr, Frances Sheerr and Safeway Stores,
_____ Incorporated, _____ on

April 15, 1960, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described

Ordinance No. 391 C.S.

*This Ordinance Incorporates
the City Property Annexed by Ordinance
No. 286 C.S. in a new annexation*

side the City of Modesto, but in the County of Stanislaus, on
May 11, 1960, and on May 18, 1960,
for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, a petition was filed with the City Clerk by _____
Stanley I. Sheerr, Frances Sheerr and Safeway Stores,
Incorporated, on

April 15, 1960, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act of
1939, as amended, certain uninhabited territory, hereinafter described
and designated as the EAST ORANGEBURG ADDITION,
situate in the County of Stanislaus, State of California, and contiguous
to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th
day of April, 1960, set said petition for hearing
at the hour of 8:10 o'clock p.m. on the 8th day of June,
1960, in the Council Chambers ~~at the McHenry Public Library located~~
the City Hall, 801 Eleventh Street,
~~at Fourteenth and E Streets~~ in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds
that a copy of the resolution giving notice of the proposed annexation
and fixing the time and place for hearing objections to the proposed
annexation was published in newspapers of general circulation to wit:
The Modesto Bee, a newspaper published in the City of
Modesto on May 11, 1960, and on May 18,
1960; and in the Turlock Daily Journal, a newspaper published out-
side the City of Modesto, but in the County of Stanislaus, on
May 11, 1960, and on May 18, 1960.

for the time and in the manner required by law, which publications were
completed at least twenty (20) days prior to the date set for hearing;
that written notice of the proposed annexation has been mailed by the
City Clerk of the City of Modesto to each person to whom land within
the territory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,
at the address as shown thereon, or as known to said Clerk, and to any
person who has filed his name and address and the designation of the

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

WHEREAS, on the 8th day of June, 1960, at the hour of 8:10 o'clock p.m., in the Council Chamber ~~in the County of Stanislaus~~ at the City Hall, ~~801 Eleventh Street~~ ~~Library~~ in the City of Modesto, County of Stanislaus, State of California,

the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

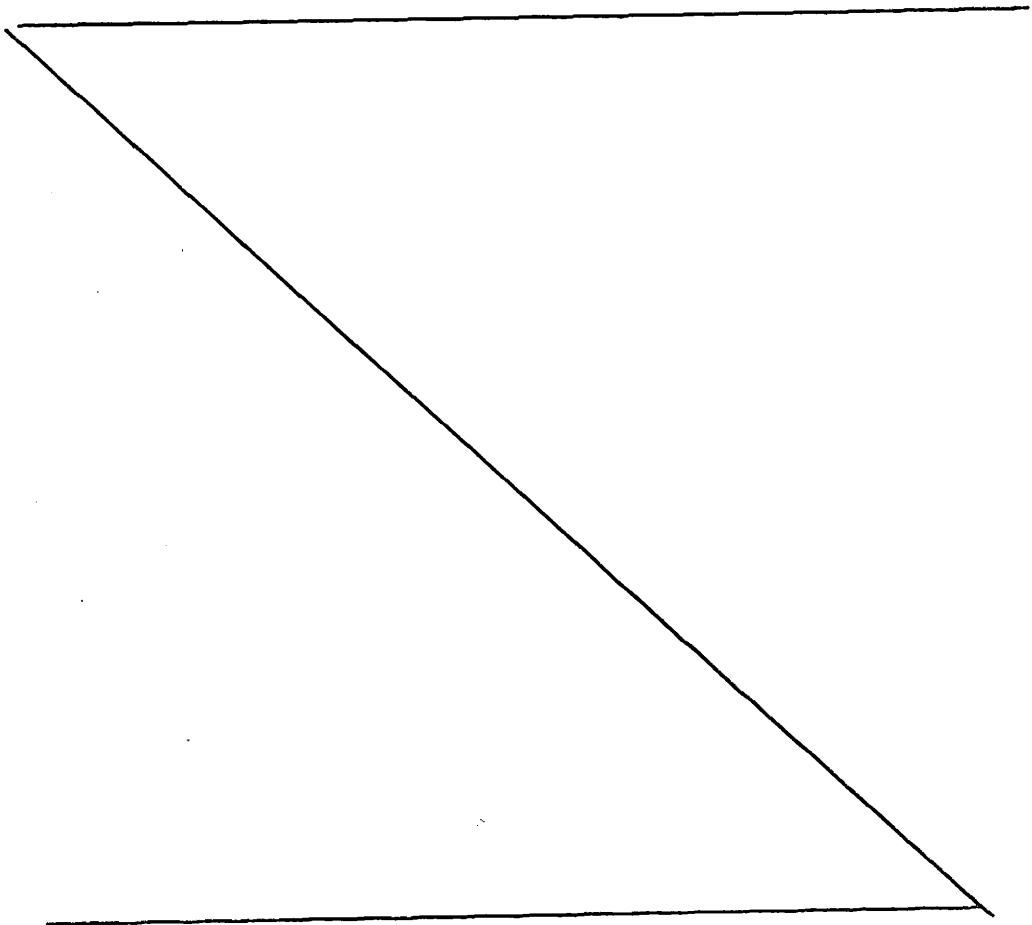
SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

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

All that certain real property situate in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and a portion of Lot 8 of the Coolidge Colony as per map filed November 15, 1910, Volume 5 of Maps, Page 17 Stanislaus County Records and Lot 13 of the Mensinger Colony as per map filed May 18, 1909, Volume 4 of Maps, Page 25, Stanislaus County Records and more particularly described as follows:

Beginning at the intersection of the center line of Orangeburg Avenue and the existing City Limits, said

point being the Southeastern corner of the Granger Addition as per description filed December 4, 1953, Instrument 30044, Stanislaus County Records, also being the Northeastern corner of the North Central Addition as per description filed July 15, 1953, Instrument 17507, Stanislaus County Records; thence along the City Limits and the Eastern line of said Granger Addition, North $0^{\circ} 10''$ West, 330.00 feet to a point on the Westerly Extension of the Northern Line of Lot 8 of said Coolidge Colony; thence along the Westerly extension and the Northern Line of said Lot 8, South $89^{\circ} 00'$ East, 685.04 feet to the Northeastern corner of said Lot 8; thence along the Eastern Line of said Lot 8, South $0^{\circ} 10'$ East, 330.00 feet to the Southeastern corner of said Lot 8, Coolidge Colony, said point also being on the Northern line of Lot 13 of said Mensinger Colony; thence along the Northern Line of said Lot 13, South $89^{\circ} 00'$ East 0.66 feet to the Northeastern corner, thereof; thence along the Eastern Line of said Lot 13, South $0^{\circ} 08' 30''$ East, 330.07 feet to the Southeastern corner thereof; thence along the Southern Line of said Lot 13 and its Westerly extension North $89^{\circ} 00' 30''$ West, 685.57 feet to a point on the Eastern Line of said North Central Addition, said point also being on the City Limits; thence along the City Limits and the Eastern Line of said North Central Addition, North $0^{\circ} 10'$ West, 330.38 feet to the point of beginning, containing 10.776 Acres more or less.



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

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

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

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

SECTION 7. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8 day of June, 19 60, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Arata, Knoles, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Adams, Martin, Spaulding

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 392 -C.S.

AN ORDINANCE AMENDING SECTION 4-2.25 OF CHAPTER 2 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO SELLING CONFECTIONS AT SCHOOLS, AND REPEALING SECTION 4-2.26 THEREOF.

SECTION 1. AMENDMENT OF CODE. Section 4-2.25 of Chapter 2 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-2.25. SELLING OF CONFECTIONS REQUIRED TO MAINTAIN DISTANCE FROM SCHOOLS. It shall be unlawful for:

(a) Any person to stop, stand, park or cause or permit to be stopped, stood or parked any wagon, push-cart or other vehicle from which any confectionary products and/or any confections are sold or peddled within one thousand (1000') feet of and from the exterior boundary of property used or occupied by any public school within the City.

(b) Any person to sell any confectionary products and/or any confections from any bucket, basket, tray, or other container within one thousand (1000') feet of and from the exterior boundary of property used or occupied by any public school within the City.

SECTION 2. REPEALS. Section 4-2.26 of Chapter 2 of Title IV of the Modesto Municipal Code is hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 15 day of June, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried

and the ordinance adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 392-C.S.

FINAL ADOPTION CLAUSE

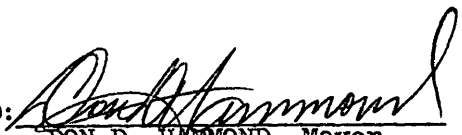
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 22 day of June, 19 60, Councilman Knoles moved its final adoption, which motion being duly seconded by Councilman Arata, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GALLFUS, City Clerk

EFFECTIVE DATE: July 7, 1960

AN ORDINANCE AMENDING SECTIONS 5-6.102 AND 5-6.107 OF ARTICLE 1 OF CHAPTER 6 OF TITLE V AND SECTIONS 5-6.206 AND 5-6.207 OF ARTICLE 2 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWER SERVICE.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.102 of

Article 1 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.102. SEWER SERVICE CHARGES. Each person owning property within the corporate limits of the City shall pay a charge for domestic sewage service to the City in accordance with the following rates:

(a) In all areas within the City limits as of July 1, 1950, the monthly sewer service charges for dwelling units connected to the sewer system shall be:

Each single family dwelling on a lot-----	\$1.15
One (1) additional dwelling unit on the same lot-----	.70
Each dwelling unit in a duplex-----	.90
Each dwelling unit in an apartment building or dwelling group-----	.70

(b) In areas annexed to the City after July 1, 1950, the monthly sewer service charges for dwelling units connected to the sewer system shall be:

Each single family dwelling on a lot-----	\$1.50
One (1) additional dwelling unit on the same lot-----	.90
Each dwelling unit in a duplex-----	1.15
Each dwelling unit in an apartment building or dwelling group-----	.90

(c) In areas annexed to the City after July 1, 1960, the monthly sewer service charges for dwelling units connected to the sewer system shall be:

Each single family dwelling on a lot-----	\$1.95
One (1) additional dwelling unit on the same lot-----	1.15
Each dwelling unit in a duplex-----	1.50
Each dwelling unit in an apartment building or dwelling group-----	1.15

(d) All monthly sewer service charges for dwelling units not connected to the sewer system shall be:

Each single family dwelling on a lot-----	1.00
One (1) additional dwelling unit on the same lot-----	.60
Each dwelling unit in a duplex-----	.80
Each dwelling unit in an apartment building or dwelling group-----	.60

SECTION 2. AMENDMENT OF CODE. Section 5-6.107 of

Article 1 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.107. RULES AND REGULATIONS. (a) No person shall discharge or allow the discharge of or dump sanitary sewage or other waste material into the sanitary sewerage system of the City except in compliance with the terms of and upon payment of the fees provided in this article.

(b) No person shall connect property outside the corporate limits of the City to the City's sewer system without first obtaining the consent of the Council and paying the fees and charges imposed by the City. In considering applications for furnishing sewer services to property located outside the corporate limits of the City the Council may impose such reasonable conditions to the granting of such privilege as it deems to be in the best interest of the City, taking into consideration the fact that the sewer system is primarily designed to serve property within the corporate limits of the City.

(c) All persons shall keep their house sewer connections in good order at their own expense and shall be liable for damages which may result from their failure to do so. A City inspector shall be admitted at all reasonable hours to all parts of any premises connected with the sewerage system for purposes of checking the fixtures and establishment of service charges as herein provided.

(d) There shall be a separate connection to the sewerage system for each building served except that when authorized by the Director of Public Works, two (2) or more buildings on the same lot, as defined in this article, may be served by the same sewer connection.

(e) Permits for sewer connections shall be obtained in accordance with the provisions of the Plumbing Code of the City.

SECTION 3. AMENDMENT OF CODE. Section 5-6.206 of Article 2 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

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

(a) Residential User, Inside City: Charges for residential users, inside City, shall be as established by subsections (a), (b), (c) and (d) of Section 5-6.102, Article 1 of this chapter.

(b) Residential User, Outside City: Charges for residential users, outside City, shall be Four and $\frac{10}{100}$ ths (\$4.00) Dollars per month, per dwelling unit, payable bi-monthly.

(c) Commercial User, Inside City:

(1) Charges for all commercial users, inside City, connected to the sewer system, shall be sixty-five (65%) per cent of the bi-monthly water bill, provided that all water used on the premises is from City facilities. If any or all water used by any commercial user is from other than City facilities, user shall install metering facilities approved by the Director at the user's expense and the sewer service charge shall be an amount equal to sixty-five (65%) per cent of the charge which would be made were such water from City facilities, but in no event shall said charge be less than a bi-monthly rate of Three and no/100ths (\$3.00) Dollars.

(2) Charges for all commercial users, inside City, not connected to the sewer system, shall be a bi-monthly rate of Three and no/100ths (\$3.00) Dollars.

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

(e) Industrial User, Class A: Charges for industrial users, Class A, inside City shall be as follows, based on either sewage discharge or water used:

<u>CUBIC FEET</u>	<u>RATE OF CHARGE</u>
3,000 CF or less	\$6.75 per month
Next 12,000 CF	.05 per 100 CF
Next 185,000 CF	.04 per 100 CF
Next 400,000 CF	.035 per 100 CF
Next 600,000 CF	.03 per 100 CF
All over 1,200,000 CF	.02 per 100 CF

(f) Industrial User, Class B: Charges for industrial users, Class B, inside City shall be as follows:

(1) If water used is the basis selected:

<u>CUBIC FEET OF WATER USED</u>	<u>RATE OF CHARGE</u>
3,000 CF or less	\$6.75 per month
Next 12,000 CF	.07 per 100 CF
Next 185,000 CF	.05 per 100 CF
Next 400,000 CF	.045 per 100 CF
Next 600,000 CF	.04 per 100 CF
All over 1,200,000	.025 per 100 CF

(2) If sewage discharged is the basis selected:

<u>CUBIC FEET OF SEWAGE DISCHARGE</u>	<u>RATE OF CHARGE</u>
2,400 CF or less	\$6.75 per month
Next 9,600 CF	.07 per 80 CF
Next 148,000 CF	.06 per 80 CF
Next 320,000 CF	.05 per 80 CF
Next 480,000 CF	.04 per 80 CF
All over 960,000 CF	.025 per 80 CF

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

(h) Industrial User, Class D: Charges for industrial users, Class D, inside City shall be one hundred forty (140%) per cent of the charges listed above for Industrial User, Class B.

(i) Industrial User, Standby Rate: Any industrial user, inside City, during any whole month in which the industrial waste plant is required to operate for less than fifteen (15) days in order to maintain water pollution standards shall pay fifty (50%) per cent of the applicable rate established by subsections (e), (f), (g) and (h). The determination of the necessity to operate the industrial waste plant to maintain water pollution standards shall be made by the Director of Public Works in accordance with the requirements of the Regional Water Pollution Control Board imposed upon the City, as they now exist or may hereafter be amended. Nothing in this section shall be construed to permit individual industrial plants to discharge waste directly to the Tuolumne River without direct authorization to do so.

(j) Industrial User, Outside City: Charges to industrial users, outside City, shall be as established by the Council by agreement or resolution.

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

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

SECTION 4. AMENDMENT OF CODE. Section 5-6.207 of Article 2 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

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

(b) No person shall connect property outside the corporate limits of the City to the City's sewer system without first obtaining the consent of the Council and paying the fees and charges imposed by the City. In considering applications for furnishing sewer services to property located outside the corporate limits of the City the Council may impose such reasonable conditions to the granting of such privilege as it deems to be in the best interest of the City, taking into consideration the fact that the sewer system is primarily designed to serve property within the corporate limits of the City.

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

(d) The value of B. O. D. to be used in determining the class of an industrial user shall be the averages of four (4) grab samples taken at reasonable intervals during the billing period, except that industrial users whose wastes are found to fall continually within the limits of one class will only be checked upon the request of the industrial user or at the discretion of the Director. The class of user as determined by such samples shall apply for the entire billing period during which the samples are taken.

SECTION 5. EMERGENCY PROVISIONS. DECLARATION OF EMERGENCY.

The Council of the City of Modesto hereby finds and declares that the immediate adoption of the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety for the following reasons:

That the revenues presently derived from sewer service charges are insufficient to amortize the cost of principal and interest on the bonds issued to finance the construction of the system and to maintain and operate the system and that unless the charges are increased as proposed a deficiency of funds will result and inadequate financing be available to operate and maintain the system.

SECTION 6. EFFECTIVE DATE. That pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon adoption. The increase in commercial and industrial sewer service rates shall become effective as of July 1, 1960 and the increase in domestic sewer service rates shall become effective as of August 1, 1960.

SECTION 7. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto, within fifteen (15) days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 15 day of June, 1960, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll

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

AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 21 OF THE ZONING MAP OF THE CITY OF MODESTO TO ESTABLISH INTERIM ZONING FOR CERTAIN PROPERTY LOCATED THEREON NEWLY ANNEXED TO THE CITY. (EAST ORANGEBURG ADDITION)

WHEREAS, East Orangeburg Addition was annexed to the City of Modesto on June 10, 1960, and

WHEREAS, Section 10-2.1505 of the Municipal Code authorizes the Council, upon the recommendation of the Planning Commission, to temporarily classify newly annexed territory into zones other than R-1 classification by the adoption of an emergency interim ordinance in order to protect the public health, safety and welfare of the City.

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

SECTION 1. INTERIM ZONING. Section 21 of the Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference. The purpose of said amendment is to establish interim zoning for newly annexed territory as set forth on said map. Except for the interim zoning of newly annexed territory as shown on said map, the existing zoning shall continue in effect.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency. The property for which interim zoning is established by this ordinance is newly annexed to the City. The best utilization and development of said property requires the establishment of interim zoning pending the completion of formal zoning proceedings.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 4. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

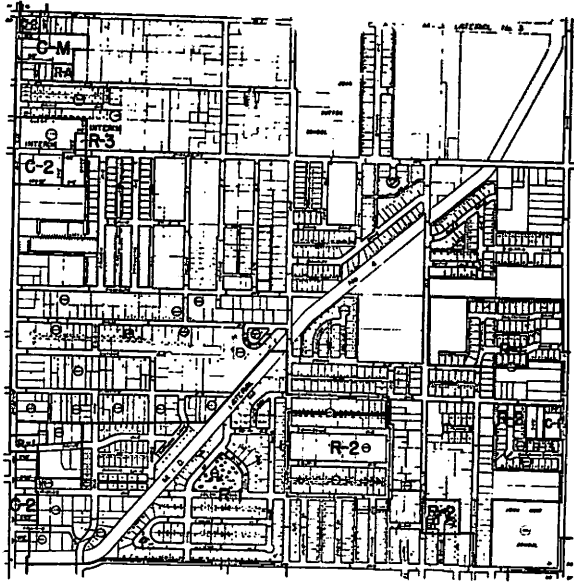
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of June, 1960, by Councilman Spaulding, who moved its adoption and passage to print, which motion being duly seconded by Councilman Martin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST 
REX E. GALLFUS, City Clerk

(SEAL)



ZONING MAP OF THE CITY OF MODESTO

SEC 21-3-8
CITY OF MODESTO, CALIFORNIA

Ordinance No. 394-C.S.

AN ORDINANCE AMENDING CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE BY ADDING ARTICLE 16 THERETO RELATING TO REGULATION OF TRAMPOLINE CENTERS.

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

SECTION 1. AMENDMENT OF CODE. Article 16 entitled "Regulation

of Trampoline Centers" is hereby added to Chapter 7 of Title IV of the Modesto

Municipal Code to read as follows:

ARTICLE 16. REGULATION OF TRAMPOLINE CENTERS

SEC. 4-7.1301. DEFINITIONS. As used in this article, the following words and phrases are defined as follows:

(a) Trampoline Center. Any recreational, amusement, or athletic facility open to the use of the general public within or upon which any trampoline is installed, maintained or operated for such use and irrespective of whether or not a charge is made for the use of any trampoline within or upon such facility.

(b) Trampoline Supervisor. The individual on the premises in direct control of the operation of a trampoline center, or any person acting by and with the authority of the person so in control.

(c) Approved Type. The words "approved type" or any connotation thereof shall refer to approval by the City Building Inspector.

SEC. 4-7.1302. UNLAWFUL OPERATION. No person shall construct, install, maintain, use, or operate any trampoline center otherwise than in accordance with the regulations prescribed in this article.

SEC. 4-7.1303. CONSTRUCTION AND INSTALLATION REGULATIONS. Construction and installation regulations for trampoline centers are prescribed as follows:

(a) Measured from the outside dimension of the trampoline frame, the minimum distances between trampolines shall be: End-to-end (Longitudinal): six ^{ten} ~~16~~ feet; Side-to-side (lateral): six ^{four} ~~6~~ feet.

(b) All trampoline frames shall be completely and securely covered with padding of approved type construction and dimension.

(c) No structure or any part thereof, and no other object of any kind or description, except trampoline frame padding, shall be erected, placed or maintained closer than eight (8') feet to the outside of the frame of any trampoline.

(d) Any ceiling, roof or other covering overlaying any trampoline shall be not less than fourteen (14') feet above the mat or net of the trampoline.

(e) With reference to any pit-type installation of any trampoline, the pit shall be excavated, constructed and maintained to provide a shelf or ledge beneath all springs, elastic bands or other recoil or rebound mechanism attached to the mat or net and which shelf or ledge shall be positioned and dimensioned as follows: Not less than twelve (12") inches nor more than sixteen (16") inches below such recoil or rebound mechanism and of a width sufficient to extend laterally below all of such recoil or rebound mechanism plus two (2") inches within and below the perimeter of the mat or net. All other portions of the pit beneath the mat or net shall be excavated, constructed and maintained to a depth of thirty-six (36") inches with a downward side and end slope of approximately one-to-one from the inner edge of such shelf or ledge. A minimum of two (2") inches of pea gravel shall cover the entire bottom of the pit.

SEC. 4-7.1^b08. QUALIFICATIONS FOR TRAMPOLINE SUPERVISOR. Any trampoline supervisor shall be a person not less than eighteen (18) years of age.

SEC. 4-7.1^b09. INSURANCE. It shall be unlawful to operate any trampoline center unless there shall be filed and deposited with the City Clerk a policy of insurance executed and delivered by a corporate surety company authorized to carry on an insurance business in the State, by the terms of which said insurance company assumes responsibility for injuries to persons caused by the operation of said trampoline center in the following amounts, to-wit:

One Hundred Thousand and no/100 ths (\$100, 000. 00)
Dollars for death or injuries to any one person in any one accident;

Two Hundred Thousand and no/100 ths (\$200, 000. 00)
Dollars for death or injuries to two (2) or more persons in any one accident; and

Ten Thousand and no/100 ths (\$10, 000. 00) Dollars for damage to property of others resulting from any one accident.

Certificates of insurance will be accepted for a period not to exceed one hundred eighty (180) days during which time the owner shall file the original policy of insurance as hereinbefore provided.

SEC. 4-7.1^b10. CANCELLATION OF POLICY. The policy of insurance shall contain a provision against cancellation except upon ten (10) days prior written notice thereof to the Council.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 22 day of June, 1960, by Councilman Spaulding, who moved its introduction and passage to print, which motion being duly seconded by Councilman Vanderwall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Knoles, Martin, Spaulding, Vanderwall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams, Arata

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

X

**AN AMENDMENT TO ORDINANCE NO. 395-C.S. ENTITLED
"AN ORDINANCE AMENDING CHAPTER 7 OF TITLE IV OF THE
MODESTO MUNICIPAL CODE BY ADDING ARTICLE 15 THERETO
RELATING TO REGULATION OF TRAMPOLINE CENTERS".**

I move that Section 4-7.1503(a) of Ordinance No. 395-C.S. introduced on June 22, 1960, and heretofore published, be amended to read as follows:

SEC. 4-7.1503. CONSTRUCTION AND INSTALLATION REGULATIONS.
Construction and installation regulations for trampoline centers are prescribed as follows:

(a) Measured from the outside dimension of the trampoline frame, the minimum distances between trampolines shall be: End-to-end (Longitudinal): ten (10') feet; side-to-side (lateral): five (5') feet,

out

and that said ordinance be republished as amended.

The foregoing motion was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1960, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the motion adopted by the following vote:

- AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Arata

ATTEST: [Signature]
City Clerk

(SEAL)



AN AMENDMENT TO ORDINANCE NO. 395-C.S. ENTITLED
"AN ORDINANCE AMENDING CHAPTER 7 OF TITLE IV OF THE
MODESTO MUNICIPAL CODE BY ADDING ARTICLE 15 THERETO
RELATING TO REGULATION OF TRAMPOLINE CENTERS".

Ord. No.

I move that Section 4-7.1503(a) of Ordinance No. 395-C.S.
introduced on June 22, 1960, and heretofore published, be amended to
read as follows:

SEC. 4-7.1503. CONSTRUCTION AND INSTALLATION REGULATIONS.
Construction and installation regulations for trampoline
centers are prescribed as follows:

(a) Measured from the outside dimension of
the trampoline frame, the minimum distances between
trampolines shall be: End-to-end (Longitudinal):
ten (10') feet; side-to-side (lateral): five (5')
feet,

and that said ordinance be republished as amended.

The foregoing motion was introduced at a regular meeting
of the Council of the City of Modesto held on the 6th day of

July, 1960, by Councilman Spaulding, who
moved its adoption, which motion being duly seconded by Councilman
Knoles, was upon roll call carried and the motion

adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Arata

ATTEST: [Signature]
City Clerk

(SEAL)

EFFECTIVE DATE: July 26, 1960

ORDINANCE NO. 396 -C. S.

AN ORDINANCE APPROPRIATING FUNDS FOR PAYMENT OF THE USUAL CURRENT EXPENSES OF THE CITY OF MODESTO.

WHEREAS, the 1959-60 fiscal year of the City of Modesto ends on June 30, 1960, and

WHEREAS, there will be an interim period between June 30, 1960, and the adoption of the budget for the fiscal year beginning July 1, 1960, and terminating June 30, 1961, and

WHEREAS, the Council desires to make an appropriation for the usual current expenses of the City to cover expenditures for the interim period above referred to,

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

SECTION 1. That the sum of \$350, 000.00, or such portion thereof as may be necessary, is hereby appropriated for the payment of the customary and usual current expenses of the City of Modesto for the period commencing July 1, 1960, and continuing until the adoption of the budget for the fiscal year 1960-1961.

SECTION 2. That pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption and shall apply, commencing on and after July 1, 1960, but shall be superseded upon the adoption of the budget for the 1960-1961 fiscal year.

SECTION 3. That this ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of June, 1960, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GALLFUS, City Clerk

AN ORDINANCE APPROPRIATING FUNDS FOR PAYMENT OF SPECIAL CAPITAL PROJECTS OF THE CITY OF MODESTO.

WHEREAS, the 1959-60 fiscal year of the City of Modesto ends on June 30, 1960, and

WHEREAS, there will be an interim period between June 30, 1960, and the adoption of the budget for the fiscal year beginning July 1, 1960, and terminating June 30, 1961, and

WHEREAS, the Council desires to make available appropriations for special capital projects of the City to cover expenditures for the interim period above referred to,

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

SECTION 1. That the following sums for the payment of special capital projects of the City of Modesto for the fiscal year commencing July 1, 1960, are hereby appropriated as follows:

SPECIAL FUND FOR CAPITAL OUTFLAY:	
Golf Course Clubhouse	\$ 1,000.00
McHenry Avenue Widening	\$ 1,000.00
Street Improvements	56,000.00
Communication Center and	
Police Building	10,000.00
Sub-trunks and Perimeter Sewers	25,000.00
Reserve	<u>682,268.00</u>
	\$775,268.00
PARKING FUND:	
11th Street Garage	<u>\$ 5,000.00</u>
PARKS & RECREATION FACILITIES FUND:	
Park Site Acquisition New	
Sylvan School Area	\$ 17,500.00
Park Site Acquisition La Loma Area	<u>6,000.00</u>
	\$ 23,500.00
1953 SEWER IMPROVEMENT BOND FUND	<u>\$230,000.00</u>

SECTION 2. EFFECTIVE DATE. That pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once in The Modesto 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 22 day of June, 1960, by Councilman Spaulding, who moved its adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Arata, Knoles, Martin, Spaulding, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE NO. 398 -C. S.

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE CITY OF MODESTO FROM THE ROOSEVELT CENTER, INCORPORATED.

WHEREAS, Roosevelt Center, Incorporated, a California corporation, of Stanislaus County, California, owns that certain parcel of real property hereinafter described, and

WHEREAS, the City of Modesto desires to purchase said real property for use for municipal purposes,

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

SECTION 1. PURCHASE AUTHORIZED. The purchase of the following described real property from Roosevelt Center, Incorporated for the sum of Two Thousand, Five Hundred and no/100ths (\$2,500.00) Dollars in accordance with the provisions of that certain agreement referred to in Section 2 of this ordinance is hereby authorized. Said real property is described as follows:

That portion of Lot 5 of the Leveland Tract, as per Map filed December 23, 1922, in Vol. 9 of Maps, page 71, Stanislaus County Records described as follows:

Beginning at the Southeast corner of Lot 1 in Block 6822 of Northgate Subdivision No. One, as per Map filed June 29, 1956, in Vol. 18 of Maps, page 54, Stanislaus County Records; thence North 0° 48' West along the East line of said Lot 1, 106.91 feet to the Northeast corner thereof; thence East along the Easterly extension of the North line of said Lot 1, 50.00 feet; thence South 0° 48' East and parallel with the East line of said Lot 1, 111.91 feet to a point on the North line of Bowen Avenue, as shown on the Map of Leveland Tract above referred to and designated thereon as Avenue "A"; thence West, along the North line of said Bowen Avenue; 50 feet to a point in the East line of said Northgate Subdivision No. One which point bears South 0° 48' East 5.00 feet from the point of beginning; thence North 0° 48' West along the said East Subdivision line, 5.00 feet to the point of beginning.

SECTION 2. APPROVAL OF AGREEMENT. That certain agreement between the City of Modesto and Roosevelt Center Incorporated, a corporation, relating to the purchase of certain real property for municipal purposes, a copy of which is on file in the Office of the City Clerk of the City of Modesto, is hereby approved and the City Manager and the City Clerk are hereby authorized to execute and attest said agreement, respectively, on behalf of the City of Modesto and do all things necessary to carry out the terms of said agreement.


SECTION 3. ACCEPTANCE AND RECORDING OF DEED. The City of Modesto hereby accepts the deed from Roosevelt Center, Incorporated, a corporation, conveying the above described property to the City of Modesto and hereby authorizes the City Clerk to record said deed with the Recorder of Stanislaus County.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22 day of June, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Arata, Knoles, Martin, Spaulding,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Adams

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GALFUS, City Clerk

(SEAL)

Ord. No. 398-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6 day of July, 1960, Councilman Spaulding moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GALLFUS, City Clerk

EFFECTIVE DATE: July 21, 1960

ORDINANCE NO. 399 -C.S.

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO AND REPEALING SECTION 1 OF ORDINANCE NO. 383-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER ROAD, from Evergreen Street north to northerly city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to Eighth Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour

LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, from Grand Street to La Loma Avenue	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
SUTTER, within the city limits	35 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour

SECTION 2. REPEALS. Section 1 of Ordinance No. 383-C.S.

is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1960, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Spaulding, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Knolés, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Arata

ATTEST: 
REX E. GALLFUS, City Clerk

APPROVED: 
DON D. HAMMOND, Mayor

(SEAL)

Ord. No. 399-C.S.

FINAL ADOPTION CLAUSE

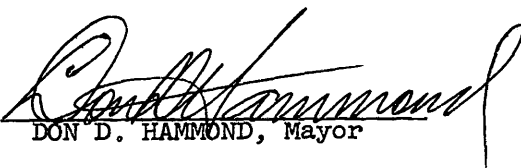
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13 day of July, 1960, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Adams, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, VanderWall, Mayor
Pro Tempore Spaulding

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GALLFUS, City Clerk

EFFECTIVE DATE: July 28, 1960

ORDINANCE NO. 400 -C.S.

AN ORDINANCE ADDING SECTION 9-2.09.1 TO CHAPTER 2 OF TITLE IX AND SECTION 9-3.213 TO ARTICLE 2 OF CHAPTER 3 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO TELEPHONE PERMIT SYSTEM.

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

SECTION 1. AMENDMENT OF CODE. Section 9-2.09.1 is hereby added to Chapter 2 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-2.09.1. TELEPHONE PERMIT PROCEDURE. That Section 1.15 be added to said Plumbing Code to read as follows:

Section 1.15. Notwithstanding the provisions of Sections 1.11 and 1.12 of this Code, the Director of Public Works is hereby authorized to establish a system for the issuance of routine permits upon telephonic request, and to issue such directives and regulations as are deemed necessary to govern the operation and administration of such a system. Said directives and regulations shall have the force and effect of law and a violation thereof shall constitute a misdemeanor. Such a system may provide for the payment of permit fees on permits issued by telephone on an accounts receivable basis.

SECTION 2. AMENDMENT OF CODE. Section 9-3.213 is hereby added to Article 2 of Chapter 3 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-3.213. TELEPHONE PERMIT PROCEDURE. Notwithstanding the provisions of Sections 9-3.203, 9-3.204 and 9-3.206 of this Code, the Director of Public Works is hereby authorized to establish a system for the issuance of routine permits upon telephonic request, and to issue such directives and regulations as are deemed necessary to govern the operation and administration of such a system. Said directives and regulations shall have the force and effect of law and a violation thereof shall constitute a misdemeanor. Such a system may provide for the payment of permit fees on permits issued by telephone on an accounts receivable basis.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 20 day of July, 1960, by Councilman Adams, who moved its introduction and passage to print, which motion being duly seconded by Councilman Knoles, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 400-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27 day of July, 19 60, Councilman Adams moved its final adoption, which motion being duly seconded by Councilman Knoles, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Adams, Arata, Knoles, Martin, Spaulding, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 11, 1960